



The Planning Inspectorate
Yr Arolygiaeth Gynllunio

Section 55

Acceptance of Applications Checklist

A12 Chelmsford to A120 Widening Scheme

Appendix 3 of Advice Note Six: Preparation and submission of application documents

A12 Chelmsford to A120 Widening Scheme, Section 55 Acceptance of Applications Checklist

Section 55 of the Planning Act 2008 can be viewed at [legislation.gov.uk](http://www.legislation.gov.uk/ukpga/2008/29/section/55), here: <http://www.legislation.gov.uk/ukpga/2008/29/section/55>

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 Department for Levelling Up, Housing and Communities.

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
		15 August 2022	12 September 2022	12 September 2022
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	Is the development a Nationally Significant Infrastructure Project ¹ (NSIP) (or does it form part of an NSIP); and does the application state on the face of it that it is an application for a Development Consent Order ² (DCO) under the Planning Act 2008 (the PA2008), or equivalent words? Does the application specify the development to which it relates (i.e. which	<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.</p> <p>The development is for the construction of a highway and satisfies section 22 of the PA2008; including 22(1)(b), and 22(3).</p> <p>The development is for the construction of a gas transporter pipeline and satisfies section 20 of the PA2008; including subsections 1, 2, 3b, 4 and 5.</p>		

¹ NSIP is defined generally in s14 with the detailed thresholds for each of the specified categories being set out in ss15 to 30

² Development consent is required for development to the extent that the development is or forms part of an NSIP (s31 of the PA2008)

	<p>category or categories in Sections (s)14 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 1.3) which states that the application is for an NSIP.</p>
3	Summary: Section 55(3)(a) and s55(3)(c)	<p>The Planning Inspectorate is satisfied that the Draft DCO (Doc 3.1) includes development for which development consent is required.</p>
Section 55(3)(e): The Applicant in relation to the application made has complied with Chapter 2 of Part 5 (pre-application procedure)		
4	<p>In accordance with the EIA Regulations³, did the Applicant (prior to carrying out consultation in accordance with s42) either (a) request the Planning Inspectorate adopt a Screening Opinion in respect of the development to which the application relates, or (b) notify the Planning Inspectorate in writing that it proposed to provide an Environmental Statement in respect of that development?</p>	<p>Yes</p> <p>On 28 October 2020 the Applicant notified the Planning Inspectorate in accordance with Regulation 8(1)(b) of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 of its intention to provide an Environmental Statement (ES) in respect of the Proposed Development. The notification was received before the start of statutory consultation on 22 June 2021.</p> <p>A copy of the notification letter is provided at Annex B of the Consultation Report Appendices (Doc 5.2).</p>

³ Regulation 8 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (2017 EIA Regulations), or where Regulation 37 of the 2017 EIA Regulations applies, Regulation 6 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (2009 EIA Regulations)

5	<p>Have any Adequacy of Consultation Representations⁴ 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>Yes</p> <p>There are 24 host and neighbouring authorities, of which 12 responded to the Planning Inspectorate’s invitation to make an Adequacy of Consultation Representation (AoCR) dated 16 August 2022.</p> <p>All 12 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> <p>‘A’ authorities</p> <ul style="list-style-type: none"> • Tendring District Council (‘A’ authority) • Uttlesford District Council (‘A’ authority) <p>The host ‘B’ authorities:</p> <ul style="list-style-type: none"> • Braintree District Council S42(1)(b), S43(1) • Colchester Borough Council S42(1)(b) • Chelmsford City Council S42(1)(b) • Maldon District Council S42(1)(b) <p>‘C’ authorities</p> <ul style="list-style-type: none"> • Essex County Council (‘C’ authority’) <p>‘D’ authorities</p> <ul style="list-style-type: none"> • Enfield Council (‘D’ authority) • London Borough of Redbridge (‘D’ authority)
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⁴ 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

		<ul style="list-style-type: none"> • Waltham Forest Council ('D' authority) • Medway Council ('D' authority) • Suffolk County Council ('D' authority) <p>All AoCRs received have been carefully considered and are available to view on the National Infrastructure Planning website:</p> <p>A12 Chelmsford to A120 Widening Scheme National Infrastructure Planning (planninginspectorate.gov.uk)</p>
Section 42: Duty to consult		
Did the Applicant consult the applicable persons set out in s42 of the PA2008 about the proposed application?		
6	Section 42(1)(a) persons prescribed ⁵ ?	<p>Yes</p> <p>The Applicant has provided a list of persons consulted under s42(1)(a) on 22 June 2021 at Appendix G of the Consultation Report Appendices (Doc 5.2).</p> <p>A sample of the letter sent to s42(1)(a) consultees is provided at Appendix H of the Consultation Report Appendices (Doc 5.2).</p> <p>The Planning Inspectorate has identified the following parties based on a precautionary interpretation of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the APFP Regulations) that were not consulted by the Applicant under s42:</p> <ul style="list-style-type: none"> • Northern Gas Networks Limited • Wales and West Utilities Ltd

⁵ Statutory consultees set out in Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (APFP Regulations)

		<ul style="list-style-type: none"> • Squire Energy Limited • Optimal Power Networks Limited <p>The Applicant's Consultation Report (Doc 5.1) does not explain why the bodies identified above have not been consulted. However, it is noted that the licences held by these bodies cover Great Britain or various smaller areas and the operational areas of each are not clear from information in the public domain.</p> <p>None of the bodies listed above have been identified by the Applicant as having an interest in the Order lands and are not listed in the Book of Reference (Doc 4.3).</p> <p>Section 51 advice has been issued to the Applicant in respect of the above matter:</p> <p>http://infrastructure.planninginspectorate.gov.uk/document/TR010060-000431</p>
7	Section 42(1)(aa) the Marine Management Organisation ⁶ ?	Yes
8	Section 42(1)(b) each local authority within s43 ⁷ ?	<p>Yes</p> <p>Table 2 in Annex G of the Consultation Report Appendices (Doc 5.2) lists the relevant local authorities that were identified and consulted under s43 and s42(1)(b) on 18 June 2021.</p> <p>The host 'B' authorities were consulted:</p> <ul style="list-style-type: none"> • Braintree District Council S42(1)(b), S43(1)

⁶ 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

⁷ 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

		<ul style="list-style-type: none"> • Colchester Borough Council S42(1)(b) • Chelmsford City Council S42(1)(b) • Maldon District Council S42(1)(b) <p>The host 'C' authority was consulted:</p> <ul style="list-style-type: none"> • Essex County Council S42(1)(b) <p>The boundary 'A' authorities were consulted:</p> <ul style="list-style-type: none"> • Uttlesford District Council S42(1)(b) • Tendring District Council S42(1)(b) • London Borough of Havering S42(1)(b) • Medway Council S42(1)(b) • Thurrock Council S42(1)(b) • Babergh District Council S42(1)(b), S43(2) • Mid Suffolk District Council S42(1)(b), S43(2) • Brentwood Borough Council S42(1)(b) • Basildon Council S42(1)(b) • Castle Point Borough Council S42(1)(b) • Rochford District Council S42(1)(b) • Southend-on-Sea City Council S42(1)(b) • South Cambridgeshire District Council S42(1)(b) • Epping Forest District Council S42(1)(b) • West Suffolk District Council S42(1)(b)
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		<p>The boundary 'D' authorities were consulted:</p> <ul style="list-style-type: none"> • Suffolk County Council S42(1)(b) • Cambridgeshire County Council S42(1)(b) • Hertfordshire County Council S42(1)(b) <p>A sample of the letter sent to s42(1)(b) relevant authorities is provided at Appendix H of the Consultation Report Appendices (Doc 5.2).</p>
9	Section 42(1)(c) the Greater London Authority (if in Greater London area)	Yes
10	Section 42(1)(d) each person in one or more of s44 categories ⁸ ?	<p>Yes</p> <p>Paragraph 6.6.8 of the Consultation Report (Doc 5.1) states that all persons identified under s42(1)(d) were consulted on 22 June 2021.</p> <p>Paragraphs 5.2.12 to 5.2.15 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).</p> <p>The persons consulted under s42(1)(d) are listed in the Book of Reference (Doc 4.3).</p> <p>A sample of the letter is provided at Appendix H of the Consultation Report Appendices (Doc 5.2).</p>
Section 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	Yes

⁸ 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.

	Applicant 28 days or more starting with the day after receipt of the consultation documents?	<p>A sample of the letter sent to s42 consultees is provided at Appendix H of the Consultation Report Appendices (Doc 5.2).</p> <p>The sample letter dated 18 June 2021 confirmed that consultation commenced on 22 June 2021 and closed on 16 August 2021, providing more than the required minimum time for receipt of responses.</p>
Section 46: Duty to notify the Planning Inspectorate of proposed application		
12	Did the Applicant supply information to notify the Planning Inspectorate of the proposed application; and if so, was the information supplied to the Planning Inspectorate on or before the date it was sent to the s42 consultees? Was this done on or before commencing consultation under s42?	<p>Yes</p> <p>The Applicant gave notice under s46 on 21 June 2021, which was before the beginning of s42 consultation.</p> <p>A copy of the s46 notification letter is provided at Appendix I of the Consultation Report Appendices (Doc 5.2) and a copy of s46 notification acknowledgement letter from the Planning Inspectorate is provided at Appendix I of the Consultation Report Appendices (Doc 5.2).</p>
Section 47: Duty to consult local community		
13	Did the Applicant prepare a Statement of Community Consultation (SoCC) on how it intended to consult people living in the vicinity of the land?	<p>Yes</p> <p>A copy of the final SoCC is provided at Appendix F of the Consultation Report Appendices (Doc 5.2).</p>
14	Were 'B' and (where relevant) 'C' authorities consulted about the content of the SoCC; and if so, was the deadline for receipt of responses 28 days beginning with the day after the day that 'B' and, where applicable, 'C' authorities received the consultation documents?	<p>Yes</p> <p>The Applicant sent the draft SoCC to the following 'B' and 'C' host authorities on 29 January 2021 and set a deadline of 1 March 2021 for responses; providing more than the required minimum time for responses to be received.</p> <ul style="list-style-type: none"> • Maldon District Council - Identified as "B", host local authority. • Chelmsford City Council - Identified as "B", host local authority. • Braintree District Council - Identified as "B", host local authority.

		<ul style="list-style-type: none"> • Colchester Borough Council - Identified as “B”, host local authority. • Essex County Council - Identified as “C”, host upper tier county council authority.
15	Has the Applicant had regard to any responses received when preparing the SoCC?	<p>Yes</p> <p>Annex E of the Consultation Report Appendices (Doc 5.2) provides a summary of the consultation responses from Maldon District Council (MDC), Colchester Borough Council (CBC), Essex County Council (ECC), Braintree District Council (BDC) and Chelmsford City Council (CCC) in respect of the draft SoCC and demonstrates how the Applicant had regard to their content.</p> <p>Examples of changes from the draft SoCC to the final SoCC include:</p> <ul style="list-style-type: none"> • Reference to the document being available in accessible formats (eg another language or braille), as suggested by ECC. • High Chelmer Shopping Centre added as a public information point, as suggested by CCC. • Telephone number has been provided to assist people in accessing the virtual exhibition, as well as a note that instructions would be given, as suggested by MDC. <p>The Planning Inspectorate is satisfied that the Applicant had regard to the responses received when preparing the SoCC.</p>
16	Has the SoCC been made available for inspection on a website maintained by or on behalf of the Applicant; and has a notice been published in a newspaper circulating in the vicinity of the land which states where and when the SoCC can be inspected?	<p>Yes</p> <p>The final SoCC was made available at the following locations, which is reasonably convenient having regard to the location of the Proposed Development:</p> <ul style="list-style-type: none"> • www.nationalhighways.co.uk/A12 • Braintree Library - Fairfield Road, Braintree, CM7 3YL

		<ul style="list-style-type: none"> • Chelmsford City Council - Customer Service Centre, Duke Street, Chelmsford, CM1 1JE • Copford Village Hall - School Road, Copford, Colchester CO6 1BX • Essex County Council - County Hall, Market Road, Chelmsford, CM1 1QH • Hatfield Peverel Library - The Street, Hatfield Peverel, Chelmsford, CM3 2DP • High Chelmer Shopping Centre - 15A Exchange Way, Chelmsford CM1 1XB • Kelvedon Library - Aylett's Foundation School, Maldon Road, Kelvedon, CO5 9BA • Maldon Town Council - Market Hill, Maldon, CM9 4RL • Marks Tey Parish Hall - Old London Road, Marks Tey, Colchester, CO6 1EJ • Springfield Library - St Augustine's Way, Springfield, Chelmsford CM1 6GX • St Mary's Parish Church - Easthorpe Road, Easthorpe, Colchester CO5 9HD • Tiptree Library - Rectory Road, Tiptree, CO5 0SX • Witham Library - 18 Newland Street, Witham, CM8 2AQ <p>A notice stating when and where the final SoCC could be inspected was published in:</p> <ul style="list-style-type: none"> • East Anglian Daily Times 22 June 2021 • Essex Chronicle 24 June 2021 • Essex County Standard 25 June 2021 • Braintree and Witham Times 24 June 2021 • Maldon and Burnham Standard 24 June 2021 • Colchester Gazette 22 June 2021 <p>The published SoCC notice, provided at Appendix K1 of the Consultation Report Appendices (Doc 5.2) states where and when the final SoCC was available to inspect.</p> <p>Clippings of the published advertisements are provided at Appendix K1 of the Consultation Report Appendices (Doc 5.2).</p>
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17	Does the SoCC set out whether the development is EIA development ⁹ ; and does it set out how the Applicant intends to publicise and consult on the Preliminary Environmental Information?	<p>Yes</p> <p>Paragraph 4.1.1 of the final SoCC at Appendix F of the Consultation Report Appendices (Doc 5.2) sets out that the development is EIA development and sets out how the Applicant intended to publicise and consult on the Preliminary Environmental Information.</p>
18	Has the Applicant carried out the consultation in accordance with the SoCC?	<p>Yes</p> <p>Paragraphs 6.3 to 6.7 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 5.3 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>Annexes H, J1, J2, K1 and K2 of the Consultation Report Appendices (Doc 5.2) 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 APFP Regulations which may encompass changes made by The Infrastructure Planning (Publication and Notification of Applications etc.) (Amendment) Regulations 2020?	<p>Yes</p> <p>Paragraph 5.6.1 of the Consultation Report (Doc ref 5.1) states:</p> <p><i>“Section 48 of the PA 2008 imposes a duty on the Applicant to publish a notice of the proposed application in accordance with Regulation 4 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended). The requirement for the Section 48 advertisement is for it to appear for at least two successive weeks in one or more local newspapers circulating in the vicinity of the proposed scheme; once in a national newspaper; and once in the London Gazette.”</i></p>

⁹ Regulation 12 of the 2017 EIA Regulations, or where Regulation 37 of the 2017 EIA Regulations applies, Regulation 10 of the 2009 EIA Regulations

		Section 5.6.2 (Table 5.4) of the Consultation Report (Doc 5.1) displays the newspapers and dates of s48 publicity as set out below. A copy of the s48 notice is provided at Appendix K1 of the Consultation Report Appendices (Doc 5.2) . Clippings of the published notices set out below are provided at Appendix K1 of the Consultation Report Appendices (Doc 5.2) :	
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">• East Anglian Daily Times• Colchester Gazette• Braintree & Witham Times• The Maldon & Burnham Standard• Essex Chronicle• Essex County Standard	Week 1: 22 June - Week 2: 01 July 2021 Week 1: 22 June - Week 2: 01 July 2021 Week 1: 24 June - Week 2: 01 July 2021 Week 1: 24 June - Week 2: 01 July 2021 Week 1: 24 June - Week 2: 01 July 2021 Week 1: 25 June - Week 2: 01 July 2021
b)	once in a national newspaper;	<ul style="list-style-type: none">• The Times	22 June 2021
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	22 June 2021
d)	where the proposed application relates to offshore development – (i) once in Lloyds List; and	N/A	N/A

	(ii) once in an appropriate fishing trade journal?				
20	Did the s48 notice include the required information set out in Regulation 4(3) of APFP Regulations, which may encompass changes made by The Infrastructure Planning (Publication and Notification of Applications etc.) (Amendment) Regulations 2020?	Yes The published s48 notice, supplied at Appendix K1 (Section 3.1, Page 10) of the Consultation Report Appendices (Doc 5.2) , contains the required information as set out below:			
Information		Paragraph	Information	Paragraph	
a)	the name and address of the Applicant.	2	b)	a statement that the Applicant intends to make an application for development consent to the Secretary of State	2
c)	a statement as to whether the application is EIA development	7	d)	a summary of the main proposals, specifying the location or route of the Proposed Development	4
e)	a statement that the documents, plans and maps were available on a website maintained by or on behalf of the Applicant. The statement must include: <ul style="list-style-type: none">the nature and location of the Proposed DevelopmentThe address of the websiteThe place on the websiteA telephone number which can be used to contact the Applicant	8	f)	the latest date on which those documents, plans and maps will be available for inspection	10

	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	10	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	13		
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 the EIA Regulations ¹⁰ ?	<p>Yes</p> <p>A copy of the s48 notice was sent to the EIA consultation bodies as part of the s42 consultation, as confirmed in Section 5.2.10 of the Consultation Report (Doc 5.1).</p> <p>A sample of the s42 consultation letter provided at Appendix H of the Consultation Report Appendices (Doc 5.2) confirms a copy of the s48 notice was enclosed.</p>		

¹⁰ Regulation 13 of the 2017 EIA Regulations, or where Regulation 37 of the 2017 EIA Regulations applies, Regulation 11 of the 2009 EIA Regulations

s49: Duty to take account of responses to consultation and publicity		
23	Has the Applicant had regard to any relevant responses to the s42, s47 and s48 consultation?	<p>Yes</p> <p>Annex N of the Consultation Report Appendices (Doc 5.2) sets out how the Applicant had regard to the consultation responses received; including whether 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>
Guidance about pre-application procedure		
24	To what extent has the Applicant had regard to statutory guidance 'Planning Act 2008: Guidance on the pre-application process' ¹¹ ?	<p>Chapter 9: Conclusion, Table 9.1 of the Consultation Report (Doc 5.1) states that the Applicant has taken into consideration all relevant statutory and other guidance.</p> <p>Having reviewed the application, the Planning Inspectorate is satisfied that the Applicant has identified and had regard to the relevant statutory guidance.</p>
25	Summary: Section 55(3)(e)	<p>The Applicant has complied with Chapter 2 of Part 5 (pre-application procedure) of the PA2008.</p> <p>In respect of the minor consultation discrepancy identified, s51 advice has been provided to the Applicant how in this regard, available here: http://infrastructure.planninginspectorate.gov.uk/document/TR010060-000431</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)		

¹¹ The Planning Inspectorate must have regard to the extent to which the Applicant has had regard to guidance issued under s50

26	Is it made in the prescribed form as set out in Schedule 2 of the APFP Regulations, and does it include: <ul style="list-style-type: none">a brief statement which explains why it falls within the remit of the Planning Inspectorate; anda brief statement that clearly identifies the location of the application site, or the route if it is a linear scheme?	Yes Section 4 of the Application Form (Doc 1.3) explains why the development falls within the remit of the Planning Inspectorate. Section 5 of the Application Form (Doc 1.3) provides a brief non-technical description of the site and section 6 provides the location of the Proposed Development. A Location Plan (Doc 2.1) has been provided.										
27	Is it accompanied by a Consultation Report?	Yes The application is accompanied by a Consultation Report (Doc 5.1) and Consultation Report Appendices (Doc 5.2) .										
28	Where a plan comprises three or more separate sheets, has a key plan been provided showing the relationship between the different sheets? ¹²	Yes										
29	Is it accompanied by the documents and information set out in APFP Regulation 5(2)?	The documents and information required by APFP Regulation 5(2) are set out in the documents and locations within the application as listed below:										
<table><tr><th colspan="2">Information</th><th colspan="2">Document</th></tr><tr><td>a)</td><td>Where applicable, the Environmental Statement required under the EIA</td><td>Environmental Statement (Doc 6.1);</td><td>b)</td><td>The draft Development Consent Order (DCO)</td><td>Draft DCO (Doc 3.1)</td></tr></table>			Information		Document		a)	Where applicable, the Environmental Statement required under the EIA	Environmental Statement (Doc 6.1);	b)	The draft Development Consent Order (DCO)	Draft DCO (Doc 3.1)
Information		Document										
a)	Where applicable, the Environmental Statement required under the EIA	Environmental Statement (Doc 6.1);	b)	The draft Development Consent Order (DCO)	Draft DCO (Doc 3.1)							

¹² Regulation 5(4) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

	Regulations ¹³ and any scoping or screening opinions or directions	Environmental Statement Figures (Doc 6.2); Environmental Statement Appendices (Doc 6.3); and Non-Technical Summary (Doc 6.4) A link to the scoping opinion is provided in ES Chapter 5 (Doc 6.1)		
	Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)		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)		Yes
e)	A copy of any Flood Risk Assessment	ES Appendix 14.5 – Flood Risk Assessment (Doc 6.3)	f)	A statement whether the proposal engages one or more of the matters set out in section 79(1) of the Statement of Statutory Nuisances (Doc 6.9)

¹³ The 2017 EIA Regulations, or where Regulation 37 of the 2017 EIA Regulations applies, the 2009 EIA Regulations

				Environmental Protection Act 1990 (statutory nuisances) and if so how the Applicant proposes to mitigate or limit them	
	Is this of a satisfactory standard?	Yes		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:- (i) the land required for, or affected by, the Proposed Development; (ii) where applicable, any land over which it is proposed to exercise powers of Compulsory Acquisition or any rights to use land; (iii) any land in relation to which it is proposed to extinguish easements, servitudes and	Land Plans (Doc 2.7)

j)			k)	other private rights; and (iv) any special category land and replacement land	
	Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)		Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)
	A Works Plan showing, in relation to existing features:- (i) the proposed location or (for a linear scheme) the proposed route and alignment of the development and works; and (ii) the limits within which the development and works may be carried out and any limits of deviation provided for in the draft DCO	Works Plans (Doc 2.2)		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	Street, Rights of Way and Access Plans (Doc 2.6 – Part 1) Street, Rights of Way and Access Plans (Doc 2.6 – Part 2)
	Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)		Is this of a satisfactory standard?	Yes

l)	<p>Where applicable, a plan with accompanying information identifying:-</p> <p>(i) any statutory or non-statutory sites or features of nature conservation eg sites of geological or landscape importance;</p> <p>(ii) habitats of protected species, important habitats or other diversity features; and</p> <p>(iii) water bodies in a river basin management plan, together with an assessment of any effects on such sites, features, habitats or bodies likely to be caused by the</p>	<p>(i) ES Figure 8.1: Key Landscape Constraints (Doc 6.2)</p> <p>ES Figure 9.1 Biodiversity Designated Sites (Doc 6.2)</p> <p>Figure 2: Map of the Proposed Scheme and European sites (Doc 6.8)</p> <p>ES Figure 10.1 Geology and Soils Land Contamination Constraints Plan Sheet (Doc 6.2)</p> <p>The assessment of the effects is provided in ES Chapters 8 (Landscape and Visual), 9 (Biodiversity) and 10 (Geology and Soils) (Doc 6.1) and in the Habitats Regulations Assessment: No Significant Effects Report (Doc 6.8).</p> <p>(ii) ES Appendices 9.1 to 9.13 (Doc 6.3)</p>	m)	<p>Where applicable, a plan with accompanying information identifying any statutory or non-statutory sites or features of the historic environment, (eg scheduled monuments, World Heritage sites, listed buildings, archaeological sites and registered battlefields) together with an assessment of any effects on such sites, features or structures likely to be caused by the Proposed Development</p>	<p>ES Figure 7.1: Archaeological Remains (Doc 6.2)</p> <p>ES Figure 7.2: Built Heritage and Historic Landscape (Doc 6.2)</p> <p>The assessment of the effects is provided in ES Chapter 7 (Cultural Heritage) (Doc 6.1) and ES Appendix 7.9: Cultural Heritage Impact Assessment Summary Tables (Doc 6.3).</p>

n)	Proposed Development	<p>ES Figure 9.2: Biodiversity Important Habitats (Doc 6.2)</p> <p>The assessment of the effects is provided in ES Chapter 9 (Biodiversity) (Doc 6.1)</p> <p>(iii) ES Figure 14.1: Key Water Environment Features (Doc 6.2)</p> <p>ES Appendix 14.2, Figure 14.2.1: WFD Surface Water Bodies and Figure 14.2.2: WFD Groundwater Bodies (Doc 6.3)</p> <p>The assessment of the effects is provided in ES Chapter 14 (Road Drainage and the Water Environment) (Doc 6.1) and ES Appendix 14.2: Water Framework Directive Compliance Assessment (Doc 6.3).</p>			
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?	Yes
	Where applicable, a plan with any accompanying	Crown Land Plans (Doc 2.8)	o)	Any other plans, drawings and sections necessary to describe	Location Plan (Doc 2.1)

	information identifying any Crown land			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	General Arrangement Plans Part 1, Part 2, Part 3, Part 4, Part 5 (Doc 2.9) De-Trunking and Stopping up Plans - Part 1, Part 2 (Doc 2.10) Drainage and Surface Water Plans – Part 1, Part 2 (Doc 2.14) Retained and Removed Vegetation Plans Part 1, Part 2 (Doc 2.12) Construction Phase Plans – Part 1, Part 2 (Doc 2.15)
	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:	Highways Engineering Section Drawings – Part 1, Part 2 (Doc 2.12) Structures Engineering Section Drawings - Part 1, Part 2 (Doc 2.13)	q)	Any other documents considered necessary to support the application	Introduction to Application (Doc 1.2) Cover Letter (Doc 1.2) Case for the Scheme (Doc 7.1) Transport Assessment (Doc 7.2) Combined Modelling Appraisal Report (Doc 7.3) Design and Access Statement (Doc 7.4) Equality Impact Assessment (Doc 7.5)

				Interrelationship Document (Doc 7.6) Outline Construction Traffic Management Plan (Doc 7.7) Borrow Pits Report (Doc 7.8) Design Principles (Doc 7.10) Replacement Land Statement (Doc 7.9)	
	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?				
	Environmental Statement (Docs 6.1 to 6.4) Survey information for dormouse and bats relating to the diversion of the Cadent gas main has not been provided as part of the DCO application, with surveys ongoing (paragraphs 9.5.8 and 9.6.5, ES Chapter 9 (Doc 6.1))). Funding Statement (Doc 4.2) The Funding Statement doesn't describe the time when the funding will be available, however the Government will be funding this scheme as part of the Road Investment Strategy 2, para 5.4.7 Statement of Reasons (Doc 4.1) and para 3.1.4 Funding Statement (Doc 4.2) . Draft DCO (Doc 3.1) The Inspectorate noticed several referencing errors in the dDCO within the following articles: <ul style="list-style-type: none">• Article 12 (4) on p14• Article 15 (4) on p18• Article 22 (3) on p22• Article 30 (2) on p30• Article 31 (10) on p32• Article 42 (1) on p39				

Inter-relationship document (Doc 7.6)

The Rivenhall EFW NSIP project should be considered within this document.

Land Plans (Doc 2.7)

There appears to be unnumbered plots within the **Land Plans (Doc Ref 2.7)**. An example of this can be found on sheet 6. The location is below plot 6/23a, to the right of plot 6/1e and to the left of plot 6/2d.

Permanent Works Plans (Doc 2.2.1)

The following minor errors were noted during the review.

Work No. 2(a) shows the route of an outfall. The line showing the outfall (black dashed line) doesn't appear in the legend for this set of plans.

Work No. 1(c) is used for several elements, all of which are slip roads. This approach doesn't provide any distinction between the various sections of road.

Work No. 4 (shown on sheet 2) is shown as a dashed orange line. As this work comprises 'resurfacing and extension of Paynes Lane', should this work be depicted using a solid orange line?

Section 51 advice has been issued to the Applicant in respect of the above matters:

<http://infrastructure.planninginspectorate.gov.uk/document/TR010060-000431>

31	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	<p>Yes</p> <p>A Habitats Regulations Assessment (HRA) Report has been provided (Doc 6.8).</p> <p>The HRA Report identifies relevant European sites and the likely effects on those sites. It is considered that the information provided in the report is adequate for acceptance.</p> <p>Note: The Examining Authority will be able to ask questions during the Examination. This may result in additional information being required to inform the HRA Report and the competent authority. Depending upon the type and</p>
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	assessment of the implications for the site if required by Regulation 48(1)? ¹⁴	availability of information required it may not be possible to obtain this during the statutory timetable of the Examination.
32	If requested by the Planning Inspectorate, two paper copies of the application form and other supporting documents and plans ¹⁵	No hard copies requested.
33	Has the Applicant had regard to statutory guidance 'Planning Act 2008: Application form guidance', and has this regard led to the application being prepared to a standard that the Planning Inspectorate considers satisfactory?	<p>Yes</p> <p>Appendix O of the Consultation Report (Doc 5.2) explains how the Applicant has had regard to statutory guidance on the form of the application.</p> <p>The Planning Inspectorate is satisfied that the Applicant has demonstrated regard to the guidance principles.</p>
34	Summary - s55(3)(f) and s55(5A)	<p>The Planning Inspectorate concludes that the application (including accompaniments) has been prepared to a standard that it considers satisfactory.</p> <p>In respect of the discrepancies identified in Box 30 of this checklist, to help facilitate an efficient and effective examination of the application s51 advice has been provided to the Applicant in conjunction with the decision to accept the application. That advice is published on the National Infrastructure Planning website, here:</p> <p>http://infrastructure.planninginspectorate.gov.uk/document/TR010060-000431</p>
The Infrastructure Planning (Fees) Regulations 2010 (as amended)		
Fees to accompany an application		

¹⁴ Regulation 5(2)(g) of the APFP Regulations

¹⁵ Regulation 5(2)(r) of the APFP Regulations

35	Was the fee paid at the same time as the application was made ¹⁶ ?	The fee was received on 27 July 2022; before the application was made.
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Role	Electronic signature	Date
Case Manager	Deborah Allen	12 September 2022
Acceptance Inspector	Max Wiltshire	12 September 2022

¹⁶ 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

