



The Planning Inspectorate
Yr Arolygiaeth Gynllunio

Section 55

Acceptance of Applications Checklist

Appendix 3 of [Advice Note Six: Preparation and submission of application documents](#)

Version: January 2021

London Resort 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				
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
		4 January 2021	1 February 2021	28 January 2021
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>Section 4 of the Application Form (Doc 1.2) states:</p> <p><i>“The Proposed Development set out in Schedule 1 of the Draft Development Consent Order (document reference 3.1) is for a leisure and entertainment resort. The Secretary of State made a direction under section 35(1) of the Planning Act 2008 on 9 May 2014 enabling the Proposed Development (sic) to be treated as development of national significance for which development consent is required.”</i></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 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>A copy of the s35 Direction dated 9 May 2014 is provided with the application at Appendix 2.0 of the Planning Statement (Doc 7.4). In that the Secretary of State concluded that the Proposed Development (known then as “London Paramount”) was a business or commercial project which consisted wholly or mainly of the construction of buildings or facilities for use for the purposes of leisure or tourism and was of national significance. The Secretary of State therefore directed that it be treated as development for which development consent is required under the PA2008.</p> <p>Schedule 1 of the draft DCO (Doc 3.1) states that the Nationally Significant Project comprises Work Nos 1 and 2, which are for the construction of buildings and facilities for tourism and leisure uses. This is consistent with the s35 Direction. Therefore, the Planning Inspectorate is satisfied that the application is for an order granting development consent and is satisfied that development consent is required for development included in the application.</p>
3	<p>Summary: Section 55(3)(a) and s55(3)(c)</p>	<p>The Planning Inspectorate is satisfied that the draft DCO (Doc 3.1) includes development for which development consent is required.</p>
<p>Section 55(3)(e): The Applicant in relation to the application made has complied with Chapter 2 of Part 5 (pre-application procedure)</p>		
4	<p>In accordance with 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 1 June 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 27 July 2020.</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)

		A copy of the notification email is provided at Appendix 5.33 of the Consultation Report (Doc 5.1) .
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?	<p>Yes.</p> <p>There are 16 host and neighbouring authorities and a development corporation, of which 13 responded to the Planning Inspectorate's invitation of 4 January 2020 to make an Adequacy of Consultation Representation (AoCR).</p> <p>All 13 responding authorities confirmed in their AoCR that either the Applicant had complied with its duties under s42, s47 and s48 of the PA2008 or that their authority had no comments/ objections to make. These authorities were:</p> <ul style="list-style-type: none"> • Essex County Council, Brentwood Borough Council, London Borough of Bexley, Medway Council and Castle Point Borough Council ('A' authority) • Gravesham Borough Council, Dartford Borough Council*, Ebbsfleet Development Corporation*, Thurrock Council and Tonbridge and Malling Borough Council ('B' authority) • Kent County Council *('C' authority') • Surrey County Council and East Sussex County Council ('D' authority) <p>(* Dartford Borough Council, Ebbsfleet Development Corporation and Kent County Council provided a joint AoC response.)</p> <p>The joint AoCR on behalf of the three authorities indicated that they could not comment in relation to s42(1)(d) land interests. The Planning Inspectorate is satisfied from the documents submitted that all relevant parties have been consulted.</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

		<p>Several authorities stated that the changes in the development of the project had resulted in a number of matters which remained outstanding. However, the authorities were of the view that these were capable of being dealt with during the Examination following ongoing discussions between the Applicant and relevant parties.</p> <p>During the acceptance period a number of representations were also received from other parties raising concerns about the nature, scope and content of the consultation. These have all been considered. It is acknowledged that some of the matters raised may be of relevance to the Examination and all registered interested parties will have the opportunity to make representations during the Examination.</p> <p>The Planning Inspectorate is satisfied that the pre-application consultation was adequate.</p> <p>All AoCRs received have been carefully considered and are available to view on the National Infrastructure Planning website: https://infrastructure.planninginspectorate.gov.uk/projects/south-east/the-london-resort/</p>
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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 27 July 2020 at Appendix 5.3 of the Consultation Report (Doc 5.1).</p> <p>A sample of the letter sent to s42(1)(a) consultees is provided at Appendix 5.2 of the Consultation Report (Doc 5.1).</p> <p>The Planning Inspectorate has identified the following party based on a precautionary interpretation of The Infrastructure Planning (Applications: Prescribed Forms and</p>
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⁵ Statutory consultees set out in Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (APFP Regulations)

		<p>Procedure) Regulations 2009 (the APFP Regulations) that was not consulted by the Applicant under s42:</p> <ul style="list-style-type: none"> • UK Power Distribution Ltd <p>The Applicant's Consultation Report (Doc 5.1) does not explain why the body identified above has not been consulted. However, it is noted that the licences held by this body cover Great Britain or various smaller areas and the operational areas of each are not clear from information in the public domain.</p> <p>The body listed above has not been identified by the Applicant as having an interest in the Order lands and is 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: http://infrastructure.planninginspectorate.gov.uk/document/BC080001-000806</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>Paragraphs 9.23 and 9.25 of the Consultation Report (Doc 5.1) list the relevant authorities that were identified and consulted under s43 and s42(1)(b) on 27 July 2020.</p> <p>The host 'B' authorities were consulted:</p> <ul style="list-style-type: none"> • Dartford Borough Council • Gravesham Borough Council • Thurrock Council

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"> • Ebbsfleet Development Corporation <p>The host 'C' authority was consulted:</p> <ul style="list-style-type: none"> • Kent County Council <p>The boundary 'A' authorities were consulted:</p> <ul style="list-style-type: none"> • Brentwood Borough Council • Sevenoaks District Council • Tonbridge and Malling Borough Council • Basildon Council • Castle Point Borough Council • Medway Council • The London Borough of Havering • The London Borough of Bexley • Kent County Council • Essex County Council <p>The boundary 'D' authorities were consulted:</p> <ul style="list-style-type: none"> • Medway Council • Thurrock Council • The London Borough of Bromley • The London Borough of Bexley • Surrey County Council • East Sussex County Council <p>A sample of the letter sent to s42(1)(b) relevant authorities is provided at Appendix 5.2 of the Consultation Report (Doc 5.1).</p>
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		The Applicant identified the Greater London Authority as a s42(1)(b) neighbouring authority in paragraph 9.25 of Consultation Report (Doc 5.1)
9	Section 42(1)(c) the Greater London Authority (if in Greater London area)?	N/A
10	Section 42(1)(d) each person in one or more of s44 categories ⁸ ?	<p>Yes.</p> <p>Paragraph 9.28 to 9.32 of the Consultation Report (Doc 5.1) explains the methodology undertaken by the Applicant and states that all persons identified under s42(1)(d) were consulted on one or more of 27 July 2020; 18 September 2020; 29 September 2020; 15 October 2020; and 23 November 2020 (within the Order limits); and on one or more of 19 August 2020 and 28 August 2020 (Blueline letters).</p> <p>Paragraphs 9.28 to 9.32 of the Consultation Report (Doc 5.1) summarise how the Applicant made diligent inquiry to seek to identify and consult persons in one or more of the s44 categories by the draft DCO (Doc 3.1).</p> <p>The Applicant's Book of Reference (Doc 4.3) lists the persons consulted under s42(1)(d).</p> <p>A sample of the letter is provided at Appendix 5.2 of the Consultation Report (Doc 5.1).</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 Applicant 28 days or more starting with the day after receipt of the consultation documents?	<p>Yes.</p> <p>A sample of the letter sent to s42 consultees is provided at Appendix 5.2 of the Consultation Report (Doc 5.1).</p> <p>The sample letter dated 27 July 2020 confirmed that consultation commenced on 27 July 2020 and closed on 21 September 2020, providing more than the required minimum time for receipt of responses.</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.

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 27 July 2020, which was the same day that consultation under s42 commenced.</p> <p>A copy of the s46 notification letter is provided at Appendix 5.1 of the Consultation Report (Doc 5.1).</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 5.8 of the Consultation Report (Doc 5.1).</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 Dartford Borough Council, Gravesham Borough Council, Ebbsfleet Development Corporation and Thurrock Council ('B Authority') and Kent County Council ('C' authority) on 3 June 2020 and set a deadline of 1 July 2020 for responses; providing more than the required minimum time for responses to be received. Thurrock Council were granted an extension of time and they replied on 10 July 2020.</p>
15	Has the Applicant had regard to any responses received when preparing the SoCC?	<p>Yes.</p> <p>Appendix 5.5 of the Consultation Report (Doc 5.1) provides a summary of the consultation responses from Dartford Borough Council, Ebbsfleet Development Corporation, Kent County Council and Thurrock Council 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"> • Dates of consultation, and concern about holding consultation over the summer holiday period. The Applicant took this feedback into account and extended the consultation end date to 21 September 2020. • Requests for a broader leaflet distribution zone, and inclusion of areas of Thurrock in mailout. The mailout zone was expanded to include urban areas of Dartford and Gravesham, and to include areas of Thurrock. • Requests for more information about webinars and digital activity generally. The SoCC was amended to provide additional information about planned format for webinars and other digital activity, as requested. <p>The Planning Inspectorate is satisfied that the Applicant had regard to the responses received when preparing the SoCC.</p>
16	<p>Has the SoCC been made available for inspection on a website maintained by or on behalf of the applicant; and has a notice been published in a newspaper circulating in the vicinity of the land which states where and when the SoCC can be inspected?</p>	<p>Yes.</p> <p>The final SoCC was made available on the Applicant’s project website: https://londonresort.info/; usb stick; and on request in hard copy, as physical locations were precluded as a result of the Covid-19 pandemic.</p> <p>A notice stating when and where the final SoCC could be inspected was published in:</p> <ul style="list-style-type: none"> • Gravesend and Dartford Messenger 23 July 2020 and 30 July 2020 • Thurrock Gazette 23 July 2020 and 30 July 2020 • The Times 23 July 2020 • London Gazette 23 July 2020 • Lloyd’s List 23 July 2020 • Fishing News Weekly 23 July 2020 <p>The published SoCC notice, provided at Appendix 5.10 of the Consultation Report (Doc 5.1) states where and when the final SoCC was available to inspect.</p> <p>Clippings of the published advertisements are provided at Appendix 5.11 of the Consultation Report (Doc 5.1).</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.</p> <p>Paragraph 4.1 to 4.3 of the final SoCC at Appendix 5.8 of the Consultation Report (Doc 5.1) sets out that the development is EIA development and sets out how the Applicant intended to publicise and consult on the Preliminary Environmental Information.</p>
18	Has the Applicant carried out the consultation in accordance with the SoCC?	<p>Yes.</p> <p>Paragraph 9.4 (Chapter 9) and Chapter 10 of the Consultation Report (Doc 5.1) set out how the community consultation was carried out in line with the final SoCC.</p> <p>Appendix 5.29 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>Appendices 5.16, 5.21, 5.26 and 5.29 of the Consultation Report (Doc 5.1) provide evidence that the commitments within the final SoCC have been carried out.</p>
Section 48: Duty to publicise the proposed application		
19	Did the Applicant publicise the proposed application in the prescribed manner set out in Regulation 4(2) of the APFP Regulations?	<p>Yes.</p> <p>Paragraph 11.1 of the Consultation Report (Doc 5.1) states:</p> <p><i>“A second notice advertising LRCH’s [the Applicant’s] intention to apply for a DCO in respect of the Project was published in accordance with Section 48 of the 2008 Act and Regulation 4 of the Application Regulations. This was a combined section 47 and section 48 notice.”</i></p> <p>Table 11.1 of the Consultation Report (Doc 5.1) displays the newspapers and dates of s48 publicity as set out below.</p> <p>A copy of the combined s47 and s48 notice is provided at Appendix 5.10 of the Consultation Report (Doc 5.1).</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

		<p>Online consultation adverts were also placed with Kent Online and Essex Online as set out in Appendix 5.28 and Appendix 5.29 of the Consultation Report (Doc.5.1)</p> <p>Clippings of the published notices, where provided, are to be found at Appendix 5.11 of the Consultation Report (Doc 5.1):</p>																				
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 5%;"></th> <th style="width: 35%;"></th> <th style="width: 40%; text-align: center;">Newspaper(s)</th> <th style="width: 20%; text-align: center;">Date</th> </tr> </thead> <tbody> <tr> <td>a)</td> <td>for at least two successive weeks in one or more local newspapers circulating in the vicinity in which the Proposed Development would be situated;</td> <td> <ul style="list-style-type: none"> • Gravesend and Dartford Messenger; • Thurrock Gazette; • Kent Online; and • Essex Live (online) </td> <td> <p>23 July 2020 and 30 July 2020</p> <p>23 July 2020 and 30 July 2020</p> <p>23 July 2020</p> <p>23 July 2020</p> </td> </tr> <tr> <td>b)</td> <td>once in a national newspaper;</td> <td> <ul style="list-style-type: none"> • The Times </td> <td>23 July 2020</td> </tr> <tr> <td>c)</td> <td>once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and</td> <td> <ul style="list-style-type: none"> • London Gazette </td> <td>23 July 2020</td> </tr> <tr> <td>d)</td> <td> <p>where the proposed application relates to offshore development –</p> <p>(i) once in Lloyds List; and</p> <p>(ii) once in an appropriate fishing trade journal?</p> </td> <td> <ul style="list-style-type: none"> • Lloyds List • Fishing News </td> <td> <p>23 July 2020</p> <p>23 July 2020</p> </td> </tr> </tbody> </table>					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"> • Gravesend and Dartford Messenger; • Thurrock Gazette; • Kent Online; and • Essex Live (online) 	<p>23 July 2020 and 30 July 2020</p> <p>23 July 2020 and 30 July 2020</p> <p>23 July 2020</p> <p>23 July 2020</p>	b)	once in a national newspaper;	<ul style="list-style-type: none"> • The Times 	23 July 2020	c)	once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and	<ul style="list-style-type: none"> • London Gazette 	23 July 2020	d)	<p>where the proposed application relates to offshore development –</p> <p>(i) once in Lloyds List; and</p> <p>(ii) once in an appropriate fishing trade journal?</p>	<ul style="list-style-type: none"> • Lloyds List • Fishing News 	<p>23 July 2020</p> <p>23 July 2020</p>
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20	Did the s48 notice include the required information set out in Regulation 4(3) of APFP Regulations?	<p>Yes.</p> <p>The published s48 notice, supplied at Appendix 5.10 of the Consultation Report (Doc 5.1), contains the required information as set out below:</p>																				

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	8	d)	a summary of the main proposals, specifying the location or route of the Proposed Development	4 - 7
e)	<p>a statement that the documents, plans and maps showing the nature and location of the Proposed Development were available on a website maintained by or on behalf of the applicant</p> <p>the address of the website where the documents, plans and maps may be inspected</p> <p>the place on the website where the documents, plans and maps may be inspected</p> <p>a telephone number which can be used to contact the applicant for enquiries in relation to the documents, plans and maps</p>	10 - 15	f)	the latest date on which those documents, plans and maps will be available for inspection on the website	10
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	15
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	15			

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 paragraph 8.5 of the Consultation Report (Doc 5.1).</p> <p>Stage 4 - 24 April 2015 (statutory)</p> <p>Stage 5 - 27 July 2020 (statutory)</p> <p>A sample of the s42 consultation letter provided at Appendix 5.2 of the Consultation Report (Doc 5.1) confirms a copy of the s48 notice was enclosed.</p>
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>Paragraphs 9.40 to 9.44, Paragraphs 10.82 to 10.120 and Appendix 5.30 of the Consultation Report (Doc 5.1) set out how the Applicant had regard to the consultation responses received; including whether or not responses led to changes to the application.</p> <p>The actions informed by the consultation responses appear to be reflected in the final form of the application as submitted. Where a particular response has not led to a change in the application, it is sufficiently clear that regard was had to it.</p>
Guidance about pre-application procedure		

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

24	To what extent has the Applicant had regard to statutory guidance 'Planning Act 2008: Guidance on the pre-application process' ¹¹ ?	<p>Paragraphs 1.1 - 1.2 of the Consultation Report (Doc 5.1) states that the Applicant has taken into consideration all relevant statutory and other guidance. Table 4.2 of the Consultation Report (Doc 5.1) provides further information on this.</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 undertook a multi-staged approach to consultation from 2014 - 2020. The stages of consultation are summarised in Table 1.1 of the Consultation Report (Doc 5.1) and provided in more detail in Chapters five to thirteen. Stages four (27 April – 5 June 2015) and five (27 July – 21 September 2020) were statutory consultation.</p> <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 in Box 6 above, s51 advice has been provided to the Applicant how in this regard, available here: http://infrastructure.planninginspectorate.gov.uk/document/BC080001-000806</p>
<p>s55(3)(f) and s55(5A): The application (including accompaniments) achieves a satisfactory standard having regard to the extent to which it complies with section 37(3) (form and contents of application) and with any standards set under section 37(5) and follows any applicable guidance under section 37(4)</p>		
26	<p>Is it made in the prescribed form as set out in Schedule 2 of the APFP Regulations, and does it include:</p> <ul style="list-style-type: none"> • a brief statement which explains why it falls within the remit of the Planning Inspectorate; and • a brief statement that clearly identifies the location of the application site, or the route if it is a linear scheme? 	<p>Yes.</p> <p>Section 4 of the Application Form (Doc 1.1) explains why the Proposed Development falls within the remit of the Planning Inspectorate.</p> <p>Section 5 of the Application Form (Doc 1.1) provides a brief non-technical description of the site and Section 6 provides the location of the Proposed Development.</p> <p>A Location Plan (Doc 2.1) has been provided.</p>

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

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 5.1 – 5.33) .
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:

Information		Document	Information		Document
a)	Where applicable, the Environmental Statement required under the EIA Regulations ¹³ and any scoping or screening opinions or directions	Yes. Environmental Statement (Docs 6.1.0 – 6.1.22, 6.2.1.1 – 6.2.21.1, 6.3.1.1 – 6.3.21.4 and 6.4)	b)	The draft Development Consent Order (DCO)	Draft Development Consent Order (Doc 3.1)
	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 (where the application involves any Compulsory Acquisition)	Book of Reference (Doc 4.3)
	Is this of a satisfactory standard?	Yes.		Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)

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

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

e)	A copy of any Flood Risk Assessment	<p>Environmental Statement Volume 2 Appendix 17.1 – Flood Risk Assessment (Doc 6.2.17.1)</p> <p>Environmental Statement Volume 2 Appendix 17.2 – Surface Water Drainage Strategy (Doc 6.2.17.2)</p> <p>Environmental Statement Volume 3: Figures. Figure 17.12 – EA flood map showing Flood Zones 1, 2 and 3, illustrating fluvial and tidal flood risk to the Kent Project Site (Main Resort) if defences were not in place (Doc 6.3.17.12)</p> <p>Environmental Statement Volume 3: Figures. Figure 17.14 – Essex Project Site EA Flood Zones. (Doc 6.3.17.14)</p>	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	<p>Statutory Nuisance Statement (Doc 5.2)</p> <p>Environmental Statement Volume 1: Main Statement Chapter 15 – Noise and vibration (Doc 6.1.15)</p> <p>Environmental Statement Volume 1: Main Statement Chapter 16 – Air quality (Doc 6.1.16)</p> <p>Environmental Statement Volume 2 Appendix 3.2 – Outline Construction and Environmental Management Plan (Doc 6.2.3.2)</p> <p>Environmental Statement Volume 2 ES Appendix 9.1 Appendix TA-AD Construction Traffic Management Plan (32 of 33) (Doc 6.2.9.1)</p> <p>Environmental Statement Volume 2 Appendix 12.11 – Artificial Lighting Environmental Impact Assessment (Doc 6.2.12.11)</p> <p>Environmental Statement Volume 3: Figures. Figure 12.45 – Dark Zones (Doc 6.3.12.45)</p>
	Is this of a satisfactory standard?	Yes.		Is this of a satisfactory standard?	Yes.
h)	A Statement of Reasons and a Funding Statement	Statement of Reasons (Doc 4.1)	i)	A Land Plan identifying:-	Land Plans (Doc 2.2)

	(where the application involves any Compulsory Acquisition)	Funding Statement (Doc 4.2)		<ul style="list-style-type: none"> (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 other private rights; and (iv) 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:- <ul style="list-style-type: none"> (i) the proposed location or (for a linear scheme) the proposed route and alignment of the 	Works Plans (Doc 2.5)	k)	Where applicable, a plan identifying any new or altered means of access, stopping up of streets or roads or any diversions, extinguishments or creation of rights of way or public rights of navigation	Access, Rights of Way and Public Rights of Navigation Plans (Doc 2.6)

	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			
	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)
l)	Where applicable, a plan with accompanying information identifying:- (i) any statutory/ non-statutory sites or features of nature conservation eg sites of geological/ landscape importance; (ii) habitats of protected species, important habitats or other diversity features; and (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	(i) Environmental Features Plans (Doc 2.7) (ii) Habitats of Protected Species, Important Habitats or Other Diversity Feature and Waterbodies in a River Basin Management Plans Part 1: Features of Ecological Value (Doc 2.8) Habitats of Protected Species, Important Habitats or Other Diversity Feature and Waterbodies in a River Basin Management Plans Part 2: Habitats (Doc 2.9) (iii) Habitats of Protected Species, Important Habitats or Other Diversity Feature and Waterbodies in a River	m)	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 Heritage Designation Plans (Doc 2.10) Environmental Statement Volume 2 Appendix 14.1 – Archaeological Desk-based Assessment, December 2020 (Doc 6.2.14.1) Environmental Statement Volume 2 Appendix 14.2 – Built Heritage Statement, December 2020 (Doc 6.2.14.2) Environmental Statement Volume 2 Appendix 14.3 – Historic Landscape Characterisation, October 2020 (Doc 6.2.14.3) Environmental Statement Volume 2 Appendix 14.4 – Desk-based Assessment and Statement of Archaeological Significance

<p>be caused by the Proposed Development</p>	<p>Basin Management Plans Part 2: Habitats (Doc 2.9)</p> <p>Environmental Statement Volume 2: Appendices Appendix 13.7 – Water Framework Directive Report (Doc 6.2.13.7)</p> <p>An assessment is set out in:</p> <p>Environmental Statement Volume 1 Chapter 12 – Terrestrial and Freshwater Ecology and Biodiversity (Doc 6.1.21)</p> <p>Environmental Statement Volume 1 Chapter 13 – Marine Ecology and Biodiversity (Doc 6.1.22)</p>		<p>(Palaeolithic) for main access road (eastern route) and people-mover train / cycle route options, July 2017 (Doc 6.2.14.4)</p> <p>Environmental Statement Volume 3: Figures. Figure 14.1 – The Kent Project Site and Designated Heritage Assets within 1km Study Area (Doc 6.3.14.1)</p> <p>Environmental Statement Volume 3: Figures. Figure 14.2 –The Essex Project Site and Designated Heritage Assets within 1km Study Area (Doc 6.3.14.2)</p> <p>Environmental Statement Volume 3: Figures. Figure 14.3 – The Project Sites and Designated Heritage Assets within 5km (Doc 6.3.14.3)</p> <p>Environmental Statement Volume 3: Figures. Figure 14.4 – Undesignated Heritage Assets within the Kent Project site (monument points) excluding findspots (north) (Doc 6.3.14.4)</p> <p>Environmental Statement Volume 3: Figures. Figure 14.5 – Undesignated Heritage Assets within the Kent Project site (monument lines and polygons) excluding findspots (north) (Doc 6.3.14.5)</p>
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				<p>Environmental Statement Volume 3: Figures. Figure 14.12 – Non-designated built heritage assets discussed within the Heritage Statement (Doc 6.3.14.12)</p> <p>An assessment is set out in Volume 1: Main Statement. Chapter 14 – Cultural heritage and archaeology (Doc 6.1.14)</p>	
	Is this of a satisfactory standard?	Yes.		Is this of a satisfactory standard?	Yes.
n)	Where applicable, a plan with any accompanying information identifying any Crown land	Crown Land Plans (Doc 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	<p>Sections (Doc 2.4)</p> <p>Highways - Constraints (Doc 2.11)</p> <p>Highways - General Arrangement (Doc 2.12)</p> <p>Highways - Surface Finishes (Doc 2.13)</p> <p>Highways - Proposed Contours, Levels and Alignment Changes (Doc 2.14)</p> <p>Highways - Drainage Layout (Doc 2.15)</p> <p>Trees and Hedgerows which may be Removed or may be Affected Plans (Doc 2.16)</p> <p>Drainage Strategy Plans (Doc 2.17)</p> <p>Traffic Regulation Order Plans (Doc 2.18)</p> <p>Parameter Plans (Doc 2.19)</p> <p>Illustrative Landscape Plans (Doc 2.20)</p>

p)	Is this of a satisfactory standard?	Yes.	q)	Are they of a satisfactory standard?	Yes.
	Any of the documents prescribed by Regulation 6 of the APFP Regulations:	N/A		Any other documents considered necessary to support the application	Yes. As listed in Box 23 of the Application Form (Doc 1.2)
	Are they of a satisfactory standard?	N/A		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?				
<p>Environmental Statement Volume 1 Chapter 16 (Doc ref 6.1.16)</p> <p>Table 16.22 is referred to in para 16.127 but is not included in Chapter 16.</p> <p>Draft Development Consent Order (Doc 3.1)</p> <ul style="list-style-type: none"> • Works PPx.x (New Permissive Path) shown in Pink & PMAx.x (New Private Means of Access) shown in blue on the Access, Rights of Way and Public Rights of Navigation Plans (Doc 2.6) do not appear in the draft DCO, apart from PMA3.1 to PMA3.2. • The DCO states on page 60 that footpath DS1 is to be stopped up between points ST4.1 and ST4.5 but it would appear that DS1 should end at ST4.4. The footpath between points ST4.4 – ST4.5 is NU1. This designation changes as the footpath crosses the Local Authority boundary. The Access, Rights of Way and Public Rights of Navigation Plans (Doc 2.6) also illustrate DS1 as ending at ST4.5. • Typo on page 59 HW12 should read HW1.2 • It is unclear if footpath TST1.1 – TST1.2 is to be closed, altered, diverted or restricted. The Access, Rights of Way and Public Rights of Navigation Plans (Doc 2.6) suggest it will be temporarily closed. <p>Book of Reference (Doc 4.3)</p> <ul style="list-style-type: none"> • The term ‘acquiring authority’ is not defined in the Book of Reference (BoR) or in the draft DCO • Discrepancies between the Crown Land plots as listed in the BoR and the Crown Land Plans, including: 					

Plots 172, 176, 279, 380 in the BoR but not on the Crown Land Plans
 Plot 173, 324 and 381 on the Crown Land Plans, but not in the BoR
 Plot 448 is on sheet 8 of the Crown Land Plans, not sheet 9 as shown in the BoR.

Access, Rights of Way and Public Rights of Navigation Plans (Doc 2.6)

- It is unclear how access to the compound, which is outside the order limits, shown on sheet 2 of 9 above the railway line will be maintained following the stopping up of the private means of access (PMST5.1 - PMST5.3 & PMST5.2 - PMST5.4).
- Footpath DS1 (Dartford BC) is shown as ending at point ST4.5. This appears to be incorrect and it would appear that DS1 should end at ST4.4. The footpath between points ST4.4 – ST4.5 appears to be called NU1 (Gravesham BC).

Works Plans (Doc 2.5)

- No detail (legend) regarding shading on plans
- MHW / MLW not defined. Appears to relate to mean high / mean low water
- Unclear if dotted black line in Work No. 5a is the limit of deviation for Work No. 13

Section 51 advice has been issued to the Applicant in respect of the above matters:
<http://infrastructure.planninginspectorate.gov.uk/document/BC080001-000806>

31	<p>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)?¹⁴</p>	<p>Yes.</p> <p>A Habitat Regulations Assessment (HRA) Report is provided at Appendix 14.2 of the Environmental Statement (Doc 6.2.12.4).</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. S51 advice has been provided on this point. Depending upon</p>
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¹⁴ Regulation 5(2)(g) of the APFP Regulations

		the type and 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?	Yes. The Planning Inspectorate is satisfied that the Applicant has had regard to the statutory guidance set out in the 'Planning Act 2008: Application form guidance' and considers the application to be of a satisfactory standard.
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 National Infrastructure Planning website, here: http://infrastructure.planninginspectorate.gov.uk/document/BC080001-000806
The Infrastructure Planning (Fees) Regulations 2010 (as amended)		
Fees to accompany an application		
35	Was the fee paid at the same time that the application was made ¹⁶ ?	Yes. The fee was received on 22 December 2020; before the application was made.

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

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

Role	Electronic signature	Date
Case Manager	<i>Kate Mignano</i>	28 January 2021
Acceptance Inspector	<i>Stuart Cowperthwaite</i>	28 January 2021