



The Planning Inspectorate
Yr Arolygiaeth Gynllunio

Section 55

Acceptance of Applications Checklist

Appendix 3 of [Advice on the preparation and submission of application documents](#)

Version: November 2024

Fenwick Solar Farm Section 55 Acceptance of Applications Checklist

Relevant sections of the Planning Act 2008 can be viewed at legislation.gov.uk, here: <http://www.legislation.gov.uk/ukpga/2008/>

All other secondary legislation referred to in this checklist is searchable, here: <https://www.legislation.gov.uk/>

DISCLAIMER: This Checklist is a non-statutory checklist for the Planning Inspectorate to complete. Completion or self-assessment by the Applicant does not hold weight at the Acceptance stage. Unless specified, all references to the Planning Inspectorate are made in relation to functions being carried out on behalf of the Secretary of State for the Ministry of Housing, Communities and Local Government.

Section 55(2) Acceptance of Applications				
1	Within 28 days (starting day after receipt) the Planning Inspectorate must decide whether or not to accept the application for Examination.	Date received	28-day due date	Date of decision
		1 November 2024	29 November 2024	29 November 2024
Section 55(3) – the Planning Inspectorate may only accept an application if it concludes that:		Planning Inspectorate comments		
Section 55(3)(a) and s55(3)(c): It is an application for an order granting development consent				
2	In accordance with sections(s) 14 to 30 of the Planning Act 2008 (the PA2008), is the development a Nationally Significant Infrastructure Project (NSIP) (or does it form part of an NSIP); and does the application state on the face of it that, in accordance with s31 of the PA2008, it is an application for a Development Consent Order (DCO) under the PA2008, or equivalent words? Does the application specify the development to	<p>Yes</p> <p>The Proposed Development set out in Schedule 1 of the Draft DCO (Doc 3.1) includes development falling within the categories in s14 of the PA2008. The development is for the construction of a NSIP category and satisfies sections 14(1)(a) and 15(1) and (2) of the PA2008.</p> <p>This is consistent with the summary provided in section 4 of the Application Form (Doc 1.3) which states that the application is for an NSIP.</p>		

	<p>which it relates (i.e. which category or categories in s14 to 30 does the Proposed Development fall)?</p> <p>If the development does not fall within the categories in s14 to 30, has a direction been given by the Secretary of State under s35 of the PA2008 for the development to be treated as development for which development consent is required?</p>	<p>Section 4 of the Application Form (Doc 1.3) states:</p> <p>The Scheme is defined as a Nationally Significant Infrastructure Project (NSIP) pursuant to sections 14(1)(a) and 15(1) and (2) of the Planning Act 2008 (PA 2008), as an onshore generating station in England with a capacity exceeding 50 megawatts (MW).</p>
3	<p>Summary: Section 55(3)(a) and s55(3)(c)</p>	<p>The Planning Inspectorate is satisfied that the Draft DCO (Doc 3.1) includes development for which development consent is required.</p>
<p>Section 55(3)(e): The Applicant in relation to the application made has complied with Chapter 2 of Part 5 (pre-application procedure)</p>		
4	<p>In accordance with Regulation 8 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations), did the Applicant (prior to carrying out consultation in accordance with s42) either (a) request the Planning Inspectorate adopt a Screening Opinion in respect of the development to which the application relates, or (b) notify the Planning Inspectorate in writing that it proposed to provide an Environmental Statement in respect of that development?</p>	<p>Yes</p> <p>On 1 June 2023 the Applicant notified the Planning Inspectorate in accordance with Regulation 8(1)(b) of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 of its intention to provide an Environmental Statement (ES) in respect of the Proposed Development. The notification was received before the start of statutory consultation on 18 April 2024.</p> <p>A copy of the notification letter is provided at Appendix C of the Consultation Report (Doc 5.1).</p>
5	<p>Have any Adequacy of Consultation Representations been received from 'A', 'B', 'C' and 'D' local authorities; and if so, do they confirm that the Applicant has complied with the duties under s42, s47 and s48?</p>	<p>Yes</p> <p>There are 10 host and neighbouring authorities, of which all ten responded to the Planning Inspectorate's invitation to make an Adequacy of Consultation Representation (AoCR) dated 04 November 2024.</p>

<p>Section 55(4) of the PA2008 provides that the Planning Inspectorate must have regard to the Consultation Report, and any Adequacy of Consultation Representations received.</p>	<p>Nine responding authorities confirmed in their AoCR that either the Applicant had complied with its duties under s42, s47 and s48 of the PA2008 and/ or that their authority had no comments/objections to make. These local authorities were:-</p> <ul style="list-style-type: none"> • City of Doncaster Council (B authority) • Barnsley Metropolitan Borough Council (A authority) • North Yorkshire Council (A authority) • Nottingham County Council (A authority) • East Riding of Yorkshire Council (A authority) • North Lincolnshire Council (A authority) • South Yorkshire Mayoral Combined County (C authority) • Wakefield Council (A authority) • Rotherham Metropolitan Borough Council (A authority) <p>*Bassetlaw District Council (A authority) have replied stating “unknown” in the assessment of compliance. They stated they have no record of contact from the Applicant.</p> <p>All AoCRs received have been carefully considered and are available to view on the National Infrastructure Planning website:</p> <p>Fenwick Solar Farm - Project information</p>
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Section 42: Duty to consult

Did the Applicant consult the applicable persons set out in s42 of the PA2008 about the proposed application?

6	<p>Section 42(1)(a) persons prescribed?</p> <p>The persons prescribed are the statutory consultees set out in Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the APFP Regulations).</p>	<p>Yes</p> <p>The Applicant has provided a list of persons consulted under s42(1)(a) on 18 April 2024 at Appendix I of the Consultation Report (Doc 5.1).</p> <p>A sample of the letter sent to s42(1)(a) consultees is provided at Appendix J1 of the Consultation Report (Doc 5.1).</p> <p>The Planning Inspectorate has identified the following parties based on a precautionary interpretation of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the APFP Regulations) that were not consulted by the Applicant under s42:</p> <ul style="list-style-type: none"> • North Yorkshire Police and Crime Commissioner • Sykehouse Parish Council • CNG Services Limited • Mua Gas Limited • Stark Works • Thorpe Marsh Green Energy Hub Limited • Thorpe Marsh Energy Park Limited • Advanced Electricity Networks Limited • Aidien Limited • Aurora Utilities Limited • Independent Distribution Connection Specialists Limited • Stark Infra-Electricity Limited
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		<p>The Applicant's Consultation Report (Doc 5.1) does not explain why the bodies identified above have not been consulted. However, it is noted that the licences held by these bodies cover Great Britain or various smaller areas and the operational areas of each are not clear from information in the public domain.</p> <p>None of the bodies listed above have been identified by the Applicant as having an interest in the Order lands and are not listed in the Book of Reference (Doc 5.1).</p> <p>Section 51 advice has been issued to the Applicant in respect of the above matter: Fenwick Solar Farm - Project information</p>
7	<p>Section 42(1)(aa) the Marine Management Organisation(MMO)?</p> <p>The MMO must be consulted in any case where the Proposed Development would affect, or would be likely to affect, any of the areas specified in s42(2) of the PA2008.</p>	N/A
8	<p>Section 42(1)(b) each local authority within s43?</p> <p>Definition of 'local authority' in s43(3) of the PA2008: The 'B' authority where the application land is in the authority's area; the 'A' authority where any part of the boundary of A's area is also a part of the boundary of B's area; the 'C' authority (upper tier) where the application land is in that authority's area; the 'D' authority (upper tier) where such an authority shares a boundary with a 'C' authority.</p>	<p>Yes</p> <p>Table 3-5 of the Consultation Report (Doc 5.1) lists the relevant local authorities that were identified and consulted under s43 and s42(1)(b) on 18 April 2024.</p> <p>The host 'B' authority was consulted:</p> <ul style="list-style-type: none"> • City of Doncaster Council <p>The host 'C' authority was consulted:</p> <ul style="list-style-type: none"> • N/A <p>The boundary 'A' authorities were consulted:</p>

		<ul style="list-style-type: none"> • Barnsley Metropolitan Council • East Riding of Yorkshire Council • North Yorkshire Council • Rotherham Metropolitan Borough Council • Wakefield Council • North Lincolnshire Council • Nottinghamshire County Council • Bassetlaw District Council <p>The boundary 'D' authorities were consulted:</p> <ul style="list-style-type: none"> • N/A <p>A sample of the letter sent to s42(1)(b) relevant authorities is provided at Appendix J1 of the Consultation Report (Doc 5.1).</p>
9	Section 42(1)(c) the Greater London Authority (if in Greater London area)?	N/A
10	<p>Section 42(1)(d) each person in one or more of s44 categories?</p> <p>Category 1: owner, lessee, tenant or occupier of land; Category 2: person interested in the land or has power to sell and convey the land or to release the land; Category 3: persons who would or might be entitled to make a relevant claim.</p>	<p>Yes</p> <p>Paragraph 3.4.26 of the Consultation Report (Doc 5.1) states that all persons identified under s42(1)(d) were consulted on 18 April 2024.</p> <p>Paragraphs 3.4.21 to 3.4.41 of the Consultation Report (Doc 5.1) summarise how the Applicant made diligent inquiry to seek to identify and consult persons with an interest in lands affected by the Draft DCO (Doc 3.1). The full methodology undertaken by the Applicant is provided in Appendix P1 of the Consultation Report (Doc 5.1).</p>

		<p>The persons consulted under s42(1)(d) are listed at Appendix I of the Consultation Report (Doc 5.1).</p> <p>A sample of the letter is provided at Appendix J2 of the Consultation Report (Doc 5.1).</p>
Section 45: Timetable for s42 consultation		
11	<p>Did the Applicant notify s42 consultees of the deadline for receipt of consultation responses; and if so was the deadline notified by the Applicant 28 days or more starting with the day after receipt of the consultation documents?</p>	<p>Yes</p> <p>A sample of the letter sent to s42 consultees is provided at Appendix J of the Consultation Report (Doc 5.1).</p> <p>The sample letter dated 15 April 2024 confirmed that consultation commenced on 18 April 2024 and closed on 31 May 2024, providing more than the required minimum time for receipt of responses.</p>
Section 46: Duty to notify the Planning Inspectorate of proposed application		
12	<p>Did the Applicant supply information to notify the Planning Inspectorate of the proposed application; and if so, was the information supplied to the Planning Inspectorate on or before the date it was sent to the s42 consultees? Was this done on or before commencing consultation under s42?</p>	<p>Yes</p> <p>The Applicant gave notice under s46 on 11 April 2024, which was before the beginning of s42 consultation.</p> <p>A copy of the s46 notification letter is provided at Appendix K1 of the Consultation Report (Doc 5.1) and a copy of s46 notification acknowledgement letter from the Planning Inspectorate is provided at Appendix K2 of the Consultation Report (Doc 5.1).</p>
Section 47: Duty to consult local community		
13	<p>Did the Applicant prepare a Statement of Community Consultation (SoCC) on how it</p>	<p>Yes</p> <p>A copy of the final SoCC is provided at Appendix H1 of the Consultation Report (Doc 5.1).</p>

	intended to consult people living in the vicinity of the land?	
14	Were 'B' and (where relevant) 'C' authorities consulted about the content of the SoCC; and if so, was the deadline for receipt of responses 28 days beginning with the day after the day that 'B' and, where applicable, 'C' authorities received the consultation documents?	<p>Yes</p> <p>The Applicant sent the draft SoCC to City of Doncaster Council ('B Authority') on 19 February 2024 and set a deadline of 20 March 2024 for responses; providing more than the required minimum time for responses to be received.</p>
15	Has the Applicant had regard to any responses received when preparing the SoCC?	<p>Yes</p> <p>Appendix D of the Consultation Report (Doc 5.1) provides a summary of the consultation responses from City of Doncaster Council in respect of the draft SoCC and demonstrates how the Applicant had regard to their content.</p> <p>Examples of changes from the draft SoCC to the final SoCC include:</p> <ul style="list-style-type: none"> • Description of areas north of the borough as small rural villages and not towns. • from feedback from City of Doncaster Council and other local press, the Applicant placed Section 48 notices in the Doncaster Free Press and the Goole Times ensuring wider coverage. • The Applicant will issue a press release to local and trade medial outlets at least one week ahead of the beginning of statutory consultation after feedback asking for this. • Not all areas were covered by Town/Parish councils hence Parish and Town council clerks and other public locations will be provided with a narrative explaining how their communities can get involved in the consultation and where to find out more information about the Scheme.

		<ul style="list-style-type: none"> The Applicant confirmed with City of Doncaster Council that it was sending consultation brochures directly to residents living near the proposed site, landowners would receive letters under section 42 and site notices will be places on any unregistered land. <p>The Planning Inspectorate is satisfied that the Applicant had regard to the responses received when preparing the SoCC.</p>
16	<p>Has the SoCC been made available for inspection on a website maintained by or on behalf of the Applicant; and has a notice been published in a newspaper circulating in the vicinity of the land which states where and when the SoCC can be inspected?</p>	<p>Yes</p> <p>The final SoCC was made available at the following locations, which is reasonably convenient having regard to the location of the Proposed Development:</p> <ul style="list-style-type: none"> Askern Community Library, Station Road, Askern, Doncaster, DN6 0LA Snaith Library, 27 Market Place, Snaith, Goole, DN14 9HE Thorne Library, The Vermuyden Centre, Field Side, Thorne, Doncaster, DN8 4BQ Edenthorpe Community Library, Communal Hall, Bardon Road, Edenthorpe, Doncaster, DN6 0HA <p>A notice stating when and where the final SoCC could be inspected was published in:</p> <ul style="list-style-type: none"> The Guardian 11 April 2024 The London Gazette 11 April 2024 The Doncaster Free Press 4 April 2024 The Doncaster Free Press 11 April 2024 The Doncaster Free Press 18 April 2024 The Goole Times 4 April 2024 The Goole Times 11 April 2024

		<ul style="list-style-type: none"> The Goole Times 18 April 2024 <p>The published SoCC notice, provided at Appendix H2 of the Consultation Report (Doc 5.1) states where and when the final SoCC was available to inspect.</p> <p>Clippings of the published advertisements are provided at Appendix M of the Consultation Report (Doc 5.1).</p>
17	In accordance with Regulation 12 of the EIA Regulations, does the SoCC set out whether the development is EIA development; and does it set out how the Applicant intends to publicise and consult on the Preliminary Environmental Information?	<p>Yes</p> <p>Paragraph 2.19 of the final SoCC at Appendix H1 of the Consultation Report (Doc 5.1) sets out that the development is EIA development and sets out how the Applicant intended to publicise and consult on the Preliminary Environmental Information.</p>
18	Has the Applicant carried out the consultation in accordance with the SoCC?	<p>Yes</p> <p>Table 3-4 of the Consultation Report (Doc 5.1) set out how the community consultation was carried out in line with the final SoCC.</p> <p>Table 3-4, section 3.3 of the Consultation Report (Doc 5.1) sets out how the Applicant has complied with the commitments set out in the final SoCC.</p> <p>Appendices A – Q of the Consultation Report (Doc 5.1) provide evidence that the commitments within the final SoCC have been carried out.</p> <p>Although the Planning Inspectorate is satisfied that the Applicant has carried out the consultation in line with the final SoCC, the following observations have been noted with regards to certain commitments:</p> <ul style="list-style-type: none"> Section 6.2 states two landowners and an agricultural tenant with interests in the Order limits had not been consulted at the statutory consultation and that the Applicant wrote to them on 6 September 2024 with a deadline of 8 October 2024. It is unclear within the documentation and plans where the

		area of land which is occupied by the two landowners and agricultural tenant is within the Order limits. Please provide clarification on this.	
Section 48: Duty to publicise the proposed application			
19	Did the Applicant publicise the proposed application in the prescribed manner set out in Regulation 4(2) of the (as amended) APFP Regulations 2009?	<p>Yes</p> <p>Paragraph 3.8 of the Consultation Report (Doc 5.1) states: “The Applicant complied with the guidance in relation to Regulation 4(3) of the APFP regulations (2009) (Ref. 2), as per Table 3-8”</p> <p>Table 3-9 of the Consultation Report (Doc 5.1) displays the newspapers and dates of s48 publicity as set out below.</p> <p>A copy of the s48 notice is provided at Appendix M of the Consultation Report (Doc 5.2).</p> <p>Clippings of the published notices set out below are provided at Appendix M of the Consultation Report (Doc 5.2):</p>	
Newspaper(s) Date			
a)	for at least two successive weeks in one or more local newspapers circulating in the vicinity in which the Proposed Development would be situated;	<ul style="list-style-type: none"> • Doncaster Free Press • Goole Times 	11 April – 18 April
b)	once in a national newspaper;	<ul style="list-style-type: none"> • The Guardian 	11 April
c)	once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and	<ul style="list-style-type: none"> • London Gazette 	10 April

d)	where the proposed application relates to offshore development – (i) once in Lloyds List; and (ii) once in an appropriate fishing trade journal?	Not applicable	Not applicable		
20	Did the s48 notice include the required information set out in Regulation 4(3) of the (as amended) APFP Regulations 2009?	Yes The published s48 notice, supplied at Appendix M of the Consultation Report (Doc 5.2) , contains the required information as set out below:			
Information		Paragraph			
a)	the name and address of the Applicant.	1	b)	a statement that the Applicant intends to make an application for development consent to the Secretary of State	1
c)	a statement as to whether the application is EIA development	3	d)	a summary of the main proposals, specifying the location or route of the Proposed Development	2
e)	a statement that the documents, plans and maps were available on a website maintained by or on behalf of the Applicant. The statement must include: <ul style="list-style-type: none"> • The nature and location of the Proposed Development • The address of the website • The place on the website • A telephone number which can be used to contact the Applicant for 	2, 6 and 17	f)	the latest date on which those documents, plans and maps will be available for inspection	6

	enquiries in relation to the documents, plans and maps.			
g)	whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge	9	h)	details of how to respond to the publicity
i)	a deadline for receipt of those responses by the Applicant, being not less than 28 days following the date when the notice is last published	14		
21	Are there any observations in respect of the s48 notice provided above?			
	No			
22	Has a copy of the s48 notice been sent to the EIA consultation bodies and to any person notified to the Applicant in accordance with Regulation 13 of the EIA Regulations?	<p>Yes</p> <p>A copy of the s48 notice was sent to the EIA consultation bodies as part of the s42 consultation, as confirmed in paragraph 3.1.16 of the Consultation Report (Doc 5.1).</p> <p>A sample of the s42 consultation letter provided at Appendix J1 of the Consultation Report (Doc 5.1) confirms a copy of the s48 notice was enclosed.</p>		
s49: Duty to take account of responses to consultation and publicity				
23	Has the Applicant had regard to any relevant responses to the s42, s47 and s48 consultation?	Yes		

		<p>Table 4-3 of the Consultation Report (Doc 5.1) sets out how the Applicant had regard to the consultation responses received; including whether or not responses led to changes to the application.</p> <p>The actions informed by the consultation responses appear to be reflected in the final form of the application as submitted. Where a particular response has not led to a change in the application, it is sufficiently clear that regard was had to it.</p>
<p>S50(3) Regard to guidance about pre-application procedure</p>		
24	<p>To what extent has the Applicant had regard to statutory guidance ‘Planning Act 2008: Pre-application stage for Nationally Significant Infrastructure Projects’?</p> <p>The Planning Inspectorate must have regard to the extent to which the Applicant has had regard to guidance issued under s50.</p>	<p>Appendix A of the Consultation Report (Doc 5.2) states that the Applicant has had regard to all relevant statutory guidance.</p> <p>Having reviewed the application, the Planning Inspectorate is satisfied that the Applicant has identified and had regard to the relevant statutory guidance.</p>
25	<p>Summary: Section 55(3)(e)</p>	<p>The Applicant has complied with Chapter 2 of Part 5 (pre-application procedure) of the PA2008.</p> <p>In respect of the minor consultation discrepancies identified, s51 advice has been provided to the Applicant in this regard, available here:</p> <p>Fenwick Solar Farm - Project information</p>
<p>s55(3)(f) and s55(5A): The application (including accompaniments) achieves a satisfactory standard having regard to the extent to which it complies with section 37(3) (form and contents of application) and with any standards set under section 37(5) and follows any applicable guidance under section 37(4)</p>		

26	Is it made in the prescribed form as set out in Schedule 2 of the APFP Regulations, and does it include: <ul style="list-style-type: none"> a brief statement which explains why it falls within the remit of the Planning Inspectorate; and a brief statement that clearly identifies the location of the application site, or the route if it is a linear scheme? 	<p>Yes</p> <p>Section 4 of the Application Form (Doc 1.3) explains why the development falls within the remit of the Planning Inspectorate.</p> <p>Section 5 of the Application Form (Doc 1.3) provides a brief non-technical description of the site and section 6 provides the location of the Proposed Development.</p> <p>A Location Plan (Doc 2.5) has been provided.</p>								
27	Is it accompanied by a Consultation Report?	<p>Yes</p> <p>The application is accompanied by a Consultation Report (Doc 5.1) and Consultation Report Appendices (Doc 5.2).</p>								
28	In accordance with Regulation 5(4) of the APFP Regulations, where a plan comprises three or more separate sheets, has a key plan been provided showing the relationship between the different sheets?	<p>Yes</p>								
29	Is it accompanied by the documents and information set out in APFP Regulation 5(2)?	The documents and information required by APFP Regulation 5(2) are set out in the documents and locations within the application as listed below:								
<table border="1"> <thead> <tr> <th>Information</th> <th>Document</th> <th>Information</th> <th>Document</th> </tr> </thead> <tbody> <tr> <td>a) Where applicable, the Environmental Statement required under the EIA Regulations and any</td> <td>Doc 6.1 ES Main Volume (17 Documents)</td> <td>b) The draft Development Consent Order (DCO)</td> <td>Draft DCO (Doc 3.1)</td> </tr> </tbody> </table>		Information	Document	Information	Document	a) Where applicable, the Environmental Statement required under the EIA Regulations and any	Doc 6.1 ES Main Volume (17 Documents)	b) The draft Development Consent Order (DCO)	Draft DCO (Doc 3.1)	
Information	Document	Information	Document							
a) Where applicable, the Environmental Statement required under the EIA Regulations and any	Doc 6.1 ES Main Volume (17 Documents)	b) The draft Development Consent Order (DCO)	Draft DCO (Doc 3.1)							

	scoping or screening opinions or directions	Doc 6.2 ES Figures (63 Documents) Doc 6.3 ES Appendices (54 Documents) Doc 6.4 Non technical summary Doc 6.5 Environmental Mitigation and Commitments Register			
	Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)		Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)
c)	An Explanatory Memorandum explaining the purpose and effect of provisions in the draft DCO	Explanatory Memorandum (Doc 3.2)	d)	Where applicable, a Book of Reference	Book of Reference (Doc 4.3)
	Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)		Is this of a satisfactory standard?	Yes
e)	A copy of any Flood Risk Assessment	Doc 6.3 Appendix 9-3 Flood Risk Assessment	f)	A statement whether the proposal engages one or more of the matters	Doc 7.6 Statutory Nuisance Statement

		Doc 6.3 Appendix 9-3 Flood Risk Assessment Annexes		set out in section 79(1) of the Environmental Protection Act 1990 (statutory nuisances) and if so how the Applicant proposes to mitigate or limit them	
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?	Yes
h)	A Statement of Reasons and a Funding Statement (where the application involves any Compulsory Acquisition)	Statement of Reasons (Doc 4.1) Funding Statement (Doc 4.2)	i)	A Land Plan identifying:- (i) the land required for, or affected by, the Proposed Development; (ii) where applicable, any land over which it is proposed to exercise powers of Compulsory Acquisition or any rights to use land; (iii) any land in relation to which it is proposed to extinguish easements, servitudes and	Land Plan (Doc 2.1)

j)			k)	other private rights; and (iv) any special category land and replacement land	
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)
	A Works Plan showing, in relation to existing features:- (i) the proposed location or (for a linear scheme) the proposed route and alignment of the development and works; and (ii) the limits within which the development and works may be carried out and any limits of deviation provided for in the draft DCO	Works Plan (Doc 2.2)		Where applicable, a plan identifying any new or altered means of access, stopping up of streets or roads or any diversions, extinguishments or creation of rights of way or public rights of navigation	Streets Rights of Way and Access Plan (Doc 2.3)
Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)	Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)		

<p>l) Where applicable, a plan with accompanying information identifying:-</p> <ul style="list-style-type: none"> (i) any statutory or non-statutory sites or features of nature conservation eg sites of geological or landscape importance; (ii) habitats of protected species, important habitats or other diversity features; and (iii) water bodies in a river basin management plan, <p>together with an assessment of any effects on such sites, features, habitats or bodies likely to be caused by the Proposed Development</p>	<p>(i) Doc 2.6 Non-Statutory Nature Conservation Sites Plan</p> <p>Doc 6.2 ES Fig 8-1 International Sites Designated for Nature Conservation and Other Statutory Designated Sites</p> <p>Doc 6.2 ES Fig 8-2 Sites Non-Statutorily Designated for their Biodiversity Value</p> <p>Doc 6.2 ES Fig 8-3 UK Habitats Plan</p> <p>The assessment of effects on such sites is provided in:</p> <p>Doc 6.1 Chapter 8 Ecology</p> <p>Doc 7.12 No Significant Effects Report</p>	<p>m)</p>	<p>Where applicable, a plan with accompanying information identifying any statutory or non-statutory sites or features of the historic environment, (eg scheduled monuments, World Heritage sites, listed buildings, archaeological sites and registered battlefields) together with an assessment of any effects on such sites, features or structures likely to be caused by the Proposed Development</p>	<p>Doc 2.7 Statutory and Non-Statutory Historic Sites Plan</p> <p>Doc 6.2 ES Fig 7-1 Designated Heritage Assets</p> <p>Doc 6.2 ES Fig 7-2 Non-Designated Heritage Assets</p> <p>Doc 6.2 ES Fig 7-5 Additional Non-Designated Assets</p> <p>The assessment of effects on such sites is provided in:</p> <p>Doc 6.1 ES Chapter 7 Cultural Heritage</p>
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	<p>(ii) As (i)</p> <p>(iii) Doc 2.8 Waterbodies In River Basin Management Plan</p> <p>Doc 6.2 ES Fig 9-1 Surface Water Features and Attributes</p> <p>Doc 6.2 ES Fig 9-2 Groundwater Features and their Attributes</p> <p>Doc 6.2 ES Fig 9-3 Watercourses, Flood Zones and Internal Drainage Boards</p> <p>The assessment of effects on such sites is provided in:</p> <p>Doc 6.1 Chapter 9 Water Environment</p> <p>Doc 6.3 Appendix 9-2 Water Framework Directive</p>			
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	Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)		Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)
n)	Where applicable, a plan with any accompanying information identifying any Crown land	There is no Crown land so this is not applicable.	o)	Any other plans, drawings and sections necessary to describe the development consent proposal showing details of design, external appearance, and the preferred layout of buildings, structures, drainage, surface water management, means of vehicular and pedestrian access, any car parking and landscaping	Traffic Regulation Measures Plan (Doc 2.4) Location Plan (Doc 2.5)
	Is this of a satisfactory standard?	N/A		Are they of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)
p)	Any of the documents prescribed by Regulation 6 of the APFP Regulations:	Grid Connection Statement (Doc 7.5)	q)	Any other documents considered necessary to support the application	Covering letter (Doc 1.1) Guide to the Application (Doc 1.2) Electronic Index (Doc 1.5) Consents and Agreements Position Statement (Doc 3.3)

				<p>Schedule of Negotiations and Powers Sought (Doc 4.4)</p> <p>Environmental Mitigation and Commitments Register (Doc 6.5)</p> <p>Planning Statement (Doc 7.1)</p> <p>Design and Access Statement (Doc 7.2)</p> <p>Statement of Need (Doc 7.3)</p> <p>Outline Design Parameters Statement (Doc 7.4)</p> <p>Statutory Nuisance Statement (Doc 7.6)</p> <p>Framework Construction Environmental Management Plan (Doc 7.7)</p> <p>Framework Operational Environmental Management Plan (Doc 7.8)</p> <p>Framework Decommissioning Environmental Management Plan (Doc 7.9)</p> <p>Framework Soil Management Plan (Doc 7.10)</p> <p>Biodiversity Net Gain Assessment Report (Doc 7.11)</p>
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				No Significant Effects Report Doc 7.12) Framework Public Rights of Way Management Plan (Doc 7.13) Framework Landscape and Ecological Management Plan (7.14) Framework Skills, Supply Chain and Employment Plan (Doc 7.15) Framework Battery Safety Management Plan (Doc 7.16) Framework Construction Traffic Management Plan (Doc 7.17) Framework Site Waste Management Plan (Doc 7.18) Draft Archaeological Mitigation Strategy (Doc 7.19) Equality Impact Assessment (7.20)	
	Are they of a satisfactory standard?	Yes		Are they of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)
30	Are there any observations in respect of the documents provided at Box 29 (a) to (q) above?				
	Streets, Rights of Way and Access Plan (Document 2.3)				

All plans are incorrectly numbered as EN010152/APP/2.4. See further section 51 advice issued on this matter.

Location Plan (Document 2.5)

Page 3 incorrectly says it is a 'Works Plan Sheets Extent' with a reference number ending in 2.2. This is an incorrect label.

Non-Statutory Nature Conservation Sites Plan (Document 2.6)

The Non Statutory Nature Conservation Sites Plan does not provide any labelling with the names of the features represented. However the equivalent ES figures do label the features represented. The Applicant is advised to provide an updated plan with appropriate labelling.

Statutory and Non-Statutory Historic Sites Plan (Document 2.7)

The Statutory and Non-Statutory Historic Sites Plan does not provide a label with the names of the features represented. However the equivalent ES figures do label the features represented. The Applicant is advised to provide an updated plan with appropriate labelling.

Waterbodies In River Basin Management Plan (Document 2.8) and ES Fig 9-1 Surface Water Features and Attributes (Document 6.2)

The Waterbodies In River Basin Management Plan is difficult to read as the two blue colours which represent main rivers and ordinary watercourses look similar on the green background used to represent the Water Framework Directive groundwater body. The Applicant is advised to consider a revised colour scheme to reduce any accessibility issues of the current colour scheme.

Between the Waterbodies In River Basin Management Plan and ES Fig 9-1 Surface Water Features and Attributes, some features are only labelled on one of these, however between the drawings, all required waterbodies and catchments are labelled in some way. The Applicant is advised to undertake a consistency check and ensure all relevant features are fully labelled.

Sheet 2 of Figure 1-3 Elements of the Site (ES Volume II Document 6.2)

This shows Fenwick Common Lane and Hags Lane coloured/ identified as part of the Solar PV Site according to the key overlaying grey which is the road network. This makes for difficult reading. The Applicant is advised to consider revising this colour scheme.

Sheet 2 of Figure 1-3 Elements of the Site, Sheet 4 of Figure 2-3 Indicative Site Layout Sheet 4 (ES Vol II Document 6.2), and Sheet 2 of the Works Plan (Document 2.2)

These all show different alignments for the boundary of Fields SE2 and SE3. The Applicant is advised to review these plans and the boundaries for each field to ensure they align with each other.

Figure 11-1 Noise Monitoring and Receptor Locations (Document 6.2)

Figure 11-1 does not show Fenwick Grange (R30) on it despite it being identified within Chapter 11 of the Environmental Statement (Doc ref: EN010152/APP/6.1) as a sensitive receptor in the assessment and being within Table 11-16 of that chapter. The Applicant is advised to include R30 on Figure 11-1.

Draft DCO (Document 3.1)

Draft DCO mentions Work No 4(b) which is not on the Works Plans. See further s51 advice issued on this matter.

Draft DCO does not include plot 3-05 but is shown as a plot for permanent acquisition of new rights on Land Plans (Doc ref: EN010152/APP/2.1) Sheet 3 of 11 – unsure as to whether this is listed incorrectly in the Draft DCO or identified incorrectly on the plans.

Schedule 2 Requirement 12 “Operational Environmental Management Plan” incorrectly refers to the East Riding of Yorkshire Council and North Yorkshire Council instead of Doncaster City Council. The Applicant is advised to amend accordingly.

Schedule 1 Article 45 “Procedure in Relation to Certain Approvals etc” appears to have a typo as it refers to Schedule 16 several times and there is no Schedule 16. The Applicant is advised to amend accordingly.

Explanatory Memorandum (Document 3.2)

There are no page numbers within this document. The Applicant is advised to amend accordingly.

Chapter 6 of the Environmental Statement (Document 6.1)

Paragraph 6.3.5 requires some attention as grammatically this paragraph is unclear.

Chapter 12 of the Environmental Statement (Document 6.1)

Paragraph 12.4.22 states that all landowners in the Grid Connection Corridor have been identified and voluntary agreements are being negotiated. This does not appear to align with information presented within the Schedule of Negotiations and Powers Sought (Document 4.4) for Plots 9/03 and 9/08. The Applicant is requested to provide an update on this. Further s51 advice has been issued on this matter.

Appendix 1-3 Scoping Opinion Responses (Document 6.1)

There is a typo referring to Appendix 11-7 instead of 10-7.

Appendix 7-4 of the Environmental Statement (Document 6.1)

This document has the word 'Draft' written on it. The Applicant is advised to amend accordingly or provide clarification on this matter.

Appendix 8.3 of the Environmental Statement (Document 6.1)

Appendix 8-3 Bat Report has a number of formatting issues across multiple pages (8-10, 13-16, 17-27; and 31-33). The Applicant is requested to review this document and amend accordingly.

Appendix 10-5 of the Environmental Statement (Document 6.1)

This has the incorrect title on the document of 10-3. See further s51 advice on this matter.

Appendix 10-7 of the Environmental Statement (Document 6.1)

The colours used within the Arboricultural Impact Assessment Tree Constraints Plan, because of the shading arc, do not align with the colours then shown on the plan. For example, the tree categories when shaded become the same colour as the ancient woodland key. The Applicant may wish to consider amending the colours used or identifying the tree groups in another manner.

Appendix 12-3 of the Environmental Statement (Document 6.1)

Figures 12-4 and 12-5 do not appear to have the same agricultural land classification for the site. See further s51 advice on this matter.

Appendix 14-2 of the Environmental Statement (Document 6.1)

Figures 1A, 1D, 1E, 1F, 2, 3,4 and 5 all have the incorrect proposed Order limit boundary shown. See further s51 advice on this matter.

Framework Construction Traffic Management Plan (Document 7.17)

Appendix A Proposed Access Layouts, Visibility Splays and Swept Path Access 6 to 13 – this plan has no road names for any of the streets. Road names would assist the reader of the plans given they are for highway matters. There is also no overarching sheet showing where access 1 to 13 are within this document. The Applicant is requested to amend these drawings to include road names.

Planning Statement (Document 7.1)

Paragraphs 6.5.6 – 6.5.7, 6.14.2 and Appendix 3 paragraph 3.1.3 all include “**Error! Reference source not found.**”). Paragraph 6.5.41 also does not start correctly. The Applicant is advised to review this document and amend accordingly.

Section 51 advice has been issued to the Applicant in respect of the above matters:

[Fenwick Solar Farm - Project information](#)

31	In accordance with Regulation 5(2)(g) of the APFP Regulations, is the application accompanied by a report identifying any European site(s) to which Regulation 48 of The Conservation (Natural Habitats, &c.) Regulations 1994 applies; or any Ramsar site(s), which may be affected by the Proposed Development, together with sufficient information that will enable the Secretary of State to make an appropriate assessment of the implications for the site if required by Regulation 48(1)?	<p>Yes</p> <p>A Habitat Regulations Assessment (HRA) No Significant Effects Report (Doc 7.12). has been provided.</p> <p>The HRA Report identifies relevant European sites and the likely effects on those sites. It is considered that the information provided in the report is adequate for acceptance.</p> <p>Note: The Examining Authority will be able to ask questions during the Examination. This may result in additional information being required to inform the HRA Report and the competent authority. Depending upon the type and availability of information required it may not be possible to obtain this during the statutory timetable of the Examination.</p>
32	In accordance with Regulation 5(2)(r) of the APFP Regulations, if requested by the Planning Inspectorate, have two paper copies of the application form and other supporting documents and plans been provided?	<p>No hard copies requested.</p>
33	Has the Applicant had regard to statutory guidance ‘Planning Act 2008: Application form guidance’?	<p>Yes</p> <p>Box 4 of the Application form (Doc 1.3) explains how the Applicant has had regard to statutory guidance on the application form.</p>

		The Planning Inspectorate is satisfied that the Applicant has demonstrated regard to the guidance principles.
34	Summary - s55(3)(f) and s55(5A)	<p>The Planning Inspectorate concludes that the application (including accompaniments) has been prepared to a standard that it considers satisfactory.</p> <p>In respect of the discrepancies identified in Box 30 of this checklist, to help facilitate an efficient and effective examination of the application s51 advice has been provided to the Applicant in conjunction with the decision to accept the application. That advice is published on the National Infrastructure Planning website, here:</p> <p>Fenwick Solar Farm - Project information</p>

The Infrastructure Planning (Fees) Regulations 2010 (as amended)

Pre-application fee

35	<p>Were all pre-application fees paid before the application was made?</p> <p>Pre-application services for which a fee can be charged is defined in Regulation 2A(8) and includes services listed within Schedule 1 of the Fees Regulations 2010. Fees for pre-application services apply to all proposed applications, from the inception meeting. These fees must be paid within 28 days of the invoice. If the applicant fails to pay the fee within 28 days, the Planning Inspectorate will not provide the applicant with any further pre-application services or take any further steps in relation to the proposed application.</p>	Not Applicable
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Fees to accompany an application		
36	<p>Was the fee paid at the same time that the application was made?</p> <p>The Planning Inspectorate must charge the Applicant a fee in respect of the decision by the Planning Inspectorate under section 55 of the PA2008. If the Applicant fails to pay the fee, the Planning Inspectorate need not consider the application until payment is received. The fee must be paid at the same time that the application is made</p>	<p>The fee was received on 9 October 2024; before the application was made.</p>

Role	Electronic signature	Date
Case Manager	<i>Sarah Norris</i>	29 November 2024
Acceptance Inspector	<i>Samantha Murphy</i>	29 November 2024

