



Planning Inspectorate
Arolygiaeth Gynllunio

Section 55

Acceptance of Applications Checklist

Appendix 2 of [Advice on the preparation and submission of application documents](#)

Frodsham Solar Project 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
		30 May 2025	27 June 2025	27 June 2025
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	Yes 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 generating station and satisfies section 15 of the PA2008, including subsection 1 and subsection 2. The applicant states that the generating station is intended to have a generation capacity of more than 50 MW.		

	<p>which it relates, meaning 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>This is consistent with the summary provided in section 4 of the Application Form (Doc 1.1), which states that the application is for an NSIP.</p>
3	Summary: Section 55(3)(a) and s55(3)(c)	<p>The Planning Inspectorate is satisfied that the Draft DCO (Doc 3.1) includes development for which development consent is required.</p>
Section 55(3)(e): The Applicant in relation to the application made has complied with Chapter 2 of Part 5 (pre-application procedure)		
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 30 May 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 7 November 2024.</p>
5	<p>Have any adequacy of consultation representations (AoCR) been received from 'A', 'B', 'C' and 'D' local authorities; and if so, do they</p>	<p>Yes</p>

	<p>confirm that the applicant has complied with the duties under s42, s47 and s48?</p> <p>Section 55(4) of the PA2008 provides that the Planning Inspectorate must have regard to the consultation report, and any AoCRs received.</p>	<p>There are 11 host and neighbouring authorities, of which 7 responded to the Planning Inspectorate's invitation to make an adequacy of consultation representation (AoCR) dated 2 June 2025.</p> <p>All 7 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"> • Chester West and Cheshire Council (B authority)* • St Helens Borough Council (A authority) • Wirral Metropolitan Borough Council (A authority) • Halton Borough Council (A authority) • Knowsley Metropolitan Borough Council (A authority) • Shropshire Council (A authority) • Flintshire County Council (A authority) <p>*Cheshire West and Cheshire Council have provided more detailed comments on matters with which it had engaged with the applicant, and it is noted that further discussion of these matters may be required during the examination.</p> <p>All AoCRs received have been carefully considered and are available to view on the National Infrastructure Planning website: https://infrastructure.planninginspectorate.gov.uk/projects/EN010153</p>
Section 42: Duty to consult		
<p>Did the applicant consult the applicable persons set out in s42 of the PA2008 about the proposed application?</p>		

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 5 November 2024 at Appendix 6 of the Consultation Report (Doc 5.1).</p> <p>A sample of the letter sent to s42(1)(a) consultees is provided at Appendix 6 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"> • CNG Services Limited • Energy Assets Pipelines Limited • ESP Connections Ltd • Stark Infra-Gas Limited • National Gas • Advanced Electricity Networks Ltd • Aidien Ltd • Aurora Utilities Ltd • Green Generation Energy Networks Cymru Ltd • Stark-Infra-Electricity Ltd <p>The applicant's Consultation Report (Doc 5.1) does not appear to show if these bodies identified had 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>
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		<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 4.3).</p> <p>Section 51 advice has been issued to the applicant in respect of the above matter: https://nsip-documents.planninginspectorate.gov.uk/published-documents/EN010153-000164-s51%20advice%20following%20acceptance%20letter.pdf</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>	<p>It is noted that the applicant states in its Consultation Report (Doc 5.1) at paragraph 8.2.2 that the proposed development does not include offshore development and therefore it did not need to consult the Marine Management Organisation (MMO) under s42(1)(aa) of PA2008 on that basis.</p> <p>It is the Planning Inspectorate's view, however, that the MMO should be treated as a statutory consultee for this proposed development, given that the draft DCO (Doc 3.1) Part 4 Supplemental Powers Paragraph 20 Temporary suspension of navigation seeks powers to stop vessels and other navigation temporarily within the River Weaver during construction, at a point at which it is a Tidal River.</p> <p>The applicant has provided a statement in its Consultation Report Appendix 1 Statement of Compliance (Doc 5.2) that it did consult the MMO during its statutory consultation stage on a precautionary basis, but that the MMO did not issue a response. Whilst no evidence has been included in the Consultation Report to show that the MMO was consulted by the applicant during the statutory consultation stage, the Planning Inspectorate is satisfied with the statement made.</p> <p>However, the Inspectorate advises that the applicant serve notice on the MMO (together with other prescribed persons) of the accepted application under s56(2)(a) of the PA2008.</p>

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 7.1 of the Consultation Report (Doc 5.1) lists the relevant local authorities that were identified and consulted under s43 and s42(1)(b) on 7 November 2024.</p> <p>The host 'B' authority was consulted:</p> <ul style="list-style-type: none"> • Cheshire West and Chester 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"> • Warrington Borough Council • Wrexham County Borough Council • St Helens Council • Wirral Metropolitan Borough Council • Cheshire East Council • Halton Borough Council • Knowsley Metropolitan Borough Council • Shropshire Council • Liverpool City Council • Flintshire County Council <p>The boundary 'D' authorities were consulted:</p> <ul style="list-style-type: none"> • N/A
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		A sample of the letter sent to s42(1)(b) relevant authorities is provided at Appendix 6 of the Consultation Report (Doc 5.1) .
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</p> <p>Category 2: person interested in the land or has power to sell and convey the land or to release the land</p> <p>Category 3: persons who would or might be entitled to make a relevant claim.</p>	<p>Yes</p> <p>Paragraph 7.5.2 of the Consultation Report (Doc 5.1) states that all persons identified under s42(1)(d) were consulted on 5 November 2025 and 10 April 2025.</p> <p>Paragraphs 7.5.2 to 7.5.16 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 Section 7.5 of the Consultation Report (Doc 5.1).</p> <p>The persons consulted under s42(1)(d) are listed at Appendix 6 of the Consultation Report (Doc 5.2).</p> <p>A sample of the letter is provided at Appendix 6 of the Consultation Report (Doc 5.2).</p>
Section 45: Timetable for s42 consultation		
11	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>Yes</p> <p>A sample of the letter sent to s42 consultees is provided at Appendix 6 of the Consultation Report (Doc 5.2).</p> <p>The sample letter dated 5 November 2024 confirmed that consultation commenced on 7 November 2024 and closed on 19 December 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	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>Yes</p> <p>The applicant gave notice under s46 on 5 November 2024, which was before the beginning of s42 consultation.</p> <p>A copy of the s46 notification letter is provided at Appendix 6 of the Consultation Report (Doc 5.2) and a copy of s46 notification acknowledgement letter from the Planning Inspectorate is provided at Appendix 6 of the Consultation Report (Doc 5.2).</p>
Section 47: Duty to consult local community		
13	Did the applicant prepare a statement of community consultation (SoCC) on how it intended to consult people living in the vicinity of the land?	<p>Yes</p> <p>A copy of the final SoCC is provided at Appendix 2 of the Consultation Report (Doc 5.2).</p>
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 Cheshire West and Chester Council ('B Authority') and Halton Borough Council ('A' authority) on 4 April 2023 and set a deadline of 5 May 2023 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>Table 5.1 of the Consultation Report (Doc 5.1) provides a summary of the consultation responses from Cheshire West and Chester 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"> • change to text description in the SoCC updated to clarify location as requested • an additional paragraph was included in Section 9 to explain the intention for community consultation phases to be held in parallel with statutory consultation on EIA materials allowing interested members to access and comment on these materials, after some parties wanting to wish to contribute to the scoping process. <p>The Planning Inspectorate is satisfied that the applicant had regard to the responses received when preparing the SoCC.</p>
16	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>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"> • Frodsham Library • Helsby Library • Ellesmere Port Library <p>A notice stating when and where the final SoCC could be inspected was published in:</p> <ul style="list-style-type: none"> • Chester Chronicle • Chester Standard <p>The published SoCC notice, provided at Appendix 2 of the Consultation Report (Doc 5.2) states where and when the final SoCC was available to inspect.</p> <p>Clippings of the published advertisements are provided at Appendix 2 of the Consultation Report (Doc 5.2).</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 9 of the final SoCC at Appendix 2 of the Consultation Report (Doc 5.2) 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>Paragraphs 5.1.1 to 5.4.6 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 5.1 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 2 – 9 of the Consultation Report (Doc 5.1) provide evidence that the commitments within the final SoCC have been carried out.</p>
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 8.3.1 of the Consultation Report (Doc 5.1) states:</p> <p>“The Section 48 notice (included in Appendix 7: Section 48 Consultation Materials [EN010153/DR/5.2]) publicising the Proposed Development and advertising the intention to apply for a DCO was placed in the publications listed in Table 8.1”.</p> <p>Table 8.1 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 7 of the Consultation Report (Doc 7.2).</p>

		Clippings of the published notices set out below are provided at Appendix 7 of the Consultation Report (Doc 5.2) :	
		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"> Chester Chronicle Cheshire Standard 	31 October 2024 and 7 November 2024 31 October 2024 and 7 November 2024
b)	once in a national newspaper;	<ul style="list-style-type: none"> The Guardian 	31 October 2024
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 	4 November 2024
d)	where the proposed application relates to offshore development – (i) once in Lloyds List; and (ii) once in an appropriate fishing trade journal?	No	
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 7 of the Consultation Report (Doc 5.2) , contains the required information as set out below:	
Information		Paragraph	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	4	d)	a summary of the main proposals, specifying the location or route of the proposed development	3
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 enquiries in relation to the documents, plans and maps. 	7	f)	the latest date on which those documents, plans and maps will be available for inspection	7
g)	whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge	8	h)	details of how to respond to the publicity	14, 15, 16
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	17			

21	Are there any observations in respect of the s48 notice provided above?	
	<p>The proposed development site includes the River Weaver at a point where the river is tidal. It is noted that the application documents do not state whether the s48 notice was published in the Lloyds List and an appropriate fishing trade journal in relation to offshore development under regulation 4(2)(d) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulation 2009. Please see our recommendation at Box 30.</p> <p>In respect of the minor discrepancies identified, s51 advice has been provided to the applicant and is available to view on the National Infrastructure project website: https://nsip-documents.planninginspectorate.gov.uk/published-documents/EN010153-000164-s51%20advice%20following%20acceptance%20letter.pdf</p>	
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 8.25 of the Consultation Report (Doc 5.1).</p> <p>A sample of the s42 consultation letter provided at Appendix 6 of the Consultation Report (Doc 5.2) 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?	<p>Yes</p> <p>Table 9.3 and 9.4 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>

S50(3) Regard to guidance about pre-application procedure		
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>Paragraph 2.2 of the Consultation Report (Doc 5.1) states that the applicant has had regard to all relevant statutory guidance.</p> <p>The applicant submitted an Adequacy of Consultation Milestone statement on 27 March 2025.</p> <p>As part of the application, the applicant has also submitted a Potential Main Issues for Examination (Doc 5.9) document, in response to the primary service features of the pre-application stage under the Planning Inspectorate's 2024 Pre-application Prospectus.</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	Summary: Section 55(3)(e)	The applicant has complied with Chapter 2 of Part 5 (pre-application procedure) of the PA2008.
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)		
26	<p>Is it made in the prescribed form as set out in Schedule 2 of the APFP Regulations, and does it include:</p> <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 1.1) explains why the development falls within the remit of the Planning Inspectorate.</p> <p>Section 5 of the Application Form (Doc 1.1) 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 2.1) has been provided.</p>

27	Is it accompanied by a Consultation Report?	Yes The application is accompanied by a Consultation Report (Doc 5.1) and Consultation Report Appendices (Doc 5.2) .			
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?	Yes			
29	Is it accompanied by the documents and information set out in APFP Regulation 5(2)?	Yes The documents and information required by APFP Regulation 5(2) are set out in the documents and locations within the application as listed below.			
Information		Document		Information	
Document		Information		Document	
a)	Where applicable, the Environmental Statement required under the EIA Regulations and any scoping or screening opinions or directions	Environmental Statement (ES) Volume 1: ES Chapters 1-14 (Doc 6.1) ES Volume 2: ES Appendices 1-1 to 11-6 (Doc 6.2) ES Volume 3: ES Figures 1-1 to 7-26 (Doc 6.3)	b)	The draft Development Consent Order (DCO)	Development Consent Order (Doc 3.1)

c)		ES Volume 4: Non-Technical Summary (Doc 6.4) Scoping Report (Doc 6.2) Scoping Opinion (Doc 6.2)	d)		
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)
	An Explanatory Memorandum explaining the purpose and effect of provisions in the draft DCO	Explanatory Memorandum (Doc 3.2)		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 (with minor discrepancies as noted in Box 30)
e)	A copy of any Flood Risk Assessment	ES Appendix 9-1 – Flood Risk Assessment (Doc 6.2)	f)	A statement whether the proposal engages one or more of the matters set out in section 79(1) of the Environmental Protection Act 1990 (statutory nuisances) and if so how the	Statutory Nuisance Statement (Doc 5.4) - this addresses dust emissions (Section 5.2), artificial light (Section 5.3) and noise (Section 5.4).

h)			i)	Applicant proposes to mitigate or limit them	
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?	Yes
	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)		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 other private rights; and (iv) any special category land and replacement land	Land and Crown Plan (Doc 2.2)

	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)
j)	<p>A Works Plan showing, in relation to existing features:-</p> <p>(i) the proposed location or (for a linear scheme) the proposed route and alignment of the development and works; and</p> <p>(ii) the limits within which the development and works may be carried out and any limits of deviation provided for in the draft DCO</p>	Works Plans (Doc 2.3)	k)	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	Access PROW Plans (Doc 2.4)
	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)
l)	<p>Where applicable, a plan with accompanying information identifying:-</p> <p>(i) any statutory or non-statutory sites or</p>	(i) Statutory and Non-Statutory Sites/Features or Nature	m)	Where applicable, a plan with accompanying information identifying any statutory or non-statutory sites or	Statutory and Non-Statutory Sites of Features of the Historic Environment Plans (Doc 2.8)

<p>features of nature conservation eg sites of geological or landscape importance;</p> <p>(ii) habitats of protected species, important habitats or other diversity features; and</p> <p>(iii) water bodies in a river basin management plan,</p> <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>Conservation Plans (Doc 2.8)</p> <p>ES Figure 6-3a – Landscape Character (National) and Designations (Doc 6.3)</p> <p>ES Figure 6-3b – Landscape Character (Local) and Designations (Doc 6.3)</p> <p>The assessment of such effects is provided in:</p> <p>ES Chapter 6 – Landscape and Visual Amenity (Doc 6.1)</p> <p>ES Chapter 7 – Terrestrial Ecology (Doc 6.1)</p> <p>ES Chapter 8 – Ornithology (Doc 6.1)</p> <p>Information to Inform Habitats</p>	<p>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>ES Figure 11-1: Non-Designated Heritage Assets within the 1km Study Area (Doc 6.3)</p> <p>ES Figure 11-2: Heritage Events within the 1 km Study Area (Doc 6.3)</p> <p>ES Figure 11-3: Designated Assets within the 1 km Study Area (Doc 6.3)</p> <p>ES Figure 11-4: Designated Assets between 1 km and 5 km of the Site included in the assessment (Doc 6.3)</p> <p>The assessment of such effects is provided in:</p> <p>ES Chapter 11: Cultural Heritage and Archaeology (Doc 6.1)</p> <p>ES Appendices 11-1 to 11-6 (Doc 6.2)</p>
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		<p>Regulations Assessment (Doc 5.3)</p> <p>(ii) ES Figures 1 to 6a-e of ES Appendix 7-1: Habitats Baseline Report (Doc 6.2)</p> <p>Statutory and Non-Statutory Sites/Features or Nature Conservation Plans (Doc 2.8)</p> <p>The assessment of such effects is provided in:</p> <p>ES Chapter 7 – Terrestrial Ecology (Doc 6.1)</p> <p>ES Chapter 8 – Ornithology (Doc 6.1)</p> <p>Information to Inform Habitats Regulations Assessment (Doc 5.3)</p>			
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		<p>(iii) Water Bodies in a River Basin Management Plan (Doc 2.9)</p> <p>Figures contained within ES Appendix 9-1: Flood Risk Assessment and Drainage Strategy (Doc 6.2)</p> <p>Figures contained within ES Appendix 9-2: Water Framework Directive Assessment (Doc 6.2)</p> <p>The assessment of such effects is provided in:</p> <p>ES Chapter 9: Flood Risk and Surface Water (Doc 6.1)</p> <p>ES Appendix 9-1: Flood Risk Assessment and</p>			
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n)		Drainage Strategy (Doc 6.2) ES Appendix 9-2: Water Framework Directive Assessment (Doc 6.2)	o)		
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?	Yes
	Where applicable, a plan with any accompanying information identifying any Crown land	Land and Crown Land Plans (Doc 2.2)		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	Location Order Limits and Gird Co-ordinate Plan (Doc 2.1) Hedgerow Plans (Doc 2.7)
	Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)		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 7.14)	q)	Any other documents considered necessary to support the application	Cover Letter (Doc 1.2) Guide to the Application (Doc 1.3) Application Document Tracker (Doc 1.5) Programme Document (Doc 1.6) Statutory Instrument Validation Report (Doc 3.3) Other Consents and Licences Statement (Doc 5.5) Planning Statement (Doc 5.6) Policy Compliance Document (Doc 5.7) Design Approach Document (Doc 5.8) Potential Main Issues for the Examination (Doc 5.9) Commitments Register (Doc 7.1) Design Parameters Statement (Doc 7.2) Transport Assessment (Doc 7.3) Outline Construction Traffic Management Plan (Doc 7.4) Outline Construction Environmental Management Plan (Doc 7.5)
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					Outline Operational Environmental Management Plan (Doc 7.6) Outline Decommissioning Environmental Management Plan (Doc 7.7) Outline Battery Safety Management Plan (Doc 7.8) Outline Public Rights of Way Management Plan (Doc 7.9) Outline Soil Management Plan (Doc 7.10) Outline Skills, Supply Chain and Employment Plan (Doc 7.11) Biodiversity Net Gain Report (Doc 7.12) Outline Landscape and Ecology Management Plan (Doc 7.13) Arboricultural Assessment (Doc 7.15)
	Are they of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)		Are they of a satisfactory standard?	Yes
30	Are there any observations in respect of the documents provided at Box 29 (a) to (q) above?				
	Draft Development Consent Order (draft DCO) (Doc 3.1) and Explanatory Memorandum (EM) (Doc 3.2)				

The dDCO would benefit from a review of recent Decision Letters and made DCOs for similar NSIPs, in order that the draft DCO is updated as appropriate, and that the EM is updated to include an explanation of any differences between the draft DCO and recently made DCOs for similar NSIPs.

It is also advised to provide in the EM for every Article and Requirement [emphasis added], an explanation as to why the inclusion of the power is appropriate in the specific case. The extent of justification should be proportionate to the degree of novelty and/ or controversy in relation to the inclusion of that power.

Article 20 of the draft DCO provides for the temporary closure or restriction of the passage of vessels in any way, in any part of the River Weaver within the Order limits regardless of any other enactment or in any rule of law. The Planning Inspectorate advises that:

- the EM is updated to clarify the purposes for these broad powers and the ES and mitigation plans are updated to set out the related impacts and mitigation
- justification is provided in the EM for each enactment or rule of law that is disapplied, providing information on the purpose of the legislation, the persons/ body having the power being disapplied, an explanation as to the effect of disapplication and whether any protective provisions or requirements are required to prevent any adverse impact arising as a result of disapplying the legislative controls, and (by reference to s120 and Schedule 5 of the Planning Act 2008) how each disapplied provision constitutes a matter for which provision may be made in the draft DCO
- notify the Marine Management Organisation (together with other prescribed persons) of the accepted application under s56(2)(a) of the PA2008
- place notices in the Lloyds List and an appropriate fishing journal.

Requirement 18 of the draft DCO provides for a Written Scheme(s) of Investigation. It is advised that the applicant provides an Outline Written Scheme of Investigation for consideration during the examination.

Book of Reference (Doc 4.3)

Update (including Part 2) where relevant. The Land Plans (Doc 2.2) and the Statement of Reasons (Doc 4.1) should also be updated.

Grid Connection Statement (Doc 7.14) and Environmental Statement (ES) Chapter 5: Climate Change (Doc 6.1)

The Grid Connection Statement states that the proposed development would have a 147MW generating capacity, that the current grid connection offer is 100MW export, and that there would be opportunities to store electricity and to export electricity directly to local

businesses. It is advised that the applicant provides clarification of whether the 147MW generation capacity would be utilised, providing any relevant evidence in relation to agreements with local businesses, the ability to increase the current grid connection offer, and calculations of storage capacity utilisation.

It is also advice that the applicant provides comment on the potential for, and justification of, any overplanting of solar panels, including in relation to Footnote 92 of the National Policy Statement for Renewable Energy Infrastructure and in the context of the High Court judgement in 'Lynn Ross v SSHCLG & Renewable Energy Systems Ltd' [2025] EWHC 1183.

ES Chapter 5 – Climate Change (Doc 6.1)

ES Chapter 5 (Climate Change) utilises the 147 MW generation capacity when calculating the offset greenhouse gas (GHG) emissions of the proposed development. Given the current connection offer from the DNO of 100 MW export, it is unclear how the 147 MW export figure has been derived for the calculation of the offset GHG emissions and whether this is a reasonable assumption. Paragraph 1.1.4 of the Grid Connection Statement submitted with the application states that the proposed development would also be capable of exporting electricity directly to local businesses (via the proposed private wire), providing opportunity to utilise the full generation capability of the proposed development. It is unclear whether the local business requirements alongside the 100 MW export would utilise the full 147 MW generation capacity. The applicant should explain and justify the use of the 147 MW generation capacity for assessment purposes and in the absence of suitable justification, provide update ES assessments utilising the connection offer figure.

ES Appendix 1-1 – The Scoping Report (Doc 6.2)

A portion of the Non-Breeding Bird Mitigation Area, Skylark mitigation Area and main site access with private wire connection area have not been assessed within the Agricultural Land Classification (ALC) Survey (appended to ES Appendix 1-1: The Scoping Report). Considering the proposed works in these areas, the applicant should provide an updated survey taking account of this land and provide an assessment where there is potential for likely significant effects to occur.

ES Chapter 2 – The Proposed Development (Doc 6.1)

ES Chapter 2 explains the anticipated waste streams during construction, operation, and decommissioning. However, specific quantities of waste are not provided. Although the exact quantities and types of waste for each phase has not been provided, paragraph 2.8.3 states that given the nature of the scheme, significant quantities of waste are not anticipated.

The applicant is advised to:

- clarify what calculations have been made to inform this conclusion
- in line with the requirements of the NPS (EN-1), confirm the anticipated volumes of waste from the proposed development, the proposed waste management strategy on-site, and the impact of waste generation from the proposed development on the capacity of waste management facilities, particularly when considering other waste arising in the area.

ES Appendix 9-1 – Flood Risk Assessment (Doc 6.2)

The applicant should provide a figure within the FRA clearly identifying all watercourses within the order limits and distinguish their types (e.g. tidal, river, canal) as the current figure lacks clarity.

ES Appendix 9-1 – Flood Risk Assessment (Doc 6.2)

The FRA should present a single figure clearly showing flood zones within the Order Limits alongside the key infrastructure components to demonstrate their spatial relationship, as the current information is split across various figures.

ES Appendix 9-1 – Flood Risk Assessment (Doc 6.2)

Clarification is required on whether the Environment Agency supports the applicant's proposal to disapply for flood risk activity permits and if sufficient information has been provided to justify this approach.

Information to Inform Habitats Regulations Assessment (Doc 5.3)

No potential likely significant effects are identified to Midland Meres and Mosses Phase 1 and Phase 2 Ramsar sites and these sites are not therefore considered further. The reasons for concluding no likely significant effects are given as the distance of the site(s) from the proposed development (6km), lack of functional linkage for bird qualifying features and no hydrological linkage with the proposed development, although no evidence is supplied to support these conclusions. Furthermore, the applicant's screening does not consider all the qualifying features for Midland Meres and Mosses 2 Ramsar site.

The evidence used to screen out this site and relevant qualifying features should therefore be provided.

Works Plans (Doc 2.3), Access PROW Plans (Doc 2.4) Land and Crown Land Plans (Doc 2.2) and Hedgerow Plans (Doc 2.7)

Inconsistencies in positioning of cut lines between sheets.

Section 51 advice has been issued to the applicant: <https://nsip-documents.planninginspectorate.gov.uk/published-documents/EN010153-000164-s51%20advice%20following%20acceptance%20letter.pdf>

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>An Information to Inform Habitats Regulations Assessment (HRA) Report has been provided (Doc 5.3).</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?	No hard copies requested.
33	Has the applicant had regard to statutory guidance 'Planning Act 2008: Application form guidance'?	<p>Yes</p> <p>Paragraph 7 of the Cover Letter (Doc 1.2) explains how the applicant has had regard to statutory guidance on the application form.</p> <p>The Planning Inspectorate is satisfied that the applicant has demonstrated regard to the guidance principles.</p>
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</p>

		application. That advice is published on the National Infrastructure Planning website, here: https://nsip-documents.planninginspectorate.gov.uk/published-documents/EN010153-000164-s51%20advice%20following%20acceptance%20letter.pdf
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>	The fees for providing the applicant with standard pre-application services were received on 2 June 2025.
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</p>	The fee was received on 29 May 2025; before the application was made.

	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	
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Role	Electronic signature	Date
Case Manager	<i>Robert Cook</i>	27 June 2025
Acceptance Inspector	<i>Stuart Cowperthwaite</i>	27 June 2025

