



The Planning Inspectorate
Yr Arolygiaeth Gynllunio

Section 55

Acceptance of Applications Checklist

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

Issued: 24 June 2020

Thurrock Flexible Generating Project: 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
		27 May 2020	24 June 2020	24 June 2020
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	<p>Yes.</p> <p>The Proposed Development set out in Schedule 1 of the Draft DCO (Doc A3.1) includes development falling within the categories in s14 of the PA2008. The development is for the construction of an onshore electricity generating station in England that is not onshore wind, with a capacity of more than 50MW (up to 95MW gross output capacity), and satisfies sections 14 and 15 of the PA2008; including subsection 14(1)(a) and subsection 15(2).</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)

	Proposed Development fall)? 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?	This is consistent with the summary provided in section 4 of the Application Form (Doc A1.4) which states that the application is for an NSIP.
3	Summary: Section 55(3)(a) and s55(3)(c)	The Planning Inspectorate is satisfied that the Draft DCO (Doc A3.1) includes development for which development consent is required.
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 7 August 2018 the Applicant notified the Planning Inspectorate in accordance with Regulation 8(1)(b) of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 of its intention to provide an Environmental Statement (ES) in respect of the Proposed Development. The notification was received before the start of statutory consultation on 7 August 2018. A copy of the notification email is provided at Appendix 3 of the Consultation Report (Doc A5.1) .
5	Have any Adequacy of Consultation Representations ⁴ been received from 'A', 'B', 'C' and 'D' local authorities; and if so do they confirm that the Applicant has complied with	Yes There are 12 host and neighbouring authorities, of which 10 responded to the Planning Inspectorate's invitation to make an Adequacy of Consultation

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

<p>the duties under s42, s47 and s48?</p>	<p>Representation (AoCR) by the deadline of 11 June 2020.</p> <p>10 responding authorities confirmed in their AoCR that either the Applicant had complied with its duties under s42, s47 and s48 of the PA2008 and/ or that their authority had no comments/ objections to make. These local authorities were:</p> <ul style="list-style-type: none"> • Basildon Borough Council ('A' authority) • Brentwood Borough Council ('A' authority) • Castle Point Borough Council ('A' authority) • Dartford Borough Council ('A' authority) • Essex County Council ('A' authority) • Gravesham Borough Council ('A' authority)* • Kent County Council ('A' authority) • London Borough of Bexley ('A' authority) • London Borough of Havering • Thurrock Council ('B' authority) <p>*Although Gravesham Borough Council concluded that the Applicant had complied with its duties the council raised concerns over the content of the consultation materials used during the October 2019 consultation.</p> <p>All AoCRs received have been carefully considered. Whilst noting the concerns raised by Gravesham Borough Council relating to the content of the consultation materials used during the October 2019 consultation the Inspectorate is of the view that the Applicant has complied with its obligations under s42, s47 and s48.</p> <p>All AoCRs received are available to view here;</p> <p>https://infrastructure.planninginspectorate.gov.uk/projects/south-east/thurrock-flexible-generation-plant/?ipcsection=docs</p>
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Section 42: Duty to consult

Did the Applicant consult the applicable persons set out in s42 of the PA2008 about the proposed application?

6	Section 42(1)(a) persons prescribed ⁵ ?	<p>Yes</p> <p>The Applicant has provided a list of persons consulted under s42(1)(a) on 12 October 2018 at Appendix 4 (Doc ref A5.1.2) of the Consultation Report (Doc ref A5.1).</p> <p>A sample of the letter sent to s42(1)(a) consultees is provided at Appendix 4.5(a) and 4.5(b) of the Consultation Report (Doc A5.1).</p> <p>The Planning Inspectorate has identified the following parties based on a precautionary interpretation of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the APFP Regulations) that were not consulted by the Applicant under s42:</p> <ul style="list-style-type: none"> • Eclipse Power Network • Harlaxton Gas Networks Limited <p>The Applicant's Consultation Report (Doc A5.1) does not explain why the bodies identified above have not been consulted. However, it is noted that the licences held by these bodies cover Great Britain or various smaller areas and the operational areas of each are not clear from information in the public domain.</p> <p>None of the bodies listed above have been identified by the Applicant as having an interest in the Order lands and are not listed in the Book of Reference (Doc A4.3).</p>
7	Section 42(1)(aa) the Marine Management Organisation ⁶ ?	<p>Yes</p> <p>MMO are listed in Appendix 4.2 (List of statutory consultees, including</p>

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

⁶n

		local authorities) of the Consultation Report (Doc A5.1) .
8	Section 42(1)(b) each local authority within s43 ⁷ ?	<p>Yes</p> <p>Appendix 4 (Doc A5.1.2) of the Consultation Report (Doc A5.1) lists the relevant local authorities that were identified and consulted under s43 and s42(1)(b) on 16 October 2018.</p> <p>The host 'B' authority was consulted:</p> <ul style="list-style-type: none"> • Thurrock Council <p>The boundary 'A' authorities were consulted:</p> <ul style="list-style-type: none"> • Brentwood Borough Council • Basildon Borough Council • Castle Point Borough Council • Essex County Council <p>The boundary 'D' authorities were consulted:</p> <ul style="list-style-type: none"> • Kent County Council • Medway Council • Gravesham Borough Council • Dartford Borough Council • London Borough of Havering • London Borough of Bexley <p>A sample of the letter sent to s42(1)(b) relevant authorities is provided at Appendix 4.5(a) of the Consultation Report (A5.1).</p>

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

9	Section 42(1)(c) the Greater London Authority (if in Greater London area)?	<p>Yes</p> <p>Paragraph 5.1.14 of the Consultation Report (Doc A5.1) states that the GLA was consulted under 42(1)(c). However, Appendix 4.4 of the Consultation Report (Doc A5.1) lists the GLA as a non-statutory consultee.</p>
10	Section 42(1)(d) each person in one or more of s44 categories ⁸ ?	<p>Yes</p> <p>The Applicant's Book of Reference (Doc ref 4.3) lists the persons consulted under s42(1)(d). The persons consulted under s42(1)(d) are listed at Appendix 4.3 of the Consultation Report (Doc ref A5.1).</p>
Section 45: Timetable for s42 consultation		
11	Did the Applicant notify s42 consultees of the deadline for receipt of consultation responses; and if so was the deadline notified by the Applicant 28 days or more starting with the day after receipt of the consultation documents?	<p>Yes</p> <p>Sample letters sent to s42 consultees are provided in Appendices 4.5(a), 4.5(b), 4.7, 4.8, 7.1, 7.2, 7.5, 7.6, 7.7, 7.11, 7.12, 7.13, 7.14, 7.15 of the Consultation Report (Doc A5.1).</p> <p>S42 Consultation commenced on 16 October 2018 and closed on 14 November 2018 which provided the required minimum time for the receipt of responses.</p> <p>Further s42 Consultation</p> <p>The sample letters provided in Appendix 7.1 of the Consultation Report (Doc A5.1) dated 9 October 2019 confirmed that consultation commenced on 11 October 2019 and closed on 11 November 2019, providing the required minimum time for receipt of responses.</p> <p>The letter to major stakeholders provided in Appendix 7.13 of the Consultation Report (Doc A5.1) dated 9 October 2019 does not state the</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

		<p>start of the consultation period only the closing date (11 November 2019). The letter refers to formal consultation, but the letter doesn't evidence that the recipient has received copies of the original consultation letter.</p> <p>The letter to newly elected councillors provided in Appendix 7.14 of the Consultation Report (Doc A5.1) and dated 14 October 2019 states that the consultation period for new councillors started on 16 October and ended on 14 November 2019. This consultation period is different to that advertised for the further s42 consultation. The Applicant's explanation of this was that they were unaware that there had been local elections in Thurrock in May, and the consultation letter was sent to the predecessor authority.</p>
Section 46: Duty to notify the Planning Inspectorate of proposed application		
12	Did the Applicant supply information to notify the Planning Inspectorate of the proposed application; and if so was the information supplied to the Planning Inspectorate on or before the date it was sent to the s42 consultees? Was this done on or before commencing consultation under s42?	<p>Yes</p> <p>The Applicant gave notice under s46 twice. First on 12 October 2018 and the second time on 9 October 2019, which was before the beginning of s42 consultations.</p> <p>Copies of the s46 notification letters are provided at Appendix 4.1 and 7.23 of the Consultation Report (Doc A5.1).</p>
Section 47: Duty to consult local community		
13	Did the Applicant prepare a Statement of Community Consultation (SoCC) on how it intended to consult people living in the vicinity of the land?	<p>Yes</p> <p>A copy of the final SoCC is provided at Appendix 2.4 of the Consultation Report (Doc A5.1).</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	<p>Yes</p> <p>The email from the Applicant to Thurrock Council ('B' Authority) enclosing the draft SoCC is provided at Appendix 2.2 of the Consultation Report (Doc A5.1).</p>

	received the consultation documents?	The Applicant formally submitted their draft SoCC to Thurrock Council on the 25 June 2018 and set a deadline for responses, firstly of the 23 July 2018 and subsequently the 17 August 2018 for responses. An explanation on why there were two deadlines set for a response is provided in Paragraphs 6.1.13 and 6.1.14 of the Consultation Report (Doc A5.1) which states that on 20 July 2018, the Applicant agreed to extend the deadline for Thurrock Council to respond to the draft SoCC to 17 August 2018. This is evidenced in Appendix 2.10 of the Consultation Report (Doc A5.1) .
15	Has the Applicant had regard to any responses received when preparing the SoCC?	Yes Appendix 2.3 of the Consultation Report (Doc A5.1) provides a copy of the letter from Thurrock Council in response to the SoCC consultation which confirmed that they had no objections to the approach taken in the draft SoCC; confirmed that the Consultation Zone boundary proposed was acceptable; and confirmed the local newspapers that the council place their press notices in. Although no clear evidence was provided to demonstrate specific examples of where the final SoCC had changed from the draft SoCC the Planning Inspectorate is satisfied that the Applicant had regard to the responses received when preparing the 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?	Yes The final SoCC was made available at the following locations, which is reasonably convenient having regard to the location of the Proposed Development: <ul style="list-style-type: none">• Thurrock Council - Civic Offices, New Road, Grays, RM17 6SL• Tilbury Hub - 16 Civic Square, Tilbury, RM18 8ZZ• Gravesend Library - Windmill Street, Gravesend, DA12 1BE• Chadwell St Mary Library - Brentwood Road, Chadwell St Mary, Grays RM16 4JP

		<p>A notice stating when and where the final SoCC could be inspected was published in:</p> <ul style="list-style-type: none"> • The Enquirer, 27 September 2018, the second notice has no date • Thurrock Gazette, 27 September 2018, 4 October 2018 • The Thurrock Independent, 27 September 2018, 4 October 2018 • Gravesend Messenger, 27 September 2018, 4 October 2018 <p>The published SoCC notice, provided at Appendix 2.5 of the Consultation Report (Doc A5.1) states where and when the final SoCC was available to inspect.</p> <p>Clippings of the published advertisements are provided at Appendix 2.6 of the Consultation Report (Doc A5.1).</p>
17	Does the SoCC set out whether the development is EIA development ⁹ ; and does it set out how the Applicant intends to publicise and consult on the Preliminary Environmental Information?	<p>Yes</p> <p>Page 8, Paragraph 6 of the final SoCC at Appendix 2.4 of the Consultation Report (Doc A5.1) sets out that the development is EIA development and sets out how the Applicant intended to publicise and consult on the Preliminary Environmental Information.</p>
18	Has the Applicant carried out the consultation in accordance with the SoCC?	<p>Yes</p> <p>Paragraphs 6.1.49 to 6.1.67 of the Consultation Report (Doc A5.1) set out how the community consultation was carried out in line with the final SoCC.</p> <p>Table G of the Consultation Report (Doc A5.1) sets out how the Applicant has complied with the commitments set out in the final SoCC.</p> <p>Appendices 5.1 to 5.11 of the Consultation Report (Doc A5.1) provide evidence that the commitments within the final SoCC have been carried out.</p>
<p>Section 48: Duty to publicise the proposed application</p>		

⁹ Regulation 12 of the 2017 EIA Regulations, or where Regulation 37 of the 2017 EIA Regulations applies, Regulation 10 of the 2009 EIA Regulations

19	Did the Applicant publicise the proposed application in the prescribed manner set out in Regulation 4(2) of the APFP Regulations?	<p>Yes</p> <p>Table C of the Consultation Report (Doc A5.1) sets out how the Applicant met its duties under s48.</p> <p>Table H of the Consultation Report (Doc A5.1) displays the newspapers and dates of s48 publicity as set out below.</p> <p>Table H and the copies of the newspaper clippings of the S48 notice state the publication dates in the four local papers as 4 and 11 October 2018. Title page of appendix 6.2 states the publication dates as 27 September and 4 October 2018.</p> <p>A copy of the s48 notice is provided at Appendix 6 of the Consultation Report (Doc A5.1).</p> <p>Clippings of the published notices set out below are provided at Appendix 6 of the Consultation Report (Doc 5.1):</p>
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		Newspaper(s)	Date
a)	for at least two successive weeks in one or more local newspapers circulating in the vicinity in which the Proposed Development would be situated;	<ul style="list-style-type: none"> • The Thurrock Gazette • The Thurrock Enquirer • Thurrock Independent • Gravesend Messenger 	4 and 11 October 2018
b)	once in a national newspaper;	<ul style="list-style-type: none"> • The Times 	9 October 2018
c)	once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and	<ul style="list-style-type: none"> • London Gazette 	9 October 2018
d)	where the proposed application relates to offshore development –	n/a	n/a

	(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		
20	Did the s48 notice include the required information set out in Regulation 4(3) of APFP Regulations?	Yes. The published s48 notice, supplied at Appendix 6 of the Consultation Report (Doc A5.1) , contains the required information as set out below:	
	Information	Paragraph	Information
a)	the name and address of the Applicant.	1	b) a statement that the Applicant intends to make an application for development consent to the Secretary of State
c)	a statement as to whether the application is EIA development	5	d) 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	7 - 8	f) the latest date on which those documents, plans and maps will be available for inspection
g)	whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge	9	h) details of how to respond to the publicity
			10

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	12	
21	Are there any observations in respect of the s48 notice provided above?		
	No.		
22	Has a copy of the s48 notice been sent to the EIA consultation bodies and to any person notified to the Applicant in accordance with the EIA Regulations ¹⁰ ?	<p>Yes</p> <p>A copy of the s48 notice was sent to the EIA consultation bodies as part of the s42 consultation, as confirmed in paragraph 5.1.25 of the Consultation Report (Doc A5.1.).</p> <p>Samples of the s42 consultation letter provided at Appendices 4.5(a), 4.5(b), 4.7 and 4.8 of the Consultation Report (Doc A5.1) confirms that copies of the s48 notice were enclosed.</p>	
s49: Duty to take account of responses to consultation and publicity			
23	Has the Applicant had regard to any relevant responses to the s42, s47 and s48 consultation?	<p>Yes</p> <p>Table L and Table M of the Consultation Report (Doc A5.1) set out how the Applicant had regard to the consultation responses received; including whether or not responses led to changes to the application.</p> <p>The actions informed by the consultation responses appear to be reflected in the final form of the application as submitted. Where a particular response has not led to a change in the application, it is sufficiently clear that regard was had to it.</p>	
Guidance about pre-application procedure			

¹⁰ Regulation 13 of the 2017 EIA Regulations, or where Regulation 37 of the 2017 EIA Regulations applies, Regulation 11 of the 2009 EIA Regulations

24	To what extent has the Applicant had regard to statutory guidance 'Planning Act 2008: Guidance on the pre-application process' ¹¹ ?	<p>Paragraph 2.1.15 of the Consultation Report (Doc A5.1) states that the Applicant has taken into consideration all relevant statutory and other guidance.</p> <p>Having reviewed the application, the Planning Inspectorate <u>is</u> satisfied that the Applicant has identified and had regard to the relevant statutory guidance.</p>
25	Summary: Section 55(3)(e)	<p>The Applicant has complied with Chapter 2 of Part 5 (pre-application procedure) of the PA2008.</p> <p>In respect of the minor consultation discrepancies identified, s51 advice has been provided to the Applicant how to remedy these, available here: https://infrastructure.planninginspectorate.gov.uk/document/EN010092-000911</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)		
26	<p>Is it made in the prescribed form as set out in Schedule 2 of the APFP Regulations, and does it include:</p> <ul style="list-style-type: none"> • a brief statement which explains why it falls within the remit of the Planning Inspectorate; and • a brief statement that clearly identifies the location of the application site, or the route if it is a linear scheme? 	<p>Yes</p> <p>Section 4 of the Application Form (Doc A1.4) explains why the development falls within the remit of the Planning Inspectorate.</p> <p>Section 5 of the Application Form (Doc A1.4) provides a brief non-technical description of the site and section 6 provides the location of the Proposed Development.</p> <p>A Location Plan (Doc A2.1) has been provided.</p>
27	Is it accompanied by a Consultation Report?	<p>Yes</p> <p>The application is accompanied by a Consultation Report (Doc A5.1) and</p>

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

		Consultation Report Appendices (Doc A5.1.1 – A5.1.8).	
28	Where a plan comprises three or more separate sheets, has a key plan been provided showing the relationship between the different sheets? ¹²	Yes	
29	Is it accompanied by the documents and information set out in APFP Regulation 5(2)?	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	
a)	Where applicable, the Environmental Statement required under the EIA Regulations ¹³ and any scoping or screening opinions or directions	No screening direction was requested by the Applicant. A Scoping Opinion was requested under regulation 10 on 9 August 2018 and a Scoping Opinion was adopted on 20 September 2018. Scoping Opinion and Scoping Report (Doc A8.2)	b)
	Is this of a satisfactory standard?	Yes	The draft Development Consent Order (DCO) Doc A3.1
c)	An Explanatory Memorandum explaining the purpose and effect of provisions	Doc A3.2	Is this of a satisfactory standard? Yes
			d)
			Where applicable, a Book of Reference (where the application involves any Compulsory Doc A4.3

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

	in the draft DCO		Acquisition)	
	Is this of a satisfactory standard?	Yes	Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)
e)	A copy of any Flood Risk Assessment	A Flood Risk Assessment is provided with the Application in ES Volume 6, Appendix 15.1 (Doc A6)	f)	<p>A statement whether the proposal engages one or more of the matters set out in section 79(1) of the Environmental Protection Act 1990 (statutory nuisances) and if so how the Applicant proposes to mitigate or limit them</p> <p>A Statutory Nuisance Statement is provided with the Application (Doc A7.1) with reference to the relevant Chapter assessments in the ES:</p> <p>Air Quality ES Volume 3 Chapter 12 (Doc A6)</p> <p>Ground conditions ES Volume 3, Chapter 16 (Doc A6)</p> <p>Noise and Vibration ES Volume 3, Chapter 11 (Doc A6)</p> <p>Dust management plan is provided in the Outline Code of Construction Practice (OCoCP).</p> <p>A construction lighting scheme is secured through the OCoCP and an operational lighting scheme must be approved by the LPA as per requirement 8 of the dDCO.</p> <p>The OCoCP is secured via R5 of the dDCO.</p>
	Is this of a satisfactory standard?	Yes	Is this of a satisfactory standard?	Yes
h)	A Statement of Reasons and a Funding	Statement of Reasons (Doc A4.2)	i)	<p>A Land Plan identifying:-</p> <p>Land Plans and Special Category Land Plans (Doc A2.2)</p>

	Statement (where the application involves any Compulsory Acquisition)	Funding Statement (Doc A4.1)		(i) the land required for, or affected by, the Proposed Development;	
				(ii) where applicable, any land over which it is proposed to exercise powers of Compulsory Acquisition or any rights to use land;	
				(iii) any land in relation to which it is proposed to extinguish easements, servitudes and other private rights; and	
				(iv) any special category land and replacement land	
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?	Yes
j)	A Works Plan showing, in relation to existing features:- (i) the proposed location or (for a linear scheme) the	Works Plans (Doc A2.3)	k)	Where applicable, a plan identifying any new or altered means of access, stopping up of streets or roads or any diversions,	Access Rights of Way and Traffic Regulation Measures Plans (Doc A2.4)

	<p>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 DCO</p>		<p>extinguishments or creation of rights of way or public rights of navigation</p>		
	<p>Is this of a satisfactory standard?</p>	<p>Yes (with minor discrepancies as noted in Box 30)</p>	<p>Is this of a satisfactory standard?</p>	<p>Yes (with minor discrepancies as noted in Box 30)</p>	
l)	<p>Where applicable, a plan with accompanying information identifying:-</p> <p>(i) any statutory/ non-statutory sites or features of nature conservation eg sites of geological/ landscape importance;</p> <p>(ii) habitats of protected species, important habitats or other diversity features; and</p>	<p>(i) Plan of Statutory and Non-Statutory Sites or Features of Nature Conservation (Doc A2.12);</p> <p>(ii) Plan of habitats of protected species, important habitats or other diversity features are provided in Figures 2.1 to 3.18 of ES Volume 6, Appendix 9.1 (Doc A6) and the Tree Preservation Order and Hedgerow Plan (Doc A2.13); and</p> <p>(iii) Plan of water bodies in a River Basin Management</p>	m)	<p>Where applicable, a plan with accompanying information identifying any statutory/ non-statutory sites or features of the historic environment, (eg scheduled monuments, World Heritage sites, listed buildings, archaeological sites and registered battlefields) together with an assessment of any effects on such sites, features or structures likely to be</p>	<p>Plan of Statutory and Non-Statutory Sites or Features of the Historic Environment (Doc A2.11)</p> <p>An assessment of historic statutory and non-statutory sites is provided in ES Volume 3, Chapter 7, section 4 (Doc A6)</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>Plan is provided in ES Volume 6, Appendix 17.3, Figure 2.1 of the Thames Middle Transitional waterbody within the Thames River Basin District and Mardyke operational catchment</p> <p>The assessment of effects on the above features caused by the Proposed Development are provided in:</p> <ul style="list-style-type: none"> • ES Volume 3, Chapter 9, section 4; • ES Volume 3, Chapter 17, section 4; • ES Volume 3, Chapter 20, section 4; • ES Volume 6, Appendix 17.3, section 6 <p>(All Doc A6)</p>		<p>caused by the Proposed Development</p>	
<p>Is this of a satisfactory standard?</p>	<p>Yes</p>		<p>Is this of a satisfactory standard?</p>	<p>Yes</p>
<p>n) Where applicable, a plan with any accompanying information identifying</p>	<p>N/A</p>	<p>o)</p>	<p>Any other plans, drawings and sections necessary to describe the development consent proposal</p>	<p>Illustrative Highway Engineering Drawings (Doc A2.5)</p> <p>Illustrative General Arrangement Plans (Doc A2.6)</p>

p)	any Crown land		q)	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	Illustrative Site Layout Plans (Doc A2.7) Illustrative Cross Section Plans (Doc A2.8) Flood Evacuation Plan (Doc A8.5) Illustrative Landscaping Plans (Doc A2.9) Concept Drainage Plan (Doc A2.10) Tree Preservation Order and Hedgerow Plan (Doc A2.13) Deemed Marine Licence Co-ordinate Plan (Doc A2.14) Design Principles Statement (Doc A8.4) Conceptual Drainage Strategy (Doc A7.3)
	Is this of a satisfactory standard?	N/A		Are they of a satisfactory standard?	Yes
	Any of the documents prescribed by Regulation 6 of the APFP Regulations:	Grid and Gas Connection Statement (Doc A7.2)		Any other documents considered necessary to support the application	Landscape and Visual Resources ES Volume 3, Chapter 6 (Doc A6)
	Are they of a satisfactory standard?	Yes		Are they of a satisfactory standard?	Yes

30	Are there any observations in respect of the documents provided above?	
	<p>Box 29(d)</p> <p>Book of Reference – There is an inconsistency between a couple of entries in the Book of Reference and those consulted under s42(1)(d) listed in Appendix 4.3 of the Consultation Report where they appear to be listed in the wrong category of the Book of Reference.</p> <p>Box 29(j)</p> <p>Works Plans (Doc A2.3) – Please note there are 5 sheets including the Index/Key plan however labelling suggests there should be 6 sheets in total.</p> <p>Box 29(k)</p> <p>Access Rights of Way and Traffic Regulation Plans (Doc A2.4)</p> <ul style="list-style-type: none"> • There appears to be inconsistency between the description on the plan legend and Schedule 3 of the draft DCO (the plan refers to a temporary suspension of the road whilst the draft DCO states that it will be 'suspended in its entirety'). • Schedule 4 of the draft DCO refers to solid green hatching on sheet 3 of this plan to show the temporary suspension of Love Lane to Princess Margaret Road, however on the plan hatched dark green is used. <p>Section 51 advice has been issued to the Applicant in respect of the above matters: https://infrastructure.planninginspectorate.gov.uk/document/EN010092-000911</p>	
31	<p>Is the application accompanied by a report identifying any European site(s) to which Regulation 48 of The Conservation (Natural Habitats, &c.) Regulations 1994 applies; or any Ramsar site(s), which may be affected by the Proposed Development, together with sufficient information that will enable the Secretary of State to make an appropriate</p>	<p>Yes</p> <p>A Habitat Regulations Assessment (HRA) Report is provided as a separate document to the Environmental Statement (Doc A5.2).</p> <p>The HRA Report identifies relevant European sites and the likely effects on those sites. It is considered that the information provided in the report is adequate for acceptance.</p> <p>Note: The Examining Authority will be able to ask questions during the</p>

	assessment of the implications for the site if required by Regulation 48(1)? ¹⁴	Examination. This may result in additional information being required to inform the HRA Report and the competent authority. Depending upon the type and availability of information required it may not be possible to obtain this during the statutory timetable of the Examination.
32	If requested by the Planning Inspectorate, two paper copies of the application form and other supporting documents and plans ¹⁵	No The Planning Inspectorate did not request two paper copies of the application form and other supporting documents and plans. It was an electronic submission.
33	Has the Applicant had regard to statutory guidance 'Planning Act 2008: Application form guidance', and has this regard led to the application being prepared to a standard that the Planning Inspectorate considers satisfactory?	Yes The Planning Inspectorate is satisfied that the Applicant has demonstrated regard to the guidance principles.
34	Summary - s55(3)(f) and s55(5A)	The Planning Inspectorate concludes that the application (including accompaniments) has been prepared to a standard that it considers satisfactory. In respect of the discrepancies identified in Box 30 of this checklist, to help facilitate an efficient and effective examination of the application s51 advice has been provided to the Applicant in conjunction with the decision to accept the application. That advice is published on the National Infrastructure Planning website, here: https://infrastructure.planninginspectorate.gov.uk/document/EN010092-000911

The Infrastructure Planning (Fees) Regulations 2010 (as amended)

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

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

Fees to accompany an application		
35	Was the fee paid at the same time that the application was made ¹⁶ ?	The fee was received on 22 May 2020 before the application was made.

Role	Electronic signature	Date
Case Manager	<i>Tracey Williams</i>	24 June 2020
Acceptance Inspector	<i>Elizabeth Hill</i>	24 June 2020

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

