



East Anglia TWO Offshore Windfarm

Draft Section 55 Checklist

Applicant: East Anglia TWO Limited
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Pursuant to APFP Regulation: 5(2)(q)

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Author: ScottishPower Renewables Limited

Prepared by:	Checked by:	Approved by:

Revision Summary				
Rev	Date	Prepared by	Checked by	Approved by
01	08/10/2019	Natalie Hirst	Julia Bolton	Helen Walker

Description of Revisions			
Rev	Page	Section	Description
01	n/a	n/a	Final for Submission

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
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 (ie which category or categories in ss14 to 30 does the Proposed Development fall)?	<p>The proposed development set out in the Application Form and the draft Development Consent Order (Doc 3.1) is a Nationally Significant Infrastructure Project (NSIP), which is a development falling within the categories in s14(1)(a) and s15(3) of the Planning Act 2008.</p> <p>This is consistent with the summary provided in the Application Form (Doc 1.2) in Box 4 which states that the project will comprise an offshore generating station(s) with a capacity of greater than 100MW and which therefore concludes that the application is for a NSIP as defined by sections 14(1)(a) and 15(3) of the Planning Act 2008, as well as National Grid (NG) overhead line realignment works defined by</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)

	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?	sections 14(1)(b) and 16 of the 2008 Act.
3	Summary: Section 55(3)(a) and s55(3)(c)	Left Blank for PINS to complete
Section 55(3)(e): The Applicant in relation to the application made has complied with Chapter 2 of Part 5 (pre-application procedure)		
4	In accordance with the EIA Regulations ³ , 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?	Yes On 9 th November 2017 the Applicant notified the Planning Inspectorate within the Scoping cover letter 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.
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?	Left Blank for PINS to complete
Section 42: Duty to consult		
Did the Applicant consult the applicable persons set out in s42 of the PA2008 about the proposed application?		

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)

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

6	Section 42(1)(a) persons prescribed ⁵ ?	<p>Yes</p> <p>The prescribed consultees are listed in Appendix 9.1 of the Consultation Report (Doc 5.1.9a). A sample of the letter sent to s42 (1)(a) consultees can be found in Appendix 9.2 of the Consultation Report (Doc 5.1.9a).</p>
7	Section 42(1)(aa) the Marine Management Organisation ⁶ ?	<p>Yes.</p> <p>The Marine Management Organisation is included in the list of prescribed consultees at Appendix 9.1 of the Consultation Report (Doc 5.1.9a).</p>
8	Section 42(1)(b) each local authority within s43 ⁷ ?	<p>Yes.</p> <p>Appendix 9.1 of the Consultation Report (Doc 5.1.9a) lists all relevant Local authorities that were identified and consulted under s43 and under s42 (1)(b).</p> <p>The host 'B' authorities consulted: East Suffolk Council (previously Suffolk Coastal and Waveney District Councils)</p> <p>The host 'C' authorities consulted: Suffolk County Council</p> <p>The boundary 'A' authorities consulted: Babergh District Council Mid Suffolk District Council Ipswich District Council The Broads Authority Great Yarmouth Borough Council South Norfolk Council</p>

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

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

		<p>The boundary 'D' authorities consulted: Cambridgeshire County Council Norfolk County Council Essex County Council</p> <p>At the time of issuing the PEIR to Section 42 consultees East Suffolk Council was two separate councils: Suffolk Coastal District Council (Cat B) and Waveney District Council (Cat A), therefore Great Yarmouth Borough Council and South Norfolk Council were not listed as Category A authorities until East Suffolk Council was created on 1st April 2019. Great Yarmouth Borough Council was sent the PEIR on 28th January 2019 as they were listed as a 'non-prescribed consultation body' at the time. South Norfolk Council were sent the PEIR following the creation of East Suffolk Council and they received this on the 6th April 2019. South Norfolk Council were given until 21st May 2019 to respond (44 days). The covering letter sent to South Norfolk Council is shown in Appendix 9.2 of the Consultation Report (Doc 5.1.9a).</p> <p>A sample of the Letter sent to s42 (1)(b) relevant authorities is provided at Appendix 9.2 of the Consultation Report (Doc 5.1.9a).</p>
9	Section 42(1)(c) the Greater London Authority (if in Greater London area)?	<p>No</p> <p>The duty to consult the Greater London Authority only arises if the land to which the development relates is in Greater London. The land for the project is within the county of Suffolk.</p>
10	Section 42(1)(d) each person in one or more of s44 categories ⁸ ?	<p>Yes</p> <p>Section 4.5 of the Consultation Report (Doc 5.1) summarises how the Applicant made diligent enquiry to seek to identify and consult persons with an interest in lands effected by the Draft Development Consent Order (Doc 3.1)</p> <p>The Applicant consulted with all parties having an interest in land within the Preliminary Environmental Information Report (PEIR) boundary (as shown in Figure 6.2 of the PEIR)</p>

⁸ Category 1: owner, lessee, tenant or occupier of land; Category 2: person interested in the land or has power to sell and convey the land or to release the land; Category 3: persons who would or might be entitled to make a relevant claim. There is no requirement on the Planning Inspectorate to check the accuracy of the list(s) provided or whether the Applicant has made diligent inquiry

as well as to parties with interests in land on the periphery of this boundary. The Applicant consulted all persons identified under Section 44, being persons with a relevant interest in land affected by the project (see the **Book of Reference (Doc 4.3)** for the full list).
A sample of the letter is provided in **Appendix 10** of the **Consultation Report (Doc 5.1.10)**

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?

Yes

Statutory stakeholders were notified of the start of statutory pre-application consultation (Section 42) on the 28th and 30th January 2019 (with the exception of South Norfolk Council, further described below) via a written notification. This included:

- A covering letter with the background to the proposed East Anglia TWO project;
- A USB containing a copy of the PEIR, Non-Technical Summary and Habitat Regulations Assessment: Draft Report to Inform the Appropriate Assessment;
- A hard copy of the notice published under Section 48 of the Planning Act 2008 (as required by Regulation 13 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017); and
- A hard copy of the Non-Technical Summary.

The covering letter included details on how consultation responses should be made and a deadline of 26th March 2019 (55 and 57 days in total), which is longer than the statutory minimum of 28 days.

An example of the covering letter which accompanied the distribution of the PEIR is provided in **Consultation Report (Doc 5.1.9a) Appendix 9.2**.

At the time of issuing the PEIR to Section 42 consultees East Suffolk Council was two separate councils: Suffolk Coastal District Council (Cat B) and Waveney District Council (Cat A), therefore Great Yarmouth Borough Council and South Norfolk Council were not listed as Category A authorities until East Suffolk Council was created on 1st April 2019.

South Norfolk Council was sent the PEIR following the creation of East Suffolk Council and they received this on the 6th April 2019. South Norfolk Council was given until 21st May 2019 to respond (44 days). The covering letter sent to South Norfolk Council is

shown in **Consultation Report (Doc 5.1.9a) Appendix 9.2.**

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?

Yes

Prior to notifying Section 42 consultees, on the 25th January 2019, the Secretary of State was notified of the start of statutory pre-application consultation via written notification including:
A notice to the Secretary of State pursuant to Section 46 of the Planning Act 2008 ((see **Consultation Report (Doc 5.1.9a) Appendix 9.3**));
A hard copy of the template Section 42 cover letters to be issued to consultees ((this included two forms of the letter: the letter sent to person identified for the purposes of Section 44 of the Planning Act, **Consultation Report (Doc 5.1.10), Appendix 10.10** and letters sent to all other statutory consultees, **Consultation Report (Doc 5.1.9a) Appendix 9.2**));
A USB containing a copy of the Preliminary Environmental Information Report, Non-Technical Summary and Habitat Regulations Assessment: Draft Report to Inform the Appropriate Assessment;
A hard copy of the notice published under Section 48 of the Planning Act 2008; and
A hard copy of the Non-Technical Summary.

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?

Yes.

Section 3 of the **Consultation Report (Doc 5.1)** outlines the Applicant's approach to developing the draft SoCC in consultation with the host authorities and summarises the activities carried out by the Applicant in accordance with s47 of the Planning Act 2008.

The East Anglia TWO SoCC (published 6th March 2018) is found in **Appendix 3.2** of the **Consultation Report (Doc 5.1.3)**. An Updated SoCC was published on the 19th September 2018 shown in **Appendix 3.7.** of the **Consultation Report (Doc 5.1.3)**.

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>Local Authorities as defined under Section 42 (1)(b) are shown below and in Table 8.1 of the Consultation Report (Doc 5.1), as well as presented in Appendix 9.1 of the Consultation Report (Doc 5.1.9a).</p> <table border="1" data-bbox="949 336 2098 1327"> <thead> <tr> <th data-bbox="949 336 1301 400">Local Authority</th> <th data-bbox="1301 336 1599 400">Local Authority Category</th> <th data-bbox="1599 336 2098 400">Description</th> </tr> </thead> <tbody> <tr> <td data-bbox="949 400 1301 491">East Suffolk Council (previously Suffolk Coastal and Waveney District Councils)</td> <td data-bbox="1301 400 1599 491">B</td> <td data-bbox="1599 400 2098 491">Lower-tier district council in which the development is situated.</td> </tr> <tr> <td data-bbox="949 491 1301 555">Babergh District Council</td> <td data-bbox="1301 491 1599 555">A</td> <td data-bbox="1599 491 2098 555">Lower-tier district council which shares a boundary with category B authority.</td> </tr> <tr> <td data-bbox="949 555 1301 619">Mid Suffolk District Council</td> <td data-bbox="1301 555 1599 619">A</td> <td data-bbox="1599 555 2098 619">Lower-tier district council which shares a boundary with category B authority.</td> </tr> <tr> <td data-bbox="949 619 1301 683">Ipswich District Council</td> <td data-bbox="1301 619 1599 683">A</td> <td data-bbox="1599 619 2098 683">Lower-tier district council which shares a boundary with category B authority.</td> </tr> <tr> <td data-bbox="949 683 1301 746">The Broads Authority</td> <td data-bbox="1301 683 1599 746">A</td> <td data-bbox="1599 683 2098 746">The Broads Authority which shares a boundary with category B authority.</td> </tr> <tr> <td data-bbox="949 746 1301 1010">Great Yarmouth Borough Council</td> <td data-bbox="1301 746 1599 1010">A</td> <td data-bbox="1599 746 2098 1010">Lower-tier district council which shares a boundary with category B authority. (Following combination of Suffolk Coastal District Council and Waveney District Council to be East Suffolk District Council on 1st April 2019 the boundary of the category B authority increased and Great Yarmouth Borough Council and South Norfolk Council became category A authorities)</td> </tr> <tr> <td data-bbox="949 1010 1301 1265">South Norfolk Council</td> <td data-bbox="1301 1010 1599 1265">A</td> <td data-bbox="1599 1010 2098 1265">Lower-tier district council which shares a boundary with category B authority. (Following combination of Suffolk Coastal District Council and Waveney District Council to be East Suffolk District Council on 1st April 2019 the boundary of the category B authority increased and Great Yarmouth Borough Council and South Norfolk Council became category A authorities)</td> </tr> <tr> <td data-bbox="949 1265 1301 1327">Suffolk County Council</td> <td data-bbox="1301 1265 1599 1327">C</td> <td data-bbox="1599 1265 2098 1327">Upper-tier county council in which the development is situated.</td> </tr> </tbody> </table>	Local Authority	Local Authority Category	Description	East Suffolk Council (previously Suffolk Coastal and Waveney District Councils)	B	Lower-tier district council in which the development is situated.	Babergh District Council	A	Lower-tier district council which shares a boundary with category B authority.	Mid Suffolk District Council	A	Lower-tier district council which shares a boundary with category B authority.	Ipswich District Council	A	Lower-tier district council which shares a boundary with category B authority.	The Broads Authority	A	The Broads Authority which shares a boundary with category B authority.	Great Yarmouth Borough Council	A	Lower-tier district council which shares a boundary with category B authority. (Following combination of Suffolk Coastal District Council and Waveney District Council to be East Suffolk District Council on 1 st April 2019 the boundary of the category B authority increased and Great Yarmouth Borough Council and South Norfolk Council became category A authorities)	South Norfolk Council	A	Lower-tier district council which shares a boundary with category B authority. (Following combination of Suffolk Coastal District Council and Waveney District Council to be East Suffolk District Council on 1 st April 2019 the boundary of the category B authority increased and Great Yarmouth Borough Council and South Norfolk Council became category A authorities)	Suffolk County Council	C	Upper-tier county council in which the development is situated.
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Cambridgeshire County Council	D	Upper-tier county council which shares a boundary with the host C authority.									
Norfolk County Council	D	Upper-tier county council which shares a boundary with the host C authority.									
Essex County Council	D	Upper-tier county council which shares a boundary with the host C authority.									
15	Has the Applicant had regard to any responses received when preparing the SoCC?	<p>Yes</p> <p>The responses from SCDC and SCC and the updates made to the SoCC following these comments are shown in Appendix 3.1 of the Consultation Report (Doc 5.1.3)</p> <p>A summary of their comments and updates made to the Updated SoCC following these comments is shown in Error! Reference source not found. The MMO responded on the 19th January 2018 (but with no comments on the content of the SoCC). The MMO</p>									

		further responded on 24 th August 2018 confirming that they have no comments on the Updated SoCC.															
16	Has the SoCC been made available for inspection in a way that is reasonably convenient for people living in the vicinity of the land; and has a notice been published in a newspaper circulating in the vicinity of the land which states where and when the SoCC can be inspected?	<p>Yes As is outlined in section 3.4.3 and 3.5.3 of the Consultation Report (Doc 5.1)</p> <p>The SoCC was publicised in the newspapers and on the dates shown within Table 3.2 of the Consultation Report (Doc 5.1), within which notice of when and where the finalised SoCC could be inspected, was published:</p> <table border="0"> <thead> <tr> <th>Publication</th> <th>Date 1</th> <th>Date 2</th> </tr> </thead> <tbody> <tr> <td>Eastern Daily Press</td> <td>6th March 2018</td> <td>13th March 2018</td> </tr> <tr> <td>East Anglian Daily Times</td> <td>6th March 2018</td> <td>13th March 2018</td> </tr> <tr> <td>Ipswich Star</td> <td>13th March 2018</td> <td>N/A</td> </tr> <tr> <td>Fishing News (weekly publication)</td> <td>15th March 2018</td> <td>22nd March 2018</td> </tr> </tbody> </table> <p>Each Newspaper notice contained the following information on how the SoCC was available for inspection:</p> <p>Each SoCC is available on the project websites, as follows:</p> <p>East Anglia TWO Offshore Windfarm https://www.scottishpowerrenewables.com/pages/east_anglia_two.aspx</p> <p>East Anglia ONE North Offshore Windfarm https://www.scottishpowerrenewables.com/pages/east_anglia_one_north.aspx</p> <p>The documents will also be available to view at the following locations from 6th March 2018 - 3rd April 2018:</p> <ul style="list-style-type: none"> • Aldeburgh Library • Aldringham-cum-Thorpe Parish Council • Aldeburgh Town Council 	Publication	Date 1	Date 2	Eastern Daily Press	6th March 2018	13th March 2018	East Anglian Daily Times	6th March 2018	13th March 2018	Ipswich Star	13th March 2018	N/A	Fishing News (weekly publication)	15th March 2018	22nd March 2018
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Fishing News (weekly publication)	15th March 2018	22nd March 2018															

- Felixstowe Library
- Felixstowe Town Council
- Friston Parish Council
- Great Yarmouth Borough Council
- Great Yarmouth Central Library
- Kessingland Library
- Leiston-cum-Sizewell Town Council
- Lowestoft Library
- Martins Saxmundham
- Orford Town Council
- Saxmundham Library
- Southwold Library
- Southwold Post Office
- Southwold Town Council
- Suffolk Coastal District Council Services at Woodbridge Library
- The Village Store Kessingland

The advert publicising the SoCC is shown in **Appendix 3.3** of the **Consultation Report (Doc 5.1.3)**

The Applicant updated the SoCC published in March to introduce project developments and an additional phase of consultation, known as Phase 3.5 consultation. An Updated SoCC was published on the 19th September 2018 on the Applicant's project website. The Updated SoCC is shown in **Appendix 3.7**, of the **Consultation Report (Doc 5.1.3)**. The Updated SoCC was publicised in the newspapers circulating in the locality of East Anglia and on the dates shown within Table 3.4 of the **Consultation Report (Doc 5.1)**. The advert for the Updated SoCC is shown in **Appendix 3.8** of the **Consultation Report (Doc 5.1.3)** and included a brief summary of the projects and the dates and time of the upcoming Public Information Days. The advert also included details on how to contact the Applicant's project team and information on where the SoCC documents would be available to view.

At the time of publication, the Updated SoCC was made available to view in many local venues (full list shown in **Appendix 3.9** of the **Consultation Report (Doc 5.1.3)**). An email was also sent to statutory and non-statutory stakeholders, see **Appendix 3.10** of

		the Consultation Report (Doc 5.1.3) for full list.
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?	Yes. Section 6.5 paragraph 62 of the updated SoCC states that the proposed development is EIA development. Section 6.5 of the SoCC outlines how the preliminary environmental information will be made available and consulted on during the consultation period, with both statutory consultees and the wider community. The SoCC can be seen at Appendix 3.7 of the Consultation Report (Doc 5.1.3) .
18	Has the Applicant carried out the consultation in accordance with the SoCC?	Yes. Section 3.7 of the Consultation Report (Doc 5.1.3) sets out how the consultation was undertaken in accordance with the SoCC. Specifically Table 3.5 of the Consultation Report (Doc 5.1) shows the sections within the Consultation Report which demonstrate compliance with key statements within the SoCC and the Updated SoCC.
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?	Yes The Applicant publicised the proposed application in accordance with Section 48 of the Planning Act and Regulation 4 of the APFP Regulations. Shown in Section 8.2.2 of the Consultation Report (Doc 5.1) . Evidence of the Section 48 notification in the newspapers is shown in Consultation Report (Doc 5.1.9a, Appendix 9.4) and in the Copies of Newspaper Notices (Doc 1.3) .
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;	East Anglian Daily Times (2 weeks) A copy of the newspaper advertisement showing these dates can be found in the Consultation Report (Doc 5.1.9a, Appendix 9.4) and in the Copies of Newspaper Notices (Doc 1.3) .
b)	once in a national newspaper;	The Times A copy of the newspaper advertisement showing this date can be found in the Consultation Report (Doc 5.1.9a, Appendix 9.4) and in the Copies of Newspaper Notices (Doc 1.3) .
		28 th January 2019, 4 th February 2019
		28 th January 2019

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

c)	once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and	The Gazette A copy of the newspaper advertisement showing this date can be found in the Consultation Report (Doc 5.1.9a, Appendix 9.4) and in the Copies of Newspaper Notices (Doc 1.3) .	28 th January 2019		
d)	where the proposed application relates to offshore development – (i) once in Lloyds List; and (ii) once in an appropriate fishing trade journal? Note: where an application will contain a draft Deemed Marine Licence, the Planning Inspectorate will consider that the proposed application relates to offshore development	The Lloyds list The Fishing News A copy of the newspaper advertisement showing this date can be found in the Consultation Report (Doc 5.1.9a, Appendix 9.4) and in the Copies of Newspaper Notices (Doc 1.3) .	28 th January 2019 31 st January 2019		
20	Did the s48 notice include the required information set out in Regulation 4(3) of APFP Regulations?	The Section 48 notification included the required information set out below, and can be found in Appendix 9.4 of the Consultation Report (Doc 5.1.9a) and in the Copies of Newspaper Notices (Doc 1.3) . .			
Information		Paragraph	Information		Paragraph
a)	the name and address of the Applicant.	Yes. Evidence of the Section 48 notification in the newspapers is shown in Appendix 9.4 of the Consultation Report (Doc 5.1.9a) . Ref: The first paragraph and in the Copies	b)	a statement that the Applicant intends to make an application for development consent to the Secretary of State	Yes. Evidence of the Section 48 notification in the newspapers is shown in Appendix 9.4 of the Consultation Report (Doc 5.1.9a) . Ref: The first paragraph. and in the

		of Newspaper Notices (Doc 1.3). .			Copies of Newspaper Notices (Doc 1.3). .
c)	a statement as to whether the application is EIA development	Yes. Evidence of the Section 48 notification in the newspapers is shown in Appendix 9.4 of the Consultation Report (Doc 5.1.9a) . Ref: The Third paragraph and in the Copies of Newspaper Notices (Doc 1.3). .	d)	a summary of the main proposals, specifying the location or route of the Proposed Development	Yes. Evidence of the Section 48 notification in the newspapers is shown in Appendix 9.4 of the Consultation Report (Doc 5.1.9a) . Ref: The Second paragraph and in the Copies of Newspaper Notices (Doc 1.3). .
e)	a statement that the documents, plans and maps showing the nature and location of the Proposed Development are available for inspection free of charge at the places (including at least one address in the vicinity of the Proposed Development) and times set out in the notice	Yes. Evidence of the Section 48 notification in the newspapers is shown in Appendix 9.4 of the Consultation Report (Doc 5.1.9a) . Ref: The Third	f)	the latest date on which those documents, plans and maps will be available for inspection	Yes. Evidence of the Section 48 notification in the newspapers is shown in Appendix 9.4 of the Consultation Report (Doc 5.1.9a) . Ref: The Third

		paragraph and in the Copies of Newspaper Notices (Doc 1.3) . .			paragraph and in the Copies of Newspaper Notices (Doc 1.3) . .
g)	whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge	Yes. Evidence of the Section 48 notification in the newspapers is shown in Appendix 9.4 of the Consultation Report (Doc 5.1.9a) . Ref: The Fourth Right hand paragraph and in the Copies of Newspaper Notices (Doc 1.3) . .	h)	details of how to respond to the publicity	Yes. Evidence of the Section 48 notification in the newspapers is shown in Appendix 9.4 of the Consultation Report (Doc 5.1.9a) . Ref: Final three paragraphs and in the Copies of Newspaper Notices (Doc 1.3) . .
i)	a deadline for receipt of those responses by the Applicant, being not less than 28 days following the date when the notice is last published	Yes. Evidence of the Section 48 notification in the newspapers is shown in Appendix 9.4 of the Consultation			

		Report (Doc 5.1.9a). Final three paragraphs and in the Copies of Newspaper Notices (Doc 1.3). .
21	Are there any observations in respect of the s48 notice provided above?	
22	Has a copy of the s48 notice been sent to the EIA consultation bodies and to any person notified to the Applicant in accordance with the EIA Regulations ¹⁰ ?	Yes. Section 8.2.1.4 of the Consultation Report (Doc 5.1) states that a hard copy of the notice published under Section 48 of the Planning Act 2008 (as required by Regulation 13 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017); was provided as part of issuing the Preliminary Environmental Information Report On the 28 th and 30 th January 2019
s49: Duty to take account of responses to consultation and publicity		
23	Has the Applicant had regard to any relevant responses to the s42, s47 and s48 consultation?	Yes Section 8 of the Consultation Report (Doc 5.1) describes the responses received to s42, s47 and s48 consultation. Appendices 9 and 10 of the Consultation Report (Doc 5.1.9a, 5.1.9b and 5.1.10) summarise those responses and how each response was addressed in the Applicants response.
Guidance about pre-application procedure		
24	To what extent has the Applicant had regard to statutory guidance 'Planning Act 2008: Guidance on the pre-application process' ¹¹ ?	Detailed statutory requirements followed in the Consultation Report (Doc 5.1.1) are covered in Appendix 1 and a Statement of Compliance can be found in Appendix 2 of the Consultation Report (Doc 5.1.2).

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

		The Consultation Report (Doc 5.1) builds on the approaches presented for the previous offshore windfarm projects developed by ScottishPower Renewables (SPR) and follows relevant legislation and guidance including: Department for Communities and Local Government (DCLG) Planning Act 2008: Guidance on the pre-application process for major infrastructure projects (March 2015) (DCLG Guidance, 2015); The Planning Inspectorate Advice Note Three: Environmental Impact Assessment consultation and notification (Planning Inspectorate, 2017); The Planning Inspectorate Advice Note 14 on compiling the consultation report (Planning Inspectorate, 2012); and The Planning Inspectorate Advice Note 6 on the preparation and submission of application documents (Planning Inspectorate, 2016).
25	Summary: Section 55(3)(e)	Left Blank for PINS to complete
s55(3)(f) and s55(5A): The application (including accompaniments) achieves a satisfactory standard having regard to the extent to which it complies with section 37(3) (form and contents of application) and with any standards set under section 37(5) and follows any applicable guidance under section 37(4)		
26	Is it made in the prescribed form as set out in Schedule 2 of the APFP Regulations, and does it include: <ul style="list-style-type: none"> a brief statement which explains why it falls within the remit of the Planning Inspectorate; and a brief statement that clearly identifies the location of the application site, or the route if it is a linear scheme? 	See Cover Letter to the Planning Inspectorate (Doc 1.1) and Box 4 of the Application Form (Doc 1.2) which explains why the project falls within the remit of the Secretary of State; and Box 6 of the Application Form (Doc 1.2) which provides a brief non-technical description of the location of the site. Further to show this, Location Plans (Doc 2.1.1 Offshore, Doc 2.1.2 Onshore) have been provided.
27	Is it accompanied by a Consultation Report?	Yes A Consultation Report (Doc 5.1) is included with the application, with Appendices, as listed in the contents of the Consultation Report
28	Where a plan comprises three or more separate	Yes A key plan showing the relationship between different sheets is provided at the start of

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

	sheets, has a key plan been provided showing the relationship between the different sheets? ¹²	each plan showing each sheet in relation to each other in a master plan.			
29	Is it accompanied by the documents and information set out in APFP Regulation 5(2)?	Yes 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 - The Environmental Statement (ES) is provided in the following documents: 6.1 Environmental Statement 6.2 Figures 6.3 Technical Appendices 6.4 Non-Technical Summary 6.5 Scoping Opinion 6.6 and 6.7 Schedule of Mitigation A copy of The Planning Inspectorate formal Scoping Opinion received in December 2017 is found in Appendix 4 of the Consultation Report (Doc 5.1.4)	b)	The draft Development Consent Order (DCO)	Yes. The Draft Development Consent Order (Doc 3.1) is included in the application.
	Is this of a satisfactory standard?	The ES meets the requirements set out in Schedule 4 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 regarding the information for inclusion in environmental statements.		Is this of a satisfactory standard?	The draft Development Consent Order complies with all the requirements set out in the Planning Act 2008 and associated legislation
c)	An Explanatory	Yes. An Explanatory Memorandum	d)	Where applicable, a Book	Yes. The Book of Reference (Doc 4.3) has

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)	Memorandum explaining the purpose and effect of provisions in the draft DCO	(Doc 3.2) has been provided with the application.
	Is this of a satisfactory standard?	The Explanatory Memorandum explains the purpose and effect of each provision in the draft order (explaining, for example, why it is considered necessary), having regard to the scope and breadth of powers contained in the Planning Act 2008.
	A copy of any Flood Risk Assessment	Yes. A Flood Risk Assessment has been provided in Appendix 20.3 of the Environmental Statement (Doc 6.3.20.3)
	Is this of a satisfactory standard?	The Flood Risk assessment was carried out following ES Guidance
h)	A Statement of Reasons and a Funding Statement (where the application involves any Compulsory Acquisition)	Yes. The Statement of Reasons (Doc 4.1) and a Funding Statement (Doc 4.2) has been submitted.

f)	of Reference (where the application involves any Compulsory Acquisition)	been provided with the application
	Is this of a satisfactory standard?	The Book of Reference follows the requirements of Regulation 7 of the APFP Regulations and DCLG's Planning Act 2008: guidance related to procedures for the compulsory acquisition of land.
	A statement whether the proposal engages one or more of the matters set out in section 79(1) of the Environmental Protection Act 1990 (statutory nuisances) and if so how the Applicant proposes to mitigate or limit them	Yes Within the Statement of Engagement (Doc 5.2)
	Is this of a satisfactory standard?	The Statement of Engagement deals with the matters set out in Regulation 5(2)(f) of the APFP Regulations.
i)	A Land Plan identifying: - i) the land required for, or affected by, the Proposed Development; ii) where applicable, any land over which it is proposed to exercise powers of Compulsory	Yes. The Land Plans (Doc 2.2) . No Special Category Land Plans were required

	Is this of a satisfactory standard?	The statement of reasons sets out the reasoning for why the compulsory acquisition powers being sought in the application are necessary to enable the proposed development to proceed. The funding statement contains information to enable the Secretary of State to be satisfied that, if it were to grant the compulsory acquisition request, the proposed development is likely to be undertaken and not be prevented due to difficulties in sourcing and securing the necessary funding.
j)	A Works Plan showing, in relation to existing features:- i) the proposed	Yes. The Works Plans offshore (Doc 2.3.1) and Works Plans onshore (Doc 2.3.2) show the proposed route and works, and the order limits of

	Acquisition or any rights to use land; i) any land in relation to which it is proposed to extinguish easements, servitudes and other private rights; and ii) any special category land and replacement land	
	Is this of a satisfactory standard?	As per Regulation 5(2)(i) of the APFP Regulations, the land plans contain all information required including (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 right to use land; (iii) any land in relation to which it is proposed to extinguish easements, servitudes and other private rights; and (iv) where the land includes special category land and replacement land, that special category and replacement land.
k)	Where applicable, a plan identifying any new or altered means of access, stopping up of streets or roads or any diversions,	Yes. Doc 2.5 and 2.6 show the temporary and permanent stopping up of Public Right of Way (PROW) Doc 2.4 Access to Works Plan.

	location or (for a linear scheme) the proposed route and alignment of the development and works; and i) the limits within which the development and works may be carried out and any limits of deviation provided for in the draft DCO	these and the limits of deviation.
	Is this of a satisfactory standard?	As per regulations 5(2) (j) of the APFP Regulations, the Works plans contain all information required including: (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;
i)	Where applicable, a plan with accompanying information identifying: - i) any statutory/ non-statutory sites or features of nature conservation eg sites of geological/	Doc 2.8.1 identifies statutory and non-statutory nature conservation sites Offshore. Doc 2.8.2 identifies statutory and non-statutory nature conservation sites Onshore Doc 2.10 Important Hedgerows and

	extinguishments or creation of rights of way or public rights of navigation	
	Is this of a satisfactory standard?	All Plans meet the requirements under Regulation 5(2)(k) of the APFP Regulations.
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	Doc 2.7.1 Plan of Statutory / Non-Statutory Historic or Scheduled Monument Sites / Features of the Historic Environment Offshore Doc 2.7.2 Plan of Statutory / Non-Statutory Historic or Scheduled Monument Sites / Features of the Historic

<p>landscape importance;</p> <p>i) habitats of protected species, important habitats or other diversity features; and</p> <p>ii) water bodies in a river basin management plan,</p> <p>together with an assessment of any effects on such sites, features, habitats or bodies likely to be caused by the Proposed Development</p>	<p>Tree Preservation Order Plan</p> <p>Doc 6.2.22.1 Designated Sites (Statutory)</p> <p>Doc 6.2.22.2 Designated Sites (Non-Statutory)</p> <p>Doc 6.2.22.4 Extended Phase 1 Habitat Survey Results</p> <p>Doc 6.2.23.2 Onshore Ornithological Designated Sites within 10km</p> <p>Doc 6.2.12.1 Ornithology Survey Area and Designated Sites</p> <p>Doc 6.2.11.4 Southern North Sea Special Area of Conservation (SAC) for Harbour Porpoise</p> <p>The Phase 1 Habitat Maps provided in Figures 22.3.1 – 22.3.5 (Doc 6.3.22.3) identify habitats of protected species important habitats and other diversity features.</p> <p>An assessment of effects on these features is presented in Chapter 22 Onshore Ecology of the Environmental Statement (ES) (Doc 6.1.22).</p> <p>Doc 6.2.22.5 Water Body Location Map. An assessment of effects on water bodies in a river basin management plan is presented in Chapter 20 Water resources and Flood Risk of the ES (Doc 6.1.20).</p>	<p>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>Environment Onshore</p> <p>An assessment of effects on these features is provided in Chapter 16 Marine Archaeology and Cultural Heritage and Chapter 24 Onshore Archaeology and Cultural Heritage of the ES (Doc 6.1.16 and 6.1.24).</p>
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n)	Is this of a satisfactory standard?	The above plans and assessments meet the requirements of Regulation 5(2)(l), 5(2)(o) and 5(2)(a) of the APFP Regulations.	o)	Is this of a satisfactory standard?	The historic environment plans and assessment meet the requirements of Regulation 5(2)(m) of the APFP Regulations
	Where applicable, a plan with any accompanying information identifying any Crown land	Yes Crown Land (only applicable offshore) is identified in Doc 2.9 .		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	Application Form – box 23 identifies other Documents provided in support of the application. Doc 2.1.1 Offshore Location Plan Doc 2.1.2 Onshore Location Plan Doc 2.10 Important Hedgerows and Tree Preservation Order Plan Doc 2.11 Radar Line of Sight Coverage Plan
	Is this of a satisfactory standard?	Crown Land (only applicable offshore) likely to be affected by the proposed development is shown in Doc 2.9 in terms of Regulation 5(2)(n) of the APFP Regulations		Are they of a satisfactory standard?	Other plans and drawings submitted follow requirements under regulation 5(2)(o) of the APFP Regulations.
p)	Any of the documents prescribed by Regulation 6 of the APFP Regulations:	Regulation 6(1)(b)(i): Doc 7.1 Cable Statement Regulation 6(1)(b)(ii): Doc 7.2 Safety Zone Statement	q)	Any other documents considered necessary to support the application	Yes Application Form (Doc 1.2) identifies other Documents provided in Support of the application at Box 23.
	Are they of a satisfactory standard?	Documents meet requirements under Regulation 6(1)(b)(i) and 6(1)(b)(ii) of the APFP Regulations.		Are they of a satisfactory standard?	These documents contain any other information that the Applicant has decided to submit in support of the application, but

				which are not required by the relevant legislation or National Policy Statements.
30	Are there any observations in respect of the documents provided above?			
31	Is the application accompanied by a report identifying any European site(s) to which Regulation 48 of The Conservation (Natural Habitats, &c.) Regulations 1994 applies; or any Ramsar site(s), which may be affected by the Proposed Development, together with sufficient information that will enable the Secretary of State to make an appropriate assessment of the implications for the site if required by Regulation 48(1)? ¹⁴	Yes	Information to support the appropriate assessment is provided in Doc 5.3 .	
32	If requested by the Planning Inspectorate, two paper copies of the application form and other supporting documents and plans ¹⁵	Not Requested as per letter dated 25 September 2019 from the Planning Inspectorate.		
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	Regard has been given on the full application procedure as outlined in the guidance document. The format and content of the application documents submitted are consistent with the DCLG Guidance 'Planning Act 2008: Application form guidance',	
34	Summary - s55(3)(f) and s55(5A)	Left Blank for PINS to complete		
The Infrastructure Planning (Fees) Regulations 2010 (as amended)				
Fees to accompany an application				

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

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

35	Was the fee paid at the same time that the application was made ¹⁶ ?	Application Fee amounting to £7,106.00 was submitted for payment on 01 October 2019 ahead of receipt of the application.
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Role	Electronic signature	Date
Case Manager		
Acceptance Inspector		

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

