

The Planning Act 2008

Section 55 Acceptance of Applications*

(Appendix 2 of [advice note six: Preparation and submission of application documents](#))

- (1) The following provisions of this section apply where the Secretary of State receives an application that purports to be an application for an order granting development consent.

- (2) The Secretary of State must, by the end of the period of 28 days beginning with the day after the day on which the Secretary of State receives the application, decide whether or not to accept the application.

- (3) The Secretary of State may accept the application only if the Secretary of State concludes -
 - (a) that it is an application for an order granting development consent,
 - (b) deleted
 - (c) that development consent is required for any of the development to which the application relates,
 - (d) deleted
 - (e) that the applicant has, in relation to a proposed application that has become the application, complied with Chapter 2 of Part 5 (pre-application procedure), and
 - (f) that the application (including accompaniments) is of a standard that the Secretary of State considers satisfactory.

- (4) The Secretary of State, when deciding whether the Secretary of State may reach the conclusion in subsection (3)(e), must have regard to -
 - (a) the consultation report received under section 37(3)(c),
 - (b) any adequacy of consultation representation received by the Secretary of State from a local authority consultee, and
 - (c) the extent to which the applicant has had regard to any guidance issued under section 50.

- (5) In subsection (4) -

“local authority consultee” means -

- (a) a local authority consulted under section 42(1)(b) about a proposed application that has become the application, or
- (b) the Greater London Authority if consulted under section 42(1)(c) about that proposed application;

“adequacy of consultation representation” means a representation about whether the applicant complied, in relation to that proposed application, with the applicant’s duties under sections 42, 47 and 48.

(5A) The Secretary of State when deciding whether the Secretary of State may reach the conclusion in subsection (3)(f) must have regard to the extent to which –

- a) the application complies with the requirements in section 37(3) (form and contents of application) and any standards set under section 37(5) and
- b) any applicable guidance given under section 37(4) has been followed in relation to the application.

(6) If the Secretary of State accepts the application, the Secretary of State must notify the applicant of the acceptance.

(7) If the Secretary of State is of the view that the application cannot be accepted, the Secretary of State must -

- (a) notify that view to the applicant, and
- (b) notify the applicant of the Secretary of State’s reasons for that view.

(8) If in response the applicant modifies (or further modifies) the application, subsections (2) to (7) then apply in relation to the application as modified.

* Section 55 of the Planning Act 2008 as amended by the Localism Act 2011

DISCLAIMER - This is for information only and is not a formal application document. It is a non-statutory checklist for the Planning Inspectorate (National Infrastructure Directorate) to complete. Completion or self assessment by the applicant does not hold weight at the acceptance stage.

NB: See DCLG Application Form Guidance for guidance on how the application form should be completed and what should be included with it.

Section 55 Acceptance of Applications

Hornsea Two Section 55 Application Checklist¹

Section 55(2) Acceptance of Applications			
Within 28 days (starting day after receipt) the Secretary of State must decide whether or not to accept the application.	Date received	28 day due date	Date of decision
	30/01/2015	27/02/2015	19/02/2015
Section 55(3) – the Secretary of State may <u>only</u> accept an application if the Secretary of State concludes that:-		Planning Inspectorate Comments	
1. s55(3)(a) and s55(3)(c) It is an application for an order granting development consent			
1.1 Is the development a nationally significant infrastructure project ² (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 ³ (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 ss14-30 does the application scheme fall)? If the development does not fall within the categories in ss14-30, 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>Yes</p> <p>The applicant states that the proposed development is or forms part of an NSIP “pursuant to section 14(1)(a) and 15(3) of the 2008 Act ... [and] as Project Two is expected to have a capacity of more than 100 MW it is an NSIP for the purposes of the 2008 Act” (paragraph 1.2 of the Covering letter (Doc 1.1)).</p> <p>Section 4 of the Application Form (Doc 1.2) provides further detail: “Project Two’ ... comprises up to two wind farms within the Hornsea Round 3 Zone of the North Sea and all offshore and onshore infrastructure necessary to connect the wind farms to the onshore National Grid. The proposed development will have an installed generating capacity of up to 1,800 MW and therefore qualifies as a NSIP ... Further details can be found in the Project Description (Document 7.1.3)”. Project Two is the second</p>		

¹ References in this document to the Secretary of State include references (where applicable) to the Planning Inspectorate Major Applications and Plans Directorate which carries out functions related to consenting nationally significant infrastructure projects on behalf of the Secretary of State

² NSIP is defined generally in s14 with the detailed thresholds for each of the specified categories being set out in ss15-30

³ Development consent is required for development to the extent that the development is or forms part of an NSIP (s31 of the PA2008)

	development proposed within the Hornsea Zone.
Summary – s55(3)(a) and s55(3)(c)	Based on the evidence set out in 1.1 above, the proposed development is one for which a Development Consent Order (DCO) is required because of its nature, scale and location.
2. s55(3)(e) The applicant in relation to the application made has complied with Chapter 2 of Part 5 (pre-application procedure)	
2.1 Did the applicant before carrying out the s42 consultation either (a) request the Secretary of State to adopt a screening opinion in respect of the development to which the application relates, or (b) notify the Secretary of State in writing that it proposed to provide an environmental statement in respect of that development ⁴ ?	<p>The applicant issued a scoping report to the Planning Inspectorate on 5 October 2012 and requested a Scoping Opinion in accordance with Regulation 8 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009.</p> <p>Section 42 consultation was undertaken from 31 January 2013 in different phases (Consultation Report (Doc 2.1), Chapter 4, pgs 12-17).</p>
2.2 Have any adequacy of consultation representations ⁵ been received from “A”, “B”, “C” and “D” authorities; and if so do they confirm that the applicant has complied with the duties under s42, s47 and s48?	<p>Adequacy of consultation representations have been received from ten authorities.</p> <p>East Lindsey District Council (B) stated that they ‘are satisfied with the adequacy of consultation process in connection with this proposal’</p> <p>North East Lincolnshire Council (B) stated that ‘with regard to the Adequacy of Consultation no issues are raised.’</p> <p>North Lincolnshire Council (B) stated that they have ‘have agreed consultation strategies with the applicants and are happy with the adequacy of the consultation undertaken’.</p> <p>Norfolk County Council (D) stated that ‘there has been adequate consultation to date’</p> <p>Peterborough City Council (D) stated that ‘in our opinion the proposal is adequate.’</p> <p>East Riding Of Yorkshire Council (A) provided the fullest response, concluding</p>

⁴ Regulation 6 of the The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009

⁵ S55(4) of the PA2008 provides that the Secretary of State must have regard to the consultation report, and any adequacy of consultation representations received

	<p>that ‘the Council does not wish to raise any concerns with regard to the adequacy of consultation in respect of Section 42, 47 or 48 of the Act or the submitted Consultation Report.’</p> <p>Leicestershire County Council (D), Rutland County Council (D), Doncaster Metropolitan Borough Council (A), Newark & Sherwood District Council (A) stated that they had no opinion on the adequacy of consultation.</p> <p>Complete responses are published in full on the project page of the National Infrastructure section of the Planning Portal website.</p> <p>No response was received within the two week deadline from Lincolnshire (C), West Lindsey (B); Lincoln (A), North Kesteven (A), Boston (A), Kingston upon Hull (A), Bassetlaw (A), Nottinghamshire (D), Northamptonshire (D) or Cambridgeshire (D).</p>
<p>s42: Duty to Consult</p>	
<p>2.3 Did the applicant consult the following about the proposed application:</p>	
<p>s42(1)(a) persons prescribed⁶?</p>	<p>The applicant has listed, in random order, persons prescribed, the MMO, local authorities and affected persons consulted with in Annex 2 of the Consultation Report (Doc 2.2). Most of the prescribed consultees are listed, many several times. The following omissions have been identified:</p> <ul style="list-style-type: none"> • NHS England Leicestershire and Lincolnshire Local Area Team (LAT). The applicant lists consultation with the neighbouring North Yorkshire and Humber LAT, which covers the majority of the onshore cable route, and consulted the predecessor body East Midlands Strategic Health Authority. This suggests that health planning interests are unlikely to have been prejudiced, but the applicant should nonetheless rectify the omission when notifying acceptance. • The Lincolnshire and the Humberside Police and Crime Commissioners (PCC). The Chief Executives of both Police Authorities are listed as consultees, but this should be corrected to the relevant PCCs when

⁶ Statutory consultees set out in Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

	<p>notifying acceptance.</p> <ul style="list-style-type: none"> • Utility Assets Limited. While no electrical distribution assets associated with this licensee have been identified in the Book of Reference, the undertaker holds a national licence and should be consulted on a precautionary basis. This should now be done when notifying acceptance. • Of the four electricity generation licence holders associated with the Hornsea offshore zone, only one, Heron Wind, is listed as a consultee. The others, Njord, Breesea and Optimus, while sharing an office with Heron Wind, are not listed as consultees in Annex 2. However, the Consultation Report (Doc 2.1) makes clear that the applicant has consulted with the developers of Hornsea Project One in section 8.17.
s42(1)(aa) the Marine Management Organisation ⁷ ?	The applicant has included, in their list of parties consulted in Annex 2 of the Consultation Report (Doc 2.2) the Marine Management Organisation.
s42(1)(b) each local authority within s43 ⁸ ?	The applicant has included, in their list of parties consulted in Annex 2 of the Consultation Report (Doc 2.2) the relevant local authorities.
s42(1)(c) the Greater London Authority (if in Greater London area)?	Not applicable
s42(1)(d) each person in one or more of s44 categories ⁹ ?	Comparisons made and checked, although the state of the Consultation Report Annex 2 (Doc 2.2) list made it difficult to compare with the Book of Reference. Several (16) discrepancies have been identified. These include probable typing errors, changes of address and the identification of different trustees. It would have been helpful for the applicant to have identified and explained these differences in their report. No party appears to have been

⁷ 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

⁸ Definition of “local authority” in s43(3): 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 where such authority shares a boundary with a “C” authority

⁹ 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: person entitled to make a relevant claim. There is no requirement to check the accuracy of the list(s) or whether the applicant has made diligent inquiry

prejudiced, but the applicant must ensure notification of every affected person of acceptance.

s45: Timetable for s42 Consultation

2.4 Did the applicant notify s42 consultees of the deadline for receipt of consultation responses; and if so was the deadline notified by the applicant 28 days or more starting with the day after receipt of the consultation documents?

Yes for Phases 1 and 2 of the consultation (see below). For further consultation on 'onshore' changes the applicant did not seek responses from what they term the 'offshore community' consultees.

The applicant states that they adopted a two-phase statutory consultation programme with both Section 42 and 47 consultees, so that responses from each phase could be used for the application; this phased approach was intended to allow consultees to see what changes had been made in response to their feedback.

Annex 4 of the **Consultation Report (Doc 2.2)** contains a copy of the Consultation Cover Letter for Phase 1 sent to Section 42 consultees dated 31 January 2013. This document also contains a list of all of the material enclosed with the letter including a "CD-ROM for Project One and Project Two, hardcopy of the Hornsea Zone Project Update (Issue 4), invite to Project One and Project Two consultation events [and a] copy of Project One phase 4 consultation cover letter sent to section 42 consultees".

Page 3 of the letter states that "the consultation phase will last for 42 days and commence from 31 January 2013 and we therefore must receive ... comments by 13th March 2013" (42 days). This allows more than the statutory deadline of 28 days after the date of receipt.

The applicant states that Phase 2 of Section 42 consultation was intended to allow a wide range of stakeholders an opportunity to review and comment on key documents including the draft DCO (including the draft deemed Marine Licences) and the PEI in the form of a draft Environmental Statement describing the project and providing an assessment of associated environmental impacts that would accompany the Project Two application before its submission to the Planning Inspectorate. This consultation occurred from 18 June 2014 to 29 July 2014 (42 days). The Phase 2 Consultation was the final phase of consultation for Project Two as a whole.

	<p>(paragraphs 4.3.1.-4.3.3 of the Consultation Report (Doc 2.1). Annex 6 of the Consultation Report (Doc 2.3) contains a copy of the Consultation Cover Letter sent to Section 42 consultees dated 17 June 2014. The letter indicates that the consultation started on 18 June will last 42 days and comments should be sent by 30 July 2014. This allows more than the statutory deadline of 28 days after the date of receipt.</p> <p>After Phase 2 consultation further consultation was undertaken by the applicant between 15 September 2014 to 13 October 2014 (28 days) with regard to the onshore cable corridor, access to the substation and the interface between Hornsea Projects One and Two. This consultation was with “onshore consultees” to explain changes to the cable corridor and other matters set out in paragraphs 4.4.1-4.4.11 of the Consultation Report (Doc 2.1). The applicant states that they did not consult the offshore community with this further consultation on minor changes to the project as these were exclusively onshore.</p> <p>The applicant also states that where any final changes were made to the project design, following the Phase 2 consultation and the further onshore consultation, careful consideration was given to who might be affected and there was correspondence or dialogue made with these parties.</p> <p>Responses to these consultations are summarised in Appendix 12 of the Consultation Report (Doc 2.5).</p>
<p>s46: Duty to notify Secretary of State of proposed application</p>	
<p>2.5 Did the applicant supply information to notify the Secretary of State of the proposed application; and if so was the information supplied to the Secretary of State 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</p> <p>Paragraph 4.1.2. of the Consultation Report (Doc 2.1) sets out the details and Annex 4 of the Consultation Report (Doc 2.2) contains a copy of the Section 46 Notification which was dated 29 January 2013. Annex 4 also contains a copy of the Consultation Cover Letter sent to S42 Consultees. This letter was dated 31 January 2013.</p>
<p>s47: Duty to consult local community</p>	

<p>2.6 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>	<p>Yes</p> <p>Within the Consultation Annexes 1 to 4 (Doc 2.2) is Annex 3 which provides a copy of the Final SoCC Report.</p>
<p>2.7 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>	<p>Yes</p> <p>The Consultation Report (Doc 2.1) Chapter 5.1 Consultation on the Content of the Statement of Community Consultation paragraph 5.1.3 states:</p> <p>“the draft SoCC was ... submitted to the Local Authorities and the MMO [Marine Management Organisation] for statutory consultation on 9 November 2012 accompanied by an explanatory note” and paragraph 5.1.5 states that “the SoCC was published on 10 December 2012”.</p> <p>The applicant states that the following Local Authorities were consulted on the draft SoCC:</p> <ul style="list-style-type: none"> • East Lindsey District Council (B); • East Riding of Yorkshire Council (A); • Kingston upon Hull (A); • Lincolnshire County Council (C); • North Lincolnshire Council (B); • North-East Lincolnshire Council (B); and • West Lindsey District Council (B). <p>Paragraph 5.1.3 Chapter 5.1. Consultation on the Content of the Statement of Community Consultation, Consultation Report (Doc 2.1).</p> <p>The above comprise the necessary “B” and “C” authorities with the addition of Kingston upon Hull. A copy of the Cover Letter and Draft SoCC can be found in Appendix 1 in Consultation Report Annexes 1 to 4 (Doc 2.2).</p> <p>The Local Authorities were sent the draft SoCC on the 9 November 2012 and “responses were requested by 9 December 2012 in compliance with the required 28 days of consultation under Section 47(3) of the Act” (Paragraph</p>

	5.1.3. Consultation on the Content of the Statement of Community Consultation, Consultation Report (Doc 2.1)).
2.8 Has the applicant had regard to any responses received when preparing the SOCC?	<p>The applicant states in paragraph 5.1.4 that “comments on the draft SoCC and the proposed consultation events were received from East Lindsey District Council, East Riding of Yorkshire Council, Kingston upon Hull, North Lincolnshire Council and the MMO”. Annex 3, Section 2 contains these responses (Doc 2.2).</p> <p>East Riding Of Yorkshire Council and North Lincolnshire Council both stated that they had no objections.</p> <p>Having made enquiries of, and received clarification from, the applicant, East Lindsey District Council replied that “in respect of media coverage, consultation events, and notification with residents, district councillors, parish councillors etc” the applicant’s “e-mail clarifies the situation, and it [route location of the buried cable] is to be the same as agreed with the council for Project One, on that basis” the council had no objection.</p> <p>Hull City Council noted the project’s contribution to Government policies and welcomed the “open approach to the consultation so far” and welcomed “the opportunity to work alongside SMart Wind Limited to ensure the proposal aligns with the objectives of the city’s partnership strategy, planning strategy and meets the desires of the community”.</p> <p>Paragraph 5.1.4 contains a summary of consultation responses along with the actions SMart Wind took to address any points raised, confirming that the applicant had regard to some of the responses received when preparing the Final SoCC (Consultation on the Content of the Statement of Community Consultation, Consultation Report (Doc 2.1)).</p> <p>The MMO had a number of comments, all of which can be seen on page 210 of Annex 3 (Doc 2.2). The applicant has had regard to several of the comments raised by the MMO – such as including the number of homes that would be powered by the scheme, moving the table listing libraries and opening times, noting the wide coverage of Fishing News in relation to publicising the proposal to mariners, and indicating the important role of FLO/NFFO liaison. Our check shows there is no response recorded or</p>

	<p>change to the SoCC in relation to some other points raised, but these are not regarded as significant in relation to the acceptance.</p> <p>While there was only one day between the deadline for comments on the SoCC and its publication in final form, it appears that the applicant has had regard to responses received during the statutory period, and from earlier non-statutory consultations.</p>
<p>2.9 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?</p>	<p>Yes</p> <p>The applicant states in paragraph 5.1.5 that the “local publications used to publicise the SoCC and the areas they covered are presented in Table 5.1” of the Consultation Report (Doc 2.1). These publications include the Cleethorpes Chronicle, East Hull and Holderness Advertiser, Fishing News, Grimsby Telegraph, Holderness Gazette, Hull Daily Mail, Louth Leader and Scunthorpe Telegraph, all of which stated where and when the SoCC could be inspected.</p> <p>A copy of the SoCC newspaper notices dated 12, 13, 14 and 19 December 2012 can be found in Annex 10 in the Consultation Report Annexes 1 to 4 (Doc 2.2). The notices include the names of the venues and the opening hours of the location where the SoCC was made available for inspection. These include East Riding Mobile Library, Immingham Library, Laceby Library, Waltham Library, Grimsby Library, Goxhill Library, East Lindsey Access Points (Louth Town Hall and Mablethorpe Library) and Hull Central Library.</p>
<p>2.10 Does the SOCC set out whether the development is EIA development¹⁰; and does it set out how the applicant intends to publicise and consult on the preliminary environmental information?</p>	<p>Yes</p> <p>The SoCC states that the applicant “SMart Wind is carrying out an Environmental Impact Assessment (EIA) for Project Two and will submit an Environmental Statement (ES) with the application”. It also states that Preliminary Environmental Information (PEI) would be made available online and in hard copy at the consultation events and at the local venues listed in section 2.9 of this checklist. (Annex 3, Consultation Report Annexes 1 to 4 (Doc 2.2)).</p>

¹⁰ Regulation 10 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009

2.11 Has the applicant carried out the consultation in accordance with the SOCC?	Table 5.2 provides a summary of requirements arising from the SOCC and actions taken by the applicant during Phase 1 and 2 of their consultation to comply with the SoCC. There are no apparent discrepancies (Section 5.2 Summary of compliance with the SoCC, Consultation Report (Doc 2.1)).
s48: Duty to publicise the proposed application	
2.12 Did the applicant publish a notice, as required by Regulation 4(2) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the APFP Regulations):	
(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;	The Copies of Newspaper Notices (Doc 1.3) provides dated evidence that the applicant published the s48 notices as follows: <ul style="list-style-type: none"> • Cleethorpes Chronicle - 18 September 2014 and 25 September 2014 • Hull Daily Mail - 18 September 2014 and 25 September 2014 • Grimsby Telegraph - 18 September 2014 and 25 September 2014 • Scunthorpe Telegraph - 18 September 2014 and 25 September 2014 • Holderness Gazette - 18 September 2014 and September 2014 • Louth Leader - 17 September 2014 and 24 September 2014
(b) once in a national newspaper;	<ul style="list-style-type: none"> • The Independent - 17 September 2014 Copies of Newspaper Notices (Doc 1.3)
(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 - 17 September 2014 Copies of Newspaper Notices (Doc 1.3)
(d) where the proposed application relates to offshore development – (i) once in Lloyds List; and (ii) once in an appropriate fishing trade journal?	<ul style="list-style-type: none"> • Fishing News - 19 September 2014 • IHS Fairplay - 18 September 2014 • The Lloyd's List - 18 September 2014 Copies of Newspaper Notices (Doc 1.3)

2.13 Did the notice include, as required by Regulation 4(3) of APFP Regulations:	
(a) the name and address of the applicant;	Paragraph 1 of the s48 notice, provided at Annex 14 of Consultation Report (Doc 2.5) contains the name and address of the applicant.
(b) a statement that the applicant intends to make an application for development consent to the Secretary of State;	Paragraph 1 of the s48 notice states that the applicant intends to apply to the Secretary of State for a development consent order.
(c) a statement as to whether the application is EIA development;	Paragraph 5 of the s48 notice states that the application is EIA development.
(d) a summary of the main proposals, specifying the location or route of the proposed development;	Paragraphs 2, 3 and 4 of the s48 notice give a summary of the proposal and specify the location of the proposed development.
(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;	<p>Paragraph 6 of the s48 notice details that the copy of documents, plans and maps will be available to view free of charge from 17 September 2014 until at least 27 October 2014 at the two locations (with the opening and closing times).</p> <p>DVD copies were also deposited at ten libraries and an option of requesting the DVDs free of charge from the applicant was also made available.</p> <p>The copies of documents were accessible on the applicant's website with webpage link provided.</p>
(f) the latest date on which those documents, plans and maps will be available for inspection (being a date not earlier than the deadline in sub-paragraph (i));	Paragraph 6 of the s48 notice states that the documents were available for inspection from 17 September 2014 to 27 October 2014. This is the same date as the deadline for the receipt of responses in sub paragraph (i).
(g) whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge;	<p>Paragraph 9 of the s48 notice provided the details of the charges that will be made on request for the paper copies.</p> <p>'Paper copies can be provided on request for a charge of £8,350 for the full suite of document being representative of actual printing costs. Non-technical summary of project information will be supplied free of charge. The Environment Statement Volumes 1-3 for £2,000, the Environmental Statement Appendices for £6,000 and other application documents including</p>

	draft DCO for £350.’ Paragraph 6 of the s48 notice states ‘DVD copies are also available free of charge’.
(h) details of how to respond to the publicity; and	Paragraph 10 of the s48 notice provides an email and postal address for any responses to the publication of the 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?	Paragraph 11 of the s48 notice provides the deadline for response which was Monday 27 October 2014. The notice was last published on 25 September 2014 in Cleethorpes Chronicle, Hull Daily Mail, Grimsby Telegraph, Scunthorpe Telegraph and Holderness Gazette. Hence, more than 28 days’ notice from the day after its last publication has been given which exceeds the statutory number of days required.
2.14 Has a copy of the s48 notice been sent to the EIA consultation bodies and to any person notified to the applicant in accordance with Regulation 9(1)(c) of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (the EIA Regulations) ¹¹ ?	Yes The applicant states in the Consultation Report (Doc 2.1) in Section 48 consultation, paragraph 6.1.2: “a list of the consultation bodies and Regulation 9 parties to whom a hard copy of a Section 48 Notice was provided as required by Regulation 11 of the EIA Regulations is set out in Annex 16.” Annex 16 of Consultation Report Annexes 10 to 16 (Doc 2.5) lists many of the bodies as provided by the Planning Inspectorate’s Scoping Opinion, but omits 24 local authorities, 7 electricity licence holders, 4 public gas transporters, the Royal Mail, BRB Residuary Ltd, Louth Navigation Trust, Network Rail, and 3 parish councils. However, these statutory consultees would have received independent notification under s42.
s49: Duty to take account of responses to consultation and publicity	
2.15 Has the applicant had regard to any relevant responses to the	The applicant states in Table 7.1 (Statement of compliance Consultation Report (Doc 2.1)) that they “had regard to all stakeholder responses received

¹¹ Regulation 11 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009

s42, s47 and s48 consultation?	<p>as set out in this Consultation Report. Details can be found in Section 8 and Annex 12.”</p> <p>Section 8 – Summary of Key Issues - provides a summary of the main issues raised by stakeholders during consultation and publicity and how the applicant considered these issues in the application. Where issues did not have an influence on the proposal the applicant has explained why.</p> <p>The main changes to the scheme during the pre-application consultation are covered in the following issue sections:</p> <ul style="list-style-type: none"> • cable route corridor, compounds and accesses • landfall • public rights of way • traffic and transport • HVDC convertor/HVAC substation • onshore ecology • offshore ornithology • marine mammals • commercial fisheries • navigation and shipping • marine archaeology • Hornsea Project 1
Guidance about pre-application procedure	
2.16 To what extent has the applicant had regard to DCLG guidance ‘The Planning Act 2008: Guidance on the pre-application process’ ¹² ?	<p>The applicant lists in Chapter 2 of the Consultation Report (Doc 2.1) the guidance, advice and legislation which they have had regard to.</p> <p>SMart Wind has designed a multi-stage consultation structure, including</p>

¹² The Secretary of State must have regard to the extent to which the applicant has had regard to guidance issued under s50

	targeted stages, to accommodate their two adjacent projects. This is explained in the Consultation Report (Doc 2.1) but is presented poorly in the Annexes (Doc 2.2-5) . However, the approach appears to be proportionate and reasonable.
Summary - s55(3)(e)	<p>The applicant appears to have taken care to consult in a fair and reasonable way. The Consultation Report summarises this well, but the Annexes do not always present the evidence for this clearly.</p> <p>The Inspectorate has noted some omissions and discrepancies, but we do not believe that the interests of any party have been compromised irredeemably. Advice will be issued to the applicant about rectifying these omissions at the notification stage.</p>
3. 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>3.1 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 Secretary of State; 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>Box 4 of the Application Form (Doc 1.2) states:</p> <p>“The proposed development will have an installed generating capacity of up to 1,800 MW and therefore qualifies as a NSIP.”</p> <p>Box 6 of the Application Form (Doc 1.2) states that the:</p> <p>“turbines and inter-array cabling, as well as associated infrastructure for Project Two will be ... located in the centre of the Hornsea Zone, 89 km from the coast of the East Riding of Yorkshire and 50 km from the median line between United Kingdom and Dutch waters.</p> <p>“The offshore cable route corridor ... extends from the proposed landfall at Horseshoe Point in Lincolnshire, offshore in a north easterly direction to the southern boundary of Subzone 2. The corridor is approximately 150 km in length.</p> <p>“Onshore cables will connect the offshore wind farms to the onshore electrical transmission stations which will in turn, connect to the existing National Grid</p>

	<p>substation at North Killingholme in North Lincolnshire district”.</p> <p>The onshore cable corridor is approximately 40km in length.</p>
3.2 Is it accompanied by a consultation report?	<p>Yes</p> <p>The application is accompanied by a Consultation Report (Doc 2.1) and Consultation Report Annexes 1 to 16 (Docs 2.2-2.5).</p>
3.3 Is it accompanied by the documents and information set out in APFP Regulation 5(2) and listed below:	
(a) where applicable, the environmental statement required under the EIA Regulations and any scoping or screening opinions or directions;	<p>Yes</p> <p>The Environmental Statement (ES) is provided in the following volumes:</p> <ul style="list-style-type: none"> • Non-technical summary (Doc. 7.1a) • Volume 1 - Introductory Chapters (Doc. 7.1) • Volume 2 - Offshore Environmental Statement Chapters (Doc. 7.2.1 – 7.2.12) • Volume 3 - Onshore Environmental Statement Chapters (Doc. 7.3.1 – 7.3.12) • Volume 4 - Introductory Annexes (Doc. 7.4.3.1 – 7.4.5.6) • Volume 5 - Offshore Environmental Statement Annexes (Doc. 7.5.1.1 – 7.5.1.8, 7.5.2.1 - 7.5.2.2, 7.5.3.1 – 7.5.7.1, 7.5.7.2, 7.5.8.1, 7.5.9.1, 7.5.9.2, 7.5.10.1 – 7.5.10.3, 7.5.11.1) • Volume 6 - Onshore Environmental Statement Annexes (Doc. 7.6.1.1 – 7.6.1.5, 7.6.2.1 – 7.6.2.5, 7.6.3.1 – 7.6.3.10, 7.6.4.1, 7.6.5.1, 7.6.2.2, 7.6.5.4, 7.6.5.3 – 7.6.5.13, 7.6.6.1 – 7.6.6.6) <p>This ES has been identified as meeting the minimum requirements set out in Schedule 4 Part 2 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (as amended) (the EIA Regulations) regarding the information for inclusion in environmental statements. It will not preclude the ExA from seeking further explanation during the course of the examination.</p>

	<p>The assessment within the ES is based on maximum parameters which have been chosen to define the worst-case scenario. The maximum parameters used in the ES largely match those in the DCO although it is noted there are several parameters where this does not appear to be the case. Examples include aspects of the inter-array cabling dimensions and the project scour protection volume.</p> <p>The applicant did not request a screening opinion from the Secretary of State.</p> <p>A copy of the scoping opinion issued by the Secretary of State in November 2012 is provided at Doc 8.1.</p>
(b) the draft proposed order;	<p>Yes</p> <p>The application is accompanied by a Draft DCO (Doc 3.1).</p> <p>The Draft DCO contains four Deemed Marine Licences (DMLs).</p> <p>Coordinates within the DCO are consistent with the DCO DML Coordinates Plan (Doc 12.11), although this plan itself is unsuited to the display of coordinates as it does not contain lines of latitude or longitude.</p> <p>The DCO does not appear to be in the Statutory Instrument template, which will need to be provided for the examination.</p> <p>The applicant will be separately issued advice on correcting both of these matters.</p>
(c) an explanatory memorandum explaining the purpose and effect of provisions in the draft order;	<p>Yes</p> <p>The application is accompanied by an Explanatory Memorandum (Doc 3.2) which explains the purpose and effect of the provisions in the draft DCO (Doc 3.1).</p>
(d) where applicable, a book of reference (where the application involves any compulsory acquisition);	<p>Yes</p> <p>The application is accompanied by a Book of Reference (Doc 6.3).</p> <p>It appears that all persons listed in Part 3 are also listed in Part 1 as required by DCLG guidance related to procedures for the compulsory acquisition of</p>

	<p>land. Part 4 contains details of Crown Interests.</p> <p>It is noted that the applicant has included a schedule of statutory undertakers which is not required by the APFP regulations and which is advised against in the DCLG guidance related to procedures for the compulsory acquisition of land.</p> <p>After cross checking the Land Plans with the Book of Reference, there appear to be the following anomalies:</p> <ul style="list-style-type: none"> • Incorrect usage of North, South, East and West in the descriptions on Book of Reference of several plots (eg Plots 261, 262, 266 and 267 are described in the book of reference as land to the north of Grimsby Road but on the land plan they are to the south of Grimsby Road (Land Plan Onshore Plans – Page 14 of 27)) • Lack of detail provided for a few smaller plots – applicant has not provided adequate inset sheets. (eg Plots 154, 195, 196, 197, 307, 308, 312, 313, 495 and 496) <p>A full schedule of observed errors will be provided separately to the applicant, but this does not obviate their responsibility to describe the plots accurately.</p>
<p>(e) a copy of any flood risk assessment;</p>	<p>Yes</p> <p>A flood risk assessment has been provided in the Environmental Statement Annex 6.2.3 (Doc. 7.6.2.3). The flood risk assessment is also summarised in Environmental Statement Chapter 2 Hydrology and Flood Risk (Doc. 7.3.2).</p>
<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>	<p>Yes</p> <p>The application documents include a Statement of Engagement (Doc. 9.1). It states that the Environmental Statement has considered the potential significant environmental impacts of the project and addresses how the applicant proposes to mitigate or limit them. It specifically identifies the potential for noise effects during construction and operation which have been considered in Chapter 9 of the Environmental Statement.</p>

<p>(g) any report identifying any European site(s) to which regulation 48 of the Conservation (Natural Habitats, &c.) Regulations 1994¹³ 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);</p>	<p>Yes</p> <p>The application document contains a Habitats Regulations Assessment Parts 1 and 2 (Doc 12.6) and a Habitats Regulations Assessment Screening Report (Doc. 12.6.2).</p> <p>The 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. It is noted however that for some of the screening and integrity matrices provided in Habitats Regulations Assessment: Screening and integrity matrices (Doc. 12.6.3) the footnotes appear to be incomplete.</p> <p>Note also: the Examining Authority will be able to ask questions during the examination. This may result in additional information being required to inform the HRA report and the competent authority. Depending upon the type and availability of information required, it may not be possible to obtain this during the statutory timetable of the examination.</p>
<p>(h) a statement of reasons and a funding statement (where the application involves any compulsory acquisition);</p>	<p>Yes</p> <p>The application is accompanied by a Statement of Reasons (Doc 6.1) and a Funding Statement (Doc 6.2).</p>
<p>(i) a land plan identifying:-</p> <p>(i) the land required for, or affected by, the proposed development;</p> <p>(ii) where applicable, any land over which it is proposed to exercise powers of compulsory acquisition or any rights to use land;</p> <p>(iii) any land in relation to which it is proposed to extinguish easements, servitudes and other private rights; and</p> <p>(iv) any special category land and replacement land;</p>	<p>Yes</p> <p>(i) A Land Plan is provided showing the land required for, or affected by, the proposed development (Land Plans, Doc 4.1)</p> <p>The Land Plans (Doc 4.1) comprise:</p> <ul style="list-style-type: none"> • Land Plan Key Plan • Land Plan Offshore Plans (Page nos. 1-3) • Land Plan Intertidal Plans (Page nos. 1-3) • Land Plan Onshore Plans (Page nos. 1-27)

¹³ Now Regulation 61 of the Conservation of Habitats and Species Regulations 2010 SI2010/490.

	<ul style="list-style-type: none"> • Land Plan Inset Plans (Page nos. 1-21) <p>All plans provided have the same reference number and are thus distinguished only by different page numbers. This is inconsistent with other plans where plans have references to sheets not pages.</p> <p>ii) The Land Plans identify any land over which it is proposed to exercise powers of compulsory acquisition or any rights to use land; specifically the:</p> <ul style="list-style-type: none"> • Limits of land to be acquired or used (red line); • Land subject to temporary occupation and acquisition of permanent rights (blue shading); • Land subject to temporary occupation (pink shading); and • Land subject to temporary occupation where others use the same area (purple shading) • Land subject to permanent acquisition (orange shading) <p>After cross checking the Land Plans with the Book of Reference, there appear to be some anomalies as set out above in box 3.3 (d).</p> <p>iii) The applicant has not highlighted any land in relation to which it is proposed to extinguish easements, servitudes and other private rights.</p> <p>iv) No special category land or replacement land is required for the scheme. A full list of correction will be provided separately in advice to the applicant.</p>
<p>(j) a works plan showing, in relation to existing features:-</p> <ul style="list-style-type: none"> (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 order; 	<p>Yes</p> <p>A Works plan is provided showing the proposed location and proposed route and alignment of the works and the limits within which the development and works may be carried out, and any limits of deviation provided for in the draft DCO. This is not to set scales but due to the size of project this approach is considered pragmatic. This comprises :-</p> <ul style="list-style-type: none"> • Work plans – master index sheet (provided at 1:300,177) <p>This index sheet does not reflect the size of the inset sheets provided.</p>

	<p>Inset sheet 2 of 4 and inset sheet 4 of 4 do not overlap as expected, leaving a gap between the two sheets.</p> <ul style="list-style-type: none"> • Works plans Offshore (Doc 5.1) (provided at 1:320,000) • Works plans Offshore (Sheets 1 - 4) • Works plans Onshore (Doc 5.2) (An Onshore work plan is provided at 1:43,000) • Works plans Onshore (Sheets 1 to 27) • Works plans Intertidal (Doc 5.3) An Intertidal work plan index is provided at 1:10,000 • Works plans Intertidal (Sheets 1 to 4) <p>The works displayed on the works plans are consistent with the works described in Schedule 1 of the Draft DCO (Doc 3.1).</p> <p>Works numbers 1A, 1B, 2A, 2B, 3A and 3B are consistent with the works plans. Works numbers 4A and 4B contain principle points of reference within the DCO for the marine export cable; these are consistent with the works plans. Co-ordinates provided within the draft DCO works 1A,1B, 2A, 2B, 3A, 3B, 4A and 4B are consistent with the works plans. The co-ordinates shown in the overview sheet are consistent with the co-ordinates provided in the draft DCO.</p> <p>Advice will be issued separately to the applicant regarding improvements to these documents.</p>
<p>(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;</p>	<p>The application does not provide a separate plan to identify any new or altered means of access etc;</p> <p>However Works plans Onshore (Doc 5.2) sheets 1 to 27 identify any new or altered means of access, stopping up of streets or roads or any diversions, extinguishments or creation of rights of way or creation of rights of way or public rights of navigation.</p> <p>In addition, the Application Form refers to content in the following chapters of</p>

	<p>the ES as relevant to Regulation 5(2)(k) of the APFP Regulations:</p> <ul style="list-style-type: none"> • Land Use , Agriculture and Recreation (specifically Fig 7.17-- The Study Area for Recreational Resources—Sheet numbers 1-11) (Doc 7.3.7) • Traffic and Transport (Doc 7.3.8)
<p>(l) where applicable, a plan with accompanying information identifying:-</p> <ul style="list-style-type: none"> (i) any statutory/non-statutory sites or features of nature conservation e.g. 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 be caused by the proposed development; 	<p>Yes</p> <p>This information is provided in the statutory and non-statutory conservation and historic or scheduled monument sites plan – Onshore (Doc. 12.7) and Offshore (Doc. 12.8). The information provided comprises:</p> <ul style="list-style-type: none"> (i) Statutory sites (Special Areas of Conservation, Sites of Community Interest, Special Protection Areas, Ramsar sites, National Nature Reserves, Sites of Special Scientific Interest, Marine Conservation Zones, recommended Marine Conservation Zones, Marine Conservation Zone Reference Areas, Local Nature Reserves and Areas of Outstanding Natural Beauty) and non-statutory sites (Sites of nature conservation interest, Roadside nature reserves, local geological sites and RSPB reserves). (ii) Important habitats – ancient woodland (iii) Water Framework Directive water bodies <p>In addition, the Application Form (Doc 1.2) also refers to the Ecology and Nature Conservation chapter of the ES (Doc 7.3.3)</p>
<p>(m) where applicable, a plan with accompanying information identifying any statutory/non-statutory sites or features of the historic environment, (e.g. 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</p> <p>This information is provided in the statutory and non-statutory conservation and historic or scheduled monument sites plan – Onshore (Doc. 12.7) and Offshore (Doc. 12.8). The information provided comprises Scheduled Monuments, Registered Parks and Gardens, Listed Buildings, National Historic Environment Records and Wrecks and Obstructions.</p> <p>In addition, the Application Form (Doc 1.2) also refers to the Marine Archaeology and Ordnance chapter of the ES (Doc 7.2.9), and the Historic</p>

	Environment chapter of the ES (Doc 7.3.6) .
(n) where applicable, a plan with any accompanying information identifying any Crown land;	<p>Yes</p> <p>A plan identifying Crown Land is provided and comprises:</p> <ul style="list-style-type: none"> • Crown Land Plan Offshore (Doc 10.1) This plan shows plot reference numbers CL1/CL2. This plan is provided at scale 1:290,000 • Crown Land Plan Onshore (Doc 10.2) Crown Plan (Onshore) Map Index Sheet Provided at scale 1:40,500 • Crown Plan (Onshore) (Sheets 1- 6) • Crown Land Plan Intertidal (Doc 10.3) This plan is provided at scale 1:6,000 <p>The Book of Reference part 4 (Doc 6.3.5) reflects all Crown Land plots.</p>
(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>Yes</p> <p>Other plans, drawings and sections considered necessary to support the application are listed in Section 23 of the Application Form (Doc 1.2), as follows:</p> <ul style="list-style-type: none"> • Project One/Project Two Interface (Doc 7.4.5.4) – Sheets 1-29 • Compensation Compounds Plan (Doc 7.4.5.6) – Sheet 1-27 • DCO/DML Coordinates Plan (Doc 12.11)
(p) any of the documents prescribed by Regulation 6 of the APFP Regulations ¹⁴ ; (b) if the application is for an offshore generating station–	<p>Yes</p> <p>Section 22 of the Application Form (Doc 1.2) states that details of the proposed route and method of installation for any cable to be provided required for Regulation 6(1)(b)(i) are provided in the Application Form and in the</p>

¹⁴ These are documents which are relevant to specific types of project (generating stations, highway related development, railways, harbour facilities, pipelines, hazardous waste facilities, dam or reservoirs). Confirm in each case the type of project and the relevant documents which **must** be included with the application in each case

<p>(i) details of the proposed route and method of installation of any cable; and</p> <p>(ii) a statement as to whether applications will be made for safety zones</p>	<p>following documents:</p> <ul style="list-style-type: none"> • Cable Statement - Document Reference 11.2 • Works Plans (Offshore) - Document Reference 5.1 • Works Plans (Onshore) - Document Reference 5.2 • Works Plans (Intertidal) - Document Reference 5.3 • Project Description - Document Reference 7.1.3 • Site Selection and Consideration of Alternatives - Document Reference 7.1.4 <p>In addition, regulation 6(1)(b)(ii) requires a statement as to whether applications will be made for safety zones to be provided and the applicant states this can be found in the Safety Zone Statement (Doc 11.1) which explains the applications that will be made for safety zones during the construction and operation of the project and the likely timings of those applications.</p>
<p>(q) any other documents considered necessary to support the application; and</p>	<p>Yes</p> <p>The applicant states in Section 23 of the Application Form (Doc 1.2) that the following documents are considered necessary to support the application:</p> <ul style="list-style-type: none"> • Project One/Project Two Interface (Doc 7.4.5.4) • Compensation Compounds Plan (Doc 7.4.5.6) • DCO/DML Coordinates Plan (Doc 12.11) • Cover Letter to Planning Inspectorate (Doc 1.1) • Transport Assessment (Doc 7.6.8.1) • Planning Statement (Doc 12.1) • Draft European Protected Species Licence: Method Statement and Supporting Information (Offshore) (Doc 12.2) • Onshore European Protected Species Licence: Statement of

	<p>Compliance (Doc 12.3)</p> <ul style="list-style-type: none"> • Outline Code of Construction Practice (Doc 12.4) • Outline Ecological Management Plan (Doc 12.5) • Confidential Outline Ecological Management Plan (Doc 12.5) • Outline Landscape Scheme and Management Plan (Document Reference 12.9) • Consents Management Plan (Doc 12.10)
<p>(r) if requested by the Secretary of State, three paper copies of the application form and other supporting documents and plans.</p>	<p>Yes</p> <p>Three paper copies of the application form and other supporting documents and plans were received on 30 January 2015.</p>
<p>3.4 Are the plans, drawings or sections submitted A0 size or smaller, drawn to an identified scale (not smaller than 1:2,500 on land) and, in the case of plans, show the direction of north¹⁵?</p> <p>NB:- It is not intended that information provided in other documents, such as any Environmental Statement submitted, should be duplicated. It is possible therefore to cross refer to the location of relevant information – see DCLG Guidance on application forms paragraphs 33 – 38.</p>	<p>Yes</p> <p>The plans, drawings or sections are submitted on A0 size paper or smaller, drawn to an identified scale (not smaller than 1:2500 on land) and, in the case of plans, show the direction of north, as per Regulation 5(3) of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended).</p> <p>This is with the exception of the following plans:</p> <ul style="list-style-type: none"> • Statutory and non-statutory conservation and historic or scheduled monument sites plan (Onshore) – 1:50,000 • Project One/Project Two Interface Sheet 1 of 29 – 1:600,000 • Project One/Project Two Interface Sheet 2 of 29 – 1:13,000 • Project One/Project Two Interface Sheet 3 – 29 of 29 – 1:5,150 <p>While unusual scales have been selected for many offshore plans, the requirement for a 1:2,500 scale was lifted by The Infrastructure Planning (Applications: Prescribed Forms and Procedure) (Amendment) Regulations</p>

¹⁵ Regulation 5(3) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended)

	2014.
<p>3.5 Where a plan comprises three or more separate sheets has a key plan been provided showing the relationship between the different sheets¹⁶?</p>	<p>A key plan has been provided for the following sets:</p> <ul style="list-style-type: none"> • Land Plan (Doc 4.1) – combined key plan for Offshore, Onshore and Intertidal • Offshore - Work Plan (Doc 5.1) • Onshore - Work Plan (Doc 5.2) • Intertidal - Work Plan (Doc 5.3) • Onshore - Crown Plan (Doc 10.2) • Compensation Compound Plan (Doc 7.4.5.6) <p>A key plan has not been provided for the Project One/ Project Two Interface (Doc 7.4.5.4)</p>
<p>3.6 Has the applicant had regard to DCLG guidance 'Planning Act 2008: Application form guidance', and has this regard lead to the application being prepared to a standard that the Secretary of State considers satisfactory?</p>	<p>Plans have been provided to a generally good standard, sufficient to explain the scheme. However, some of the offshore plans are provided at unusual scales which are difficult to dimension, inset sheets do not join up, and the coordinate plan does not include lines of longitude or latitude as might be reasonably expected. Nonetheless, these plans are of sufficient quality to describe the scheme applied for.</p> <p>Certain discrepancies have been observed between the Book of Reference and Land Plans which will need to be corrected. However, it is considered that these are unlikely to impair third parties ability to understand the proposed development and /or unlikely to undermine the effective examination of the application.</p> <p>While there is potential for improvement, the application is to a standard considered satisfactory.</p>
<p>Summary - s55(3)(f) and s55(5A)</p>	<p>The application has been submitted in accordance with the requirements of the APFP Regulations, DCLG Guidance and ss37 and 55 of the Planning</p>

¹⁶ Regulation 5(4) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

	Act. Advice will be separately issued to further improve the quality of drawings to aid the progress of the examination, but the application has reached a standard considered satisfactory for acceptance.
The Infrastructure Planning (Fees) Regulations 2010 (SI106)	
Fees to accompany an application	
Was the fee paid at the same time that the application was made ¹⁷ ?	The fee was received and confirmed as bankable on 29 January 2015.

Case Leader

Katherine Chapman

Katherine Chapman

Signed

Date:

19 February 2015

Acceptance Inspector

John Glasson

John Glasson

Signed

Date:

19 February 2015

¹⁷ The Secretary of State must charge the applicant a fee in respect of the decision by the Secretary of State under section 55. If the applicant fails to pay the fee, the Secretary of State need not consider the application until payment is received by the Secretary of State. The fee payable is presently £4,500 and must be paid at the same time that the application is made