

Norfolk Boreas Offshore Wind Farm Draft Section 55 Checklist

DCO Document 1.5

Applicant: Norfolk Boreas Limited
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Photo: Ormonde Offshore Wind Farm

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 by the Localism Act 2011]*
- (c) that development consent is required for any of the development to which the application relates,
- (d) *[deleted by the Localism Act 2011]*
- (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) “local authority consulted under section 42(1)(b) about a proposed application that has become the application, or
- (b) the Greater London Authority if consulted under section 42(1)(c) about that proposed application;

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

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

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

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

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

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

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

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

DISCLAIMER - This is for information only and is not a formal application document. It is a non-statutory checklist for the Planning Inspectorate (National Infrastructure) 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: Norfolk Boreas Offshore Wind Farm Section 55 Application Checklist¹

Section 55(2) Acceptance of Applications				
1	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
Section 55(3) – the Secretary of State may only accept an application if the Secretary of State concludes that:-		Planning Inspectorate Comments		
s55(3)(a) and s55(3)(c) It is an application for an order granting development consent				
	<p>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 2008 Act), 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 required?</p>	<p>Paragraph 1.3 of the Cover Letter to the Planning Inspectorate (Doc 1.1) states:</p> <p>"Development consent is required to the extent that development is or forms part of a Nationally Significant Infrastructure Project (NSIP) pursuant to section 14(1)(a) and 15(3) of the 2008 Act. As the proposed wind farm is expected to have an export capacity of up to 1,800 MW it is an NSIP for the purposes of the 2008 Act".</p> <p>It is for this reason that Norfolk Boreas (the project) is categorised as a Nationally Significant Infrastructure Project for which a Development Consent Order is required pursuant to the PA2008.</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)

3	Summary – s55(3)(a) and s55(3)(c)	As set out in the cover letter (Doc 1.1) and the application form (Doc 1.2) the Application as submitted states on the face of it that it is an application for development consent because of its nature, scale and location.
s55(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 ⁴ , did the applicant (prior to carrying out consultation in accordance with s42) 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?	The Applicant issued a Scoping Report to the Secretary of State on 8 May 2017 and requested a Scoping Opinion in accordance with Regulation 8 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009. A Scoping Opinion for the project was adopted by the Secretary of State on 16 June 2017. See Doc 6.4 for the Scoping Opinion.
5	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?	As explained in the Consultation Report (Doc 5.1), where any section 43 authority has raised an issue with the level of consultation, the Applicant has either worked with the authority to address these concerns or explained how, at a project wide level, the Applicant has had regard to these consultation responses. Consultation was undertaken across many phases of the development of the project beginning in 2017 (and prior to that from 2016 as part of the consultation for the Project's sister project, the Norfolk Vanguard Offshore Wind Farm), which has influenced the Project design and proposals) with formal pre-application section 42 consultation undertaken in November / December 2018 (Doc 5.1).
s42: Duty to Consult		

⁴ Regulation 8 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (2017 EIA Regulations), or Regulation 6 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (2009 EIA Regulations) (where Regulation 37 of the 2017 EIA Regulations applies).

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.

Did the applicant consult the applicable persons set out in s42 of the PA2008 about the proposed application?		
6	s42(1)(a) persons prescribed ⁶ ?	Yes The Applicant consulted all relevant persons prescribed under the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (see Appendix 21.1 of the Consultation Report (Doc 5.1) for the full list).
7	s42(1)(aa) the Marine Management Organisation ⁷ ?	Yes The Applicant consulted with the Marine Management Organisation (see Appendix 21.1 of the Consultation Report (Doc 5.1)).
8	s42(1)(b) each local authority within s43 ⁸ ?	Yes The Applicant consulted with each local authority identified under Section 43 (see Chapter 21.3.2 of the Consultation Report (Doc 5.1)).
9	s42(1)(c) the Greater London Authority (if in Greater London area)?	No 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 Norfolk.
10	s42(1)(d) each person in one or more of s44 categories ⁹ ?	Yes 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).

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

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

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

s45: 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

All section 42 consultees were informed of the deadline for receipt of consultation responses in a cover letter notifying the commencement of consultation (see copy letter at Appendix 21.13 of the Consultation Report (Doc 5.1). The letter stated that the consultation process would run from 7th November 2018 until 9th December 2018, providing a period of 33 days for responses.

All section 42 consultees were invited in writing to provide comments on the proposed application under section 42 of the PA2008. The consultation documents provided for the Section 42 consultation on a USB stick included a copy of the Preliminary Environmental Information Report (PEIR), associated plans, a PEIR Non-Technical Summary Document, a Consultation Summary Document, and a copy of the consultation questionnaire inviting feedback. A hard copy of the Section 48 notification was also included alongside a cover letter.

s46: Duty to notify Secretary of State of proposed application

12 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?

Yes

The Applicant notified the Planning Inspectorate of the proposed application on 25th October 2018 by way of a formal cover letter and package including the consultation documents (as outlined above). The package was sent to the Planning Inspectorate on 25th October 2018, before the date of commencement of the formal consultation on 7th November 2018 (See Appendix 21.11 of the Consultation Report).

s47: Duty to consult local community		
13	Did the applicant prepare a Statement of Community Consultation (SoCC) on how it intended to consult people living in the vicinity of the land?	<p>Yes</p> <p>A copy of the final SoCC is provided in Appendix 22. 2 of the Consultation Report (Doc 5.1).</p>
14	Were “B” and (where relevant) “C” authorities consulted about the content of the SoCC; and if so was the deadline for receipt of responses 28 days beginning with the day after the day that “B” and (where applicable) “C” authorities received the consultation documents?	<p>Yes</p> <p>Section 22.3.2 and Table 22.1 of the Consultation Report (Doc 5.1) confirms that the relevant local authorities within whose area the land lies to which the proposed application relates were consulted on the content of the SoCC. The local authorities consulted were:</p> <ul style="list-style-type: none"> • North Norfolk District Council • Broadland District Council • Breckland District Council • The Broads Authority • Norfolk County Council • Marine Management Organisation* • Great Yarmouth Borough Council* <p>The draft SoCC was sent out to Local Authorities on 24 August 2018 and a response was initially requested by 21 September 2018 . This amounted to a period of more than 28 days after the day of receipt of the SoCC.</p> <p><i>*Whilst the MMO and Great Yarmouth are not local authorities with whom the Applicant is required to consult formally on the draft SoCC, it was felt by the Applicant that it would be beneficial to seek additional feedback and so these bodies were included.</i></p>
15	Has the applicant had regard to any responses received when preparing the SoCC?	<p>Yes</p> <p>The Applicant considered all relevant comments received on the draft SoCC. For more information on how comments were addressed see Section 22.3.2 of the Consultation Report for a table outlining the changes made to the SoCC following consultation (Doc 5.1).</p>

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</p> <p>As is outlined in section 22.3.4 of the Consultation Report:</p> <ul style="list-style-type: none"> • Notice of the SoCC was published in the Eastern Daily Press on 17th October 2018. • The SoCC was also made available on the Applicant's website: www.vattenfall.co.uk/norfolkboreas. • Hard copies of the SoCC were made available at local deposit locations listed in Section 22.5 to the Consultation Report (Doc 5.1). • Letters were issued to stakeholders and those with an interest in the proposals highlighting that the SoCC had been published and was available to view online or in hard copy. Appendix 22.6 of the Consultation Report (Doc 5.1) contains a list of stakeholders who were issued this letter. Appendix 22.6 contains a copy of the letter, which was issued on 16th October 2018. • A newsletter was also issued by the Applicant to approximately 27,000 local residents living within the Primary Consultation Zone (as defined in the Consultation Report). The newsletter summarised the key information contained in the SoCC and provided an overview of the forthcoming statutory consultation.
17	Does the SoCC set out whether the development is EIA development ¹⁰ ; and does it set out how the applicant intends to publicise and consult on the preliminary environmental information?	<p>Yes</p> <p>The SoCC reproduced at Appendix 22.2 of the Consultation Report (Doc 5.1) confirms at page 9, Section 6 that:</p> <p><i>'The project is classified as an Environmental Impact Assessment development under Schedule 1 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009.</i></p> <p><i>This means that an Environmental Statement, describing the environmental effects of the project, must be prepared to accompany the DCO application.</i></p> <p><i>The Environmental Statement will identify likely significant environmental effects of the project and any mitigation proposed to reduce those impacts. In advance of preparation of the Environmental Statement a report containing 'Preliminary Environmental Information' (PEIR) will be provided as part of the formal consultation process, which will set out the preliminary findings from the Environmental Impact Assessment process.'</i></p>

¹⁰ Regulation 12 of the 2017 EIA Regulations, or Regulation 10 of the 2009 EIA Regulations (where Regulation 37 of the 2017 EIA Regulations applies)

18	Has the applicant carried out the consultation in accordance with the SoCC?	<p>Yes The Applicant's consultation process was carried out in accordance with the SoCC - as explained further in Section 22.4 of the Consultation Report (Doc 5.1).</p>
s48: Duty to publicise the proposed application		
19	Did the applicant publicise the proposed application, under s48, in the prescribed manner set out in Regulation 4(2) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009?	
		Newspaper(s)
	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>Yes The Applicant published section 48 notices in October/November 2018.</p> <p>The Applicant confirms that the document Copies of Newspaper Notices (Doc 1.3) provides dated copies of the s48 notices published in:</p> <ul style="list-style-type: none"> • The Eastern Daily Press (local newspaper) for two successive weeks during the weeks commencing 30th October 2018 and 6th November 2018.
	once in a national newspaper;	<p>Yes The Applicant confirms that that the document Copies of Newspaper Notices (Doc 1.3) provides dated copies of the s48 notices published in:</p> <ul style="list-style-type: none"> • The Times on 1st November 2018.

	once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and	<p>Yes The Applicant confirms that that the document Copies of Newspaper Notices (Doc 1.3) provides dated copies of the s48 notices published in:</p> <ul style="list-style-type: none"> • The London Gazette on 1st November 2018. <p>The land is not in Scotland, so the Edinburgh Gazette is not applicable.</p>			
	where the proposed application relates to offshore development – (i) once in Lloyds List; and (ii) once in an appropriate fishing trade journal?	<p>Yes The Applicant confirms that that the document Copies of Newspaper Notices (Doc 1.3) provides dated copies of the s48 notices published in:</p> <ul style="list-style-type: none"> • Lloyd’s List on 1st November 2018; and • Fishing News on 1st November 2018. 			
20	Did the s48 notice include the required information set out in Regulation 4(3) of APFP Regulations?	<p>Yes See the full notice at Appendix 23.1 of the Consultation Report (Doc 5.1), which demonstrates that all the required details ((a) to (h) below) were included within the section 48 notice (see Appendix 23.1).</p>			
	Information	Paragraph		Information	Paragraph
a)	The name and address of the applicant.	Yes 1 (column 1)	b)	A statement that the applicant intends to make an application for development consent to the Secretary of State	Yes 1 (column 1)
c)	a statement as to whether the application is EIA development	Yes 1 (column 2)	d)	a summary of the main proposals, specifying the location or route of the proposed development	Yes 3 (column 1) and 6 (column 1-2)

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 Tables in column 2 and 3	f)	the latest date on which those documents, plans and maps will be available for inspection	Yes 2 (column 2)
g)	whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge	Yes 2 (column 3)	h)	details of how to respond to the publicity	Yes 3 (column 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 5 (column 3)			
21	Are there any observations in respect of the s48 notice provided above?				
	The Applicant considers that the Section 48 notice is fully compliance with the APFP Regulations				
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 ¹¹ ?	Yes In accordance with Regulation 11 of the EIA Regulations, a copy of the section 48 notice was issued by post to all section 42 consultees alongside the consultation documents on 26th October 2018. .			
s49: Duty to take account of responses to consultation and publicity					

¹¹ Regulation 13 of the 2017 EIA Regulations, or Regulation 11 of the 2009 EIA Regulations (where Regulation 37 of the 2017 EIA Regulations applies)

23	Has the applicant had regard to any relevant responses to the s42, s47 and s48 consultation?	<p>Yes</p> <p>The Applicant has had regard to all relevant responses to consultation in accordance with section 42, section 47 and section 48. Please see Chapters 24, 25, 26 of the Consultation Report (Doc 5.1) respectively.</p>
Guidance about pre-application procedure		
24	To what extent has the applicant had regard to DCLG guidance 'The Planning Act 2008: Guidance on the pre-application process' ¹² ?	<p>Yes</p> <p>The Applicant has had regard to the DCLG guidance both in terms of the consultation process undertaken and preparation of the Consultation Report (Doc 5.1).</p> <p>Table 31.1 of the Consultation Report is the Consultation Compliance Checklist (Doc 5.1), which lists actions taken against applicable guidance and regulation.</p>
25	Summary- s55(3)(e)	
<p>s55(3)(f) and s55(5A) The application (including accompaniments) achieves a satisfactory standard having regard to the extent to which it complies with section 37(3) (form and contents of application) and with any standards set under section 37(5) and follows any applicable guidance under section 37(4)</p>		
26.	<p>Is it made in the prescribed form as set out in Schedule 2 of the APFP Regulations, and does it include:</p> <ul style="list-style-type: none"> • a brief statement which explains why it falls within the remit of the 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>See Cover Letter to the Planning Inspectorate (Doc 1.2) 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 5 of the Application Form (Doc 1.2) which provides a brief non-technical description of the location of 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

27.	Is it accompanied by a consultation report?	<p>Yes</p> <p>A Consultation Report (Doc 5.1) is included with the application, with numerous Appendices, as listed in the contents of the Consultation Report.</p>
28.	Where a plan comprises three or more separate sheets has a key plan been provided showing the relationship between the different sheets? ¹³	<p>Yes</p> <p>A master plan and key plans showing the relationship between different sheets are provided for on the top right hand side of the plans.</p>
29.	Is it accompanied by the documents and information set out in APFP Regulation 5(2)?	<p>Yes</p> <p>The documents and information required by APFP regulation 5(2) are set out in the documents and locations within the application as listed below:</p>

¹³ Regulation 5(4) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

	Information	Document		Information	Document
a)	Where applicable, the environmental statement required under the EIA Regulations ¹⁴ and any scoping or screening opinions or directions Is this of a satisfactory standard?	Doc Refs: 6.1 Environmental Statement 6.2 Figures 6.3 Technical Appendices 6.4 Non-Technical Summary 6.5 Scoping Opinion 6.6 Schedule of Mitigation Yes	b)	The draft proposed order Is this of a satisfactory standard?	Doc Ref: 3.1 Draft Development Consent Order Yes
c)	An explanatory memorandum explaining the purpose and effect of provisions in the draft order Is this of a satisfactory standard?	Doc Ref: 3.2 Explanatory Memorandum Yes	d)	Where applicable, a book of reference (where the application involves any compulsory acquisition) Is this of a satisfactory standard?	Doc Ref: 4.3 Book of Reference Yes
e)	A copy of any flood risk assessment Is this of a satisfactory standard?	Doc Ref: 6.1 Environmental Statement Chapter 20 and Appendix 20.1 (Flood Risk Assessment) Yes	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 Is this of a satisfactory standard?	Doc Ref: 5.2 Statement of Engagement with Section 79(1) of the Environmental Protection Act 1990 Yes

¹⁴ The 2017 EIA Regulations, or the 2009 EIA Regulations (where Regulation 37 of the 2017 EIA Regulations applies)

h)	<p>A statement of reasons and a funding statement (where the application involves any compulsory acquisition)</p> <p>Is this of a satisfactory standard?</p>	<p>Doc Refs:</p> <p>4.1 Statement of Reasons</p> <p>4.2 Funding Statement</p> <p>Yes</p>	i)	<p>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>Is this of a satisfactory standard?</p>	<p>Doc Refs:</p> <p>2.2 Land Plan (Onshore and Offshore)</p> <p>2.3 Special Category Land</p> <p>Yes</p>
j)	<p>A works plan showing, in relation to existing features:-</p> <ul style="list-style-type: none"> (i) the proposed location or (for a linear scheme) the proposed route and alignment of the development and works; and (ii) the limits within which the development and works may be carried out and any limits of deviation provided for in the draft order <p>Is this of a satisfactory standard?</p>	<p>Doc Ref:</p> <p>2.4 Works Plan</p> <p>Yes</p>	k)	<p>Where applicable, a plan identifying any new or altered means of access, stopping up of streets or roads or any diversions, extinguishments or creation of rights of way or public rights of navigation</p> <p>Is this of a satisfactory standard?</p>	<p>Doc Ref:</p> <p>2.5 Access to works plan</p> <p>2.6 Plan showing public rights of way to be temporarily stopped up</p> <p>2.7 Plan showing streets to be temporarily stopped up</p> <p>2.12 Plan showing private access track to be permanently stopped up</p>

n)	Where applicable, a plan with any accompanying information identifying any Crown land Is this of a satisfactory standard?	Doc Ref: 2.10 Plan showing any Crown Land (Onshore and Offshore) Yes	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 Is this of a satisfactory standard?	Doc Ref: 2.1 Location Plan 2.11 Important Hedgerows Plan Yes
p)	Any of the documents prescribed by Regulation 6 of the APFP Are they of a satisfactory standard?	Doc Ref: Regulation 6(1)(b)(i): 7.1 Cable Statement Regulation 6(1)(b)(ii): 7.2 Safety Zone Statement Yes	q)	Any other documents considered necessary to support the application. Are they of a satisfactory standard?	Doc Refs: 1.2. Application Form – box 23 identifies other Documents provided in support of the application. Yes
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 ¹⁵ 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)? ¹⁶		Yes Information for the Habitats Regulations Assessment is provided in Doc 5.3.		

¹⁵ Now replaced by regulation 63 of The Conservation of Habitats and Species Regulations 2017

¹⁶ Regulation 5(2)(g) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

32.	If requested by the Secretary of State, two paper copies of the application form and other supporting documents and plans ¹⁷	Yes As agreed with the Planning Inspectorate, five soft copies on USB sticks of all documents listed in Doc 1.4 Guide to the Application have been submitted to the Planning Inspectorate.
33.	Has the applicant had regard to DCLG guidance 'Planning Act 2008: Application form guidance', and has this regard led to the application being prepared to a standard that the Secretary of State considers satisfactory?	Yes Regard has been given on the full application procedure as outlined in the guidance document. Please see the Consultation Report (Doc 5.1) for more information.
34.	Summary - s55(3)(f) and s55(5A)	<i>[The Planning Inspectorate to input]</i>
	The Infrastructure Planning (Fees) Regulations 2010 (SI106)	
	Fees to accompany an application¹⁸	Yes Application Fee amounting to £7,106.00 was submitted for payment on 21 May 2019 ahead of receipt of the application.

	<i>Electronic Signature</i>	<i>Name</i>	<i>Date</i>
	Case Leader		
	Acceptance Inspector		

¹⁷ Regulation 5(2)(r) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

¹⁸ 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 must be paid at the same time that the application is made.

