

# Section 55 Acceptance of Applications Checklist

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

### South East Anglia Link Section 55 Acceptance of Applications Checklist

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

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

**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	Date received	28-day due date	Date of decision		
	Planning Inspectorate must decide whether or not to accept the application for examination.	27 March 2025	24 April 2025	23 April 2025		
	ction 55(3) – the Planning Inspectorate may only cept an application if it concludes that:	Planning Inspecto	rate comments			
Sec	ction 55(3)(a) and s55(3)(c): It is an application for	an order granting d	evelopment consent			
2	In accordance with sections(s) 14 to 30 of the	Yes				
	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	Section 4 of the Application Form (Doc 1.2) states:				
		"The Proposed Project is to reinforce the transmission system in the South East of England and East Anglia. This would be achieved by reinforcing the network with				
	that, in accordance with s31 of the PA2008, it is an application for a development consent order (DCO) under the PA2008, or equivalent words?	a High Voltage Direct Current (HVDC) Link between the proposed Friston substation in the Sizewell area of Suffolk and the existing Richborough to Canterbury 400kV overhead line close to Richborough in Kent. On 4 March 2022,				

National Grid Electricity Transmission (NGET) (the Applicant) submitted a request

Version: March 2025

Does the application specify the development to

which it relates, meaning which category or categories in s14 to 30 does the proposed development fall?

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?

for direction pursuant to Section 35 to the Secretary of State (SoS) for Business, Energy and Industrial Strategy (BEIS) for the Proposed Project to be treated as development for which development consent is required. A decision was issued on 31 March 2022 confirming the proposed Project can be treated as such in accordance with section 35(1) of the Planning Act."

A direction was issued by the department for Business, Energy and Industrial Strategy (currently the Department for Energy Security and Net Zero) on 31 March 2022 which confirms the Secretary of State's decision that the proposed development, and any associated matters, should be treated as development for which development consent is required under the PA2008. This direction has not been included with the application, but a copy was provided to PINS and published on the project webpage on 1 April 2022.

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)

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

#### Yes

On 24 October 2022 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 24 October 2023.

A copy of the notification letter is provided at **section 1 of Doc 5.1.3 Appendix B EIA Scoping**.

	to provide an environmental statement in respect of that development?	
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 complied with the duties under s42, s47 and s48?	Yes  There are 22 host and neighbouring authorities, of which 15 responded to the Planning Inspectorate's invitation to make an AoCR dated 28 March 2025.
	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.	All 15 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:  • Babergh and Mid Suffolk District Council (A authority)  • The Broads Authority (A authority)  • Folkestone & Hythe District Council (A authority)  • Canterbury City Council (A authority)  • South Norfolk Council (A authority)  • Dover District Council (B authority)  • Thanet District Council (B authority)  • East Suffolk Council (B authority)  • Suffolk County Council (C authority)  • Kent County Council (C authority)

- Cambridgeshire County Council (D authority)
- East Sussex County Council (D authority)
- Essex County Council (D authority)
- Norfolk County Council (D authority)
- Surrey County Council (D authority)

Both Thanet District Council and Suffolk County Council included additional comments with their adequacy of consultation responses.

Thanet District Council:

'The Council's response above relates solely to whether the legislative requirements of Section 42, 47 and 48 of the Planning Act have been met. It does not provide a view on the merits of the application, nor whether the matters raised by the Council and other parties through the statutory consultation and 'targeted' consultation process have been adequately addressed by the applicant in the preparation of the application.

In addition this representation does not comment on the scope of information provided in the consultations carried out, as it is a matter solely for the Planning Inspectorate to determine whether this was adequate under Environment Impact Regulations 2017 and relevant sections of the Planning Act 2008.'

Suffolk County Council:

'It is understood that it is for the Planning Inspectorate to determine whether the applicant has complied with the requirements of the Planning Act 2008 in order

to accept the application. It is the Council's view that it has no reason to question that NGET has complied with the statutory requirements set out in sections 42, 47 and 48 of the Planning Act 2008 for the reasons set out within Appendix A of this response.

However, the Council believes that the Applicant has failed to engage effectively on the following key issues:

- The use of Benhall Railway Bridge (B1121) as part of the access route to the converter station site, specifically the lack of detail on how the movement of Abnormal Indivisible Loads (AILs) and other Special Order movements will be achieved over the bridge, considering its structural deficiencies.
- The lack of detail on the proposed River Fromus bridge, including construction method, design, and mitigation of impact on heritage views.
- The inclusion of 7am-5pm on Sundays and Public Holidays in the Core Working Hours, which conflicts with working hours agreed for other consented projects within the same geographical area, including Sizewell C and Scottish Power Renewables' schemes.

It is the Council's view that these issues could have been potentially resolved prior to the Examination through more detailed engagement.'

All AoCRs received have been carefully considered and are available to view on the Find a National Infrastructure Project website: <a href="https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN020026">https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN020026</a>

### **Section 42: Duty to consult**

Did the applicant consult the applicable persons set out in s42 of the PA2008 about the proposed application?

6 Section 42(1)(a) persons prescribed?

Yes

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).

The applicant has provided a list of persons consulted under s42(1)(a) on 20 October 2023 at **Application Document 5.1.6 Appendix E Statutory Consultation**.

A sample of the letter sent to s42(1)(a) consultees is provided at **Application Document 5.1.6 Appendix E Statutory Consultation**.

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:

- The Commission for Architecture and the Built Environment
- The relevant Regional Development Agency
- The Scottish Human Rights Commission
- The Commission for Sustainable Development
- The Commission for Rural Communities
- The Water Industry Commission of Scotland
- The British Waterways Board

The applicant's **Consultation Report** (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.

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** (4.3).

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: <a href="https://national-infrastructure-">https://national-infrastructure-</a>

consenting.planninginspectorate.gov.uk/EN020026

7	Section 42(1)(aa) the Marine Management Organisation(MMO)?  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.	Yes		
		Paragraph 7.2.7 of the Consultation Report (Doc 5.1) states:		
		'The Proposed Project is, in part, located offshore in English waters and therefore, National Grid consulted with the Marine Management Organisation.'		
		MMO are listed as a consultee under s42 in <b>Table 1.1 Prescribed</b> consultation bodies in Schedule 1 of the APFP Regulations consulted under s42(1)(a) of Doc 5.1.6 Appendix E Statutory Consultation Part 1 of 4.		
8	Section 42(1)(b) each local authority within s43?	Yes		
	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.	<b>Table 1.3</b> of <b>Doc 5.1.6 Appendix E Statutory Consultation Part 1 of 4</b> lists the relevant local authorities that were identified and consulted under s43 and s42(1)(b) on 20 October 2023.		
		The host 'B' authority was consulted:		
		Dover District Council		
		East Suffolk Council		
		Thanet District Council		
		The host 'C' authority was consulted:		
		Kent County Council		
		Suffolk County Counci		
		The boundary 'A' authorities were consulted:		
		Babergh District Council		
		Canterbury City Council		

		<ul> <li>Folkestone and Hythe District Council</li> <li>Great Yarmouth Borough Council</li> <li>Ipswich Borough Council</li> </ul>
		Mid Suffolk District Council     South Norfolk District
		The Broads National Park Authority
		The boundary 'D' authorities were consulted:
		Cambridgeshire County Council
		East Sussex County Council
		Essex County Council
		London Borough of Bexley
		London Borough of Bromley
		Medway Council
		Norfolk County Council
		Surrey County Council
		Thurrock Council
		A sample of the letter sent to s42(1)(b) relevant authorities is provided at <b>Doc 5.1.6 Appendix E Statutory Consultation Part 2 of 4 (page 5)</b> .
9	Section 42(1)(c) the Greater London Authority (if in	Yes
	Greater London area)?	The Greater London Authority were listed in <b>Table 1.3 of Doc 5.16 Appendix E Statutory Consultation Part 1 of 4</b> along with the s42(1)(b) consultees as a

		recipient of the statutory consultation materials, although the applicant was not statutorily required to do so.	
10	Section 42(1)(d) each person in one or more of s44 categories?  Category 1: owner, lessee, tenant or occupier of land  Category 2: person interested in the land or has power to sell and convey the land or to release the land  Category 3: persons who would or might be entitled to make a relevant claim	Table 1.1 Section 42(1)(d) of Doc 5.1.6 Appendix E Statutory Consultation states that all persons identified under s42(1)(d) were consulted on 20, 21 and 23 October 2023.  Paragraphs 7.2.16 to 7.2.20 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 Doc 4.2 Statement of Reasons and Doc 5.1.8 Appendix G Land Referencing Methodology.  The persons consulted under s42(1)(d) are listed at Table 1.1 of Doc 5.1.6 Appendix E Statutory Consultation Part 1 of 4. Names have not been included in the table, parties have been listed by reference: 'Sea Link s44_001 – Sea Link s44_0942'  A sample of the letter issued to s42 consultees is provided at Doc 5.1.6 Appendix E Statutory Consultation Part 2 of 4.	
Sec	ction 45: Timetable for s42 consultation		
11	Did the applicant notify s42 consultees of the deadline for receipt of consultation responses; and if so was the deadline notified by the applicant 28 days or more starting with the day after receipt of the consultation documents?	Yes A sample of the letter sent to s42 consultees is provided at Doc 5.1.6 Appendix E Statutory Consultation Part 2 of 4 p.5.  The letter is not dated. The letter states that consultation commenced 24 October 2023 and closed 18 December 2023.	

The majority of recipients listed in the s42 consultee tables in **Doc 5.16 Appendix E Statutory Consultation Part 1 of 4** are stated to have received the letter on 23 October 2023.

Paragraph 7.2.33 – 7.2.37 of the Consultation Report (Doc 5.1) provides an explanation of how the following parties received the s42 consultation letter at a later date:

- Greater Gabbard OFTO
- Cadent Gas
- OceanIQ Q&E North Cable
- Natural England
- The Equality and Human Rights Commission
- The Joint Nature Conservation Committee
- The Canal and River Trust
- Murphy Gas Networks
- EDF Energy
- Dock and Harbour Authority
- Energy Assets Pipelines
- Royal Mail
- South Norfolk Council
- Kent and Medway NHS and Social Care Partnership Trust
- NHS Mid and South Essex Integrated Care Board
- NHS Kent and Medway Integrated Care Board
- Cronos Energy
- Tarchon Energy
- Health and Safety Executive
- Historic England
- Kent Fire and Rescue
- Suffolk Fire and Rescue

- Kent and Medway Fire and Rescue Authority
- Office of the Police and Crime Commissioner for Suffolk
- Office of the Police and Crime Commissioner for Kent
- Minister Parish Council
- Cliffsend Parish Council
- Ash Parish Council
- Worth Parish Council
- Friston Parish Council
- Aldeburgh Parish Council
- Saxmundham Town Council
- Benhall and Sternfield Parish Council
- Kelsale cum Carlton Parish Council
- Knodishall Parish Council
- Environment Agency
- The Equality and Human Rights Commission

The minimum 28-day period required for responses has been provided in all instances.

### Section 46: Duty to notify The Planning Inspectorate of proposed application

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

#### Yes

The applicant gave notice under s46 on 20 October 2023, which was before the beginning of s42 consultation.

A copy of the s46 notification letter is provided at **section 11** of **Doc 5.1.6 Appendix E Statutory Consultation** and a copy of s46 notification

	consultees? Was this done on or before commencing consultation under s42?	acknowledgement letter from The Planning Inspectorate is provided at <b>section</b> 12 of <b>Doc 5.1.6 Appendix E Statutory Consultation</b> .
Sec	tion 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 section 6 of Doc 5.1.5 Appendix D SoCC
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 Dover District Council, East Suffolk Council and Thanet District Council ('B Authority') and Kent County Council and Suffolk County Council ('C' authority) on 22 June 2023 and set a deadline of 20 July 2023 for responses; 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?	Table 1.1 'Comments received from the host authorities on the draft 2023 SoCC', section 4 of <b>Doc 5.1.5</b> Appendix D SoCC provides a summary of the consultation responses from Dover District Council, East Suffolk Council, Thanet District Council, Kent County Council and Suffolk County Council in respect of the draft SoCC and demonstrates how the applicant had regard to their content when preparing the final version of the SoCC.  The Planning Inspectorate is satisfied that the applicant had regard to the responses received when preparing the SoCC.
16	Has the SoCC been made available for inspection on a website maintained by or on	Yes

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? The final SoCC was made available at the following locations, which is reasonably convenient having regard to the location of the proposed development:

- The project webpage
- Free paper copies upon request
- Paragraph 7.4.7 of the Consultation Report (Doc 5.1) states that paper copies of the SoCC were available, along with other statutory consultation documents, at the following locations:
  - Saxmundham Library
  - Leiston Library
  - Aldeburgh Library
  - Snape Village Hall
  - Friston Village Hall
  - Ash Library
  - Minster Library
  - Sandwich Library
  - Ramsgate Library
  - Newington Library
  - Thanet District Council
  - Margate Library

A notice stating when and where the final SoCC could be inspected was published in:

- East Anglian Daily Times 17 October 2023
- Kentish Gazette 19 October 2023

The published SoCC notice, provided at **Section 6** of the **Consultation Report** (**Doc 5.1**) states where and when the final SoCC was available to inspect.

		Clippings of the published advertisements are provided at <b>section 7 of Doc 5.1.5 Appendix D SoCC</b> .
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?	Paragraph 1.3 of the final SoCC at section 6 of Doc 5.1.5 Appendix D SoCC sets out that the development is EIA development and sets out how the applicant intended to publicise and consult on the preliminary environmental information.
18	Has the applicant carried out the consultation in accordance with the SoCC?	Yes
		Table 1.1 'SoCC Compliance Table', section 5 of Doc 5.1.5 Appendix D SoCC sets out the commitments within the SoCC and how the applicant fulfilled each commitment.
		Application Document 5.1.1 Annex 1 Consultation Compliance Checklist sets out how the applicant has complied with the commitments set out in the final SoCC.
Sec	tion 48: Duty to publicise the proposed application	on
19	Did the applicant publicise the proposed	Yes
	application in the prescribed manner set out in regulation 4(2) of the APFP regulations?	Paragraph 7.5.2 of the Consultation Report (Doc 5.1) states:
		"As required by Section 48 of the Planning Act 2008 and Regulation 4 of the APFP Regulations, a notice publicising the proposed application for development consent was published between 17 October 2023 and 26 October 2023 in the London Gazette, once in a national newspaper (The Guardian), once in Lloyd's List Daily Briefing, once in a fishing trade journal (Fishing News) and for two successive weeks in a local newspaper (East Anglian Times,

		Kentish Gazette). Copies of the notices, as published, are enclosed in section 22 of Application Document 5.1.6 Appendix E Statutory Consultation."					
		<b>Table 7.10</b> of the <b>Consultation Report (Doc 5.1)</b> displays the newspapers are dates of s48 publicity as set out below.					
		A copy of the s48 notice is provided at <b>Appendix E</b> (Part 2 of Consultation Report (Doc 5.1.6).	of 4) of the				
		Clippings of the published notices set out below are provided Appendix E (Part 4 of 4) of the Consultation Report (Doc 5					
		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><li>East Anglian Times</li><li>Kentish Gazette</li></ul>	17 October 2023 and 24 October 2023 19 October 2023 and 26 October 2023				
b)	once in a national newspaper;	The Guardian	24 October 2023				
c)	once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and	London Gazette	26 October 2023				
d)	where the proposed application relates to offshore development –  (i) once in Lloyds List; and  (ii) once in an appropriate fishing trade journal?	<ul><li>Lloyds List Daily Briefing</li><li>Fishing News</li></ul>	24 October 2023 24 October 2023				

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 E** (section 9) of the **Consultation Report** (**Doc 5.1.6 part 2 of 4**), contains the required information as set out below:

	Information	Paragraph		Information	Paragraph
a)	the name and address of the applicant.	1	b)	a statement that the applicant intends to make an application for development consent to the Secretary of State	1
c)	a statement as to whether the application is EIA development	10	d)	a summary of the main proposals, specifying the location or route of the proposed development	2-9
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:	11	f)	the latest date on which those documents, plans and maps will be available for inspection	11
	the nature and location of the proposed development				
	<ul> <li>the address of the website</li> </ul>				
	the place on the website				
	a telephone number which can be used to contact the applicant for enquiries in relation to the documents, plans and maps				

g)	whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge	14	h)	details of how to respond to the publicity	16	
i)	a deadline for receipt of those responses by the applicant, being not less than 28 days following the date when the notice is last published	18				
21	Are there any observations in respect of the	s48 noti	ce provide	d above?		
	No					
22	EIA consultation bodies and to any person notified to the applicant in accordance with		Yes			
			A copy of the s48 notice was sent to the EIA consultation bodies as part of the s42 consultation, as confirmed in paragraph 7.5.4 of the Consultation Report ( <b>Doc 5.1</b> ).			
			A sample of the s42 consultation letter provided at Section 4, apper of 2) of the Consultation Report ( <b>Doc 5.1.7</b> ) confirms a copy of the swas enclosed.			
s49	: Duty to take account of responses to co	nsultatio	n and pub	licity		
23	Has the applicant had regard to any relevant responses to the s42, s47 and s48 consultation?		Yes			
			Chapter 8, Section 8.4 of the Consultation Report ( <b>Doc 5.1</b> ) sets out how the applicant had regard to the consultation responses received; including whether responses led to changes to the application.			
	L					

		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.
S50	O(3) Regard to guidance about pre-application pro	cedure
24	To what extent has the applicant had regard to statutory guidance 'Planning Act 2008: Preapplication stage for Nationally Significant Infrastructure Projects'?  The Planning Inspectorate must have regard to the extent to which the applicant has had regard to guidance issued under s50.	Table 1.1 Consultation Compliance Checklist of the Consultation Report Appendix (Doc 5.1.1) sets out how the applicant has had regard to all relevant statutory guidance issued under s50 of the PA2008.  Under the transitional arrangements set out in the pre-application procedures of 16 May 2024, the applicant was not required to provide adequacy of consultation milestones.  Having reviewed the application, The Planning Inspectorate is satisfied that the applicant has identified and had regard to the relevant statutory guidance.
25	Summary: Section 55(3)(e)	The applicant has complied with chapter 2 of part 5 (pre-application procedure) of the PA2008.  In respect of the minor consultation discrepancies identified, s51 advice has been provided to the applicant and is available to view on the Find a National Infrastructure Project website: <a href="https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN020026">https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN020026</a>

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	Is it made in the prescribe	d form as set out in	Yes			
20	<ul> <li>schedule 2 of the APFP regulations, and does it include:</li> <li>a brief statement which explains why it falls within the remit of The Planning</li> </ul>		Section 4 of the Application Form ( <b>Doc 1.2</b> ) explains why the development falls within the remit of the Planning Inspectorate.			
			Section 5 of the Application Form ( <b>Doc 1.2</b> ) provides a brief non-technical description of the site and section 6 of the Application Form ( <b>Doc 1.2</b> ) provides the location of the proposed development.			
		nat clearly identifies the ication site, or the route me?	A Location Plan ( <b>Doc 2.2</b> ) has been provided.			
27	Is it accompanied by a cor	nsultation report?	Yes			
			The application is accompanied by a Consultation Report (Doc 5.1) and Consultation Report Appendices (Doc 5.1.1 – 5.1.9).			
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:			
	Information	Document	Informati	on	Document	
a)	Where applicable, an environmental statement required under the EIA regulations and any	Non-Technical Summary (Doc 6.1)	b)	a draft development consent order (DCO)	Development Consent Order (Doc 3.1)	

	<u> </u>		Т	——
scoping or screening opinions or directions	Environmental Statement (ES) Part 1 Introduction Chapters 1 to 6 (Doc 6.2.1.1 to Doc 6.2.1.6)			
	ES Part 2 Suffolk Chapters 1 to 13 (Doc 6.2.2.1 to Doc 6.2.2.13)			
	ES Part 3 Kent Chapters 1 to 13 (Doc 6.2.3.1 to Doc 6.2.3.13)			
	ES Part 4 Marine Chapters 1 to 11 (Doc 6.2.3.1 to Doc 6.2.3.11)			
	ES Part 5 Combined, Chapters 1 to 3 (Doc 6.2.5.1 to Doc 6.2.5.3)			
	ES Appendices (Doc 6.3.1.1.A to Doc 6.3.4.11.A)			
	ES Figures (Doc 6.4.1.3 to Doc 6.4.4.11.A)			
	Scoping Opinion (Doc 6.15)			

	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		Is this of a satisfactory standard?	Yes
e)	A copy of any flood risk assessment	Flood Risk Assessment (Doc 6.8)	f)	A statement whether the proposal engages one or more of the matters set out in section 79(1) of the Environmental Protection Act 1990 (statutory nuisances) and if so, how the applicant proposes to mitigate or limit them	Statement of Statutory Nuisance (Doc 6.7)
	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	Funding Statement (Doc 4.1)	i)	A land plan identifying:  the land required for, or affected by,	Land Plans (Doc 2.3) Special Category and Crown Land Plans (Doc 2.4)

	involves any compulsory acquisition)	Statement of Reasons (Doc 4.2)		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	
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?	Yes
j)	A works plan showing, in relation to existing features:  • the proposed location or (for a linear scheme) the	Works Plans – Suffolk (Doc 2.5.1) Works Plans – Kent (Doc 2.5.2)	k)	Where applicable, a plan identifying any new or altered means of access, stopping up of streets or roads or any diversions,	Access, Rights of Way and Public Rights of Navigation Plans (Doc 2.7)

	proposed route and alignment of the development and works; and	Works Plans – Offshore (Doc 2.5.3)		extinguishments or creation of rights of way or public rights of navigation	
	the limits within which the development and works may be carried out and any limits of deviation provided for in the draft DCO				
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?	Yes, with minor discrepancies as noted in Box 30
I)	Where applicable, a plan with accompanying information identifying:  • any statutory or non-statutory sites or features of nature conservation, for example sites of geological or landscape importance  • habitats of protected species,	Statutory and Non-Statutory Sites of Nature Conservation Geological and Landscape Importance – Suffolk (Doc 2.8.1). Statutory and Non-Statutory Sites of Nature Conservation Geological and Landscape Importance – Kent (Doc 2.8.2).	m)	Where applicable, a plan with accompanying information identifying any statutory or nonstatutory 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	Statutory and non-statutory sites and features of the historic environment – Suffolk (Doc 2.10.1)  Statutory and non-statutory sites and features of the historic environment – Kent (Doc 2.10.2)  Statutory and non-statutory sites and features of the historic environment – offshore (Doc 2.10.3)  The assessment of the sites, features or structures likely to be caused by

	important habitats or other diversity	Statutory and Non- Statutory Sites of	effects on such sites, features or structures	the proposed development is provided in the following ES chapters:
	features; and  water bodies in a	Nature Conservation Geological and	likely to be caused by the proposed	Part 2 Suffolk Chapter 3 Cultural Heritage (Doc 6.2.2.3)
	river basin management plan;	Landscape Importance – Offshore (Doc 2.8.3).	development	Part 3 Kent Chapter 3 Cultural Heritage (Doc 6.2.3.3)
	together with an assessment of any effects on such sites, features, habitats or bodies likely to be	Habitats of Protected Species and Important Habitats (Doc 2.9).		Part 4 Marine Chapter 6 Marine Archaeology (Doc 6.2.4.6)
	caused by the proposed development	CONFIDENTIAL Habitats of Protected Species - Location of Badger Setts Plans - Suffolk (Doc 2.9.3).		
		CONFIDENTIAL Habitats of Protected Species - Location of Badger Setts Plans - Kent (Doc 2.9.4).		
		Water Bodies in the River Basin Plans (Doc 2.11).		
		The assessment of any effects on such sites, features, habitats or bodies likely to be caused by the		

proposed development are presented in:		
ES Chapters:		
Part 2 Suffolk Chapters 1, 2, 4 and 5 ( <b>Docs</b> 6.2.2.1, 6.2.2.2, 6.2.2.4 and 6.2.2.5).		
Part 3 Kent Chapters 1, 2, 4 and 5 (Docs 6.2.3.1, 6.2.3.2, 6.2.3.4 and 6.2.3.5).		
Part 4 Marine Chapters 2, 3, 4 and 5 (Docs 6.2.4.2 to 6.2.4.5).		
Habitats Regulations Assessment (HRA) Report (Doc 6.6).		
Water Framework Directive (WFD) Assessment (Doc 6.9).		
Marine Conservation Zone (MCZ) Assessment (Doc 6.11).		

	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
n)	Where applicable, a plan with any accompanying information identifying any crown land	Special Category and Crown Land Plans (Doc 2.4)	0)	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	Trees and Important Hedgerows to be Removed or Managed Plans (Doc 2.12)  Design and Layout Plans (Doc 2.13 Indicative General Arrangement Plans – Suffolk (Doc 2.14.1)  Indicative General Arrangement Plans – Kent (Doc 2.14.2)  Indicative General Arrangement Plans – Offshore (Doc Ref: 2.14.3
	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	None	q)	Any other documents considered necessary to support the application	Planning Statement (Doc ref 7.1) Strategic Options Back Check Report (Doc ref 7.2) Design Development Report (Doc ref 7.3) Statement of Commonality (Doc ref 7.4)

Draft Statement of Common Ground Natural England (Doc ref 7.4.1)
Draft Statement of Common Ground Historic England (Doc ref 7.4.3)
Draft Statement of Common Ground Marine Management Organisation (Doc ref 7.4.4)
Draft Statement of Common Ground Thanet District Council (Doc ref 7.4.5)
Draft Statement of Common Ground Dover District Council (Doc ref 7.4.6
Draft Statement of Common Ground Kent County Council (Doc ref 7.4.7)
Draft Statement of Common Ground East Suffolk Council and Suffolk County Council (Doc ref 7.4.8)
Draft Statement of Common Ground Harwich Haven Authority (Doc ref 7.4.9)
Draft Statement of Common Ground Maritime and Coastguard Agency (Doc ref 7.4.10)
Draft Statement of Common Ground Port of London Authority (Doc ref 7.4.11)

Draft Statement of Common Ground Trinity House (Doc ref 7.4.12)
Draft Statement of Common Ground UK Chamber of Shipping (Doc ref 7.4.13)
Draft Statement of Common Ground Sandwich Port and Haven Commissioners (Doc ref 7.4.14)
Draft Statement of Common Ground Port of Ramsgate (Doc ref 7.4.15)
Outline Construction Traffic and Travel Management Plan - Suffolk (Doc ref 7.5.1.1)
Outline Construction Traffic and Travel Management Plan – Kent (Doc ref 7.5.1.2)
Outline Offshore Construction Environmental Management Plan (Doc ref 7.5.2)
Outline Onshore Construction Environmental Management Plan (Doc ref 7.5.3)
CEMP Appendix A Outline Code of Construction Practice (Doc ref 7.5.3.1)
CEMP Appendix B Register of Environmental Actions and

Commitments (REAC) (Doc ref 7.5.3.2)
Outline Onshore Overarching Written Scheme of Investigation (OWSI) – Suffolk (Doc ref 7.5.4.1)
Outline Onshore Overarching Written Scheme of Investigation (OWSI) – Kent (Doc ref 7.5.4.2)
Outline Offshore Overarching Written Scheme of Investigation (OWSI) (Doc ref 7.5.5)
Outline Air Quality Management Plan – Suffolk (Doc ref 7.5.6.1)
Outline Air Quality Management Plan – Kent (Doc ref 7.5.6.2)
Outline Landscape and Ecological Management Plan – Suffolk (Doc ref 7.5.7.1)
Outline Landscape and Ecological Management Plan – Kent (Doc ref 7.5.7.2)
Outline Construction Noise and Vibration Management Plan – Suffolk (Doc ref 7.5.8.1)
Outline Construction Noise and Vibration Management Plan – Kent (Doc ref 7.5.8.2)

Outline Public Rights of Way Management Plan - Suffolk (Doc ref 7.5.9.1)
Outline Public Rights of Way Management Plan - Kent (Doc ref 7.5.9.2)
Outline Soil Management Plan Suffolk (Doc ref 7.5.10.1)
Outline Soil Management Plan Kent (Doc ref 7.5.10.2)
Outline Marine Mammal Mitigation Plan (Doc ref 7.5.11)
Outline Offshore Invasive Non- Native Species Management Plan (Doc ref 7.5.12)
Greenhouse Gas Reduction Strategy (Doc ref 7.5.13)
Marine Archaeological Method Statements (Doc ref 7.6)
Marine Biosecurity Plan (Doc ref 7.7)
Red Throated Diver Protocol (Doc ref 7.8)
Equalities Impact Assessment (Doc ref 7.9)
Coordination Document (Doc ref 7.10)

					Design Approach Document – Suffolk (Doc ref 7.11.1)
					Design Approach Document – Kent (Doc ref 7.11.2)
					Design Principles – Suffolk (Doc ref 7.12.1)
					Design Principles – Kent (Doc ref 7.12.2)
					Corridor Preliminary Routing and Substation Siting study (October 2022) (Doc ref 8.1)
					Options Selection and Design Evolution Report (October 2023) (Doc ref 8.2)
					Strategic Options Report (Doc ref 8.3)
	Are they of a satisfactory standard?	N/A		Are they of a satisfactory standard?	Yes, with minor discrepancies as noted in Box 30
30	Are there any observation	s in respect of the docum	ents provided at	box 29 (a) to (q) above?	
	Access, Rights of Way a	and Public Rights of Nav	rigation Plans (	Doc 2.7)	
	Some of the road names a  – Leiston Road is listed in				ts subject to street works. For example plan.

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

Some articles and schedules have not been cross-referenced correctly.

## ES Part 2 Suffolk Chapter 2 Appendix 2.2.A Extended Phase 1 Habitat Survey Report (Doc 6.3.2.2.A) and ES Part 3 Kent Chapter 2 Appendix 3.2.A Extended Phase 1 Habitat Survey Report (Doc 6.3.3.2.A)

These survey reports are watermarked as confidential. Whilst the report contains some confidential information (for example in relation to badger setts) most of the information does not appear to be confidential, as its release would not adversely affect protections of the environment to which the information relates.

# ES Part 2 Suffolk Chapter 3 Cultural Heritage (Doc 6.2.2.3) and ES Part 2 Suffolk Chapter 3 Appendix 2.3.F Phase 1 Archaeological Trial Trenching Report (Draft) (Doc 6.3.2.3.F)

Appendix 2.3.F presents results of the completed trial trenching (Phase 1 and 1b) but is labelled as draft. The Consultation Report, Appendix E (Part 4) (**Doc 5.1.6**) indicates that a limited area of Phase 2b would not be complete until March 2025. ES Part 2 Suffolk Chapter 3 Cultural Heritage states that the Outline Written Scheme of Investigation (WSI) (**Doc 7.5.4.1**) would be updated during examination following receipt of the final fieldwork report for the trial trench evaluation.

### ES Part 3 Kent Chapter 11 Health and Wellbeing (Doc 6.2.3.11)

The text description of the effects to health and wellbeing from impacts to social cohesion and community identity during operation of the proposed development is missing so the effect conclusion from this impact pathway is not clear. However, table 3.1 of ES Part 5 Combined Chapter 3 Summary of Likely Significant Effects (**Doc 6.2.5.3**) states that no likely significant effects are predicted to health and wellbeing during operation of the proposed development.

### ES Part 4 Marine – various chapters (Doc 6.2.4)

Several of the ES aspect chapters in ES Part 4 Marine (**Doc 6.2.4**) refer to an ES Appendix 4.7.B Electromagnetic Deviation Study (**Doc 6.3.4.7.B**). This document is not listed in the Electronic Application Index (**Doc 1.4**). It appears that the relevant information is presented in the Electro and Magnetic Field Compliance Report (**Doc 6.5**).

### ES Part 4 Marine Chapter 6 Marine Archaeology (Doc 6.2.4.6)

ES Part 4 Marine Chapter 6 Marine Archaeology states that additional geotechnical surveys were undertaken in October 2024 to duplicate earlier vibrocores that were destroyed but the result have not been included in the ES and are proposed to be submitted as a standalone document when complete. It states that the existing baseline information from geophysical survey and geoarchaeological deposit models (presented in the Marine Archaeological Technical Report Figures (**Doc 6.4.4.6.A**) and summarised in ES Appendix 6.4.A (**Doc 6.3.4.6.A**) is suitable to inform the impact assessment.

### ES Appendix 4.2.D Interim Subtidal Survey Report (Additional Surveys) (Doc 6.3.4.2.D)

Appendices I to M of ES Appendix 4.2.D Interim Subtidal Survey Report (Additional Surveys) are not included in the document; an icon of a link to a pdf document or excel spreadsheets is shown only.

### Habitats Regulations Assessment (HRA) Report (Doc 6.6)

At section 7.3 the paragraph numbering reaches 7.3.42 and then starts again at 7.3.1 in the next paragraph. Appendix B (citations for the European sites assessed) is missing.

### Flood Risk Assessment (Doc 6.8)

The Environment Agency (EA) released updated flood risk and coastal erosion data in March 2025, shortly before the application was submitted. The flood risk assessment (FRA) has therefore not been based on the most up to date EA data.

The FRA states that localised areas of the proposed development are in Flood Zone 3 (shown on Figure 1 of Appendix A). It does not distinguish between Flood Zones 3(a) and 3(b).

Typographical errors have also been noted in the following documents:

**Development Consent Order (Doc 3.1)** 

**Environmental Statement Non-Technical Summary (Doc 6.1)** 

**Environmental Statement Part 1 Introduction Chapter 4 (Doc 6.2.14)** 

**Environmental Statement Part 3 Kent Chapter 11 Health and Wellbeing (Doc 6.2.3.11)** 

**Environmental Statement Part 4 Marine – various chapters (Doc 6.2.4)** 

Environmental Statement Appendix 4.2.D Interim Subtidal Survey Report (Additional Surveys) (Doc 6.3.4.2.D)

**Environmental Statement Appendix A Marine Archaeological Report (Doc 6.3.4.6.A)** 

**Habitats Regulations Assessment (Doc 6.6)** 

**Statement of Reasons (Doc 4.2)** 

**Planning Statement (Doc 7.1)** 

Section 51 advice has been issued to the applicant and is available to view on the Find a National Infrastructure Project website: <a href="https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN020026">https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN020026</a>

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)?

#### Yes

A Habitat Regulations Assessment (HRA) Report has been provided (Doc 6.6).

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.

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.

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  Although there appears to be no specific reference in the application which 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: <a href="https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN020026">https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN020026</a>

### The Infrastructure Planning (Fees) Regulations 2010

### Pre-application fee

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 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 invoice. If the applicant fails to pay the fee within 28 days,

The applicant submitted their Expression of Interest to PINS to register under the new pre-application service on 10 July 2024 and were informed 22 August 2024 that they would receive standard tier service from PINS under the new pre-application procedures. Under the transitional arrangements set out in the pre-application prospectus published 16 May 2024, the applicant was not required to pay fees until 1 April 2025.

	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.				
Fees to accompany an application					
36	Was the fee paid at the same time that the application was made?	The fee was received on 05 March 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	Louise Harraway	23 April 2025
Acceptance Inspector	Nancy Thomas	23 April 2025