



Planning Inspectorate
Arolygiaeth Gynllunio

Section 55

Acceptance of Applications Checklist

Appendix 3 of Advice on the preparation and submission of application documents

One Earth Solar Farm

One Earth Solar Farm Section 55 Acceptance of Applications Checklist

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

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

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

| Section 55(2) Acceptance of applications | | | | |
|--|---|--|----------------------|----------------------|
| 1 | Within 28 days (starting day after receipt) The Planning Inspectorate must decide whether or not to accept the application for examination. | Date received | 28-day due date | Date of decision |
| | | 27 February 2025 | 27 March 2025 | 27 March 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 which it | <p>Yes</p> <p>The proposed development set out in Schedule 1 of the Draft DCO (Doc 3.1) includes development falling within the categories in s14 of the PA2008. The development is for the construction of a generating station and satisfies section 15 of the PA2008, including subsection 1, and subsection 2.</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> | | |

| | | |
|--|---|--|
| | <p>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> | |
| 3 | Summary: Section 55(3)(a) and s55(3)(c) | The Planning Inspectorate is satisfied that the Draft DCO (Doc 3.1) includes development for which development consent is required. |
| Section 55(3)(e): The applicant in relation to the application made has complied with chapter 2 of part 5 (pre-application procedure) | | |
| 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>Yes</p> <p>On 21 May 2024 the applicant notified The Planning Inspectorate in accordance with regulation 8(1)(b) of the EIA regulations of its intention to provide an environmental statement in respect of the proposed development. The notification was received before the start of statutory consultation on 29 May 2024.</p> <p>A copy of the notification letter is provided at appendix G-1.1 of the Consultation Report (Doc 5.1).</p> |
| 5 | Have any adequacy of consultation representations (AoCR) been received from 'A', 'B', 'C' and 'D' local authorities; and if so, do they confirm that the applicant has | <p>Yes</p> <p>There are 26 host and neighbouring authorities, of which 15 responded to The Planning Inspectorate's invitation to make an AoCR dated 27</p> |

| | | |
|--|--|--|
| | <p>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 adequacy of consultation representations received.</p> | <p>February 2025. 1 additional response was received by Nottingham City Council.</p> <p>All 16 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"> • Newark and Sherwood District Council (B Authority)* • West Lindsey District Council (B Authority) • Lincolnshire County Council (C Authority) • Nottinghamshire County Council (C Authority) • Bolsover District Council (A Authority) • East Lindsay District Council (A Authority) • North Kesteven District Council (A Authority) • South Kesteven District Council (A Authority) • Norfolk County Council (D Authority) • Peterborough City Council (D Authority) • Rutland County Council (D Authority) • Cambridgeshire County Council (D Authority) • Leicestershire County Council (D Authority) • North Lincolnshire Council (D Authority) • Nottingham City Council • City of Doncaster Council (A & D Authority) |
|--|--|--|

| | | |
|---|---|---|
| | | <p>*Newark and Sherwood District Council (NSDC) confirmed that the applicant had complied with the legislative requirements. In the response NSDC noted that comments they made at a non-statutory consultation had not been addressed in the submitted consultation report but stated that this could not impact their conclusion that the applicant had complied with the legislative requirements.</p> <p>All AoCRs received have been carefully considered and are available to view on the Find a National Infrastructure Project website: https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010159</p> |
| Section 42: Duty to consult | | |
| Did the applicant consult the applicable persons set out in s42 of the PA2008 about the proposed application? | | |
| 6 | <p>Section 42(1)(a) persons prescribed?</p> <p>The persons prescribed are the statutory consultees set out in schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the APFP regulations).</p> | <p>Yes</p> <p>The applicant has provided a list of persons consulted under s42(1)(a) on 15 May 2024 at appendix E-1 of the Consultation Report (Doc 5.1).</p> <p>A sample of the letter sent to s42(1)(a) consultees is provided at appendix F-1 of the Consultation Report (Doc 5.1).</p> <p>The Planning Inspectorate has identified the following parties based on a precautionary interpretation of the APFP regulations that were not consulted by the applicant under s42:</p> <ul style="list-style-type: none"> • The relevant local resilience forum • The British Waterways Board • The Commission for Sustainable Development • The Commission for Architecture and the Built Environment • The Equality and Human Rights Commission |

| | | |
|---|--|---|
| | | <ul style="list-style-type: none"> • Kettlethorpe Parish Council • Rampton and Woodbeck Parish Council • CNG Services Ltd • Inovyn Enterprises Ltd • Stark Infra-Gas Limited • Advanced Electricity Networks Ltd • Aidien Ltd • Aurora Utilities Ltd • Stark Infra-Electricity Ltd <p>The applicant's Consultation Report (Doc 5.1) does not explain why the bodies identified above have not been consulted. However, it is noted that the licences held by these bodies cover Great Britain or various smaller areas and the operational areas of each are not clear from information in the public domain.</p> <p>None of the bodies listed above have been identified by the applicant as having an interest in the order land 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 and is available to view on the Find a National Infrastructure Project website: https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010159-000264</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</p> | <p>Yes</p> <p>Paragraph 6.2.2 states "Consultation with the Marine Management Organisation took place under s42(1)(a)". Furthermore, the MMO are listed as providing a response (see 7.2.3) to "Section 42(1)(a) and (b) consultation".</p> |

| | | |
|---|--|--|
| | would be likely to affect, any of the areas specified in s42(2) of the PA2008. | |
| 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 6.1 of the Consultation Report (Doc 5.1) lists the relevant local authorities that were identified and consulted under s43 and s42(1)(b) on 15 May 2024 & 17 June 2024.</p> <p>The host 'B' authority was consulted:</p> <ul style="list-style-type: none"> • Bassetlaw District Council • Newark and Sherwood District Council • West Lindsay District Council <p>The host 'C' authority was consulted:</p> <ul style="list-style-type: none"> • Lincolnshire County Council • Nottinghamshire County Council <p>The boundary 'A' authorities were consulted:</p> <ul style="list-style-type: none"> • Ashfield District Council • Bolsover District Council • East Lindsay District Council • Gelding District Council • City of Lincoln Council • Mansfield District Council • Melton District Council • North Kesteven District Council • Rushcliffe District Council |

| | | |
|---|--|--|
| | | <ul style="list-style-type: none"> • South Kesteven District Council <p>The boundary 'D' authorities were consulted:</p> <ul style="list-style-type: none"> • Cambridgeshire County Council • Derbyshire County Council • Leicestershire County Council • Norfolk County Council • North Northamptonshire Council • Peterborough City Council • Rutland County Council <p>A number of boundary authorities were consulted and fit into both A and D categories. These unitary authorities neighbour a host district council and a host county council.</p> <ul style="list-style-type: none"> • City of Doncaster Council • North East Lincolnshire Council • Rotherham Metropolitan Borough Council • North Lincolnshire Council <p>The applicant treated South Yorkshire Combined Mayoral Authority as both an A and D authority because the authority exercises a strategic function for certain local authorities identified as A or D authorities.</p> <p>A sample of the letter sent to s42(1)(b) relevant authorities is provided at appendix F-1 of the Consultation Report (Doc 5.1).</p> |
| 9 | Section 42(1)(c) the Greater London Authority (if in Greater London area)? | N/A |

| | | |
|---|--|---|
| 10 | <p>Section 42(1)(d) each person in one or more of s44 categories?</p> <p>Category 1: owner, lessee, tenant or occupier of land</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 6.2.6 of the Consultation Report (Doc 5.1) states that all persons identified under s42(1)(d) were consulted. Paragraph 6.2.9 states that the Applicant wrote by first class post to s42(1)(d) consultees on 15 May 2024.</p> <p>Paragraph 6.2.6 of the Consultation Report (Doc 5.1) summarises 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). Further detail is provided by the applicant in section 8 of the Statement of Reasons (Doc 4.1).</p> <p>The persons consulted under s42(1)(d) are listed in parts 1 to 5 of the Book of Reference (Doc 4.3).</p> <p>A sample of the letter is provided at appendix F-1 of the Consultation Report (Doc 5.1).</p> |
| Section 45: Timetable for s42 consultation | | |
| 11 | <p>Did the applicant notify s42 consultees of the deadline for receipt of consultation responses; and if so was the deadline notified by the applicant 28 days or more starting with the day after receipt of the consultation documents?</p> | <p>Yes</p> <p>A sample of the letter sent to s42 consultees is provided at appendix F-1 of the Consultation Report (Doc 5.1).</p> <p>The sample letter is dated 15 May 2024, which is before the consultation started.</p> <p>The sample letter confirmed that consultation commenced on 29 May 2024 and closed on 09 July 2024, providing more than the required minimum time for receipt of responses.</p> <p>The Applicant sent a second letter on 17 June 2024, also provided at appendix F-1 of the Consultation Report (Doc 5.1) that confirmed an extension to the closure of the consultation to 23 July 2024.</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 21 May 2024, which was before the beginning of s42 consultation.</p> <p>A copy of the s46 notification letter is provided at appendix G-1.1 of the Consultation Report (Doc 5.1) and a copy of s46 notification acknowledgement letter from The Planning Inspectorate is provided at appendix G-1.2 of the Consultation Report (Doc 5.1).</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 applicant's final SoCC is provided at appendix D-1 of the Consultation Report (Doc 5.1).</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>Paragraph 5.3.1 of the Consultation Report (Doc 5.1) states "The Applicant consulted host authorities on the draft SoCC from 5 April 2024 to 11:59pm on 3 May 2024."</p> <p>Appendix C-3 contains the formal consultation correspondence for the draft SoCC which states a consultation time frame as 5 April to 2 May 2024. This does not provide the full 28 days for responses to be received.</p> <p>Though the full 28 days was not provided for responses, four of the authorities were able to provide comments within the timeframe given. On 10 March West Lindsey District Council stated they were content that the pre-application consultation adequately addressed the applicant's duties under s42, s47 and s48.</p> |

| | | |
|----|---|---|
| 15 | Has the applicant had regard to any responses received when preparing the SoCC? | <p>Yes</p> <p>Appendix C-4 of the Consultation Report (Doc 5.1) provides a summary of the consultation responses from Newark and Sherwood District Council, Nottinghamshire County Council, Bassetlaw 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"> • The Applicant updated a section to remove wording which suggested they had agreement from LPAs, as the LPAs felt this was pre-emptive. • The Applicant updated maps to show more labels of local villages, a lack of which had been raised by Bassetlaw District Council. • The Applicant added an additional community access location option in Retford for documents, following feedback from Lincolnshire County Council. <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, see Table 5.1 of the Consultation Report (Doc 5.1):</p> <ul style="list-style-type: none"> • South Clifton Sport Pavilion, Newark • The Courtyard Tea Room, Lincoln • Saxilby Library, Saxilby • St Helen's Church, Newark |

| | | |
|----|---|--|
| | | <ul style="list-style-type: none"> • Bassetlaw District Council, Retford • Bassetlaw District Council, Worksop • Newark and Sharwood District Council, Newark • West Lindsay District Council, Gainsborough <p>A notice stating when and where the final SoCC could be inspected was published in:</p> <ul style="list-style-type: none"> • Lincolnshire Echo on 16 May 2024 • Nottingham Post on 15 May 2024 <p>The published SoCC notice, provided at appendix D-2 of the Consultation Report (Doc 5.1) states where and when the final SoCC was available to inspect.</p> <p>Clippings of the published advertisements are provided at appendix D-2 of the Consultation Report (Doc 5.1).</p> |
| 17 | In accordance with regulation 12 of the EIA regulations, does the SoCC set out whether the development is EIA development; and does it set out how the applicant intends to publicise and consult on the preliminary environmental information? | <p>Yes</p> <p>Paragraph 1 of page 7 of the final SoCC at appendix D-1 of the Consultation Report (Doc 5.1) sets out that the development is EIA development and sets out how the applicant intended to publicise and consult on the preliminary environmental information.</p> |
| 18 | Has the applicant carried out the consultation in accordance with the SoCC? | <p>Yes</p> <p>Paragraphs 6.2.20 to 6.2.39 of the Consultation Report (Doc 5.1) set out how the community consultation was carried out in line with the final SoCC.</p> <p>Appendix D-4 of the Consultation Report (Doc 5.1) provides 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 APFP regulations? | <p>Yes</p> <p>Paragraph 6.3.3 of the Consultation Report (Doc 5.1) states:</p> <p>“The Applicant considers that it fulfilled its statutory duty to publicise consultation under S48 of PA 2008 through the publication of notices between 29 May 2024 and 6 June 2024.”</p> <p>Table 6.9 of the Consultation Report (Doc 5.1) displays the newspapers and dates of s48 publicity as set out below.</p> <p>Note: The applicant made additional publications to local and national newspapers to advertise an extended consultation period.</p> <p>A copy of the s48 notice is provided at appendix F-1 of the Consultation Report (Doc 5.1).</p> <p>Clippings of the published notices set out below are provided at appendix I-1 of the Consultation Report (Doc 5.1):</p> | |
| | | | |
| | | Newspaper(s) | Date |
| a) | for at least two successive weeks in one or more local newspapers circulating in the vicinity in which the proposed development would be situated; | <ul style="list-style-type: none">Nottingham Post | 29 May 2024 and 5 June 2024 and 18 June 2024 and 25 June 2024 |

| | | | |
|--------------------|--|---|--|
| | | <ul style="list-style-type: none">Lincolnshire Echo | 30 May 2024 and 6 June 2024 and 20 June 2024 and 27 June 2024 |
| b) | once in a national newspaper; | <ul style="list-style-type: none">The Guardian | 29 May 2024 and 17 June 2024 |
| c) | once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and | <ul style="list-style-type: none">The London Gazette | 29 May 2024 and 19 June 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 APFP regulations? | Yes The published s48 notice, supplied at appendix F-1 of the Consultation Report (Doc 5.1) , contains the required information as set out below: | |
| | | | |
| Information | | Paragraph | |
| a) | the name and address of the applicant. | 2 | |
| | | b) | |
| | | a statement that the applicant intends to make an application for development consent to the Secretary of State | 2 |

| | | | | | |
|----|--|-------------|----|---|-----|
| c) | a statement as to whether the application is EIA development | 7 | d) | a summary of the main proposals, specifying the location or route of the proposed development | 3&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: <ul style="list-style-type: none">the nature and location of the proposed developmentthe address of the websitethe place on the websitea telephone number which can be used to contact the applicant for enquiries in relation to the documents, plans and maps | 10, 11 & 16 | f) | the latest date on which those documents, plans and maps will be available for inspection | 11 |
| g) | whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge | 11 | h) | details of how to respond to the publicity | 14 |
| i) | a deadline for receipt of those responses by the applicant, being not less than 28 days following the date when the notice is last published | 14 | | | |
| 21 | Are there any observations in respect of the s48 notice provided above? | | | | |
| | Yes | | | | |

| | | |
|---|--|--|
| | <p>Checks have been completed on both Round 1 and Round 2 notices and meet the criteria. Paragraph numbering above is taken from the Round 2 notice.</p> <p>The proposed development site includes the River Trent 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 Find a National Infrastructure Project website: https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010159-000264</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 6.2.13 of the Consultation Report (Doc 5.1).</p> <p>A sample of the s42 consultation letter provided at appendix F.1 of the Consultation Report (Doc 5.1) confirms a copy of the s48 notice was enclosed.</p> |
| s49: Duty to take account of responses to consultation and publicity | | |
| 23 | Has the applicant had regard to any relevant responses to the s42, s47 and s48 consultation? | <p>Yes</p> <p>Chapter 7 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>Appendices J-1 and J-2 of the Consultation Report (Doc 5.1) provide further information.</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 9.1.2 of the Consultation Report (Doc 5.1) states that the applicant has had regard to all relevant statutory guidance.</p> <p>Appendices L-1 and L-2 of the Consultation Report (Doc 5.1) provides further information on how the Applicant had regard to all relevant statutory guidance.</p> <p>The applicant submitted an adequacy of consultation milestone statement on 09 December 2024.</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) | <p>The applicant has complied with chapter 2 of part 5 (pre-application procedure) of the PA2008.</p> <p>In respect of the minor consultation discrepancies identified, s51 advice has been provided to the applicant and is available to view on the Find a National Infrastructure Project website: https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010159-000264</p> |
| s55(3)(f) and s55(5A): The application (including accompaniments) achieves a satisfactory standard having regard to the extent to which it complies with section 37(3) (form and contents of application) and with any standards set under section 37(5) and follows any applicable guidance under section 37(4) | | |
| 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 | <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> |

| | <ul style="list-style-type: none">a brief statement that clearly identifies the location of the application site, or the route if it is a linear scheme? | A Location Plan (Doc 2.1) has been provided. | | | | | | | | | | | | | | | | | | | | |
|---|---|---|-------------|-------------|---|---|-------------|--|----------|--|----|---|---|--|----|---|---|--|--|--|--|--|
| 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 5.1) . | | | | | | | | | | | | | | | | | | | | |
| 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)? | The documents and information required by APFP regulation 5(2) are set out in the documents and locations within the application as listed below: | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | |
| <table><tr><th colspan="2">Information</th><th colspan="2">Document</th><th colspan="2">Information</th><th colspan="2">Document</th></tr><tr><td rowspan="2">a)</td><td rowspan="2">Where applicable, an environmental statement required under the EIA regulations and any scoping or screening opinions or directions</td><td colspan="2">Environmental Statement (ES) Volume 1: Introductory Chapters (Doc 6.1-6.5) ES Volume 2: Aspect Chapters (Doc 6.6-6.19) ES Volume 3: Figures supporting</td><td rowspan="2">b)</td><td rowspan="2">a draft development consent order (DCO)</td><td colspan="2">Draft Development Consent Order (Doc 3.1)</td></tr><tr><td colspan="2"></td><td colspan="2"></td></tr></table> | | | Information | | Document | | Information | | Document | | a) | Where applicable, an environmental statement required under the EIA regulations and any scoping or screening opinions or directions | Environmental Statement (ES) Volume 1: Introductory Chapters (Doc 6.1-6.5) ES Volume 2: Aspect Chapters (Doc 6.6-6.19) ES Volume 3: Figures supporting | | b) | a draft development consent order (DCO) | Draft Development Consent Order (Doc 3.1) | | | | | |
| Information | | Document | | Information | | Document | | | | | | | | | | | | | | | | |
| a) | Where applicable, an environmental statement required under the EIA regulations and any scoping or screening opinions or directions | Environmental Statement (ES) Volume 1: Introductory Chapters (Doc 6.1-6.5) ES Volume 2: Aspect Chapters (Doc 6.6-6.19) ES Volume 3: Figures supporting | | b) | a draft development consent order (DCO) | Draft Development Consent Order (Doc 3.1) | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | |

| | | | | | |
|----|--|---|----|---|---|
| c) | | ES Volumes 1 and 2 (Doc 6.20) ES Volume 3: Technical Appendices supporting ES Volumes 1 and 2 (Doc 6.21) Non-Technical Summary (Doc 6.22) Scoping Opinion (Doc 6.23) | d) | | |
| | Is this of a satisfactory standard? | Yes (with minor discrepancies as noted in box 30) | | Is this of a satisfactory standard? | Yes |
| | 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 – parts 1 to 5 (Doc 4.3) |
| e) | Is this of a satisfactory standard? | Yes (with minor discrepancies as noted in box 30) | f) | Is this of a satisfactory standard? | Yes |
| | A copy of any flood risk assessment | Environmental Statement (ES) Appendix 7.2: Flood | | A statement whether the proposal engages one or more of the | Statutory Nuisance Statement (Doc 5.3) – this addresses air emissions (Section 4.2), |

| | | | | | |
|----|--|---|----|---|---|
| h) | | Risk Assessment (FRA) and Outline Drainage Strategy (Doc 6.21) | i) | 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 | artificial light (Section 4.3) and noise and vibration (Section 4.4) |
| | Is this of a satisfactory standard? | Yes (with minor discrepancies as noted in box 30) | | 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: <ul style="list-style-type: none"> the land required for, or affected by, the proposed development where applicable, any land over which it is proposed to exercise powers of compulsory acquisition or any rights to use land any land in relation to which it is proposed to extinguish | Land Plan (Doc 2.2) |

| | | | | | |
|----|--|--|----|---|---|
| j) | | | k) | easements, servitudes and other private rights; and • any special category land and replacement land | |
| | Is this of a satisfactory standard? | Yes (with minor discrepancies as noted in box 30) | | Is this of a satisfactory standard? | Yes |
| | A works plan showing, in relation to existing features: • the proposed location or (for a linear scheme) the proposed route and alignment of the development and works; and • the limits within which the development and works may be carried out and any limits of deviation provided for in the draft DCO | Works Plan (Doc 2.3) | | Where applicable, a plan identifying any new or altered means of access, stopping up of streets or roads or any diversions, extinguishments or creation of rights of way or public rights of navigation | Streets rights of way and access plans (Doc 2.4) |

| | Is this of a satisfactory standard? | Yes | | Is this of a satisfactory standard? | Yes |
|----|---|--|----|--|--|
| l) | <p>Where applicable, a plan with accompanying information identifying:</p> <ul style="list-style-type: none"> any statutory or non-statutory sites or features of nature conservation, for example sites of geological or landscape importance habitats of protected species, important habitats or other diversity features; and water bodies in a river basin management plan; <p>together with an assessment of any effects on such sites, features, habitats or bodies likely to be caused by the proposed development</p> | <p>ES Figure 3.1: Ecological Designations (Doc 6.20)</p> <p>ES Figure 7.2: Existing Watercourses (Doc 6.20)</p> <p>ES Figure 11.7: Regional Landscape Character Areas (Doc 6.20)</p> <p>The assessment of effects on these sites is provided in:</p> <p>ES Chapter 6: Biodiversity (Doc 6.6)</p> <p>ES Appendices 6.2-6.9</p> <p>Shadow Habitat Regulations Assessment (Doc 5.2)</p> | m) | <p>Where applicable, a plan with accompanying information identifying any statutory or non-statutory sites or features of the historic environment, (for example 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 10.1: Designated Heritage Assets in 1km and 2km radius of the Order Limits (Doc 6.20)</p> <p>ES Figure 10.2: Non-designated Heritage Assets in 1km and 2km radius of the Order Limits (Doc 6.20)</p> <p>The assessment of effects on these sites is provided in:</p> <p>ES Chapter 10: Cultural Heritage (Doc 6.10)</p> <p>ES Appendix 10.2: Cultural Heritage Desk-Based Assessment (Doc 6.21)</p> |

| | | | | |
|-------------------------------------|--|-------------------------------------|------------|--|
| | <p>ES Chapter 7: Hydrology and Hydrogeology (Doc 6.7)</p> <p>ES Appendix 7.2: Flood Risk Assessment (FRA) and Outline Drainage Strategy</p> <p>ES Appendix 7.4: Stage 1 Water Framework Directive Screening Assessment</p> <p>ES Chapter 11: Landscape and Visual (Doc 6.11)</p> <p>ES Appendix 11.3: Landscape Baseline and Effects</p> <p>ES Appendix 11.4: Visual Baseline and Assessment</p> | | | |
| Is this of a satisfactory standard? | Yes (with minor discrepancies as noted in box 30) | Is this of a satisfactory standard? | Yes | |

| | | | | | |
|----|---|--|----|--|---|
| n) | Where applicable, a plan with any accompanying information identifying any crown land | Crown Land Plan (Doc 2.8) | o) | Any other plans, drawings and sections necessary to describe the development consent proposal showing details of design, external appearance, and the preferred layout of buildings, structures, drainage, surface water management, means of vehicular and pedestrian access, any car parking and landscaping | Location Plan (Doc 2.1) Site Layout Plans (Doc 2.5) Outline Surface Water Drainage Strategy Plans (Doc 2.6) Illustrative Masterplan (Doc 2.7) |
| | Is this of a satisfactory standard? | Yes | | Are they of a satisfactory standard? | Yes |
| p) | Any of the documents prescribed by regulation 6 of the APFP regulations | Grid Connection Statement (Doc 7.2) | q) | Any other documents considered necessary to support the application | Application Form (Doc 1.1) Application Cover Letter (Doc 1.2) Guide to the Application (Doc 1.3) Pre-Application Programme Document (Doc 1.5) Explanatory Memorandum (Doc 3.2) |

| | | | | |
|--|--|--|--|--|
| | | | | <p>Pre-application Land and Rights Negotiation Tracker (Doc 4.4)</p> <p>Shadow Habitat Regulation Assessment (Doc. 5.2)</p> <p>Schedule of other Consents and Licenses (Doc 5.4)</p> <p>Planning Statement (Doc 5.5)</p> <p>Policy Compliance Document (Doc 5.6)</p> <p>Potential Main Issues for Examination (Doc 5.7)</p> <p>Design Approach Document (Doc 5.8)</p> <p>Outline Design Parameters (Doc 5.9)</p> <p>Statement of Need (Doc 7.1)</p> <p>Mineral Safeguarding Assessment (Doc 7.3)</p> <p>Outline Construction Environmental Plan (Doc 7.4)</p> <p>Outline Operational Environmental Management Plan (Doc 7.5)</p> <p>Outline Decommissioning Environmental Management Plan (Doc 7.6)</p> |
|--|--|--|--|--|

| | | | | | |
|--|--------------------------------------|-----|--|--|-----|
| | | | | <div>Outline Landscape and Ecology Management Plan (Doc 7.7)</div> <div>Outline Skills, Supply Chain and Employment Plan (Doc 7.8)</div> <div>Outline Construction Traffic Management Plan (Doc 7.9)</div> <div>Outline Soil Management Plan (Doc 7.10)</div> <div>Outline Battery Safety Management Plan (7.11)</div> <div>Outline Site Waste Management Plan (Doc 7.12)</div> <div>Outline Export Cable Route Construction Method Statement (Doc 7.13)</div> <div>Outline Public Right of Way Management Plan (Doc 7.14)</div> <div>Commitments Register (Doc 7.15)</div> <div>Glint and Glare Assessment (Doc 7.16)</div> <div>Glossary of Terms and Abbreviations (Doc 7.17)</div> | |
| | Are they of a satisfactory standard? | Yes | | 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? |
| | <p>Explanatory Memorandum (Doc 3.2)</p> <p>4.6.1 refers to Article 36, it should be Article 35.</p> <p>Funding Statement (Doc 4.2)</p> <p>Paragraph 1.1.2 does not contain text.</p> <p>Consultation Report (Doc 5.1)</p> <p>Paragraph 6.2.2 states “Consultation with the Marine Management Organisation took place under s42(1)(a)” and the MMO are listed as providing a response (see 7.2.3) to “Section 42(1)(a) and (b) consultation”. However, in appendix J-1 a response from the MMO isn’t provided.</p> <p>The Coal Authority – The Coal Authority are not listed at appendix E-1 but are mentioned in the Consultation Report as having responded and in appendix J-1 as having provided “no comment”.</p> <p>Land Plans (Doc 2.2)</p> <p>In the Book of Reference (Doc 4.3) plot 05-012 is described as South of Hollow Gate Lane. The plot on Sheet 8 of the Land Plans appears to be north of the lane.</p> <p>It would be useful if plot descriptions in the Book of Reference (Doc 4.3) referred to features within each sheet for improved clarity, for example on sheet 11 of 16 plot 11-005 is described in relation to Southmoor Road which is not located on the same sheet.</p> <p>ES Chapter 6: Biodiversity (Doc 6.6)</p> <p>ES Chapter 6, section 6.3.2 states that the ecological features set out in Table 6.1 (including designated sites, habitats and veteran trees) are presented in ES Figure 6.1. ES Figure 6.1 does not show this information and appears to relate to ES Chapter 16 (Human Health). Figures showing any statutory or non-statutory sites or features of nature conservation and habitats of protected species, important habitats or other diversity features are required.</p> <p>Flood Risk Assessment (FRA) and Outline Drainage Strategy (Doc 6.21)</p> <p>A figure in the FRA distinguishing which areas of the proposed development’s order limits are within Flood Zone 3a and Flood Zone 3b is required. The Environment Agency published new flood and coastal erosion risk data on 28 January 2025 with further data planned for release on 25 March 2025. Once this further data has been released by the</p> |

| | | |
|----|---|---|
| | <p>Environment Agency, the applicant should provide updated versions of the relevant assessments including the FRA, based upon the updated Environment Agency data.</p> <p>Notification of the accepted application</p> <p>In relation to the observation given at Box 21, the Inspectorate recommends on a precautionary basis that the Applicant provides notice of the accepted application in the Lloyds List and an appropriate fishing trade journal, in relation to the requirements at regulation 4(2)(d) for offshore development in The Infrastructure Planning (Applications: Prescribed Forms and Procedures) Regulations 2009, in addition to fulfilling other notification requirements.</p> <p>Section 51 advice has been issued to the applicant and is available to view on the Find a National Infrastructure Project website: https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010159-000264</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, &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>Yes</p> <p>A Habitat Regulations Assessment (HRA) Report has been provided (Doc ref. 5.2).</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>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>No hard copies requested.</p> |

| | | |
|--|--|---|
| 33 | Has the applicant had regard to statutory guidance 'Planning Act 2008: Application form guidance'? | Yes The Planning Inspectorate is satisfied that the applicant has demonstrated regard to the guidance principles. |
| 34 | Summary - s55(3)(f) and s55(5A) | The Planning Inspectorate concludes that the application (including accompaniments) has been prepared to a standard that it considers satisfactory. 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 Find a National Infrastructure Project website, here: https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010159-000264 |
| The Infrastructure Planning (Fees) Regulations 2010 | | |
| Pre-application fee | | |
| 35 | Were all pre-application fees paid before the application was made? 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 Infrastructure Planning (Fees) Regulations 2010. | No pre-application fee was charged under the transitional arrangements. |
| Fees to accompany an application | | |
| 36 | Was the fee paid at the same time that the application was made? | The fee was received on 20 February 2025; before the application was made. |

| | | |
|--|--|--|
| | 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 | |
|--|--|--|

| Role | Electronic signature | Date |
|----------------------|----------------------|---------------|
| Case Manager | <i>Deborah Allen</i> | 27 March 2025 |
| Acceptance Inspector | <i>Alex Jack</i> | 27 March 2025 |

