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To the applicant  
(By email only)

Your Ref:

Our Ref: EN0110001

Date: 22 September 2025

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Dear Mr Rose

## **Planning Act 2008 – section 51**

### **Application by Keadby Next Generation Limited for an order granting development consent for The Keadby Next Generation Power Station Project**

#### **Advice following issue of decision to accept the application for examination**

On 22 September 2025 the Secretary of State decided that the application for the above project satisfied the acceptance tests under section 55 of the Planning Act 2008 (PA2008). The Planning Inspectorate's acceptance checklist and the application documents have been published and made available on the project page of our website.

In undertaking checks at the acceptance stage, the Inspectorate has made some initial observations in relation to the application. This letter comprises advice to the applicant provided under section 51 of the PA2008 in respect of these initial observations. The applicant should pay attention to its content and consider how appropriate action might be taken in response.

#### **Consultees identified on a precautionary basis**

Given the individual circumstances of this case, the Planning Inspectorate advises taking a precautionary approach to consultation under s42(1)(a) of PA2008 to ensure that all persons potentially affected by, or potentially likely to have an interest in the application are given the opportunity to participate fully in the examination of the application. On this basis, the applicant may wish to serve notice on the bodies listed in Box 6 of the section 55 checklist when it serves notice of the accepted application under s56(2)(a) of the PA2008; unless there is a specific justification why this is not necessary.

### **Indicative Landscape and Biodiversity Plan (Doc 2.18)**

The plan is missing a key plan. Although it doesn't affect the ability to view or understand the plans, the applicant is advised to amend this. It would be helpful if this could be also be provided at a larger scale.

### **Draft Development Consent Order (dDCO) (Doc 3.1)**

It is noted that a Deemed Marine Licence (DML) was included as Schedule 13 of the Development Consent Order for Keadby 3 Carbon Capture Power Station (Keadby 3). Part 2 Condition 3 sets out this was for river water abstraction works and water discharge corridor into the River Trent. Whilst it is noted that no abstraction works directly from the River Trent are sought for the proposed scheme, discharge works (Work No.6) appear similar to the discharge proposals for Keadby 3. The Applicant should therefore provide explanation as to why a DML is not included for the proposed scheme for Work No 6.

With the exception of Plots 1-11 and 1-22, all other plots listed in Schedule 7 of the dDCO in connection with Work No.9B are also required for the compulsory acquisition of rights under Article 25 and Schedule 5. It is not therefore clear why these plots are additionally listed as required for temporary possession. Furthermore, Article 31(10) prohibits the undertaker from compulsory acquiring the plots listed in Schedule 7. The applicant should consider removing the said plots from Schedule 7 and amend Schedule 5 Works 8A and 8C so they include Work No 9B.

### **Book of Reference (BoR) (Doc 4.3)**

When cross referencing the BoR with the applicant's list of consultees under s44 of the Planning Act 2008 some inconsistencies were identified. For example, Utility Assets Limited is listed in appendix 9E of the consultation report (Doc 5.1.1) as a consultee under s44 of PA2008 however they are not listed in the BoR. We advise that the BoR (including Part 2) is reviewed and updated as required, before certification of compliance with s59 of PA2008. The Inspectorate reminds the applicant of the importance of certainty that all relevant persons (including those within s56(2)(d) and s57(4)) have been notified and are afforded the opportunity to submit a relevant representation. Where parties are not required to be listed in the BoR, an explanation should be provided.

### **Environmental Statement (ES) Chapter 19 Major Accidents and Disasters (Doc 6.2.19)**

Unlike the other chapters of the ES, Chapter 19 does not include a table setting out a summary of relevant consultation activities. The applicant is requested to provide a consultation table summary for the major accidents and disasters aspect.

### **Outline Construction Workers Travel Plan (Doc 7.6)**

The document references a worst case scenario for construction as being Q2 2034 to Q4 2037. Requirement 2(1) of the dDCO says "The authorised development must not be commenced after the expiration of 7 years from the date this Order comes into force." When responding to this advice it would be helpful for the applicant to confirm whether the statement and worst-case scenario would go beyond the 7-year permission life-cycle as specified in the dDCO.

### **Outline Written Scheme of Investigation (Doc 7.7)**

The document references a full geoarchaeological assessment being done as part of the Keadby 3 scheme, estimated to be completed in January 2026. When responding to this advice it would be helpful for the applicant to state whether this report will be submitted into this examination and form part of the suite of documents for this application.

### **Minor errors and omissions**

There are minor errors and omissions, as reflected in Box 30 of the acceptance checklist.

Please pay close attention to the advice set out in this letter and act on it accordingly. It would be helpful to the Examination if any errors could be corrected and resubmitted as soon as practically possible and in one go. This will contribute towards a more efficient examination and give any future Examining Authority comfort that the documentation is complete and accurate.

We trust you find this advice helpful, however if you have any queries on these matters please do not hesitate to contact our office using the contact details at the head of this letter.

Yours sincerely

Caroline Hopewell

**Case Manager**

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