



Planning Inspectorate  
Arolygiaeth Gynllunio

# Section 55

## Acceptance of Applications Checklist

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

**August 2025**

## Fosse Green Energy 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
		<b>18 July 2025</b>	<b>15 August 2025</b>	<b>15 August 2025</b>
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	<b>Yes</b>  The Proposed Development set out in <b>Schedule 1</b> of the <b>Draft DCO (Doc 3.1)</b> includes development falling within the categories in s14 of the PA2008. The development is for the construction of a generating station and satisfies section 14 including section 14 subsection 1(a) and section 15 subsection 2 of the PA2008.  This is consistent with the summary provided in <b>section 4</b> of the <b>Application Form (Doc 1.4)</b> which states that the application is for an NSIP.		

	<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>	
3	<b>Summary: Section 55(3)(a) and s55(3)(c)</b>	The Planning Inspectorate is satisfied that the <b>Draft DCO (Doc 3.1)</b> includes development for which development consent is required.
<b>Section 55(3)(e): The Applicant in relation to the application made has complied with Chapter 2 of Part 5 (pre-application procedure)</b>		
4	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><b>Yes</b></p> <p>On 19 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 21 October 2024.</p> <p>A copy of the notification letter is provided at <b>Appendix 3.6</b> of the <b>Consultation Report (Doc 5.1)</b>.</p>
5	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><b>Yes</b></p> <p>There are 18 host and neighbouring authorities, of which 13 responded to the Planning Inspectorate's invitation to make an Adequacy of Consultation Representation (AoCR) dated 21 July 2025. One combined authority was invited to make an AoCR on a non-statutory basis and this authority has responded to the invitation.</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>All 14 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"> <li>• Boston Borough Council (A authority) *</li> <li>• East Lindsey District Council (A authority) *</li> <li>• Newark and Sherwood District Council (A authority)</li> <li>• South Holland District Council (A authority) *</li> <li>• North Kesteven District Council (B authority)</li> <li>• Lincolnshire County Council (C authority)</li> <li>• Cambridgeshire County Council (D authority)</li> <li>• Norfolk County Council (D authority) *</li> <li>• North East Lincolnshire Council (D authority)</li> <li>• North Lincolnshire Council (D authority)</li> <li>• Nottinghamshire County Council (D authority) *</li> <li>• Peterborough City Council (D authority)</li> <li>• Rutland County Council (D authority)</li> <li>• Cambridgeshire and Peterborough Combined Authority *</li> </ul> <p>*Nottinghamshire County Council (NCC) responded to the invitation to make an AoCR by confirming that the request had been sent to NCC as a neighbouring authority, however as NCC is not a host local authority for this project it has had no engagement with the applicant nor participated in the pre-application consultations. This authority therefore declined the invitation to submit an Adequacy of Consultation Representation.</p>
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		<p>*Norfolk County Council (NoCC) responded to the invitation to make an AoCR and stated that as it is not a host local authority for this project it has had limited engagement with the applicant but that it does not expect to experience significant effects from the development.</p> <p>*Boston Borough Council and East Lindsey District Council informed the Inspectorate via a shared email from the South &amp; East Lincolnshire Councils Partnership that they had assumed that a non-response would be considered as the Local Planning Authorities having no comments to make. They confirmed that they have no comments to make on the adequacy of consultation, on the basis of this site being located over 20 km from the boundaries of their authorities. South Holland District Council through the South and East Lincolnshire Councils Partnership confirmed that they also had no comments to make.</p> <p>*Cambridgeshire and Peterborough Combined Authority is not a local authority within the provisions of s43 of the PA2008 and was invited to make an AoCR on a non-statutory basis.</p> <p>All AoCRs received have been carefully considered and are available to view on the Find a National Infrastructure Project website: <a href="https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010154/documents?stage-2=Adequacy%20of%20Consultation&amp;itemsPerPage=25">https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010154/documents?stage-2=Adequacy%20of%20Consultation&amp;itemsPerPage=25</a></p>
<b>Section 42: Duty to consult</b>		
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><b>Yes</b></p> <p>The Applicant has provided a list of persons consulted under s42(1)(a) on 21 October 2024 at <b>Appendix 3.1</b> of the <b>Consultation Report (Doc 5.1)</b>.</p> <p>A sample of the letter sent to s42(1)(a) consultees is provided at <b>Appendix 3.3</b> of the <b>Consultation Report (Doc 5.1)</b>.</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"> <li>• Advanced Electricity Networks Ltd</li> <li>• Aidien Ltd</li> <li>• Aurora Utilities Ltd</li> <li>• CNG Services Ltd</li> <li>• Collingham Parish Council</li> <li>• Green Generation Energy Networks Cymru Ltd</li> <li>• Harby Parish Council</li> <li>• Homes England</li> <li>• Independent Distribution Connection Specialists Ltd</li> <li>• Indigo Power Limited</li> <li>• Inovyn Enterprises Ltd</li> <li>• National Grid Electricity Transmission Plc</li> <li>• National Highways Historical Railways Estate</li> <li>• North Scarle Parish Council</li> <li>• One Earth Solar Farm</li> <li>• Optimal Power Networks Limited</li> <li>• Springwell Solar Farm</li> <li>• Welbourn Parish Council</li> <li>• Wigsley Parish Council</li> </ul>
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		<p>The Applicant's <b>Consultation Report (Doc 5.1)</b> does not appear to show if these bodies identified above have 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 <b>Book of Reference (Doc 4.3)</b>.</p> <p>Section 51 advice has been issued to the Applicant in respect of the above matter and this can be viewed in the documents tab of the Find a National Infrastructure Project website and the Planning Inspectorate or at <a href="https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010154/s51advice">https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010154/s51advice</a></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><b>Yes</b></p> <p><b>Table 3.1</b> in <b>Appendix 3.1</b> of the <b>Consultation Report (Doc 5.2)</b> lists the relevant local authorities that were identified and consulted under s43 and s42(1)(b) on 21 October 2024.</p> <p>The host 'B' authority was consulted:</p> <ul style="list-style-type: none"> <li>• North Kesteven District Council</li> </ul> <p>The host 'C' authority was consulted:</p> <ul style="list-style-type: none"> <li>• Lincolnshire County Council</li> </ul>

		<p>The boundary 'A' authorities were consulted:</p> <ul style="list-style-type: none"> <li>• City of Lincoln Council</li> <li>• West Lindsey District Council</li> <li>• Newark and Sherwood District Council</li> <li>• East Lindsey District Council</li> <li>• South Holland District Council</li> <li>• South Kesteven District Council</li> <li>• Boston Borough Council</li> </ul> <p>The boundary 'D' authorities were consulted:</p> <ul style="list-style-type: none"> <li>• North East Lincolnshire Council</li> <li>• Rutland County Council</li> <li>• Cambridgeshire County Council</li> <li>• Norfolk County Council</li> <li>• North Lincolnshire Council</li> <li>• Leicestershire County Council</li> <li>• Nottinghamshire County Council</li> <li>• Peterborough City Council</li> <li>• North Northamptonshire Council</li> </ul> <p>It has also been identified by the applicant that the following authority was consulted on a non-statutory basis in relation to the provisions of s42 and s43:</p> <ul style="list-style-type: none"> <li>• Cambridgeshire and Peterborough Combined Authority</li> </ul>
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		A sample of the letter sent to s42(1)(b) relevant authorities is provided at <b>Appendix 3.3</b> of the <b>Consultation Report (Doc 5.1)</b> .
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><b>Yes</b></p> <p><b>Paragraph 5.3.7</b> of the <b>Consultation Report (Doc 5.1)</b> states that all persons identified under s42(1)(d) were consulted on 21 October 2024. Three further s44 consultees (Openreach Limited, Cadent Gas Limited and J.E Porter Limited) were identified. Openreach Limited was consulted on 20 March 2025 and Cadent Gas Limited and J.E Porter Limited were consulted on 25 April 2025 and given 28 days to respond.</p> <p><b>Paragraphs 8.6.1 to 8.6.12</b> of the <b>Consultation Report (Doc 5.1)</b> summarise how the Applicant made diligent inquiry to seek to identify and consult persons with an interest in lands affected by the <b>Draft DCO (Doc 3.1)</b>. The full methodology undertaken by the Applicant is provided in <b>Appendix 6</b> of the <b>Consultation Report (Doc 5.1)</b>.</p> <p>The persons consulted under s42(1)(a) and s42(1)(b) are listed at <b>Appendix 3.1</b> of the <b>Consultation Report (Doc 5.1)</b>. However, persons consulted under s42(1)(d) are not included but are set out in the <b>Book of Reference (Doc 4.3)</b></p> <p>A sample of the letter is provided at <b>Appendix 3.3</b> of the <b>Consultation Report (Doc 5.1)</b>.</p>
<b>Section 45: Timetable for s42 consultation</b>		
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><b>Yes</b></p> <p>A sample of the letter sent to s42 consultees is provided at <b>Appendix 3.3 (physical)</b> and <b>Appendix 3.4 (digital)</b> of the <b>Consultation Report (Doc 5.1)</b>.</p>

		The sample letter dated 21 October 2025 confirmed that consultation commenced on 21 October 2024 and closed on 2 December 2024, providing more than the required minimum time for receipt of responses.
<b>Section 46: Duty to notify the Planning Inspectorate of proposed application</b>		
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><b>Yes</b></p> <p>The Applicant gave notice under s46 on 18 October 2024, which was before the beginning of s42 consultation.</p> <p>A copy of the s46 notification letter is provided at <b>Appendix 2.1</b> of the <b>Consultation Report (Doc 5.2)</b> and a copy of s46 notification acknowledgement letter from the Planning Inspectorate is provided at <b>Appendix 2.3</b> of the <b>Consultation Report (Doc 5.2)</b>.</p>
<b>Section 47: Duty to consult local community</b>		
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><b>Yes</b></p> <p>A copy of the final SoCC is provided at <b>Appendix 6.3</b> of the <b>Consultation Report (Doc 5.1)</b>.</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><b>Yes</b></p> <p>The Applicant sent the draft SoCC to North Kesteven District Council ('B Authority') and Lincolnshire County Council ('C' authority) on 6 November 2023 and set a deadline of 19 December 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?	<b>Yes</b>

		<p><b>Table 6-1</b> of the <b>Consultation Report (Doc 5.1)</b> provides a summary of the consultation responses from North Kesteven District Council and Lincolnshire County 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"> <li>• the applicant extended the statutory consultation from 30 days to 43 days, which subsequently ran from 21 October 2024 to 2 December 2024</li> <li>• the applicant made changes to Figure 1 of the SoCC to ensure that the solar array and cable route were clearly defined</li> <li>• the applicant set of the information point addresses and opening times in Table 2 of the SoCC.</li> </ul> <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><b>Yes</b></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"> <li>• North Hykeham Community Library</li> <li>• Lincoln Library</li> <li>• Collingham Community Partnership Library</li> <li>• Navenby Parish Council office</li> <li>• Bassingham Parish Council office</li> <li>• Sleaford Library</li> </ul> <p>A notice stating when and where the final SoCC could be inspected was published in:</p>

		<ul style="list-style-type: none"> <li>Lincolnshire Echo on 17 October 2024 and 24 October 2024</li> <li>The Guardian on 21 October 2024</li> <li>The London Gazette on 21 October 2024</li> </ul> <p>The published SoCC notice, provided at <b>Appendix 6.3</b> of the <b>Consultation Report (Doc 5.1)</b> states where and when the final SoCC was available to inspect.</p> <p>Clippings of the published advertisements are provided at <b>Appendix 6.4</b> of the <b>Consultation Report (Doc 5.1)</b>.</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><b>Yes</b></p> <p><b>Paragraph 1</b> of <b>Section 7</b> of the final SoCC at <b>Appendix 6.3</b> of the <b>Consultation Report (Doc 5.1)</b> 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><b>Yes</b></p> <p><b>Paragraphs 7.1.1</b> to <b>7.14.1</b> of the <b>Consultation Report (Doc 5.1)</b> set out how the community consultation was carried out in line with the final SoCC.</p> <p><b>Table 6-2</b> of the <b>Consultation Report (Doc 5.1)</b> sets out how the Applicant has complied with the commitments set out in the final SoCC.</p> <p><b>Appendices 2.2, 2.5, 3.3, 4, 5, 6.4, 9.1.9, 9.1.11 9.1.12, 9.1.15</b> and <b>10.1</b> of the <b>Consultation Report (Doc 5.1)</b> provide evidence that the commitments within the final SoCC have been carried out.</p>
<b>Section 48: Duty to publicise the proposed application</b>		
19	Did the Applicant publicise the proposed application in the prescribed manner set out in	<p><b>Yes</b></p> <p><b>Paragraph 9.4.1</b> of the <b>Consultation Report (Doc 5.1)</b> states:</p>

	Regulation 4(2) of the (as amended) APFP Regulations 2009?	<p>“In summary, the Applicant fully complied with s48 of the PA 2008:</p> <p>a. The Applicant publicised the Proposed Development in a single notice, and consecutive notices where required, in the publications listed in paragraph 9.3.5.</p> <p>b. The Applicant publicised a s47/s48 combined notice, which was published at the start of the statutory consultation and issued to s42 consultees at the launch of consultation as part of the s42 consultee notification; and</p> <p>c. The Applicant placed the notices around the Proposed Development Site area.”</p> <p><b>Paragraph 9.3.5</b> of the <b>Consultation Report (Doc 5.1)</b> displays the newspapers and dates of s48 publicity as set out below.</p> <p>A copy of the s48 notice is provided at <b>Appendix 2.2</b> of the <b>Consultation Report (Doc 5.1)</b>.</p> <p>Clippings of the published notices set out below are provided at <b>Appendix 6.4</b> of the <b>Consultation Report (Doc 5.1)</b>:</p>	
<b>Newspaper(s)</b> <b>Date</b>			
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"><li>The Lincolnshire Echo</li></ul>	17 October 2024 24 October 2024
b)	once in a national newspaper;	<ul style="list-style-type: none"><li>The Guardian</li></ul>	21 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"><li>The London Gazette</li></ul>	21 October 2024

d)	where the proposed application relates to offshore development –  (i) once in Lloyds List; and  (ii) once in an appropriate fishing trade journal?	N/A	N/A		
20	Did the s48 notice include the required information set out in Regulation 4(3) of the (as amended) APFP Regulations 2009?	<b>Yes</b> The published s48 notice, supplied at <b>Appendix 2.2</b> of the <b>Consultation Report (Doc 5.1)</b> , contains the required information as set out below:			
<b>Information</b>		<b>Paragraph</b>	<b>Information</b>	<b>Paragraph</b>	
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	5	d)	a summary of the main proposals, specifying the location or route of the Proposed Development	1, 3 and 4
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:  • 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	1, 3, 4, 18, 27	f)	the latest date on which those documents, plans and maps will be available for inspection	18

g)	enquiries in relation to the documents, plans and maps.		h)		
	whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge	19 and 20		details of how to respond to the publicity	21, 22, 23 and 24
	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		23	
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?	<b>Yes</b> A copy of the s48 notice was sent to the EIA consultation bodies as part of the s42 consultation, as confirmed in <b>paragraphs 9.2.6</b> of the <b>Consultation Report (Doc 5.1)</b> . A sample of the s42 consultation letter provided at <b>Appendix 3.3</b> of the <b>Consultation Report (Doc 5.1)</b> confirms a copy of the s48 notice was enclosed.			
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?	<b>Yes</b> <b>Appendices 4.1, 5.1 and 5.2</b> of the <b>Consultation Report (Doc 5.1)</b> sets out how the Applicant had regard to the consultation responses received; including whether or not responses led to changes to the application.			

		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.
<b>S50(3) Regard to guidance about pre-application procedure</b>		
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><b>Paragraph 13.1.1</b> of the <b>Consultation Report (Doc 5.1)</b> states that the Applicant has had regard to all relevant statutory guidance.</p> <p>The Applicant submitted an Adequacy of Consultation Milestone statement on 17 April 2025. The Applicant has made reference in <b>Chapter 12</b> of the <b>Consultation Report (Doc 5.1)</b> and <b>Appendix A</b> of the <b>Covering Letter (Doc 1.1)</b>, but it is noted that reference in this chapter is only to the host authorities. The feedback provided by the Planning Inspectorate about the need to seek the views of all relevant authorities does not appear to be clearly referenced in this chapter.</p> <p><b>Appendix A</b> of the <b>Covering Letter (Doc 1.1)</b> does set out how the Applicant has responded to advice provided by the Inspectorate under s51. However, it is not clear that all of the advice is reflected in practice. An example of where it is not clear that the Applicant has responded in full to the advice is in relation to the draft document review and comment 2 for sample land plans. The Applicant was advised that “no landmarks listed i.e. road names, building names, river/lake names so it is not clear where each area is or what the land features are.” It is noted that this remains an issue on the submitted plans, in part at least owing to the limited extent of background mapping provided.</p> <p>However, having reviewed the application overall, the Planning Inspectorate is satisfied that the Applicant has identified and had regard to the relevant statutory guidance.</p>
25	<b>Summary: Section 55(3)(e)</b>	The Applicant has complied with Chapter 2 of Part 5 (pre-application procedure) of the PA2008.



		In respect of the minor consultation discrepancies identified, s51 advice has been provided to the Applicant in this regard, available here: <a href="https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010154/s51advice">https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010154/s51advice</a>
<b>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)</b>		
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"> <li>• a brief statement which explains why it falls within the remit of the Planning Inspectorate; and</li> <li>• a brief statement that clearly identifies the location of the application site, or the route if it is a linear scheme?</li> </ul>	<p><b>Yes</b></p> <p><b>Section 4</b> of the <b>Application Form (Doc 1.4)</b> explains why the development falls within the remit of the Planning Inspectorate.</p> <p><b>Section 5</b> of the <b>Application Form (Doc 1.4)</b> provides a brief non-technical description of the site and <b>section 6</b> provides the location of the Proposed Development.</p> <p>A <b>Location Plan (Doc 2.5)</b> has been provided.</p>
27	Is it accompanied by a Consultation Report?	<p><b>Yes</b></p> <p>The application is accompanied by a <b>Consultation Report (Doc 5.1)</b> and <b>Consultation Report Appendices (Doc 5.2)</b>.</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?	<b>Yes</b>
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:

Information		Document	Information		Document
a)	Where applicable, the Environmental Statement required under the EIA Regulations and any scoping or screening opinions or directions	<b>Volume 6: Fosse Green Energy Environmental Statement (Doc 6.1)</b> <b>Volume 6: Environmental Statement Figures (Doc 6.2)</b> <b>Volume 6: Environmental Statement Technical Appendices (Doc 6.3)</b> <b>Volume 6: Environmental Statement Non-Technical Summary (Doc 6.4)</b> <b>Volume 6: Environmental Statement Appendix 1-B EIA Scoping Opinion (Doc 6.3)</b>	b)	The draft Development Consent Order (DCO)	<b>Draft DCO (Doc 3.1)</b>
	Is this of a satisfactory standard?	<b>Yes</b> (with discrepancies as noted in Box 30)		Is this of a satisfactory standard?	<b>Yes</b> (with discrepancies as noted in Box 30)

c)	An Explanatory Memorandum explaining the purpose and effect of provisions in the draft DCO	<b>Explanatory Memorandum to Draft DCO (Doc 3.2)</b>	d)	Where applicable, a Book of Reference	<b>Book of Reference (Doc 4.3)</b>
	Is this of a satisfactory standard?	<b>Yes</b>		Is this of a satisfactory standard?	<b>Yes</b> (with discrepancies as noted in Box 30)
e)	A copy of any Flood Risk Assessment	<b>Environmental Statement Appendix 6-C Flood Risk Assessment (Doc 6.3)</b>	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 Applicant proposes to mitigate or limit them	<b>Volume 7 Statutory Nuisance Statement (Doc 7.6)</b>
	Is this of a satisfactory standard?	<b>Yes</b>		Is this of a satisfactory standard?	<b>Yes</b> (with discrepancies as noted in Box 30)
h)	A Statement of Reasons and a Funding Statement (where the application involves any Compulsory Acquisition)	<b>Statement of Reasons (Doc 4.1)</b> <b>Funding Statement (Doc 4.2)</b>	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	<b>Land Plans (Doc 2.1)</b>

				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	
	Is this of a satisfactory standard?	<b>Yes</b> (with issues and discrepancies as noted in Box 30 and in s51 advice provided following acceptance)		Is this of a satisfactory standard?	<b>Yes</b> (with discrepancies as noted in Box 30)
j)	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	<b>Works Plans (Doc 2.2)</b>	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	<b>Streets Rights of Way and Access Plans (Doc 2.3)</b>  <b>Traffic Regulation Measures Plans (Doc 2.4)</b>

I)	(ii) the limits within which the development and works may be carried out and any limits of deviation provided for in the draft DCO		m)		
	Is this of a satisfactory standard?	<b>Yes</b> (with discrepancies as noted in Box 30)		Is this of a satisfactory standard?	<b>Yes</b>
	Where applicable, a plan with accompanying information identifying:-  (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,	(i) <b>Statutory and Non-statutory Sites or Features of Nature Conservation, and Important Habitats Plan - Key Plan (Doc 2.5)</b> sheets 1 to 6  (ii) As above  The assessment of these is within document <b>7.13 Habitat Regulations Assessment (HRA) (Doc 7.13)</b> and documents <b>6.1 (ES Chapter 8) (Doc 6.1)</b> and <b>6.3.8 (ES Chapter</b>		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	<b>Statutory or Non-Statutory Sites or Features of the Historic Environment Plan (Doc 2.8)</b>  The assessment of these is within documents <b>6.1 (ES Chapter 7)</b> and <b>6.3 (ES Chapter Appendices)</b>  <b>Figure 7.6 (Geophysical Survey and LiDAR Plan)</b> has been submitted, see Box 30 for comments

n)	together with an assessment of any effects on such sites, features, habitats or bodies likely to be caused by the Proposed Development	<b>Appendices) (Doc 6.3.8)</b> (iii) <b>Waterbodies in a River Basin Management Plan (Doc 2.7)</b> (iv) <b>The assessment of these is within documents (ES Chapter 9) and 6.3 (ES Chapter Appendices including a Flood Risk Assessment and Water Framework Directive Assessment)</b>	o)		
	Is this of a satisfactory standard?	<b>Yes</b>		Is this of a satisfactory standard?	<b>Yes</b> (with discrepancies as noted in Box 30)
	Where applicable, a plan with any accompanying information identifying any Crown land	No Crown Land Plan has been provided as part of this application and no Crown Land or Rights have been listed in the Book of Reference.		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,	<b>Traffic Regulation Measures Plans (Doc 2.4)</b> <b>Location Plan (Doc 2.5)</b>

p)			q)	drainage, surface water management, means of vehicular and pedestrian access, any car parking and landscaping	
	Is this of a satisfactory standard?	N/A		Are they of a satisfactory standard?	Yes
	Any of the documents prescribed by Regulation 6 of the APFP Regulations:	<b>Grid Connection Statement (Doc 7.5)</b>		Any other documents considered necessary to support the application	<b>Covering Letter (Doc 1.1)</b> <b>Introduction to the Application (Doc 1.2)</b> <b>Guide to the Application (Doc 1.3)</b> <b>Consents and Agreements Position Statement (Doc 3.3)</b> <b>Environmental Commitments Register (Doc 6.5)</b> <b>Statement of Need (Doc 7.1)</b> <b>Planning Statement (Doc 7.2)</b> <b>Design Approach Document (Doc 7.3)</b> <b>Proposed Development Parameters (Doc 7.4)</b> <b>Framework Construction Environmental Management Plan (Doc 7.7)</b>

				<div>Framework Operational Environmental Management Plan (Doc 7.8)</div> <div>Framework Decommissioning Environmental Management Plan (Doc 7.9)</div> <div>Framework Soil Management Plan (Doc 7.10)</div> <div>Potential Main Issues for Examination (Doc 7.11)</div> <div>Biodiversity Net Gain Report (Doc 7.12)</div> <div>Framework Public Rights of Way Management Plan (Doc 7.14)</div> <div>Framework Landscape and Ecological Management Plan (Doc 7.15)</div> <div>Framework Employment, Skills and Supply Chain Plan (Doc 7.16)</div> <div>Framework Battery Safety Management Plan (Doc 7.17)</div> <div>Framework Construction Traffic Management Plan (Doc 7.18)</div>	
	Are they of a satisfactory standard?	Yes		Are they of a satisfactory standard?	Yes (with discrepancies as noted in Box 30)



30	Are there any observations in respect of the documents provided at Box 29 (a) to (q) above?
	<p><b>Land Plans (Doc 2.1)</b></p> <p>The applicant is seeking powers of temporary possession, see Articles 29 and 30 in the dDCO (Doc 3.1), section 2 of the Explanatory Memorandum (Doc 3.2) and section 5.4 of the Statement of Reasons (Doc 4.1), for constructing and maintaining the proposed development. However, the Land Plans only make reference to the compulsory acquisition of freeholds or leaseholds (coloured pink) or rights acquisition or extinguishment etc (coloured blue) and the Land Plans make no reference to the proposed temporary possession of land, pursuant to Articles 29 and 30, for construction or maintenance purposes. <b>Appendix A</b> of the <b>Covering Letter (Doc 1.1)</b> makes reference to temporary possession powers not being sought, which is in contradiction to the powers sought via Articles 29 and 30 of the dDCO.</p> <p><b>Works Plans (Doc 2.2)</b></p> <p>The Works Plans show neither place nor road names making it extremely difficult to identify where the proposed works would be located relative to their surroundings. It is only possible to identify where the proposed works would relate to named places or roads (including numbered roads) by cross referring to other plans, for example the <b>Land Plans (Doc 2.1)</b> or the <b>Streets, Rights of Way and Access Plans (Doc 2.3)</b>.</p> <p><b>Draft DCO (Doc 3.1)</b></p> <p>Some cross referencing to sub-paragraphs in paragraphs in the proposed Articles and Schedules with sub-paragraphs incorrectly referring to ‘paragraphs’ rather than sub-paragraphs. For example, in Article 8 cross references to paragraph 1 have been made in sub-paragraphs (2) and (3) when the references should be to sub-paragraphs (2) and (3).</p> <p>Schedule 12 (Documents and Plans to be Certified) – the way the documents for certification have been listed in Schedule 12 is difficult to follow. That is because the documents for certification have been listed in alphabetical order rather in numerical order.</p> <p>It is recognised that the “Framework Written Scheme of Investigation” (FWSI) remains to be submitted and has not been fully specified in Schedule 12 of the dDCO. The FWSI should be submitted by the applicant without any undue delay.</p> <p>Schedule 14 (Protective Provisions) currently contains two sets of generic protective provisions. At paragraph 9.3.6 of the Statement of Reasons (Doc 4.1) it is stated that sets of bespoke protective provisions are being negotiated with various undertakers. Agreed or draft protective provisions in favour of undertakers should be incorporated into the dDCO without any undue delay.</p>

**Funding Statement (Doc 4.2)**

The information provided in the **Funding Statement (Doc 4.2)** is very limited and consequently does not fully demonstrate how the authorisation of compulsory acquisition would be funded. Further comments and advice have been provided in the Section 51 advice letter issued following Acceptance.

**Book of Reference (Doc 4.3)**

The introductory section of the Book of Reference refers to the applicant, amongst other things, seeking powers of temporary possession and to the identification of the land plots to which those temporary possession powers are intended to apply to. Section 5.4 of the **Statement of Reasons (Doc 4.1)** explains that "... temporary use powers..." are being sought for the entirety of the proposed Order Limits ahead of acquiring land or rights permanently. However, the Book of Reference does not explicitly explain the intention for using temporary possession powers in respect of every land plot as a precursor to the future exercising of compulsory acquisition powers for either the acquisition of freeholds or rights.

**Environmental Statement (ES) (Doc 6.1) and ES Figures (Doc 6.2)**

Chapter 11 (Noise and Vibration) and Figures 11-1 to 11-3 seek to identify and show the locations for noise receptors and monitoring and the predicted noise contours for the centralised and distributed Battery Electrical Storage System (BESS). However, the information provided respectively in Tables 11-5 and 11-6 in Chapter 11 provide very brief descriptors for the receptor and monitoring locations, while Figures 11-1 to 11-3 have been drawn on Ordnance Survey Map bases providing very limited information concerning road numbers and/or street names, collectively making it extremely difficult to identify the precise locations for the noise receptor and/or monitoring locations. Readily relating the locations for the receptor and monitoring sites with the predictions for the noise contours for the centralised and distributed BESS is extremely difficult because the receptor and monitoring locations are not shown on Figures 11-2 and 11-3 and those figures have been drawn to a different scale to the scale of Figure 11-1.

**Geophysical Survey and LiDAR Plan (Doc Figure 7.6)**

Interpreting what is shown on each of the sheets included in Figure 7.6 is difficult because of the nature of the key that has been used and the way the information on the sheets in this document has been depicted.

**Framework Landscape and Ecological Management Plan (FLEMP) (Doc 7.15)**

There are problems with provided background mapping for these plans. Sheets 12 to 16 in Appendix A of the FLEMP are missing any background/contextual mapping against which parties can interpret the FLEMP's details. Some elements shown on the FLEMP's sheets are missing from the legend.

	<p><b>Environmental Statement Chapter 12: Socio-Economics and Land Use (Doc 6.1)</b></p> <p>Paragraph 12.7.39 text appears to be missing.</p> <p><b>Figure 13-1: Transport Study Area (Doc 6.2)</b></p> <p>The redline boundary does not show the cable corridor route in relation to the study area.</p> <p>Section 51 advice has been issued to the Applicant in respect of the above matters: <a href="https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010154/s51advice">https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010154/s51advice</a></p>	
31	<p>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, &amp;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>	<p><b>Yes</b></p> <p>A Habitat Regulations Assessment (HRA) Report is provided at Volume 7: Habitats Regulations Assessment Report (<b>Doc ref: EN010154/APP/7.13</b>).</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	<p>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>	<p><b>No hard copies are requested at this time.</b></p>
33	<p>Has the Applicant had regard to statutory guidance 'Planning Act 2008: Application form guidance'?</p>	<p><b>Yes</b></p> <p><b>Paragraph 1.3.1 of the Cover Letter (Doc 1.1)</b> explains that 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	<b>Summary - s55(3)(f) and s55(5A)</b>	<p>The Planning Inspectorate concludes that the application (including accompaniments) has generally 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: <a href="https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010154/s51advice">https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010154/s51advice</a></p>
<b>The Infrastructure Planning (Fees) Regulations 2010 (as amended)</b>		
<b>Pre-application fee</b>		
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 17 July 2025; before the application was made.

<b>Fees to accompany an application</b>		
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>	The fee was received on 08 July 2025; before the application was made.

<b>Role</b>	<b>Electronic signature</b>	<b>Date</b>
Case Manager	<i>Simon Raywood</i>	15 August 2025
Acceptance Inspector	<i>Grahame Gould</i>	15 August 2025

