

The Planning Act 2008
Section 55 Acceptance of Applications*

(Appendix 3 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)

DISCLAIMER - This is for information only and is not a formal application document. It is a non-statutory checklist for the Planning Inspectorate (Major Applications and Plans 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

[PROJECT NAME] 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
	30/05/17	27/06/2017	27/06/17
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			
<p>1.1 Is the development a nationally significant infrastructure project² (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 order³ (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)?</p> <p>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</p>	<p>Yes</p> <p>Section 4 of the Application form (Doc Ref 1.3) states:</p> <p><i>The Proposed Development comprises an onshore gas-fired electricity generating station with a capacity of more than 50 MW (up to 2,500 MW gross output capacity) and associated development and therefore represents a nationally significant infrastructure project ('NSIP') under sections 14 and 15(2) of 'The Planning Act 2008' (the 'PA 2008'). Accordingly the Proposed Development requires development consent pursuant to section 31 of the PA 2008 Act. Development consent may only be granted by an Order (a 'Development Consent Order') following the submission of an application to the Secretary of State for Business, Energy and</i></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)

required?	<i>Industrial Strategy pursuant to section 37 of the PA 2008.</i>
Summary – s55(3)(a) and s55(3)(c)	Sufficient evidence has been provided that this is an application for a DCO for an NSIP pursuant to s14(1)(a) and s15(2) of PA2008.
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>Yes</p> <p>The Applicant submitted a notification under Regulation 6(1)(b) of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (as amended) (2009 EIA Regulations) that they proposed to undertake an EIA in respect of the Project and will provide an Environmental Statement (ES) to report the findings of the EIA in a letter dated 17 May 2016.</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>Yes</p> <p>There are 17 host and neighbouring authorities, a letter inviting those authorities to submit adequacy of consultation representations was issued by the Planning Inspectorate on 31 May 2017.</p> <p>Of which, 13 provided responses confirming either that the Applicant had complied with its duties under s42, s47 and s48 of the PA2008, and/or that they had no substantive comments to make in respect of the Applicant's adequacy of consultation:</p> <ul style="list-style-type: none"> • Selby District Council ('B' authority) • North Yorkshire County Council ('C' authority)

⁴ Regulation 6 of 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

	<ul style="list-style-type: none"> • Cumbria County Council ('D' authority) • Doncaster Council ('A/D' authority) • Durham County Council ('D' authority) • Leeds City Council ('A/D' authority) • North York Moors National Park Authority (National Park) • Redcar and Cleveland Borough Council ('D' authority) • Wakefield Council ('A/D' authority) • East Riding of Yorkshire Council – ('A/ D' authority) • Stockton-On-Tees Borough Council – ('D' authority) • Harrogate Borough Council – ('A' authority) • City of Bradford Metropolitan District Council ('D' authority): <p>In its response, City of Bradford Metropolitan District Council stated "<i>....Bradford Council is listed as "Bradford Metropolitan Borough Council", the correct tittle is "City of Bradford Metropolitan District Council". The address listed in "Table 1 :Stage 1 Consultees" is given as "Planning Service, Jacob's Well, Bradford, BD1 5RW" and is incorrect, the Planning Service has been located at the Britannia House address... for over a year and the Jacobs Well building vacated by Bradford Council. S51 advice has been issued to the Applicant in respect of the above matter.</i>"</p>
s42: Duty to Consult	
2.3 Did the applicant consult the following about the proposed application:	

s42(1)(a) persons prescribed⁶?

See below.

Appendices 7.1 and 7.2 of the **Consultation Report (Doc 5.1)** lists the prescribed consultees identified and consulted under s42(1)(a).

On the basis of the information provided, and applying a precautionary interpretation of the Infrastructure Planning (Interested Parties and Miscellaneous Prescribed Provisions) Regulations 2015, the Planning Inspectorate has identified the following persons prescribed by s42(1)(a) of the PA2008 which appear to have been omitted from the Statutory s42 consultation:

- The Homes and Communities Agency

The Applicant's justification for not consulting with The Homes and Communities Agency was that the agency was removed from schedule one of The Infrastructure Planning (Prescribed Consultees and Interested Parties etc.) (Amendment) Regulations 2013. However the Secretary of State regards The Homes and Communities Agency as a Relevant Deemed Statutory Undertaker by virtue of s.8 of the Acquisition of Land Act 1981 (as amended).

- Sheffield City Region Combined Authority

The Applicant has not justified in the **Consultation Report (Doc 5.1)** why it did not consult with Sheffield City Region Combined Authority under s42. They were consulted at Stage 1 (non-statutory consultation) as an Integrated Transport Authority (ITA) and Passenger Transport Executive (PTE). At Stage 2 (statutory consultation) the Applicant has consulted South Yorkshire Joint Authorities Governance Unit in its capacity as an ITA and PTE, which according to their website (Southyorks.gov.uk) states that

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

	<p>they provide independent and impartial support and advice to the Sheffield City Region Combined Authority.</p> <ul style="list-style-type: none"> National Grid Gas Distribution Limited <p>The Applicant has not justified in the Consultation Report (Doc 5.1) why it did not consult with National Grid Gas Distribution Limited. National Grid Gas Distribution Limited has a license covering all of Great Britain and was therefore identified by the Inspectorate as a s42 consultee on a precautionary basis. National Grid Gas was consulted.</p> <ul style="list-style-type: none"> G2 Energy IDNO Limited <p>The Applicant has not justified in the Consultation Report (Doc 5.1) why it did not consult G2 Energy IDNO Limited. G2 Energy IDNO Limited has a license covering all of Great Britain and was therefore identified by the Inspectorate as a relevant electricity distributor with CPO powers on a precautionary basis.</p> <p>Section 51 advice has been issued to the Applicant in respect of the above matters .</p>
s42(1)(aa) the Marine Management Organisation ⁷ ?	<p>Yes</p> <p>Paragraph 7.9 – 7.11 and Appendix 7.1 of the Consultation Report (Doc 5.1) confirms that the Marine Management Organisation was consulted on the proposed application. The consultation letter was sent out on 11 January 2017.</p>
s42(1)(b) each local authority within s43 ⁸ ?	<p>Yes</p>

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 an authority shares a boundary with a “C” authority

Table 7.1 of the **Consultation Report (Doc 5.1)** list the relevant local authorities that were identified and consulted under s43 and s42(1)(b) of the PA2008.

An example letter is included in **Appendix 10.1** of the **Consultation Report (Doc 5.1)**.

The 'B' authority consulted:

- Selby District Council

The 'C' authority consulted:

- North Yorkshire County Council

The authorities identified as both 'A/D' consulted:

- Wakefield Council
- Doncaster Metropolitan Borough Council
- City of York Council
- Leeds City Council
- East Riding of Yorkshire Council

The 'A' authority consulted:

- Harrogate Borough Council

The 'D' authorities consulted:

- City of Bradford Metropolitan District Council
- Durham County Council
- Darlington Borough Council
- Lancashire County Council
- Cumbria County Council
- Middlesbrough Borough Council

	<ul style="list-style-type: none"> • Redcar and Cleveland Borough Council • Stockton-on-Tees Borough Council <p>The National Park authorities consulted:</p> <ul style="list-style-type: none"> • North York Moors National Park Authority • Yorkshire Dales National Park Authority
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 ?	<p>See below.</p> <p>Appendix 12.2 of the Consultation Report (Doc 5.1) lists those persons consulted in accordance with s42(1)(d) however there are seven persons who are included as Category 1 persons in Part 1 of the Book of Reference who do not appear to be listed in this Appendix:</p> <ul style="list-style-type: none"> • Charles William Bayston (Cat 1) • Rachel Violet Bayston (Cat 1) • Tamar (Selby Limited) (Cat 1) • Leslie Heron (Cat 1) • Deborah Ann Heron (Cat 1) • George Buckby (Cat 1) • National Grid PLC (Cat 1) <p>Mr Buckby is listed as being consulted during the stage two consultation in Table 5.1 of the Statement of Reasons together with</p>

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

Barbara Moore. In the Book of Reference Mr Buckby is listed at the same address as Barbara Moore. Barbara Moore is listed in Appendix 12.2 as being consulted at this address.

National Grid PLC is listed as being consulted in Appendix 12.2. The Applicant has not explained why these Category 1 parties are not listed in Appendix 12.2.

Further minor discrepancies have been noted between the Book of Reference and the Consultation Report in relation to:

- Carole Turner (Cat 1)

Carol Turner is listed as being consulted in Appendix 12.2 but with a different address from Carole Turner listed in the Book of Reference.

- David Arnold Platt (Cat 1)
- D A Platt (Cat 1)

The Book of Reference lists D A Platt and David Arnold Platt at the same address. The Consultation Report lists David Platt & Sons as being consulted at s42 (Appendices 7.4 and 12.2) at the same address. In paragraph 12.15 of the Consultation Report (Doc Ref 5.1) David Arnold Platt (no address given) is listed as being consulted during the targeted stage 2a consultation but he is not included in Appendix 12.2.

[Section 51 advice](#) has been issued alongside this checklist.

Paragraphs 7.20 – 7.23 and 12.10 of the Consultation Report (Doc 5.1) explain how the Applicant made diligent inquiry to identify and consult persons with an interest in the Order lands. Therefore despite the discrepancies the Planning Inspectorate considers that the Applicant has undertaken due diligence in line with its pre-application duties and the guidance set out in para 51

	<p>of the DCLG's guidance on the pre-application process.</p> <p>The Planning Inspectorate considers that the discrepancies can be remedied by the Applicant taking action to ensure the inclusion of these parties in the notification of the accepted application under s56 PA2008 and ensuring they are able to fully participate in the examination. See S51 advice.</p>
<p>s45: Timetable for s42 Consultation</p>	
<p>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?</p>	<p>Yes</p> <p>Appendix 10.1 of the Consultation Report (Doc 5.1) shows a sample letter sent to s42 consultees. It is dated 11 January 2017 and gives a deadline of 17 February 2017 for responses. Therefore assuming the letter was received on 12 January, consultees had 37 days to respond.</p> <p>As stated in paragraph 12.1 of the Consultation Report (Doc 5.1), there was a further, targeted consultation (stage 2a), to ensure compliance with sections 42 and 45. Paragraph 12.7 lists the letters which were sent, along with the deadlines for responses. Letters were sent on:</p> <ul style="list-style-type: none"> • 29 March 2017, with a deadline of 1 May 2017 for responses. Therefore assuming the letter was received on 30 March, consultees had 33 days to respond; • 13 April 2017, with a deadline of 18 May 2017 for responses. Therefore assuming the letter was received on 14 April, consultees had 35 days to respond; • 27 April 2017, with a deadline of 28 May for responses. Therefore assuming the letter was received on 26 April, consultees had 31 days to respond. <p>Appendix 12.1 of the Consultation Report (Doc 5.1) includes a</p>

	<p>sample letter dated 29 March 2017 as well as letters dated:</p> <ul style="list-style-type: none"> • 30 March 2017, with a deadline of 2 May 2017 for responses. Therefore assuming the letter was received on 31 March, consultees had 33 days to respond; • 7 April 2017, with a deadline of 10 May 2017 for responses. Therefore assuming the letter was received on 8 April 2017, consultees had 33 days to respond. <p>Letters dated 13 April 2017 and 27 April 2017 are not included in Appendix 12.1.</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 34 of the Consultation Report (Doc 5.1) states that the Applicant notified the Planning Inspectorate of the proposed application on 10 January 2017. At Appendix 9.1 of the Consultation Report (Doc 5.1) a copy of the letter is shown (incorrectly dated 2016). At Appendix 9.2 there is a copy of the Planning Inspectorate's acknowledgment (on behalf of the Secretary of State) of the s46 notification and this is dated 12 January 2017.</p> <p>Paragraph 34 of the Consultation Report (Doc 5.1) states that the s46 notification was two days prior to the start of the s42 consultation. An example letter sent to the s42 consultees is shown at Appendix 10.1 of the Consultation Report (Doc 5.1). This is dated 11 January 2017 and so the earliest this could have been received was 12 January 2017. Notification to the Secretary of State under s46 was therefore done on or before commencing consultation under s42.</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>A copy of the draft SOCC issued for statutory consultation is provided at Appendix 5.3 of the Consultation Report (Doc 5.1). This was sent to North Yorkshire County Council and Selby District Council on 22 August 2016.</p> <p>The final SOCC is shown at Appendix 5.5 of the Consultation Report (Doc 5.1). This was published in the Pontefract & Castleford Express, Selby Times and Goole Times on 8 December 2016. A copy of the notices is at Appendix 5.7 of the Consultation Report (Doc 5.1).</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>Paragraph 5.7 of the Consultation Report (Doc 5.1) states that an initial draft of the SOCC was issued to North Yorkshire County Council (NYCC) as the "C" authority and Selby District Council (SDC) as the "B" authority on 3 August 2016 for non-statutory consultation.</p> <p>A copy of the draft SOCC issued for statutory consultation is provided at Appendix 5.3 of the Consultation Report (Doc 5.1), along with a copy of the letters sent to the authorities. This was sent to NYCC and SDC on 22 August 2016. The local authorities were given until 20 September 2016 to make any comments to the Applicant. Assuming it was received by the authorities on 23 August, they had 29 days to respond.</p>
<p>2.8 Has the applicant had regard to any responses received when preparing the SOCC?</p>	<p>Yes</p> <p>Table 5.1 of the Consultation Report (Doc 5.1) shows how the Applicant took North Yorkshire County Council's (NYCC) response to the non-statutory consultation on the draft SOCC into account. The table summarises the comments from NYCC and states the Applicant's response. Where no change was made to the SOCC the</p>

	<p>Applicant explains why.</p> <p>No response to the non-statutory consultation on the draft SOCC was received from Selby District Council (SDC).</p> <p>Paragraph 5.11 of the Consultation Report (Doc 5.1) states that NYCC had no further comments on the draft SOCC at the statutory consultation stage.</p> <p>No response to the statutory consultation on the draft SOCC was received from SDC. At paragraph 5.13 of the Consultation Report (Doc 5.1) the Applicant explains that on 24 October 2016 they gave SDC another opportunity to comment on the draft SOCC, asking for any comments by 8 November 2016. Appendix 5.4 of the Consultation Report (Doc 5.1) is an email from SDC dated 8 November 2016 which stated that they had no comments on the draft SOCC but raised a query, which at paragraph 5.15 of the Consultation Report (Doc 5.1) the Applicant states they responded to.</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 SOCC Notice template is at Appendix 5.6 of the Consultation Report (Doc 5.1). It lists the following places where the SOCC was available to view free of charge:</p> <ul style="list-style-type: none"> • Snaith Library • Knottingley Library • Selby Library and Information Centre • Ashern Library • Sherburn-in-Elmet Library • Eggborough Power Station Sports and Social Club • North Yorkshire County Council

	<ul style="list-style-type: none"> Selby Council (Contact Centre) <p>The SOCC was also available to view on the Applicant's Project website.</p> <p>Appendix 5.7 of the Consultation Report (Doc 5.1) shows that the Notice was published in the following publications:</p> <ul style="list-style-type: none"> Goole Times on 8 December 2016 Pontefract and Castleford Express on 8 December 2016 Selby Times on 8 December 2016
<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 final SOCC is at Appendix 5.5 of the Consultation Report (Doc 5.1). At paragraph 5.1 of the SOCC it states that the development is EIA development.</p> <p>The SOCC does not explicitly set out how the Applicant will publicise and consult on the preliminary environmental information (PEI) however paragraph 5.4 of the SOCC states that the PEI will be made available during the stage 2 consultation. Table 9.1 of the SOCC shows the consultation methods for the stage 2 consultation and section 10.1 of the SOCC describes how the Applicant will publicise the stage 2 consultation.</p>
<p>2.11 Has the applicant carried out the consultation in accordance with the SOCC?</p>	<p>Yes</p> <p>Paragraph 3.12 of the Consultation Report (Doc 5.1) states that the consultation zone was 10km radius from the centre of the site, which is in accordance with paragraph 8.2 of the SOCC, shown at Appendix 5.5 of the Consultation Report (Doc 5.1).</p> <p>In accordance with Table 9.1: Consultation Methods in the</p>

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

	<p>SOCC at Appendix 5.5 of the Consultation Report (Doc 5.1), paragraph 8.5 of the Consultation Report (Doc 5.1) lists how the Applicant consulted the local community. They refer to letters, newspaper notices and a project website which is in accordance with the SOCC.</p> <p>Paragraph 8.7 of the Consultation Report (Doc 5.1) states that six public exhibitions were held, in accordance with the SOCC.</p> <p>Paragraph 8.8 of the Consultation Report (Doc 5.1) states that local political representatives were briefed, in accordance with the SOCC.</p> <p>The use of site notices was listed in Table 9.1 in the SOCC and at paragraph 7.23 of the Consultation Report (Doc 5.1) the Applicant states that site notices were erected close to land where ownership was unknown or where a person had been identified but it was not certain that they were the only relevant person. An example site notice is shown at Appendix 7.5 of the Consultation Report (Doc 5.1).</p> <p>In accordance with Table 9.1: Consultation Methods in the SOCC at Appendix 5.5 of the Consultation Report (Doc 5.1), paragraph 8.12 of the Consultation Report (Doc 5.1) states that documents were made available to the public at public inspection locations. A list of the inspection locations is shown at Appendix 8.7 of the Consultation Report (Doc 5.1).</p>
<p>s48: Duty to publicise the proposed application</p>	
<p>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):</p>	
<p>(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;</p>	<p>Yes</p> <p>Paragraph 11.1 of the Consultation Report (Doc 5.1) sets out the Applicant's approach to consultation under s48 PA 2008.</p>

	<p>The first s48 Notice is contained in Section Notices (Appendix 11.2 of the Consultation Report Doc 5.1).was published on 12 January 2017, so as to coincide with the stage 2 Consultation.</p> <ul style="list-style-type: none"> • Selby Times on 12 and 19 January 2017 • Goole Times on 12 and 19 January 2017 • Pontefract & Castleford Express on 12 & 19 January 2017
(b) once in a national newspaper;	<p>Yes</p> <p>Paragraph 11.2 of the Consultation Report (Doc 5.1) states that the notice was published in the Times (a national newspaper).</p> <p>A copy of the notice as it appeared in the Times on 12 January 2017, is contained in Section Notices (Appendix 11.2 of the Consultation Report Doc 5.1).</p>
(c) once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and	<p>Yes</p> <p>Paragraph 11.2 of the Consultation Report (Doc 5.1) states that the notice was published in the London Gazette.</p> <p>A copy of the notice as it appeared in the London Gazette on 12 January 2017 is contained in Section Notices (Appendix 11.2 of the Consultation Report Doc 5.1).</p>
<p>(d) where the proposed application relates to offshore development –</p> <p>(i) once in Lloyds List; and</p> <p>(ii) once in an appropriate fishing trade journal?</p>	<p>Yes</p> <p>(i) Paragraph 11.2 of the Consultation Report (Doc 5.1) states that the notice was published in the Lloyds List.</p> <p>A copy of the notice as it appeared in the Lloyd List on 12 January 2017, is contained in Section Notices (Appendix 11.2 of the Consultation Report Doc 5.1).</p> <p>(ii) Paragraph 11.2 of the Consultation Report (Doc 5.1) states that the notice was published in the fishing News (an</p>

	<p>appropriate fishing journal).</p> <p>A copy of the notice as it appeared in the Fishing News on 12 January 2017 is contained in Section Notices (Appendix 11.2 of the Consultation Report Doc 5.1).</p>
2.13 Did the notice include, as required by Regulation 4(3) of APFP Regulations:	
(a) the name and address of the applicant;	<p>Yes</p> <p>The s48 notice reproduced in Appendix 11.1 of the Consultation Report Doc 5.1 states:</p> <p>"...Eggborough Power Limited ('EPL') ('the Applicant') of Eggborough Power Station, near Selby, North Yorkshire, DN14 OBS..."</p>
(b) a statement that the applicant intends to make an application for development consent to the Secretary of State;	<p>Yes</p> <p>The s48 notice reproduced in Appendix 11.1 of the Consultation Report Doc 5.1 states: :</p> <p>"Eggborough Power Limited ('EPL') ('the Applicant') ... intends to submit an application ('the Proposed Application') to the Secretary of State for Business, Energy and Industrial Strategy for a Development Consent Order ('DCO') under Section 37 of The Planning Act 2008 (the 'Act').</p>
(c) a statement as to whether the application is EIA development;	<p>Yes</p> <p>The s48 notice reproduced in Appendix 11.1 of the Consultation Report Doc 5.1 states:</p> <p>"The Project is Environmental Impact Assessment (EIA)</p>

	development under The Infrastructure Planning (EIA) Regulations 2009. The findings of the EIA of the Project will be reported in an Environmental Statement that will be submitted with the Proposed Application”.
(d) a summary of the main proposals, specifying the location or route of the proposed development;	Yes Paragraphs 3 to 4 of the s48 notice reproduced in Appendix 11.1 of the Consultation Report Doc 5.1 include a summary of the main proposals, specifying the location or route 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;	Yes Paragraph 6 of the s48 notice provided in Appendix 11.1 of the Consultation Report Doc 5.1 states that: “Information so far compiled about the Project’s environmental impacts is contained in a Preliminary Environmental Information Report and a non-technical summary. These documents and other documents relating to the Project, including plans and maps showing the nature and location of the Project (‘the consultation documents’) are available to view or download free of charge from the Project website: www.eggboroughccgt.co.uk and for inspection free of charge from 12 January to 17 February 2017”. The table following paragraph 6 provides eight locations including addresses in the vicinity of the proposed development and sets out the times where the consultation documents can be inspected. The notice also states that copies of documents and further details about the project could be found on the applicant’s website.
(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));	Yes Paragraph 6 of the s48 notice provided in Appendix 11.1 of the Consultation Report Doc 5.1 states that:

	<p>"the consultation documents are available to view or download free of charge from the Project website: www.eggboroughccgt.co.uk and for inspection free of charge from 12 January to 17 February 2017".</p>
<p>(g) whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge;</p>	<p>Yes</p> <p>Paragraph 6 and 7 of the s48 notice provided in Appendix 11.1 of the Consultation Report Doc 5.1 states that:</p> <p>"hard copy of all the consultation documents is available on request for a maximum copying charge of £150.00. Hard copies of individual documents are also available on request. A CD of the documents is available on request for a charge of £15.00".</p>
<p>(h) details of how to respond to the publicity; and</p>	<p>Yes</p> <p>Paragraph 8 of the s48 notice provided in Appendix 11.1 includes on how to respond to the publicity:</p> <p>By post: Eggborough CCGT Consultation, c/o Dalton Warner Davis LLP, 21 Garlick Hill, London, EC4V 2AU</p> <p>By e-mail: consultation@eggboroughccgt.com</p> <p>On the Website: www.eggboroughccgt.co.uk</p>
<p>(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?</p>	<p>Yes</p> <p>Paragraph 10 of the s48 notice provided in Appendix 11.1 states:</p> <p>"All responses must be received by EPL no later than the end of 17 February 2017"</p> <p>The above deadline for receipt of responses by the Applicant is more than 28 days from the day after the s48 notice was last published, on 19 January 2017.</p>

<p>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 (2009 EIA Regulations)¹¹?</p>	<p>Yes</p> <p>Chapter 11, Paragraph 11.7 of the Consultation Report (Doc 5.1) states that</p> <p>“EPL’s compliance with EIA Regulation 11 is confirmed at Appendix 7.1”</p> <p>A copy of the EIA Regulation 11 letter has been provided at Appendix 10.1.</p> <p>The applicant has also marked in Box 14c of the Application Form (DOC 1.3) that they have not sent a copy of the notice to persons identified under Regulation 9 (1)(c) of The Infrastructure Planning (Environmental Impact Assessment) Regulation 2009.</p> <p>This is correct as no Regulation 9(1)(c) notifications were made to the applicant by The Planning Inspectorate on behalf of the Secretary of State.</p>
<p>s49: Duty to take account of responses to consultation and publicity</p>	
<p>2.15 Has the applicant had regard to any relevant responses to the s42, s47 and s48 consultation?</p>	<p>Yes</p> <p>Chapter 13 of the Consultation Report (Doc Ref 5.1) and Tables 13.1 – 13.4 of the Consultation Report (Doc Ref 5.1) sets out how the Applicant has had regard to both non-statutory and statutory consultation responses. Paragraph 13.2 of the Consultation Report (Doc Ref 5.1) states that the Applicant has also had regards to any late consultation responses.</p> <p>Paragraph 45 of the Consultation Report (Doc Ref 5.1) states that no responses to the s48 consultation were received.</p> <p>Tables 13.1, 13.3a and 13.3b of the Consultation Report (Doc</p>

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

	<p>Ref 5.1) list the comments raised in themes. The Applicant has included its response to each theme and justified in the tables when a change was not necessary. When a comment resulted in a change the tables summarises the Applicant's changes to the application.</p> <p>Tables 13.2 and 13.4 of the Consultation Report (Doc Ref 5.1) list the comments raised by the individual consultee. The Applicant has included its response to each comment and justified in the tables when a change was not necessary. When a comment resulted in a change the tables summarises the Applicant's changes to the application.</p>
<p>Guidance about pre-application procedure</p>	
<p>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>	<p>Paragraphs 3.5, 3.11, 8.1, 2.5 and 12.13 of the Consultation Report (Doc Ref 5.1) explain how the Applicant has had regard to DCLG's guidance "The Planning Act 2008: Guidance on the pre-application process..." for example at paragraph 25. It indicates that where a proposed development would affect people living within the "wider area" (e.g. through visual or other environmental effects) they should be consulted. Furthermore, at paragraph 39 of the guidance when referring to the requirement to consult those living in the vicinity of the land, it states that applicants are: "encouraged to consider consulting beyond this where they think doing so may provide more information on the impacts of their proposals (e.g. through visual impacts or increased traffic flow)". The consultation zone defined by the Applicant for the purposes of the local community consultation (known as the 'Public Consultation Zone') extended to 10 km in all directions (a 10km radius) from The Site.</p>

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

<p>Summary - s55(3)(e)</p>	<p>Whilst a number of consultation discrepancies have been identified during the application acceptance process, none are sufficiently serious to conclude reasonably that the application should not be accepted.</p> <p>The Planning Inspectorate considers that the applicant's pre-application consultation duties have been undertaken to a satisfactory standard.</p> <p>However, the applicant is strongly recommended to consider and respond to the content of s51 advice about s42 consultation issued alongside this checklist.</p>
<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>	
<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>The Application Form (Doc Ref 1.3) submitted is in the prescribed format and Part 4 contains a statement which explains why the proposed project falls under the remit of the Secretary of State.</p> <p>Part 6 of the Application Form (Doc Ref 1.3) identifies the location of the Eggborough CCGT Projects and states that is a single-site project.</p>
<p>3.2 Is it accompanied by a consultation report?</p>	<p>Yes</p> <p>The application is accompanied by a Consultation Report (Doc Ref 5.1) and Consultation Report Appendices 4-12.3 (Doc Ref 5.1). Paragraph 1.24 of the Consultation Report (Doc Ref 5.1) clarifies why there is no appendices numbered 1-3.</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 applicable 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"> • Volume 1: Main Report (Doc 6.2.1 – 6.2.21) • Volume 2: Figures (Doc 6.3.1 – 6.3.35), • Volume 3: Appendices (Doc 6.4.1 – 6.4.27), and • Non-technical summary (Doc 6.1). <p>The Applicant has acknowledged that The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (2017 EIA Regulations) are in force but states that the 2009 EIA Regulations continue to apply to this DCO application because the EIA scoping opinion request was made in August 2016, prior to the commencement of the 2017 EIA Regulations (Paragraph 1.5.1 of ES Chapter 1 (Doc 6.2.1)).</p> <p>The application has been reviewed against the transitional provisions of the 2017 EIA Regulations and, in accordance with Regulation 37(a)(ii), the provisions do apply because the applicant requested the SoS adopt a scoping opinion in respect of the development to which the application relates prior to 16 May 2017 (the date of the commencement of the 2017 EIA Regulations). The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (the 2009 EIA Regulations) are therefore the applicable EIA Regulations in respect of this application.</p> <p>The ES meets the minimum requirements set out in Schedule 4 Part 2 of The Infrastructure Planning (Environmental Impact Assessment)</p>

	<p>Regulations 2009 (as amended) (2009 EIA Regulations) regarding the information for inclusion in environmental statements. This does not preclude the ExA from seeking further explanation during the course of the examination.</p> <p>A copy of the scoping opinion issued by the Secretary of State in September 2016 is provided as Technical Appendix 1B of the ES (Doc 6.4.2).</p>
(b) the draft proposed order;	<p>Yes</p> <p>The draft Eggborough CCGT (Generating Station) Order (Doc Ref 2.1) has been provided with the application.</p> <p>The draft Eggborough CCGT (Generating Station) Order (Doc Ref 2.1) contains a deemed marine license (Article 34 and schedule 13).</p>
(c) an explanatory memorandum explaining the purpose and effect of provisions in the draft order;	<p>Yes</p> <p>An Explanatory Memorandum (Doc Ref 2.2) has been provided with the application. The document explains the purpose and effect of provisions in the draft order</p>
(d) where applicable, a book of reference (where the application involves any compulsory acquisition);	<p>Yes</p> <p>The Applicant has provided a Book of Reference (Doc 3.1).</p> <p>The Applicant has not identified any persons in Part 2 of the Book of Reference. Part 2 of the Book of Reference should contain the names and addresses of each person within Category 3, as set out in s57 of PA2008. S57 of PA2008 defines Category 3 persons as persons, known to the applicant after making diligent inquiry, whom the applicant thinks would or might be entitled to make a relevant claim if the order were made and fully implemented.</p> <p>The Statement of Reasons (Doc 3.2) states at paragraph 5.37 that the Applicant '<i>...is not aware of any interests within the Order</i></p>

land in respect of which a person may be able to make a blight claim...'.

At **paragraph 10.10** of the **Statement of Reasons (Doc 3.2)** the Applicant states that it has '*...consulted with persons set out in the categories contained in Section 44 of the 2008 Act, which includes owners of land affected and those who may be able to make claims either under Sections 7 and 10 of the Compulsory Purchase Act 1965 in respect of injurious affection or under Part 1 of the Land Compensation Act 1973.*'

The Consultation Report identifies Kendall Jackson and Anita Catherine Jackson as Category 3 persons in Appendix 7.4 and 12.2. These persons are not included in Part 2 of the Book of Reference as Category 3 persons. They are however included in Part 1 and Part 3 of the Book of Reference. No explanation is given for this in the Statement of Reasons or the Consultation Report and [s51 advice](#) has been issued.

The following persons listed as s44 Consultees in the consultation report do not appear to be included in the Book of Reference:

- Penelope Jane Plumpton
- David Lewis
- Patricia Mary Lupton
- E Langrick & Sons
- BofAML Trustees Limited
- Energis Communications Limited
- Saint-Gobain Glass UK Limited
- Air Liquide UK Limited
- Marilyn Whitehead

The Applicant has not provided an explanation for this and [s51](#)

	<p>advice has been issued.</p> <p>Persons listed in Part 3 of the Book of Reference are also listed in Part 1.</p>
(e) a copy of any flood risk assessment;	<p>Yes</p> <p>A Flood Risk Assessment (FRA) is provided as Technical Appendix 11A of the ES (Doc 6.4.16).</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>Yes</p> <p>A Statutory Nuisance Statement has been provided by the applicant (Doc 5.9).</p> <p>The document considers whether the proposed development could cause a statutory nuisance pursuant to Section 79(1) of the Environmental Protection Act 1990 (EPA) and how the applicant proposes to mitigate or limit the effects.</p> <p>It concludes that, following the embedded mitigation measures outlined in Section 3 of the report, no significant effects are anticipated.</p>
(g) any report identifying any European site(s) to which regulation 48 of the Conservation (Natural Habitats, &c.) Regulations 1994 ¹³ 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>Yes</p> <p>A Habitat Regulations Assessment Signposting Report has been provided as Technical Appendix 10H of the ES (Doc 6.4.15).</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.</p> <p>Note: the Examining Authority will be able to ask questions during the examination. This may result in additional information being required to inform the HRA report and the competent authority.</p>

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

	<p>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 A Statement of Reasons (Doc Ref 3.2) and a Funding Statement (Doc Ref 3.3) have been provided.</p>
<p>(i) a land plan identifying: -</p> <ul style="list-style-type: none"> (i) the land required for, or affected by, the proposed development; (ii) where applicable, any land over which it is proposed to exercise powers of compulsory acquisition or any rights to use land; (iii) any land in relation to which it is proposed to extinguish easements, servitudes and other private rights; and (iv) any special category land and replacement land; 	<p>Yes A Land Plan (Doc 4.2) is provided and comprises:</p> <ul style="list-style-type: none"> • Land Plans Key Plan Key Plan (Doc 4.2) • Land Plans Sheets 1-4 (Doc 4.2) <p>The land plans provided shows the land required for, or affected by, the proposed development. No open space, common land, fuel or field garden allotment is included in or affected by the Order Land.</p> <p>The Land Plans (Docs 4.2) do not give any coordinates.</p> <p>There are anomalies relating to the terms "Order land" and "Order limits" as employed in the DCO and the Land Plans. The Applicant must ensure that the Land Plans correspond with the definition of these terms within the DCO and as shown on the Works Plans. However, the means by which these anomalies can be addressed are matters that can be addressed in an examination and do not indicate against acceptance. The anomalies do not prevent any person who might be interested in or affected by the application proposal from appreciating heir potential interest or the effects of</p>

	<p>the application proposal upon them.</p> <p>Part5 of the Book of Reference (Doc 3.1) states there is no special category land and replacement land.</p> <p>The plots annotated on the Land Plans appear to be consistent with the information within the Book of Reference (Doc 3.1) and the Draft Development Consent Order (Doc 2.1).</p>
<p>(j) a works plan showing, in relation to existing features: -</p> <p>(i) the proposed location or (for a linear scheme) the proposed route and alignment of the development and works; and</p> <p>(ii) the limits within which the development and works may be carried out and any limits of deviation provided for in the draft order;</p>	<p>Yes</p> <p>A Works Plan (Doc 4.4) is provided and comprises:</p> <ul style="list-style-type: none"> • Works Plans Key Plan (Doc 4.4) • Works Plans Sheets 1 – 9 (Doc 4.4) <p>The Works Plans (Doc 4.4) do not give any coordinates.</p> <p>The Works plans show the proposed route of the development and works and the limits of deviation within which the works can be carried out.</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>Yes</p> <p>A Rights of Way and Access Key Plan (Doc 4.5) is provided and comprises:</p> <ul style="list-style-type: none"> • Rights of Way and Access Key Plan (Doc 4.5) • Rights of Way and Access Plans Sheets 1-4 (Doc 4.5)
<p>(l) where applicable, a plan with accompanying information identifying: -</p> <p>(i) any statutory/non-statutory sites or features of nature conservation e.g. sites of geological/ landscape importance;</p> <p>(ii) habitats of protected species, important habitats or</p>	<p>Yes</p> <p>(i) Features of Nature Conservation importance are identified on Figures 10C.1 – 10C.3 of Technical Appendix 10C of the ES (Doc 6.4.10). Features of landscape importance are identified on Figure 16.2 of the ES (Doc 6.3.26)</p> <p>(ii) Habitats of protected species, important habitats and other</p>

<p>other diversity features; and</p> <p>(iii) water bodies in a river basin management plan, together with an assessment of any effects on such sites, features, habitats or bodies likely to be caused by the proposed development;</p>	<p>diversity features are shown on Figures 10C.1 – 10C.4 of Technical Appendix 10C of the ES (Doc 6.4.10). Technical Appendices 10D – 10G (Doc 6.4.10 – 6.4.14) also present figures in relation to specific species including mammals and great crested newts.</p> <p>(iii) Water bodies within a River Basin Management Plan are illustrated on Figure 11.1 of the ES (Doc 6.3.20). Chapters 10 (Ecology) (Doc 6.2.10) and 11 (Water Resources, Flood Risk and Drainage) (Doc 6.2.11) provide an assessment of the effects on such sites, features, habitats or bodies likely to be caused by the proposed development.</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>Heritage Assets are identified on Figures 13.1 and 13.2 of the ES (Doc 6.3.22 and 6.3.23). A gazetteer of all identified heritage assets is provided in Technical Appendix 13A of the ES (Doc 6.4.19). An assessment of any effects on these designations likely to be caused by the proposed development is provided in Chapter 13 (Cultural Heritage) of the ES (Doc 6.2.13).</p>
<p>(n) where applicable, a plan with any accompanying information identifying any Crown land;</p>	<p>Yes</p> <p>A Crown Land Plan has been provided (Doc 4.3).</p> <p>Part 4 of the Book of Reference identifies plots 245, 255 and 690 as Crown land. The Crown Land Plan only shows plots 245 and 255. The Applicant must ensure that the Crown Land Plan is correct.</p>
<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>	<p>Yes</p> <p>Box 23 of the Application Form (Doc 1.3) identifies any other plan, drawings and sections necessary to describe the proposal for which development consent is sought:</p> <ul style="list-style-type: none"> • 4.6 - Indicative Generating Station Plans (Key Plan and Sheets 1 - 6)

	<ul style="list-style-type: none"> • 4.7 - Indicative Electricity Connection Works Plan (Sheets 1) • 4.8 - Indicative Cooling Water Connection Works Plans (Key Plan and Sheets 1 - 3) • 4.9 - Indicative Ground and Towns Water Connections Works Plan (Sheets 1) • 4.10 - Indicative Gas Supply Pipeline Connection Works Plans (Key Plan and Sheets 1 - 7) • 4.11 - Indicative Above Ground Installation Plans (Key Plan and Sheets 1 - 2) • 4.12 - Indicative Surface Water Drainage Plan • 4.13 - Indicative Landscape and Biodiversity Plan (Key Plan and Sheets 1-5) • 4.14 - Indicative Deemed Marine Licence Coordinates Plan
<p>(p) any of the documents prescribed by Regulation 6 of the APFP Regulations¹⁴;</p>	<p>Yes</p> <p>At Section 22 of the Application Form (Doc 1.3) the Applicant has listed the following additional information:</p> <ul style="list-style-type: none"> • Grid Connection Statement (Doc 5.2), as required by Regulation 6(1)(a)(i) of the APFP Regulations • Gas Connection and Pipeline Statement (Doc 5.3), as required by Regulation 6(1)(a)(ii) and 6(4) of the APFP Regulations

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>(q) any other documents considered necessary to support the application; and</p>	<p>Yes</p> <p>The following documents have been submitted:</p> <ul style="list-style-type: none"> • Indicative Generating Station Plans (Key Plan and Sheets 1 – 6) (Doc 4.6) • Indicative Electricity Connection Works Plan (Sheet 1) (Doc 4.7) • Indicative Cooling Water Connection Works Plans (Key Plan and Sheets 1-3) (Doc 4.8) • Indicative Ground and Towns Water Connections Works Plan (Sheet 1) (Doc 4.9) • Indicative Gas Supply Pipeline Connection Works Plan (Key Plan and Sheets 1-7) (Doc 4.10) • Indicative Above Ground Installation Plans (Key Plan and Sheets 1-2) (Doc 4.11) • Indicative Surface Water Drainage Plan (Doc 4.12) • Indicative Landscape and Biodiversity Plan (Key Plan and Sheets 1-5) (Doc 4.13) • Indicative Deemed Marine Licence Coordinates Plan (Doc 4.14)
<p>(r) if requested by the Secretary of State, two paper copies of the application form and other supporting documents and plans.</p>	<p>Yes</p> <p>Two paper copies of the application form and application documents were received by the Inspectorate on 30 May 2017.</p>
<p>3.4 Are the plans, drawings or sections submitted A0 size or smaller, drawn to an identified scale (not smaller than</p>	<p>Yes</p> <p>All plans and drawings or sections are submitted under Regulation</p>

<p>1:2,500 on land) and, in the case of plans, show the direction of north¹⁵?</p>	<p>5(3) are not larger than A0 in size. All relevant plans have been drawn to an identified scale not smaller than 1:2500, with the exception of Indicative Gas Supply Pipeline Connection Doc Reference 4.10_Sheet 7 and Indicative above Ground Installation, Document Reference 4.11 _Sheet 2, which are not showing the scale on the plan.</p> <p>All plans show the direction of north.</p>
<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>Yes</p> <p>In all instances where three or more sheets comprise has a plan, a key plan is provided showing the relationship between the different sheets.</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>Yes</p> <p>The application appears to be in general conformity with the Guidance and the Planning Inspectorate is broadly satisfied that the applicant has had regard to the Guidance. There are minor discrepancies but none of a nature that would suggest that the application not be accepted.</p>
<p>Summary - s55(3)(f) and s55(5A)</p>	<p>In consideration of its observations made above, the Planning Inspectorate considers that the submitted application generally accords with the requirements of s55(3)(f) having regard to s55(5A) of the PA2008.</p> <p>None of the issues identified in the checklist are likely to prejudice any persons wishing to take part in the examination, or to prevent an appointed Examining Authority from examining the application within the statutory 6 month period. The overall conclusion therefore</p>

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

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

is that the application is of a satisfactory standard and can be accepted.
However, the applicant is strongly recommended to consider and respond to the content of [s51 advice](#) issued alongside this checklist.

The Infrastructure Planning (Fees) Regulations 2010 (SI 106)

Fees to accompany an application

Was the fee paid at the same time that the application was made¹⁷?

Yes

The Fee of £6,750 was paid by BACS and cleared on 17 May 2017 before the submission of the application on 30 May 2017.

Case Leader

Kay Sully

Kay Sully

Signed

Date: 27 June 2017

**Acceptance
Inspector**

Rynd Smith

Rynd Smith

Signed

Date: 27 June 2017

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 £6,750 and must be paid at the same time that the application is made