



The London Resort Development Consent Order

BC080001

Section 55 Checklist

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December 2020

Planning Act 2008

The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

Regulation 5(2)(q)

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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), here <http://www.legislation.gov.uk/ukpga/2008/29/section/55>

DISCLAIMER: This Checklist is for information only and is not a formal application document. It 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 Housing, Communities and Local Government.**

| Section 55(2) Acceptance of Applications | | | | |
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| 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 |
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| 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 | Yes, the proposed development set out in Schedule 1 of the draft Development Consent Order (application document 3.1) is for a leisure and entertainment | | |

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

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| | <p>of an NSIP); and does the application state on the face of it that it is an application for a Development Consent Order² (DCO) under the Planning Act 2008 (the PA2008), or equivalent words? Does the application specify the development to which it relates (i.e. which category or categories in ss14 to 30 does the Proposed Development fall)?</p> <p>If the development does not fall within the categories in ss14 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>resort. The Secretary of State made a direction under section 35(1) of the Planning Act 2008 on 9 May 2014 enabling the Scheme to be treated as development of national significance for which development consent is required.</p> <p>This is consistent with the summary provided in the Application form (application document 1.2) at section 4 which concludes that the application is for a Nationally Significant Infrastructure Project (NSIP).</p> |
| 3 | <p>Summary: Section 55(3)(a) and s55(3)(c)</p> | <p>The Applicant has demonstrated that the application as submitted is an application for an order granting development consent under the Planning Act 2008.</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 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</p> | <p>Yes, on 17 June 2020 by means of a letter to the Planning Inspectorate, the Applicant notified the Secretary of State under Regulation 8(1)(b) of the EIA Regulations that an Environmental Statement would be prepared and submitted alongside the DCO application see Appendix 5.10 of Consultation Report (application document 5.1).</p> |

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

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)

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| | an Environmental Statement in respect of that development? | |
| 5 | Have any Adequacy of Consultation Representations ⁴ 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? | The Applicant understands that the Planning Inspectorate will invite the relevant 'A', 'B', 'C' and 'D' local authorities to submit their adequacy of consultation representations once the application for development consent has been received in accordance with the process set out in the Planning Inspectorate's Advice Note 2 (paragraph 16), published in February 2015. |
| 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, for both stages of the statutory s42 consultation that commenced on 27 April 2014 (Stage 4) and 27 July 2020 (Stage 5), the Applicant consulted all consultees prescribed under s42(1)(a) of the Planning Act 2008 where required by the circumstances set out in Column 2 of the table in Schedule 1 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended).</p> <p>The Applicant had full regard to the advice provided in the Annexes to the Planning Inspectorate's Advice Note 3 in determining the circumstances in which to consult a particular prescribed body, the Applicant adopted a precautionary approach and included that body within the scope of its consultation.</p> |

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

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

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| | | <p>A list of all prescribed bodies and those which were consulted in the stages 4 and 5 consultation under s42(1)(a) is provided in Appendices 4.3 (2015) and 5.3 (2020) of the Consultation report (application document 5.1).</p> <p>Letters or emails were sent out to the prescribed bodies on 27 July 2020. The deadline of 21 September 2020 was clearly stated in each consultation letter, allowing consultees a period of 8 weeks in which to respond, a longer duration than the statutory minimum stipulated by s45 of the Planning Act 2008.</p> <p>All bodies/persons notified to the Applicant by the Planning Inspectorate under Regulation 11(b) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 were consulted (see Appendix 5.10).</p> <p>Copies of sample letters are provided in Appendices 4.2 (2015) and 5.2 (2020) of the Consultation report (application document 5.1). During the stage 5 statutory consultation, additional PiLs and stakeholders were identified and notified of the consultation on 18 and 29 September, 15 October and 23 November 2020 with a deadline of 28 days following the day after the day of receipt to provide feedback on the proposals (see Table 4.1 of the Consultation report (application document 5.1).</p> |
| 7 | Section 42(1)(aa) the Marine Management Organisation ⁶ ? | Yes, the Marine Management Organisation was consulted on 27 April 2015 for Stage 4 statutory consultation and on 27 July 2020 for Stage 5. |
| 8 | Section 42(1)(b) each local authority within s43 ⁷ ? | <p>Yes, for the statutory s42 consultation that commenced on 27 July 2020, the Applicant consulted each local authority within s43 (15 local authorities in total). Emails were sent on 27 July 2020 as follows:</p> <ul style="list-style-type: none"> • 8 No. 'A' authorities: London Borough of Bexley, Brentwood Borough Council, Basildon Borough Council, Castle Point Borough Council, London Borough of |

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

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| | | <p>Havering, Medway Council, Sevenoaks District Council and Tonbridge and Malling Borough Council</p> <ul style="list-style-type: none"> • 3 No. ‘B’ authorities: Gravesham Borough Council, Dartford Borough Council and Thurrock Council • 1 No. ‘C’ authorities: Kent County Council • 3 No. ‘D’ authorities: East Sussex County Council, Essex County Council and Surrey County Council. <p>The local authorities consulted under s43 were given an 8 week period in which to respond (the stated deadline was 21 September 2020), exceeding the statutory requirements stipulated in s45 of the Planning Act 2008.</p> <p>Copies of sample letters sent to each authority listed above are provided in Appendix 5.2 of the Consultation report (application document 5.1).</p> |
| 9 | Section 42(1)(c) the Greater London Authority (if in Greater London area)? | No, the land is not in the Greater London area. |
| 10 | Section 42(1)(d) each person in one or more of s44 categories ⁸ ? | <p>Yes, for the s42 consultation undertaken between 27 July 2020 and 21 September 2020, the Applicant consulted each person in one or more of the s44 categories (Persons with an Interest in Land (“PiLs”)). Letters were sent on 27 July 2020.</p> <p>In total, 159 letters were sent to PiLs, comprising category 1, 2 interests and 1402 letters sent to category 3 interests. Consultees were given a deadline for receipt of all responses of 21 September 2020, equivalent to an 8 week period and longer than the statutory minimum duration for such consultation specified in s45 of the Planning Act 2008. Chapter 9 of the Consultation report (application</p> |

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. There is no requirement on the Planning Inspectorate to check the accuracy of the list(s) provided or whether the Applicant has made diligent inquiry

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| | | <p>document 5.1) outlines how the PILs were identified and consulted during the statutory consultation</p> <p>After the start of the statutory pre-application consultation period which commenced on 27 July 2020, the Applicant identified several additional s44 land interests as a result of continued diligent enquiry work. Separate consultation letters were therefore issued on 18 and 29 September, 15 October and 23 November 2020.</p> <p>Copies of the relevant sample letters can be found in Appendix 5.2 of the Consultation report (application document 5.1).</p> |
| <p>Section 45: Timetable for s42 consultation</p> | | |
| <p>11</p> | <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, the Applicant notified all s42 consultees of the deadline for the receipt of consultation responses and in every case the deadline was 28 days or more starting with the day after which the consultee would have received the relevant materials/documents.</p> <p>The statutory pre-application consultation at stage 5 that commenced on 27 July 2020 in accordance with s42 of the Planning Act 2008 made provision for an 8 week consultation period with a stated deadline of 21 September 2020. Copies of the sample letter are provided in Appendix 5.2 of the Consultation report (application document 5.1).</p> |
| <p>Section 46: Duty to notify the Planning Inspectorate of proposed application</p> | | |
| <p>12</p> | <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 the date it was sent to the s42 consultees? Was this done on or before commencing consultation under s42?</p> | <p>Yes, in accordance with s46 of the Planning Act 2008 the Applicant notified the Planning Inspectorate of the proposed application on 24 April 2015 and 27 July 2020. A copy of this notice is provided at Appendices 4.1 (2015) and 5.1 (2020) of the Consultation report (application document 5.1).</p> |

| Section 47: Duty to consult local community | | |
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| 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, the Applicant produced a draft Statement of Community Consultation (SoCC) on 3 June 2020 and then a final version on 27 July 2020. Copies of the draft SoCC is provided in Appendix 5.4 of the Consultation report (application document 5.1). The final SoCC was published on 27 July 2020 and a copy of the published SoCC is provided in Appendix 5.8 of the Consultation report (application document 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, Dartford Borough Council, Gravesham Borough Council, Kent County Council and Thurrock Council were consulted on the content of the SoCC on 3 June 2020. Copies of the covering letters are provided in Appendix 5.5 of the Consultation report (application document 5.1). (Thurrock Council was not consulted on the first SoCC during stage 4 because there was no order land in its area at that stage). Ebbsfleet Development Corporation (EDC) has also been consulted on the SoCC. |
| 15 | Has the Applicant had regard to any responses received when preparing the SoCC? | Yes, the Applicant has had regard to the responses received on the draft SoCC both during informal discussions and as a result of formal consultation with the relevant authorities. The engagement on the draft SoCC is outlined in Chapter 10 of the Consultation report (application document 5.1). |
| 16 | Has the SoCC been made available for inspection in a way that is reasonably convenient for people living in the vicinity of the land; 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? | Yes, the Stage 5 SoCC was published on 27 July 2020 and copies of the document were uploaded to the Applicant's webpage: https://londonresort.info/ A notice stating where and when the SoCC could be inspected was published in the following newspapers: <ul style="list-style-type: none"> • Gravesend and Dartford Messenger • Thurrock Gazette • The Times |

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| | | <ul style="list-style-type: none"> • London Gazette • Lloyd’s List • Fishing News Weekly <p>Table 10.2 of the Consultation report (application document 5.1) outlines the publication of the SoCC and Appendix 5.11 provides the newspaper notices.</p> |
| 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, the SoCC sets out in section 4 that the Scheme is EIA development and how the Applicant intended to publicise and consult on the preliminary environmental information.</p> <p>A copy of the final published SoCC is provided in Appendix 5.8 of the Consultation report (application document 5.1).</p> |
| 18 | Has the Applicant carried out the consultation in accordance with the SoCC? | <p>Yes, the Applicant demonstrates in table 10.1 of the Consultation report (application document 5.1) how the commitments made in the SoCC have been met and describes the various activities that have been carried out.</p> <p>For the statutory consultations undertaken between 27 July 2020 – 21 September 2020 the Applicant:</p> <ul style="list-style-type: none"> • Distributed 105,000 consultation information leaflets to all residential and commercial addresses • Held 20 online webinars • Wrote directly to local community representatives and local groups likely to have an interest in the Scheme • Issued press releases <p>See Chapter 10 of the Consultation report (application document 5.1)</p> |
| <p>Section 48: Duty to publicise the proposed application</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

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| 19 | Did the Applicant publicise the proposed application in the prescribed manner set out in Regulation 4(2) of the APFP Regulations? | Yes, details of the newspapers and dates of the s48 publicity notices are provided in tables 8.1 (stage 4) and 11.1 (stage 5) of the Consultation report (application document 5.1) and copies of the s48 newspaper notices can be found in Appendix 5.11 (application document 5.1). | | |
| | | 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; | Gravesend and Dartford Messenger Thurrock Gazette | 23 July and 30 July 2020 | |
| b) | once in a national newspaper; | The Times | 23 July 2020 | |
| c) | once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and | London Gazette | 23 July 2020 | |
| d) | where the proposed application relates to offshore development – (i) once in Lloyds List; and (ii) once in an appropriate fishing trade journal? | Lloyd's List Fishing News Weekly | Both on 23 July 2020 | |
| 20 | Did the s48 notice include the required information set out in Regulation 4(3) of APFP Regulations? | Yes – the s48 notice (a copy of which can be found at Appendix 5.11 of the Consultation report (application document 5.1)) contained the information required under Regulation 4(3) of the APFP Regulations. | | |
| Information | | Paragraph | Information | |
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| a) | the name and address of the Applicant. | Yes, see 1 st paragraph of the s48 notice | b) | a statement that the Applicant intends to make an application for development consent to the Secretary of State | Yes, see 1 st paragraph of the s48 notice |
| c) | a statement as to whether the application is EIA development | Yes, see 8 th paragraph of the s48 notice | d) | a summary of the main proposals, specifying the location or route of the Proposed Development | Yes, see 6 th and 7 th paragraphs of the s48 notice |
| e) | a statement that the documents, plans and maps showing the nature and location of the Proposed Development are available for inspection free of charge at the places (including at least one address in the vicinity of the Proposed Development) and times set out in the notice | Yes, see 10 th paragraph of the s48 notice | f) | the latest date on which those documents, plans and maps will be available for inspection | Yes, see 10 th paragraph of the s48 notice that explains the documents will be available to view on the project website throughout the consultation period ending on 21 st September 2020 |

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| g) | whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge | Yes, see 14 th paragraph of the s48 notice | h) details of how to respond to the publicity | Yes, see 15 th paragraph of the s48 notice |
| 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 | Yes, see 15 th paragraph of the s48 notice | | |
| 21 | Are there any observations in respect of the s48 notice provided above? | | | |
| | The Applicant wishes to note that the s48 notice also provided information on who people should contact if they needed to request further information or seek clarification. | | | |
| 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 ? | Yes, a copy of the notice was sent to the EIA consultation bodies on 24 April 2015 (for Stage 4 consultation) and 27 July 2020 (for Stage 5 consultation) see copies of the sample letters sent in Appendix 5.2 (2020) of the Consultation report (application document 5.1). | | |
| 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? | Yes, the Applicant has had regard to all relevant responses received in respect of the statutory consultation undertaken, including previous stages of consultation undertaken in 2014 and 2015. Chapters 6-10 and appendix 5.30 (2020) of the Consultation report (application document 5.1) explain how the Scheme has been further developed and refined in the light of consultation feedback and the actions that the Applicant has taken to have regard to the | | |

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

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| | | <p>relevant responses. The relevant annexes also explain why some suggestions could not be made to the Scheme because they either were not considered necessary, appropriate or feasible.</p> <p>In total 1,200 response forms were completed (both in hard copy and online) from consultees.</p> |
| <p>Guidance about pre-application procedure</p> | | |
| <p>24</p> | <p>To what extent has the Applicant had regard to statutory guidance 'Planning Act 2008: Guidance on the pre-application process'¹¹?</p> | <p>The Applicant has had full regard to the relevant MHCLG guidance, as well as to the Advice Notes published by the Planning Inspectorate relating to the pre-application procedure for NSIPs.</p> <p>The Applicant has engaged extensively with local communities, local authorities, statutory bodies, landowners and utility companies and those who could be directly affected by the Scheme before submitting its Development Consent Order application.</p> <p>The Applicant has consulted widely and has wherever possible allowed longer than the statutory minimum timeframes for responses recognising the complexity of the issues involved. Consultation materials have been tailored to their respective audiences and the Applicant has continued to engage on technical matters with a number of statutory bodies throughout the entire pre-application process.</p> <p>Table 4.2 of the Consultation report (application document 5.1) provides a further explanation as to how the Applicant has had regard to the MHCLG guidance on the pre-application process and the Applicant's approach to consultation.</p> |
| <p>25</p> | <p>Summary: Section 55(3)(e)</p> | |

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

| The applicant has had complied with all relevant parts of the pre-application procedures as detailed above. | | | |
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| 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, the application is submitted in the prescribed form, refer to the Application form (application document 1.2) and covering letter (application document 1.1). In Box 4 of the application form, the Applicant explains why the Scheme falls within the remit of the Secretary of State. A brief statement clearly identifying the location of the Scheme is provided in Box 6 of the form.</p> <p>Reference should also be made to the Explanatory memorandum (application document 3.2) which confirms the Scheme's qualifying status as an NSIP.</p> <p>A Location plan is submitted as part of the application documentation (application document 2.1).</p> | |
| 27 | Is it accompanied by a Consultation Report? | Yes, a Consultation report (application document 5.1) has been submitted, which comprises a main report and annexes. | |
| 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, key plans have been provided for the relevant plans within Volume 2 of the DCO application. | |
| 29 | Is it accompanied by the documents and information set out in APFP Regulation 5(2)? | Yes, the documents and information required by APFP Regulations 5(2) are set out in the documents and locations within the application as indicated in the following sections. | |
| Information | | Document | |
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¹² Regulation 5(4) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

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| a) | Where applicable, the Environmental Statement required under the EIA Regulations ¹³ and any scoping or screening opinions or directions | <p>Yes, the application is accompanied by an Environmental Statement, which comprises the following volumes:</p> <p>Environmental statement main report (application document 6.1)</p> <p>Environmental statement figures (application document 6.3)</p> <p>Environmental statement appendices (application document 6.2)</p> <p>Environmental statement non-technical summary (application document 6.4)</p> <p>EIA scoping report 2014 (application document 6.2.1.1)</p> <p>EIA scoping report 2020 (application document 6.2.1.3)</p> | b) | The draft Development Consent Order (dDCO) | Yes, the application is accompanied by a draft Development Consent Order , see application document 3.1. |
| Is this of a satisfactory standard? | | | Is this of a satisfactory standard? | | |
| c) | An Explanatory Memorandum explaining the purpose and effect of provisions in the draft DCO | Yes, the application is accompanied by an Explanatory memorandum , see application document 3.2. | d) | Where applicable, a Book of Reference (where the application involves any Compulsory Acquisition) | Yes, the application is accompanied by a Book of reference , see application document 4.3. |

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

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| e) | Is this of a satisfactory standard? | | f) | Is this of a satisfactory standard? | |
| | A copy of any Flood Risk Assessment | Yes, the application is accompanied by a Flood risk assessment , see application document 6.2.17.1. | | 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 | Yes, the application is accompanied by a Statutory nuisance statement , see application document 5.2. |
| h) | Is this of a satisfactory standard? | | i) | Is this of a satisfactory standard? | |
| | A Statement of Reasons and a Funding Statement (where the application involves any Compulsory Acquisition) | Yes, the application is accompanied by a Statement of reasons and a Funding statement , see application documents 4.1 and 4.2 respectively. | | 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 | Yes, the application is accompanied by a set of Lands plans , see application document 2.2. |

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| | | | | <p>proposed to extinguish easements, servitudes and other private rights; and</p> <p>(iv) any special category land and replacement land</p> | |
| | <p>Is this of a satisfactory standard?</p> | | | <p>Is this of a satisfactory standard?</p> | |
| <p>j)</p> | <p>A Works plan showing, in relation to existing features:-</p> <p>(i) the proposed location or (for a linear scheme) the proposed route and alignment of the development and works; and</p> <p>(ii) the limits within which the development and works may be carried out and any limits of deviation provided for in the draft DCO</p> | <p>Yes, the application is accompanied by a set of Works plans, see application document 2.5.</p> | <p>k)</p> | <p>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</p> | <p>Yes, the application is accompanied by a set of Access, Rights of Way and Public Rights of Navigation Plans, see application document 2.6.</p> |

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| | Is this of a satisfactory standard? | | | Is this of a satisfactory standard? | |
| l) | <p>Where applicable, a plan with accompanying information identifying:-</p> <p>any statutory/ non-statutory sites or features of nature conservation eg sites of geological/ landscape importance;</p> <p>habitats of protected species, important habitats or other diversity features; and</p> <p>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 Proposed Development</p> | <p>Yes, the application is accompanied by an Environmental features plan, see application document 2.7 and a Habitats of protected species, important habitats or other diversity features and waterbodies in a river basin management plans (application documents 2.8 and 2.9).</p> | m) | <p>Where applicable, a plan with accompanying information identifying any statutory/ 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>Yes, the application is accompanied by a Heritage designation plans, see application document 2.10.</p> |
| | Is this of a satisfactory standard? | | | Is this of a satisfactory standard? | |

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| n) | Where applicable, a plan with any accompanying information identifying any Crown land | Yes, the application is accompanied by Crown land plans , see application document 2.3 . | o) | Any other plans, drawings and sections necessary to describe the development consent proposal showing details of design, external appearance, and the preferred layout of buildings/ structures, drainage, surface water management, means of vehicular and pedestrian access, any car parking and landscaping | Yes, the application is accompanied by the following: Parameter plans , see application document 2.19; Section drawings , see application document 2.4; Highways drawings , see application documents 2.11- 2.15; Trees and hedgerows which may be removed or affected plans , see application document 2.16; Drainage strategy plans , see application document 2.17; Traffic regulation order plans , see application document 2.18; Illustrative landscape plans , see application document 2.20; Illustrative masterplan , see application document 2.21; |
| | Is this of a satisfactory standard? | | | Are they of a satisfactory standard? | |
| p) | Any of the documents prescribed by Regulation 6 of the APFP Regulations: | Yes: Highways constraints drawings (see application document 2.11); | q) | Any other documents considered necessary to support the application | Yes, the application is accompanied by the following additional documents: Guide to the application (see application document 1.4). |

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| | <p>Highways general drawings (see application document 2.12);</p> <p>Highways surface finishes (see application document 2.13);</p> <p>Highways proposed contours, levels and alignment changes (see application document 2.14); and</p> <p>Highways drainage layout (see application document 2.15).</p> | | | <p>Application form (see application document 1.2);</p> <p>Details of other Consents and Licences (application document 5.3);</p> <p>Design & Access Statement (see application document 7.1);</p> <p>Design Codes (see application document 7.2);</p> <p>Schedule of Accommodation (see application document 7.3);</p> <p>Planning Statement (see application document 7.4);</p> <p>Economic and Regeneration statement (see application document 7.5);</p> <p>Utilities statement (see application document 7.6);</p> <p>Outline sustainability strategy (see application document 7.7);</p> <p>Security planning report (see application document 7.8);</p> <p>Lighting statement (see application document 7.9)</p> |
| | <p>Are they of a satisfactory standard?</p> | | <p>Are they of a satisfactory standard?</p> | |
| <p>30</p> | <p>Are there any observations in respect of the documents provided at Box 29 (a) to (q) above?</p> | | | |

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| 31 | <p>Is the application accompanied by a report identifying any European site(s) to which Regulation 48 of The Conservation (Natural Habitats etc) 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)?¹⁴</p> | <p>Yes, the application is accompanied by a Habitats regulations assessment report (application document 6.2.12.4).</p> |
| 32 | <p>If requested by the Planning Inspectorate, two paper copies of the application form and other supporting documents and plans¹⁵</p> | <p>PINs confirmed on 15 December 2020 that an electronic copy only is required.</p> |
| 33 | <p>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> | <p>Yes, the applicant has had full regard to the MHCLG guidance. In particular:</p> <ul style="list-style-type: none"> • The application is made in the prescribed form and is accompanied by a Consultation report, a draft DCO, Explanatory memorandum, Land plans, Book of reference, Funding statement, Statement of reasons, Works plans, Environmental Statement, Habitats regulations assessment and other relevant documents and information prescribed in the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended); • The application documentation is sufficiently detailed to enable the Secretary of State and other interested parties to consider the Scheme and is supported by copies of written statements and other |

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

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

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| | | <p>correspondence to identify relevant matters that have been agreed with interested parties as well as other information to enable the Examining Authority to undertake its duties in an efficient manner;</p> <ul style="list-style-type: none"> • The application documents have been appropriately referenced to enable them to be easily identified by the Secretary of State and other interested parties. The documents are submitted in electronic form rather than paper; • The application fee of £7,227 has been paid prior to submitting the application; and • The application form has been completed as far as possible without using technical or complex language and terminology to ensure that the information it contains is understandable to any interested person. <p>The Applicant has also had full regard to the advice provided by the Planning Inspectorate under s51 of the Planning Act 2008 and as published on the Planning Inspectorate’s website. In particular, the Applicant has modified the presentation of some plans to improve the clarity of information being submitted and has extended the scope of some application documents to ensure that information is provided to a sufficient level of detail to enable the Secretary of State and other parties to appropriately consider the Scheme.</p> |
| 34 | <p>Summary - s55(3)(f) and s55(5A)</p> | <p>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> |
| <p>The Infrastructure Planning (Fees) Regulations 2010 (as amended)</p> | | |
| <p>Fees to accompany an application</p> | | |

[Header]

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| 35 | Was the fee paid at the same time that the application was made ¹⁶ ? | Yes, the Applicant has paid the sum of £7,227 via BACS transfer to the account of the Planning Inspectorate on 22 December 2020 with the reference The London Resort BC080001. |
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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

[Footer]