



Planning Inspectorate
Arolygiaeth Gynllunio

Section 55

Acceptance of Applications Checklist

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

East Pye Solar 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
		5 March 2026	3 April 2026	2 April 2026
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	<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 an onshore generating station in England exceeding 100 megawatts (MW) and satisfies section 15 of the PA2008, including subsection 1 and subsection 2.</p>		

	<p>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 relates, meaning which category or categories in s14 to 30 does the proposed development fall?</p> <p>If the development does not fall within the categories in s14 to 30, has a direction been given by the Secretary of State under s35 of the PA2008 for the development to be treated as development for which development consent is required?</p>	<p>This is consistent with the summary provided in section 4 of the Application Form (Doc 1.1), which states that the application is for an NSIP.</p>
3	<p>Summary: Section 55(3)(a) and s55(3)(c)</p>	<p>The Planning Inspectorate is satisfied that the Draft DCO (Doc 3.1) includes development for which development consent is required.</p>
<p>Section 55(3)(e): The applicant in relation to the application made has complied with chapter 2 of part 5 (pre-application procedure)</p>		
4	<p>In accordance with regulation 8 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA regulations), did the applicant (prior to carrying out consultation in accordance with</p>	<p>Yes</p> <p>On 15 January 2025, 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 17 June 2025.</p>

	<p>s42) either (a) request The Planning Inspectorate adopt a screening opinion in respect of the development to which the application relates, or (b) notify The Planning Inspectorate in writing that it proposed to provide an environmental statement in respect of that development?</p>	<p>A copy of the notification forming part of the EIA Scoping Report is provided at Volume 3: Appendix 2.1 of the Environmental Statement (Doc 6.3.2.1).</p>
<p>5</p>	<p>Have any Adequacy of Consultation Representations been received from 'A', 'B', 'C' and 'D' local authorities; and if so, do they confirm that the applicant has complied with the duties under s42, s47 and s48?</p> <p>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>Yes</p> <p>There are 12 host and neighbouring authorities, of which 8 responded to the Planning Inspectorate's invitation to make an AoCR dated 9 March 2026.</p> <p>6 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"> • Cambridgeshire County Council (D Authority) • Mid Suffolk District Council (A Authority) • Breckland District Council (A Authority) • Lincolnshire County Council (D authority) • Suffolk County Council (D authority) • Great Yarmouth Borough Council (A Authority) <p>However, Norfolk County Council and South Norfolk Council in their respective AoCRs stated that the applicant has not fully complied with its duties to consult under the PA2008. These authorities point to an alleged failure to consult Pulham Market Parish Council and Framingham Earl Parish Council, which they believe should have been treated as prescribed consultees at each pre-application consultation stage. The</p>

		<p>Councils state that these Parish Councils were only consulted at the applicant's later targeted consultation stage, when the Order Limits were modified. It is the Councils' view that Pulham Market Parish Council and Framingham Earl Parish Council should also have been consulted at the earlier statutory consultation stage and should have received the full consultation material. The Planning Inspectorate's assessment of this issue is set out at Box 6 below.</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/EN0110014/documents?stage-acceptance=Adequacy%20of%20Consultation%20Representation&itemsPerPage=25</p>
<p>Section 42: Duty to consult</p>		
<p>Did the applicant consult the applicable persons set out in s42 of the PA2008 about the proposed application?</p>		
6	<p>Section 42(1)(a) persons prescribed?</p> <p>The persons prescribed are the statutory consultees set out in schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the APFP regulations).</p>	<p>Yes</p> <p>The applicant has provided a list of persons consulted under s42(1)(a) on 18 June 2025 at Appendix 7 (Doc 5.8) of the Consultation Report (Doc 5.1). A sample of the letter sent to s42(1)(a) consultees is provided at Appendix 7 (Doc 5.8) of the Consultation Report (Doc 5.1).</p> <p>However, in relation to the AoCRs provided by Norfolk County Council and South Norfolk Council as recorded in Box 5, the Planning Inspectorate issued a request for signposting information on these matters on 24 March 2026. The applicant provided a response on 26 March 2026.</p> <p>The Planning Inspectorate's interpretation of the applicant's GIS ShapeFile at the acceptance stage does not clearly show Framingham Earl Parish Council within or neighbouring the location where the proposals may be sited and therefore may not be a relevant Parish Council for the purposes of consultation for this proposed</p>

	<p>development. Framingham Earl Parish Council may have been consulted at the targeted consultation stage by the applicant on a precautionary basis.</p> <p>Appendix 7: Section 42 Consultation Materials (Doc 5.8) of the Consultation Report (Doc 5.1) does not appear to include Pulham Market Parish Council on the ‘Section 42 Consultee List’. There appears to be no evidence in the application documents to show that Pulham Market Parish Council was notified of the earlier statutory consultation stage. However, the Consultation Report (Doc 5.1) at Appendix 9: Targeted Consultation Materials (Doc 5.10) shows that Pulham Market Parish Council was listed as a prescribed body consulted at the targeted consultation stage, where the applicant made certain changes to the Order Limits.</p> <p>It appears therefore inconclusive as to whether Pulham Market Parish Council was included in each stage of the pre-application consultation process. The Planning Inspectorate notes the comments of Norfolk County Council that the “Targeted Consultation Information Change Note (October 2025) produced by the applicant at the time of the consultation, while referencing the statutory consultation, did not provide direct links to the statutory consultation materials on the applicant’s website, nor did it invite previously unconsulted statutory consultees to provide a response to the statutory consultation materials.” However, the Planning Inspectorate considers that the Parish Council would have had access to the consultation material in full on the applicant’s website following notification of the targeted consultation phase and could have made comments on the totality of the proposed development (not just the changes to the Order Limits at targeted consultation stage) if it chose.</p> <p>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 should serve notice on Pulham Market Parish Council and Framingham Earl Parish Council 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.</p>
--	---

		<p>It is also noted that Norfolk County Council and South Norfolk Council have raised complaints about the adequacy of the consultation material provided. South Norfolk Council refers, for example, to inadequate “Environmental Information such as Bats, Crayfish, private water supplies, major accident and disaster, aviation safeguarding, cumulative assessment, habitat regulations assessment, reasonable alternatives and human health”. While Norfolk County Council has added that the “targeted consultation has raised significant concerns by local interest groups regarding the absence of appropriate environmental information relating to these proposed changes”, stating in particular, “local groups have raised issues with the evidence base as it relates to botany, barbastelle bat maternity colonies, white-clawed crayfish, the water environment and the impact on private water supplies”.</p> <p>In view of the information provided in the Consultation Report (Doc 5.1), the Planning Inspectorate considers that the information made available for consultation would have been sufficient and that there was a reasonable prospect that the scheme was able to be understood by the consultees for comments to be provided on the proposed development.</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</p>	<p>Yes</p> <p>Chapter 9.4.4, Table 9-1 of the Consultation Report (Doc 5.1) lists the relevant local authorities that were identified and consulted under s43 and s42(1)(b) on 18 June 2025.</p> <p>The host ‘B’ authority was consulted:</p>

	<p>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>	<ul style="list-style-type: none"> • South Norfolk Council <p>The host 'C' authority was consulted:</p> <ul style="list-style-type: none"> • Norfolk County Council <p>The boundary 'A' authorities were consulted:</p> <ul style="list-style-type: none"> • Breckland District Council • Broadland District Council • Broads Authority • Great Yarmouth Borough Council • East Suffolk Council • Mid Suffolk District Council • Norwich City Council <p>The boundary 'D' authorities were consulted:</p> <ul style="list-style-type: none"> • Cambridgeshire County Council • Lincolnshire County Council • Suffolk County Council <p>A sample of the letter sent to s42(1)(b) relevant authorities is provided at Appendix 7 (Doc 5.8) of the Consultation Report (Doc 5.1).</p>
9	<p>Section 42(1)(c) the Greater London Authority (if in Greater London area)?</p>	<p>N/A</p>
10	<p>Section 42(1)(d) each person in one or more of s44 categories?</p>	<p>Yes</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>Chapter 9 of the Consultation Report (Doc 5.1) states that all persons identified under s42(1)(d) were consulted on 18 June 2025.</p> <p>Section 9.5 of the Consultation Report (Doc 5.1) summarise how the applicant made diligent inquiry to seek to identify and consult persons with an interest in lands affected by the Draft DCO (Doc 3.1). The full methodology undertaken by the applicant is provided in Section 8.6 of the Consultation Report (Doc 5.1).</p> <p>The persons consulted under s42(1)(d) are listed at Appendix 7 (Doc 5.8) of the Consultation Report (Doc 5.1).</p> <p>A sample of the letter is provided at Appendix 7 (Doc 5.8) of the Consultation Report (Doc 5.1).</p>
<p>Section 45: Timetable for s42 consultation</p>		
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 7 (Doc 5.8) of the Consultation Report (Doc 5.1).</p> <p>The sample letter dated 18 June 2025 confirmed that consultation commenced on 18 June 2025 and closed on 6 August 2025, providing more than the required minimum time for receipt of responses.</p>
<p>Section 46: Duty to notify The Planning Inspectorate of proposed application</p>		
12	<p>Did the applicant supply information to notify The Planning Inspectorate of the proposed application; and if so, was the information supplied to The Planning Inspectorate on or before</p>	<p>Yes</p> <p>The applicant gave notice under s46 on 17 June 2025, which was before the beginning of s42 consultation.</p> <p>A copy of the s46 notification letter is provided at Appendix 7 (Doc 5.8) of the Consultation Report (Doc 5.1) and a copy of s46 notification acknowledgement letter</p>

	the date it was sent to the s42 consultees? Was this done on or before commencing consultation under s42?	from the Planning Inspectorate is provided at Appendix 7 (Doc 5.8) of the Consultation Report (Doc 5.1) .
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?	Yes A copy of the applicant's final SoCC is provided at Appendix 5 (Doc 5.6) of the Consultation Report (Doc 5.1) .
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?	Yes The applicant sent the draft SoCC to South Norfolk Council ('B Authority') and Norfolk County Council ('C' authority), copies of the letters can be found at Appendix 5 (Doc 5.6) of the Consultation Report (Doc 5.1) and sets a deadline of 6 May 2025 for responses; the letters indicate an extended consultation timeframe providing more than the required minimum time for responses to be received.
15	Has the applicant had regard to any responses received when preparing the SoCC?	Yes Chapter 7 (table 7.1) of the Consultation Report (Doc 5.1) provides a summary of the consultation responses from Norfolk County Council in respect of the draft SoCC and demonstrates how the applicant had regard to their content. South Norfolk Council did not submit a response to the SoCC. Examples of changes from the draft SoCC to the final SoCC include:

		<ul style="list-style-type: none"> • Providing Norfolk County Council with early sight of the Preliminary Environmental Information Report (PEIR) chapters and PEIR Non-Technical Summary (NTS) before the start of statutory consultation on 18 June 2025. • An extension to the period of statutory consultation from 6 weeks and 2 days to 7 weeks. • An updated map of the Scheme to show the extent of land under consultation during the statutory phase of consultation. <p>The Planning Inspectorate is satisfied that the applicant had regard to the responses received when preparing the SoCC.</p>
16	<p>Has the SoCC been made available for inspection on a website maintained by or on behalf of the applicant; and has a notice been published in a newspaper circulating in the vicinity of the land which states where and when the SoCC can be inspected?</p>	<p>Yes</p> <p>The final SoCC was made available at the following locations, which is reasonably convenient having regard to the location of the proposed development:</p> <ul style="list-style-type: none"> • Long Stratton Library, The Street, Long Stratton, NR15 2XJ • Loddon Library, 31 Church Plain, Loddon, NR14 6EX • Bungay Community Centre, Wharton Street, Bungay, NR35 1EL • Poringland Library, Overtons way, Poringland, Norwich, NR14 7WB. <p>A notice stating when and where the final SoCC could be inspected was published in:</p> <ul style="list-style-type: none"> • Eastern Daily Press – 04/06/2025 • Diss Express - 06/06/2025 <p>The published SoCC notice, provided at Appendix 5 (Doc 5.6) and Chapter 6 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 sections 6 and section 7 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>Section 10 of the final SoCC at Appendix 5 (Doc 5.6) 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>Section 7.9 of the Consultation Report (Doc 5.1) set out how the community consultation was carried out in line with the final SoCC.</p> <p>Table 7-5 of the Consultation Report (Doc 5.1) sets out how the applicant has complied with the commitments set out in the final SoCC.</p> <p>Appendix 5 (Doc 5.6) of the Consultation Report (Doc 5.1) provide evidence that the commitments within the final SoCC have been carried out.</p>
Section 48: Duty to publicise the proposed application		
19	Did the applicant publicise the proposed application in the prescribed manner set out in regulation 4(2) of the (as amended) APFP regulations?	<p>Yes</p> <p>Table 10-1 of the Consultation Report (Doc 5.1) states:</p> <p>“The Applicant prepared and publicised the application in the prescribed manner set out in the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 by publishing a Section 48 Notice.” The Section 48 Notice was published in the following publications (set out below):</p> <p>Table 10-1 of the Consultation Report (Doc 5.1) displays the newspapers and dates of s48 publicity as set out below.</p>

		<p>A copy of the s48 notice is provided at Appendix 8 (Doc 5.9) of the Consultation Report (Doc 5.1).</p> <p>Clippings of the published notices set out below are provided at Appendix 8 (Doc 5.9) 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"> • Diss Express • Eastern Daily Express 	<p>6 and 13 June 2025</p> <p>11 and 18 June 2025</p>
b)	once in a national newspaper;	<ul style="list-style-type: none"> • The Guardian 	16 June 2025
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 	18 June 2025
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	<p>Yes</p> <p>The published s48 notice, supplied at Appendix 8 (Doc 5.9) of the Consultation Report (Doc 5.1), contains the required information as set out below:</p>	

	regulation 4(3) of the (as amended) APFP regulations?		
	Information	Paragraph	Information
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
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
e)	a statement that the documents, plans and maps were available on a website maintained by or on behalf of the applicant. The statement must include: <ul style="list-style-type: none"> the nature and location of the proposed development the address of the website the place on the website a telephone number which can be used to contact the applicant 	3 and 16	f) the latest date on which those documents, plans and maps will be available for inspection
			1
			4,5 and 6
			8 to 13

	for enquiries in relation to the documents, plans and maps			
g)	whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge	19 and 20	h)	details of how to respond to the publicity
i)	a deadline for receipt of those responses by the applicant, being not less than 28 days following the date when the notice is last published	25		
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?	Yes A copy of the s48 notice was sent to the EIA consultation bodies as part of the s42 consultation, as confirmed in Chapter 9 of the Consultation Report (Doc 5.1) . A sample of the s42 consultation letter provided at Chapter 3, page 27 of the Consultation Report (Doc 5.1) confirms a copy of the s48 notice was enclosed.		
s49: Duty to take account of responses to consultation and publicity				

23	<p>Has the applicant had regard to any relevant responses to the s42, s47 and s48 consultation?</p>	<p>Yes</p> <p>Chapter 12 of the Consultation Report (Doc 5.1) sets out how the applicant had regard to the consultation responses received, including whether or not responses led to changes to the application.</p> <p>The actions informed by the consultation responses appear to be reflected in the final form of the application as submitted. Where a particular response has not led to a change in the application, it is sufficiently clear that regard was had to it.</p>
<p>S50(3) Regard to guidance about pre-application procedure</p>		
24	<p>To what extent has the applicant had regard to statutory guidance ‘Planning Act 2008: Pre-application stage for Nationally Significant Infrastructure Projects’?</p> <p>The Planning Inspectorate must have regard to the extent to which the applicant has had regard to guidance issued under s50.</p>	<p>Section 3.2 of Chapter 3 of the Consultation Report (Doc 5.1) states that the applicant has had regard to all relevant statutory guidance.</p> <p>The applicant submitted an Adequacy of Consultation Milestone Statement on 14 January 2026. The applicant has demonstrated that it has had regard to some advice issued by the Planning Inspectorate in relation to the statement in table 1.1 of Appendix 1: Statement of Compliance (Doc 5.2) to the Consultation Report (Doc 5.1).</p> <p>Additionally, Appendix 1: Statement of Compliance (Doc 5.2) to the Consultation Report (Doc 5.1) sets out how the applicant has had regard to advice provided by the Planning Inspectorate under s51, such as relevant published Advice pages.</p> <p>However, it is not clear as to whether the applicant has had regard to all the advice issued by the Inspectorate, such as the advice issued relating to the applicant’s Adequacy of Consultation Milestone statement. It is noted that the applicant submitted an Issues Tracker during the pre-application stage, which forms part of the primary service features of the Planning Inspectorate’s ‘2024 Pre-application Prospectus’. However, it is unclear whether the applicant has had regard to all the advice issued in response.</p> <p>However, 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: Section 51 advice following acceptance letter</p>
<p>s55(3)(f) and s55(5A): The application (including accompaniments) achieves a satisfactory standard having regard to the extent to which it complies with section 37(3) (form and contents of application) and with any standards set under section 37(5) and follows any applicable guidance under section 37(4)</p>		
26	<p>Is it made in the prescribed form as set out in schedule 2 of the APFP regulations, and does it include:</p> <ul style="list-style-type: none"> • a brief statement which explains why it falls within the remit of The Planning Inspectorate; and • a brief statement that clearly identifies the location of the application site, or the route if it is a linear scheme? 	<p>Yes</p> <p>Section 4 of the Application Form (Doc 1.1) explains why the development falls within the remit of the Planning Inspectorate.</p> <p>Section 5 of the Application Form (Doc 1.1) provides a brief non-technical description of the site and section 6 provides the location of the proposed development.</p> <p>A Location Plan (Doc 2.1) has been provided.</p>
27	<p>Is it accompanied by a consultation report?</p>	<p>Yes</p> <p>The application is accompanied by a Consultation Report (Doc 5.1) and Consultation Report Appendices (Docs 5.2 to 5.12).</p>
28	<p>In accordance with regulation 5(4) of the APFP regulations, where a plan</p>	<p>Yes</p>

	comprises three or more separate sheets, has a key plan been provided showing the relationship between the different sheets?			
29	Is it accompanied by the documents and information set out in APFP regulation 5(2)?		Yes	The documents and information required by the APFP Regulation 5(2) are set out as listed below.
	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 Volume 1: Main text (Doc 6.1) Environmental Statement Volume 2: Figures (Doc 6.2) Environmental Statement Volume 3: Appendices (Doc 6.3) Environmental Statement Volume 4:	b)	a draft development consent order (DCO) Draft Development Consent Order (Doc 3.1)

		Non-technical summary (Doc 6.4)			
	Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in box 30)		Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in box 30)
c)	An explanatory memorandum explaining the purpose and effect of provisions in the draft DCO	Explanatory Memorandum (Doc 3.2)	d)	Where applicable, a book of reference	Book of Reference (Doc 4.3)
	Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in box 30)		Is this of a satisfactory standard?	Yes
e)	A copy of any flood risk assessment	Flood Risk Assessment & Outline Surface Water Drainage Strategy (Doc 6.3.9.1)	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	Statutory Nuisance Statement (Doc 7.13)

				the applicant proposes to mitigate or limit them	
	Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in box 30)		Is this of a satisfactory standard?	Yes
h)	A statement of reasons and a funding statement (where the application involves any compulsory acquisition)	Statement of Reasons (Doc 4.1) Funding Statement (Doc 4.2)	i)	A land plan identifying: <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 easements, servitudes and other private rights; and any special category land and replacement land 	Yes Land Plan (Doc 2.2). Plots and descriptions listed within the Book of Reference (Doc 4.3) are consistent with the plots shown on the Land Plan (Doc 2.2).

	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?	Yes
j)	<p>A works plan showing, in relation to existing features:</p> <ul style="list-style-type: none"> 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 	Works Plan (Doc 2.3)	k)	Where applicable, a plan identifying any new or altered means of access, stopping up of streets or roads or any diversions, extinguishments or creation of rights of way or public rights of navigation	Streets Plan (Doc 2.6) and Access and Rights of Way Plan (Doc 2.7)

	in the draft DCO			
	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 	<p>Hedgerow and Tree Protection Order Plan (Doc 2.12)</p> <p>Statutory Sites or Features of Nature Conservation Plan (Doc 2.10)</p> <p>Non-Statutory Sites or Features of Nature Conservation (Doc 2.9)</p> <p>Waterbodies River Basin Management Plan (Doc 2.8)</p> <p>Environmental Statement</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>Statutory or Non-Statutory Sites or Features of Historic Environment Plan (Doc 2.11)</p> <p>Environmental Statement Volume 1 Chapter 10 Cultural Heritage (Doc 6.1.10)</p> <p>Environmental Statement Volume 2 Figure 10.1 Statutory or Non-Statutory Sites or Features of the Historic Environment (Doc 6.2.10.1)</p>

<p>diversity features; and</p> <ul style="list-style-type: none"> • 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>Volume 1 Chapter 9 Water Environment (Doc 6.1.9)</p> <p>Environmental Statement Volume 1 Chapter 8 Ecology and Biodiversity (Doc 6.1.8)</p> <p>Environmental Statement Volume 2 Figure 9.1 Site Location and Water Courses (Doc 6.2.8.4)</p> <p>Environmental Statement Volume 2 Figure 8.4 Irreplaceable Habitats within 2km (Doc 6.2.6.4)</p> <p>Environmental Statement Volume 2</p>			
---	---	--	--	--

		<p>Figure 8.6 Habitat Survey Results (Doc 6.2.8.6)</p> <p>Environmental Statement Volume 2 Figure 8.5 Priority Habitats (Doc 6.2.8.5)</p> <p>Environmental Statement Volume 2 Figure 8.3 Non-Statutory Designated Sites within 2km (Doc 6.2.8.3)</p> <p>Environmental Statement Volume 2 Figure 8.2 Statutory Designated Sites within 5km (Doc 6.2.8.2)</p>			
--	--	---	--	--	--

n)		Environmental Statement Volume 2 Figure 8.1 Internationally Designated Sites within 10km (Doc 6.2.8.1)	o)		
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?	Yes
	Where applicable, a plan with any accompanying information identifying any Crown land	Crown Land Plan (Doc 2.4)		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) Special Category Land Plan (Doc 2.5) Hedgerow and Tree Protection Order Plan (Doc 2.12)

	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 7.12)	q)	Any other documents considered necessary to support the application	Application Covering Letter (Doc 1.2) Land and Rights Negotiation Tracker (Doc 4.4) Outline Construction Environmental Management Plan (Doc 7.1) Outline Operational Environmental Management Plan (Doc 7.2) Outline Decommissioning Environmental Management Plan (Doc 7.3) Outline Landscape and Ecological Management Plan (Doc 7.4) Outline Battery Safety Management Plan (Doc 7.5) Outline Construction Traffic Management Plan (Doc 7.6) Outline Operational Traffic Management Plan (Doc 7.7)

					<p>Outline Public Rights of Way and Permissive Paths Management Plan (Doc 7.8)</p> <p>Outline Soil Resource and Management Plan (Doc 7.9)</p> <p>Outline Employment, Skills and Supply Chain Strategy (Doc 7.10)</p> <p>Statement of Need (Doc 7.11)</p> <p>Planning Statement (Doc 7.14)</p> <p>Policy Compliance Document (Doc 7.15)</p> <p>Potential Main Issues for Examination (Doc 7.16)</p> <p>Design Approach Document (Doc 7.17)</p> <p>Design Principles, Parameters and Commitments (Doc 7.18)</p> <p>Equality Impact Assessment (Doc 7.19)</p> <p>Site Selection Assessment (Doc 7.20)</p> <p>Outline Cable Route Construction Statement (Doc 7.21)</p>
--	--	--	--	--	---

				Consents and Agreements Position Statement (Doc 7.22) Biodiversity Net Gain Report (Doc 7.23) Biodiversity Net Gain Statutory Metric (Doc 7.24) Shadow Habitats Regulations Assessment (Doc 7.25) Commitments Register (Doc 7.26) High Level Investigative Report (Doc 7.27) Potential Impact on Seething Aerodrome Forced Landing Options (Doc 7.28)	
	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?				
	Draft Development Consent Order (DCO) (Doc 3.1) Part 1 – Preliminary:				

Article 2(1) – Interpretation. Adjust the definitions of ‘commence’ and ‘permitted preliminary works’ if that is necessary to remove any site preparation works that are likely to have significant environmental effects, for example, in terms of noise or impacts on protected species or archaeological remains. [Advice Note 15 - paragraph 21.2].

Article 2(1) – Interpretation. Adjust the definition of “maintain” if that is necessary for it not to authorise development which may result in significant environmental effects not already assessed. [Advice Note 15 – paragraph 18.2].

Part 2 – Principal Powers:

Article 6 – Disapplication and modification of legislative provisions. Notwithstanding any precedent, provide justification in the Explanatory Memorandum for each disapplication or amendment. Provide information on the purpose of the legislation; the persons/body having the power being disappplied; an explanation as to the effect of disapplication and whether any protective provisions or requirements are required to prevent any adverse impact arising as a result of disapplying the legislative controls; and (by reference to s120 and Schedule 5 of the Planning Act 2008) how each disappplied provision constitutes a matter for which provision may be made in the Development Consent Order.

Part 7 – Miscellaneous and general:

Article 42, Certification of plans and documents, etc. The applicant is encouraged to set out the reference numbers of all documents [Advice Note 15 – paragraph 11.2]. Ensure that every individual document is identified either within the development consent order itself or within a separate certified document. Ensure that each document listed is the latest version submitted to the examination and that the version number is identified accordingly.

Requirements:

Requirement 12 of the draft DCO provides for the submission of a written scheme of investigation. We recommend that an outline written scheme of investigation is supplied for consideration during the examination.

Schedules:

Schedule 12, Part 1 of the draft DCO (Doc. 3.1) lists the date of issue for all documents in the schedule as “February 2026.” However, the cover pages of these documents clearly state the issue date as “March 2026”. Ensure that the date of issue shown in Schedule 12 of the draft DCO is consistent with the dates displayed on the cover pages of the referenced documents.

Schedule 12, Part 1 of the draft DCO (Doc. 3.1) identifies Document 6.3.10.6 as the “Outline Archaeological Mitigation Strategy.” However, Appendix 10.6 of the submitted Environmental Statement (Doc. 6.3.10.6) is titled “Archaeological

Mitigation Strategy Revision 1 – March 2026”. Confirm whether the draft DCO’s reference to Document 6.3.10.6 as an outline archaeological mitigation strategy is correct.

Schedule 14, Part 3 of the draft DCO refers to the drainage work situated within the limits of deviation. No limits of deviation appear to be defined within the draft development consent order. This matter should be clarified.

General: The draft DCO contains a range of different formulations when referring to the stages of the authorised development, for example:

- “... construction, maintenance, operation, use and decommissioning ...”
- “... construction, operation, maintenance or decommissioning ...”
- “... construction or maintenance ...”
- “... construction or maintenance or decommissioning ...”
- “... construction, maintenance and decommissioning ...”
- “... construction, maintenance or use ...”
- “... erection, construction, maintenance or decommissioning ...”
- “... construction, maintenance, use or operation ...”
- “... construction, maintenance or operation ...”
- “... construction, operation and maintenance ...”

Chapter 20 of the Environmental Statement (Doc 6.1.20) presents the stages of the authorised development in a clear and consistent sequence: construction, operation and maintenance, and decommissioning. It would be helpful if the draft DCO and associated documents followed a consistent approach to describing these stages, ensuring that each is clearly identified whenever referenced.

Explanatory Memorandum (Doc 3.2)

The applicant is asked to ensure references to precedents are updated to reflect any recently made and currently unmade DCO’s which may have since proceeded to decision (e.g. Fenwick Solar Farm, Beacon Fen Energy Park, One Earth Solar Farm).

The Land and Rights Negotiation Tracker (Doc. 4.4)

The Land and Rights Negotiation Tracker (Doc. 4.4) at Part 2 Statutory Undertakers and Crown Authorities, makes clear that the applicant will engage with statutory undertakers post acceptance in relation to the negotiation of bespoke Protective

Provisions. It is not clear whether the applicant has engaged statutory undertakers proportionately and early. We would advise the applicant to provide regular updates on engagement with statutory undertakers in line with the subsequent examination timetable.

Outline management plans and other documents

Across the nine outline management plans (**Docs 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8, and 7.9**) a total of approximately 320 qualifying phrases are used, including terms such as “where practicable,” “as far as is reasonably practicable,” and similar unbounded expressions. While the use of qualifiers may in some cases be appropriate to recognise the need for flexibility during detailed design, their repeated and wide-ranging application throughout the submitted outline plans may reduce the clarity and precision of the measures relied upon within the Environmental Statement and proposed to be secured through the draft Development Consent Order. The applicant is advised to consider whether the extent of such qualifiers could affect the examinability and testability of the commitments set out in the outline management plans, and whether further specificity or clearer decision-making parameters should be provided to ensure that the measures can be adequately assessed during the examination.

Outline Landscape and Ecological Management Plan (OLEMP) (Doc 7.4): Appendix B of the OLEMP contains the Green Infrastructure Strategy. This material is extensive and presented across Sheets 1 to 10 of Figure 2, illustrating the proposed landscape and ecological measures across the scheme. As this figure is likely to be referred to frequently during the examination, it would assist usability and navigation if it were provided as a standalone document.

Design Principles, Parameters and Commitments (Doc 7.18): The qualifiers “where practicable” / “as far as practicable” are used repeatedly to qualify the proposed locations of infrastructure items (e.g. sub-distribution switch rooms, conversion units, fibre communication units). These unbounded qualifiers should be replaced with quantified and testable commitments.

Design Principles, Parameters and Commitments (Doc 7.18): Table 4.1: Work No. 1, under the entries for 'Electrical Cabling and Communications' sets out the design parameters for the width and depth of trenches. No minimum depth is specified to indicate the shallowness of the trenches. It is recommended that the design parameters refers to both maximum and minimum figures.

Commitments Register (Doc 7.26): The Commitments Register's level of detail needs to be improved. Please refer to the Nationally Significant Infrastructure Projects: Commitments Register guidance and use the accompanying template to ensure completeness.

General

During the acceptance process, issues arose with plan layer rendering and computer memory being exceeded when multiple Volume 2 plans, Volume 6 figures and appendices and Volume 7 documents were opened simultaneously. These problems stem from the large file sizes of several documents, which appear more suited to high-quality hard copy printing than on-screen use. Similar difficulties are likely during examination. The applicant is expected to manage document size. Provide revised Volume 2, 6, and 7 documents that eliminate rendering issues and allow multiple files to be opened concurrently.

Environmental Statement Volume 3 Appendix 9.1 Flood Risk Assessment (FRA) (Doc 6.3.9.1)

The fluvial flood risk modelling underpinning the flood risk assessment utilises the 2050s epoch which extends to the year 2069. However, the development is proposed to be in operation until 2091. On this basis, the 2080s epoch should have been applied. For fluvial modelling, the EA 2014 model +35% (Higher Central) and +65% (Upper End) are used instead of the more recently updated 2022 model (+20% (Higher Central) and +44% (Upper End)).

ES Volume 3 Appendix 9.1 Figure 9.8 is referenced within the FRA but not included with Appendix A of the FRA.

Environmental Statement Volume 1 Chapter 4 (Doc 6.1.4)

The description of the development provided in ES Volume 1 Chapter 4 includes an additional 400KV substation from the description provided in the Scoping Report. This is not deemed to constitute a materially different development from that scoped. Inconsistencies have been noted between the descriptions in the DCO and the ES.

Shadow Habitats Regulations Assessment (Doc 7.25)

A copy of the citation/Natura 2000 data sheets for each European site considered in the HRA report has not been submitted within the HRA report. It is recommended that these are submitted as an appendix to the HRA report.

Section 51 advice has been issued to the applicant and is available to view on the Find a National Infrastructure Project website: [Section 51 advice following acceptance letter](#)

31	In accordance with regulation 5(2)(g) of the APFP regulations, is the application accompanied by a report identifying any European site(s) to which regulation 48 of The Conservation (Natural Habitats, &c.) Regulations 1994	<p>Yes</p> <p>A Habitat Regulations Assessment (HRA) Report (titled Shadow Habitats Regulations Assessment) has been provided (Doc 7.25).</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>
----	--	---

	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)?	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.
32	In accordance with regulation 5(2)(r) of the APFP regulations, if requested by The Planning Inspectorate, have two paper copies of the application form and other supporting documents and plans been provided?	No hard copies requested.
33	Has the applicant had regard to statutory guidance 'Planning Act 2008: Application form guidance'?	Yes The Application Covering Letter (Doc 1.2) explains how the applicant has had regard to statutory guidance on the application form. 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: [Section 51 advice following acceptance letter](#)

The Infrastructure Planning (Fees) Regulations 2010

Pre-application fee

35	<p>Were all pre-application fees paid before the application was made?</p> <p>Pre-application services for which a fee can be charged is defined in regulation 2A(8) and includes services listed within schedule 1 of the Infrastructure Planning (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 notice. 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>	<p>The fees for providing the applicant with basic pre-application services were received on 27 June 2025 and 10 November 2025 before the application was made.</p>
----	---	---

Fees to accompany an application		
36	<p>Was the fee paid at the same time that the application was made?</p> <p>The Planning Inspectorate must charge the applicant a fee in respect of the decision by the Planning Inspectorate under section 55 of the PA2008. If the applicant fails to pay the fee, The Planning Inspectorate need not consider the application until payment is received. The fee must be paid at the same time that the application is made</p>	The fee was received on 23 February 2026; before the application was made.

Role	Electronic signature	Date
Case Manager	<i>Robert Cook</i>	2 April 2026
Acceptance Inspector	<i>John McEvoy</i>	2 April 2026