



The Planning Inspectorate  
Yr Arolygiaeth Gynllunio

## Section 55

# Acceptance of Applications Checklist

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

**Version:** October 2019 [Date: month year]



## Little Crow Solar Park 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
		<b>04 December 2020</b>	<b>01 January 2021</b>	<b>23 December 2020</b>
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 <sup>1</sup> (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 <sup>2</sup> (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 to 30 does the Proposed	<p><b>Yes</b></p> <p>The Proposed Development set out in <b>Schedule 1</b> of the <b>Draft DCO (Doc 3.1)</b> is for the construction, operation, maintenance and decommissioning of a generating station with a gross electrical output of over 50 megawatts which would represent a nationally significant infrastructure project (NSIP) in accordance with sections 14(1a) and 15(2) of the Planning Act 2008 (PA2008).</p> <p>This is consistent with the summary provided in <b>section 4</b> of the <b>Application Form (Doc 1.3)</b> which states that the application is for <i>'a renewable led energy scheme with</i></p>		

<sup>1</sup> NSIP is defined generally in s14 with the detailed thresholds for each of the specified categories being set out in ss15 to 30

<sup>2</sup> Development consent is required for development to the extent that the development is or forms part of an NSIP (s31 of the PA2008)

	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?	<i>a gross electrical output capacity of over 50 megawatts’.</i>
3	<b>Summary: Section 55(3)(a) and s55(3)(c)</b>	The Planning Inspectorate is satisfied that the <b>Draft DCO (Doc 3.1)</b> includes development for which development consent is required.
<b>Section 55(3)(e): The Applicant in relation to the application made has complied with Chapter 2 of Part 5 (pre-application procedure)</b>		
4	In accordance with the EIA Regulations <sup>3</sup> , 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?	<b>Yes</b>  On 30 November 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 3 December 2018.  A copy of the notification letter is provided at <b>Appendix 4.10</b> of the <b>Consultation Report Technical Appendices (Doc 4.2)</b> .
5	Have any Adequacy of Consultation Representations <sup>4</sup> been received from ‘A’, ‘B’, ‘C’ and ‘D’ local authorities; and if so, do they confirm that the Applicant has complied with the duties under s42, s47 and s48?	<b>Yes</b>  There are eight host and neighbouring authorities, of which seven responded to the Planning Inspectorate’s invitation to make an Adequacy of Consultation Representation (AoCR) dated 4 December 2020.

<sup>3</sup> 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)

<sup>4</sup> 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>All seven 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"> <li>• East Riding of Yorkshire Council ('A' authority)</li> <li>• North Lincolnshire Council ('B' authority)</li> <li>• East Lindsey District Council ('A' authority')</li> <li>• Lincolnshire County Council ('A' authority')</li> <li>• Bassetlaw District Council ('A' authority')</li> <li>• West Lindsey District Council ('A' authority)</li> <li>• Doncaster Council ('A' authority)</li> </ul> <p>All AoCRs received have been carefully considered and are available to view on the National Infrastructure Planning website:  <a href="https://infrastructure.planninginspectorate.gov.uk/projects/yorkshire-and-the-humber/little-crow-solar-park/?ipcsection=docs">https://infrastructure.planninginspectorate.gov.uk/projects/yorkshire-and-the-humber/little-crow-solar-park/?ipcsection=docs</a></p>
--	--	--

**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 <sup>5</sup> ?	<p><b>Yes</b></p> <p>The Applicant has provided a list of persons consulted under s42(1)(a) on 15 January and 26 January 2019 at <b>paragraph 5.23</b> of the <b>Consultation Report (Doc 4.1)</b>.</p> <p>A sample of the generic letter sent to all consultees is provided at <b>Appendix 5.6</b> of the <b>Consultation Report Technical Appendices (Doc 4.2)</b>. Sample letters dated 15 and 26 January 2019 have not been provided.</p> <p>The Planning Inspectorate has identified the following parties based on a precautionary</p>
---	--	--

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

		<p>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"> <li>• Harlaxton Gas Networks Limited</li> <li>• Harlaxton Energy Networks Limited</li> <li>• Energy Assets Networks Limited</li> <li>• ESP Electricity Limited</li> </ul> <p>The Applicant's <b>Consultation Report (Doc 4.1)</b> 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 <b>Book of Reference (Doc 3.3)</b>.</p> <p>It is noted that Natural England are not included in the list of prescribed consultees that were consulted under s42(1)(a). However, this omission appears to be erroneous as NE's response to statutory consultation is included in the unnumbered table in <b>paragraph 6.6</b> of the <b>Consultation Report (Doc 4.1)</b>.</p>
7	Section 42(1)(aa) the Marine Management Organisation <sup>6</sup> ?	<b>N/A</b>
8	Section 42(1)(b) each local authority within s43 <sup>7</sup> ?	<p><b>Yes</b></p> <p><b>Paragraph 5.21</b> of the <b>Consultation Report (Doc 4.1)</b> lists the relevant local authorities that were identified and consulted under s43 and s42(1)(b) on 15 January 2019.</p>

<sup>6</sup> 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

<sup>7</sup> Definition of 'local authority' in s43(3) of the PA2008: The 'B' authority where the application land is in the authority's area; the 'A' authority where any part of the boundary of A's area is also a part of the boundary of B's area; the 'C' authority (upper tier) where the application land is in that authority's area; the 'D' authority (upper tier) where such an authority shares a boundary with a 'C' authority

		<p>The host 'B' authority was consulted:</p> <ul style="list-style-type: none"> <li>• North Lincolnshire Council (unitary)</li> </ul> <p>The boundary 'A' authorities were consulted:</p> <ul style="list-style-type: none"> <li>• West Lindsey District Council</li> <li>• Bassetlaw District Council</li> <li>• North East Lincolnshire Council</li> <li>• Doncaster Council</li> <li>• East Riding of Yorkshire Council</li> <li>• Lincolnshire County Council</li> <li>• Nottinghamshire County Council</li> </ul> <p>A sample of the letter sent to s42(1)(b) relevant authorities is provided at <b>Appendix 5.5</b> of the <b>Consultation Report Technical Appendices (Doc 4.2)</b>. It is noted the sample letter is dated 18 January 2019; however, this appears to be an inconsistency and would not have resulted in the consultation period being shorter than the statutory minimum.</p>
9	Section 42(1)(c) the Greater London Authority (if in Greater London area)?	<b>N/A</b>
10	Section 42(1)(d) each person in one or more of s44 categories <sup>8</sup> ?	<p><b>Yes</b></p> <p><b>Paragraph 5.19</b> of the <b>Consultation Report (Doc 4.1)</b> states that all persons identified under s42(1)(d) were consulted on 15 December 2019.</p> <p><b>Paragraph 2.10</b> of the <b>Consultation Report (Doc 4.1)</b> briefly summarises how the Applicant made diligent enquiry to seek to identify and consult persons with an interest in lands affected by the <b>Draft DCO (Doc 3.1)</b>. This section of the Consultation report could</p>

<sup>8</sup> 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>have benefited from a more detailed description of the methodology undertaken by the Applicant.</p> <p>Due to confidentiality and data protection, the list of persons identified and consulted under s42(1)(d) at <b>paragraph 5.19</b> of the <b>Consultation Report (Doc 4.1)</b> has been redacted by the Applicant. These persons are listed within the <b>Book of Reference (Doc 3.3)</b>.</p> <p>A sample of the letter is provided at <b>Appendix 5.4</b> of the <b>Consultation Report Technical Appendices (Doc 4.2)</b>. It is noted the sample letter is dated 18 January 2019, however this is an inconsistency and would not have resulted in the consultation period being shorter than the statutory minimum.</p>
<b>Section 45: Timetable for s42 consultation</b>		
11	<p>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><b>Yes</b></p> <p>A sample of the letter sent to s42 consultees is provided at <b>Appendix 5.6</b> of the <b>Consultation Report Technical Appendices (Doc 4.2)</b>.</p> <p>Although the sample letter dated 18 January 2019 does not confirm when consultation commenced, <b>paragraph 5.1</b> of the <b>Consultation Report (Doc 4.1)</b> confirms the Applicant conducted “<i>a single and continuous consultation phase starting from Monday 3 December [2018]</i>”. The sample letter requests responses are received on or before 4 March 2019, providing more than the required minimum time for receipt of responses.</p>
<b>Section 46: Duty to notify the Planning Inspectorate of proposed application</b>		
12	<p>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>	<p><b>Yes.</b></p> <p>The Applicant gave notice under s46 on 30 November 2018, which was before the beginning of s42 consultation.</p> <p>A copy of the s46 notification letter is provided at <b>Appendix 4.10</b> of the <b>Consultation Report Technical Appendices (Doc 4.2)</b>.</p>
<b>Section 47: Duty to consult local community</b>		

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><b>Yes</b></p> <p>A copy of the final SoCC is provided at <b>Appendix 4.9</b> of the <b>Consultation Report Technical Appendices (Doc 4.2)</b>.</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><b>Yes</b></p> <p><b>Paragraph 4.6</b> of the <b>Consultation Report (Doc 4.1)</b> sets out that the Applicant provided its 'strategic' draft SoCC to North Lincolnshire Council (NLC) ('B Authority') on 1 August 2018 to consult on its content in a non-statutory manner.</p> <p>The Applicant then undertook statutory consultation on the SoCC with NLC on 31 October 2018 and acknowledged the prerequisite 28-day period as set out by Section 47(3). The covering email is provided at <b>Appendix 4.4</b> of the <b>Consultation Report Technical Appendices (Doc 4.2)</b>.</p> <p>Subsequently, an amended version of the draft SoCC was provided to NLC on 12 November 2018, which included additional information about a presentation to the Appleby Parish Council. The Applicant's cover email and amended SoCC are provided at <b>Appendix 4.6</b> and <b>4.7</b> of the <b>Consultation Report Technical Appendices (Doc 4.2)</b>.</p>
15	Has the Applicant had regard to any responses received when preparing the SoCC?	<p><b>Yes</b></p> <p><b>Table 4.1</b> of the <b>Consultation Report (Doc 4.1)</b> provides a summary of NLC's observations on the 'strategic' draft SoCC.</p> <p>NLC's response to the Statutory consultation on the draft SoCC, provided at <b>Appendix 4.8</b> of the <b>Consultation Report Technical Appendices (Doc 4.2)</b> was limited as a result of its previous non-statutory consultation, and therefore confirmed it was content with the draft SoCC and identified a typo.</p> <p>The Planning Inspectorate is satisfied that the Applicant had regard to the responses received when preparing the SoCC.</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	<p><b>Yes</b></p> <p>The final SoCC was made available at the following locations, which is reasonably convenient having regard to the location of the Proposed Development:</p>

	<p>the land which states where and when the SoCC can be inspected?</p>	<ul style="list-style-type: none"> <li>• Scunthorpe Central Library, Carlton Street, Scunthorpe, DN15 6TX</li> <li>• Park Library, Avenue Vivian, Scunthorpe, DN15 8LG</li> <li>• North Lincolnshire Council Civic Centre, Ashby Road, Scunthorpe, DN16 1AB</li> </ul> <p>A notice stating where the final SoCC could be inspected was published in:</p> <ul style="list-style-type: none"> <li>• Scunthorpe Telegraph on 29 November 2018</li> <li>• Scunthorpe Telegraph Digital Notice on the Public Notice Online Schedule from Wednesday 5 December until Thursday 29th December 2018 inclusive</li> </ul> <p>The published notice, as it appeared in the Scunthorpe Telegraph on 29 November 2019, is provided at <b>Appendix 4.11</b> of the <b>Consultation Report Technical Appendices (Doc 4.2)</b> and states only ‘where’ the final SoCC was available to view, on the Applicant’s website <a href="http://www.littlecrowsolar.com">www.littlecrowsolar.com</a>, but not specifically ‘when’ it was available to be viewed.</p> <p>In addition to this, the Applicant did not publish a standalone ‘SoCC notice’; the notice itself forms part of the Applicant’s notice used to satisfy the requirements to publicise the proposed application under Regulation 4(2) of the APFP Regulations. However, it is noted the form and content of a SoCC notice is not prescribed.</p> <p>The Applicant’s SoCC notice could have placed greater emphasis and been clearer about informing the public about where they could view the SoCC, as distinct from the consultation documents and events. The Applicant’s SoCC notice does refer to the SoCC and has provided information about where all the application documents, including the SoCC, can be viewed.</p> <p>Therefore, the Planning Inspectorate is satisfied the Applicant has technically complied with s47(6), although it is noted the approach taken would not be recommended as best practice.</p>
17	<p>Does the SoCC set out whether the development is EIA development<sup>9</sup>; and does it set out how the Applicant intends to publicise and consult on the</p>	<p><b>Yes</b></p> <p><b>Page 6</b> of the final SoCC at <b>Appendix 4.5</b> of the <b>Consultation Report Technical</b></p>

<sup>9</sup> Regulation 12 of the 2017 EIA Regulations, or where Regulation 37 of the 2017 EIA Regulations applies, Regulation 10 of the 2009 EIA Regulations

	Preliminary Environmental Information?	<b>Appendices (Doc 4.2)</b> sets out that the development is EIA development and sets out how the Applicant intended to publicise and consult on the Preliminary Environmental Information.
18	Has the Applicant carried out the consultation in accordance with the SoCC?	<p><b>Yes</b></p> <p><b>Paragraphs 5.4 to 5.18</b> of the <b>Consultation Report (Doc 4/1)</b> set out how the community consultation was carried out in line with the final SoCC.</p> <p><b>Table 4.2</b> of the <b>Consultation Report (Doc 4.1)</b> sets out how the Applicant has complied with the commitments set out in the final SoCC.</p> <p><b>Appendices 5.1 to 5.8</b> of the <b>Consultation Report Technical Appendices (Doc 4.2)</b> provide evidence that the commitments within the final SoCC have been carried out.</p> <p>Although the Planning Inspectorate is satisfied that the Applicant has carried out the consultation in line with the final SoCC, the following observations have been noted with regard to certain commitments:</p> <ul style="list-style-type: none"> <li>• The finalised SoCC states: “...<i>INRG Solar (Little Crow) Ltd community materials, maps, technical reports and plans will be available to view at the following locations: [...] Bottesford Library</i>”. Only the Preliminary Environmental Information Report (PEIR) Non-technical Summary was placed in this location, at request of the library.</li> <li>• The finalised SoCC states the community can: “...<i>contact INRG Solar (Little Crow) [on] Twitter: @littlecrowsolar.</i>” Screenshots of the Twitter account or tweets sent have not been provided to prove this commitment has been met.</li> <li>• The finalised SoCC states that the Applicant will: “...<i>consult with [...] East Midlands Council[sic]</i>”. The list of persons consulted at <b>paragraph 5.23</b> and <b>5.27</b> of the <b>Consultation Report (Doc 4.1)</b> does not include this organisation and we don't believe this local authority exists. As such we consider this may be a typographical error.</li> </ul>

**Section 48: Duty to publicise the proposed application**

19	Did the Applicant publicise the proposed application in the prescribed manner set out in Regulation 4(2) of the APFP Regulations?	<p><b>Yes</b></p> <p><b>Paragraph 4.4</b> of the <b>Consultation Report (Doc 4.1)</b> states:  <i>“A single notice was published satisfying the requirements of section 47(6) and section 48 of the 2008 Act and Section 4(2) of the APFP Regulations.”</i></p> <p><b>Paragraph 4.28</b> and <b>4.30</b> of the <b>Consultation Report (Doc 4.1)</b> display the newspapers and dates of s48 publicity as set out below.</p> <p>A copy of the s48 notice is provided as part of the suite of published notice clippings at <b>Appendices 4.11, 4.19</b> and <b>4.20</b> of the <b>Consultation Report Technical Appendices (Doc 4.2)</b>.</p> <p>Although screenshots of the s48 notice published digitally have not been provided, the Applicant has included confirmation from the Scunthorpe Telegraph confirming the s48 notice was published digitally from 5 December to 29 December 2018. This is provided at <b>Appendix 4.18</b> of the <b>Consultation Report Technical Appendices (Doc 4.2)</b>.</p>
----	---	---

		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"> <li>• Scunthorpe Telegraph (print edition)</li> <li>• Scunthorpe Telegraph (digital edition)</li> </ul>	29 November 2018  5 December to 29th December 2018
b)	once in a national newspaper;	<ul style="list-style-type: none"> <li>• The Times</li> </ul>	3 December 2018
c)	once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and	<ul style="list-style-type: none"> <li>• London Gazette</li> </ul>	3 December 2018
d)	where the proposed application relates to offshore development –  (i) once in Lloyds List; and	<ul style="list-style-type: none"> <li>• n/a</li> </ul>	n/a

	(ii) once in an appropriate fishing trade journal?		
20	Did the s48 notice include the required information set out in Regulation 4(3) of APFP Regulations?	<p><b>Yes.</b></p> <p>The published s48 notice, supplied at <b>Appendix 4.11</b> of the <b>Consultation Report Technical Appendices (Doc 4.2)</b>, contains the required information as set out below:</p>	
	<b>Information</b>	<b>Paragraph</b>	<b>Information</b>
a)	the name and address of the Applicant.	One	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	Three	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	Four	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	Seven	h) details of how to respond to the publicity
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	Nine	
21	Are there any observations in respect of the s48 notice provided above?		

	<b>No</b>	
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 <sup>10</sup> ?	<p><b>Yes</b></p> <p>A copy of the s48 notice was sent to the EIA consultation bodies as part of the s42 consultation, as confirmed in <b>paragraph 5.23</b> of the <b>Consultation Report (Doc 4.1)</b>.</p> <p>A sample of the s42 consultation letter provided at <b>Appendix 5.6</b> of the <b>Consultation Report (Doc 4.1)</b> confirms a copy of the s48 notice was enclosed.</p>
<b>s49: Duty to take account of responses to consultation and publicity</b>		
23	Has the Applicant had regard to any relevant responses to the s42, s47 and s48 consultation?	<p><b>Yes</b></p> <p><b>Section 6</b> of the <b>Consultation Report (Doc 4.1)</b> provides an overview of the level of feedback received to it Statutory Consultation phase.</p> <p><b>Table 6.1, 6.2</b> and the un-numbered table in <b>Section 6</b> of the <b>Consultation Report (Doc 4.1)</b> set out how the Applicant had regard to the consultation responses received from the community, s43 local authorities and statutory consultees; including whether 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>
<b>Guidance about pre-application procedure</b>		
24	To what extent has the Applicant had regard to statutory guidance 'Planning Act 2008: Guidance on the pre-application process' <sup>11</sup> ?	<p><b>Yes</b></p> <p>Although there isn't a section or compliance table within the <b>Consultation Report (Doc 4.1)</b> that sets out how the Applicant has taken into consideration all relevant statutory and other guidance, the Applicant provides an overview of how it has had regard to statutory pre-application guidance in the <b>completed s55 checklist</b> (un-</p>

<sup>10</sup> Regulation 13 of the 2017 EIA Regulations, or where Regulation 37 of the 2017 EIA Regulations applies, Regulation 11 of the 2009 EIA Regulations

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

		<p>numbered) submitted alongside the <b>Application Form (Doc 1.3)</b>.</p> <p>In addition to this, <b>paragraph 8.1</b> of the <b>Application Guide (Doc 1.2)</b> states:  <i>“The consultation has met and exceeded the requirements of the 2008 Act and has taken into account the relevant advice and guidance published by the Planning Inspectorate and UK Government.”</i></p> <p>Having reviewed the application, the Planning Inspectorate is satisfied that the Applicant has identified and had regard to the relevant statutory guidance.</p>
25	<p><b>Summary: Section 55(3)(e)</b></p>	<p>The Applicant has complied with Chapter 2 of Part 5 (pre-application procedure) of the PA2008, although some issues have been noted:</p> <p>There are discrepancies between the dates of letters to statutory consultees as stated in the <b>Consultation Report (Doc 4.1)</b> and the corresponding letters provided as appendices:</p> <p>S42(1)(a) consultees – <b>Paragraph 5.23</b> of the <b>Consultation Report (Doc 4.1)</b> states that the consultation letter was sent on 15 and 26 January 2019. The sample letter provided at <b>Appendix 5.6</b> is dated 18 January 2019</p> <p>S42(1)(b) consultees - <b>Paragraph 5.21</b> of the <b>Consultation Report (Doc 4.1)</b> states that the consultation letter was sent on 15 January 2019. The sample letter provided at <b>Appendix 5.5</b> is dated 18 January 2019</p> <p>S42(1)(d) consultees – <b>Paragraph 5.19</b> of the <b>Consultation Report (Doc 4.1)</b> states that the consultation letter was sent on 15 January 2019. The sample letter provided at <b>Appendix 5.4</b> is dated 18 January 2019</p> <p>As the closing date for representations was given in all three letters as 4 March 2019 the statutory period of consultation has still been provided. Therefore, this is likely to be a drafting error and not an Acceptance issue.</p> <p>Natural England (NE) have not been included in the list of prescribed consultees at <b>5.23</b> of the <b>Consultation Report (4.1)</b>; as their response to statutory consultation is provided in the unnumbered table at <b>Paragraph 6.6</b> and they are included in the list of consultees</p>

provided within the SoCC, this appears to be a typographical error and NE were in fact consulted.

The Applicant has only provided a brief summary at **Paragraph 2.10** of the **Consultation Report (Doc 4.1)** of how they made diligent inquiry to seek to identify and consult persons with an interest in lands affected by the **Draft DCO (Doc 3.1)**. A full methodology undertaken by the Applicant has not been provided.

**S47(6) Statement of Community Consultation (SoCC) Notice (Appendix 4.11):** The form and content of the SoCC notice is not prescribed, however, the SoCC notice as provided by the Applicant (**Appendix 4.11**) could have placed greater emphasis and been clearer about informing the public about where the SoCC could be viewed and made distinct from the consultation documents and events.

The notice does refer to the SoCC and has provided information about where all the application documents, including the SoCC, can be viewed. Although the SoCC Notice does not specifically state that the SoCC will be made available at the locations listed, **Sections 5.12 - 5.16** of the **Consultation Report (Doc 4.1)** describe the consultation events at the four locations listed in the SoCC Notice (**Appendix 4.11**) as well as community consultation events at three additional locations; this section lists the consultation materials provided at these events which includes the SoCC.

While the Applicant has technically complied with section 47(6), the approach taken would not be recommended as best practice.

The Applicant's S47(6) SoCC Notice and S48 Notice as published in the Scunthorpe Telegraph are the same document, **Appendix 4.11. Paragraph 4.14 of the Consultation Report (Doc 4.1):** *'A single notice was published satisfying the requirements of section 47(6) and section 48 of the 2008 Act and Section 4(2) of the APFP Regulations.'*

**Paragraph 4.16** in reference to the Applicant's requirements under s47(6) refers to this Appendix as 'the notice'. **Paragraph 4.18** in reference to the Applicant's requirements under s48 refer to **Appendix 4.11** as the 'S48 Notice'.

The approach the Applicant has taken is not standard practice, and clearer explanations of this could have been included within the corresponding sections of the **Consultation Report (Doc 4.1)**, although the Applicant has technically complied with both s47(6) and s48.

**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"> <li>• a brief statement which explains why it falls within the remit of the Planning Inspectorate; and</li> <li>• a brief statement that clearly identifies the location of the application site, or the route if it is a linear scheme?</li> </ul>	<p><b>Yes</b></p> <p><b>Section 4</b> of the <b>Application Form (Doc 1.3)</b> explains why the development falls within the remit of the Planning Inspectorate.</p> <p><b>Section 5</b> of the <b>Application Form (Doc 1.3)</b> provides a brief non-technical description of the site and <b>section 6</b> provides the location of the Proposed Development.</p> <p>A <b>Land Plan including Order Limits (Doc 2.1)</b> has been provided.</p>
27	<p>Is it accompanied by a Consultation Report?</p>	<p><b>Yes</b></p> <p>The application is accompanied by a <b>Consultation Report (Doc 4.1)</b> and <b>Consultation Report Technical Appendices (Doc 4.2)</b>.</p>
28	<p>Where a plan comprises three or more separate sheets, has a key plan been provided showing the relationship between the different sheets?<sup>12</sup></p>	<p><b>Yes</b></p> <p><b>2.9 LC DRW - Works Details Key Plan</b></p> <p><b>2.11 LC DRW – Works Details – A1 – Sheet 1 of 7</b></p> <p><b>2.12 LC DRW – Works Details – Key A2 – Sheet 2 of 7</b></p> <p><b>2.13 LC DRW – Works Details Key A3 – Sheet 3 of 7</b></p> <p><b>2.14 LC DRW – Works Details – Key B1 – Sheet 4 of 7</b></p>

<sup>12</sup> Regulation 5(4) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009



e)	the purpose and effect of provisions in the draft DCO	<b>3.2)</b>	f)	application involves any Compulsory Acquisition)	
	Is this of a satisfactory standard?	<b>Yes</b> (with minor discrepancies as noted in Box 30)		Is this of a satisfactory standard?	<b>Yes</b> (with minor discrepancies as noted in Box 30)
	A copy of any Flood Risk Assessment	<b>Flood Risk Assessment and Drainage Strategy - Appendix 3.1 to the Environmental Statement (Doc Ref 7.3)</b>		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	<b>Statement of Statutory Nuisance (Doc Ref 4.3)</b>
h)	Is this of a satisfactory standard?	<b>Yes</b>	i)	Is this of a satisfactory standard?	<b>Yes</b>
	A Statement of Reasons and a Funding Statement (where the application involves any Compulsory Acquisition)	A Statement of Reasons and/or Funding Statement has not been provided as this project does not include Compulsory Acquisition		A Land Plan identifying:- (i) the land required for, or affected by, the Proposed Development; (ii) where applicable, any land over which it is proposed to exercise powers of Compulsory Acquisition or any rights to use land; (iii) any land in relation to which it is proposed to extinguish	(i) <b>Land Plan Order Limits (Doc 2.1)</b> A set of Land Plans is provided as an appendix to the <b>Book of Reference (Doc 3.3)</b> (ii) <b>N/A</b> (iii) <b>N/A</b> (iv) <b>N/A</b>

			easements, servitudes and other private rights; and (iv) any special category land and replacement land	
	Is this of a satisfactory standard?	<b>N/A</b>	Is this of a satisfactory standard?	<b>Yes</b>
j)	A Works Plan showing, in relation to existing features:-  (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 DCO	<b>Works Plan (Doc 2.8)</b> <b>(i) &amp; (ii)</b> Whole Site Plan (Doc 2.10) Works Details – Section Details (Doc 2.23)  Indicative Aerial Image of Order Limits (Doc 2.38)	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	<b>Proposed Temporary Diversion of Public Footpath 214 (Doc 2.39)</b>
	Is this of a satisfactory standard?	<b>Yes</b>	Is this of a satisfactory standard?	<b>Yes</b>
i)	Where applicable, a plan with accompanying information identifying:-  (i) any statutory/ non-statutory sites or	(i) <b>Environmental Designations Plan: Habitats (Doc 2.2)</b> <b>Statutory and Non-Statutory Sites of Geological</b>	m) Where applicable, a plan with accompanying information identifying any statutory/ non-statutory sites or features of the	<b>Designated Heritage Assets (Doc 2.5)</b> <b>North Lincolnshire HER</b> <b>Archaeological Monument Data (2.6)</b> <b>North Lincolnshire HER</b>

n)	<p>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>(iii) water bodies in a river basin management plan,</p> <p>together with an assessment of any effects on such sites, features, habitats or bodies likely to be caused by the Proposed Development</p>	<p><b>Importance (Doc 2.4)</b></p> <p>(ii) <b>Statutory and Non-Statutory Sites of Ecological Importance (Doc 2.3)</b></p> <p><b>Hedgerow Plan (Doc 2.40)</b></p> <p>(iii) <b>N/a</b></p>	o)	<p>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 caused by the Proposed Development</p>	<p><b>Archaeological Event Data (2.7)</b></p>
	<p>Is this of a satisfactory standard?</p>	<p><b>Yes</b></p>		<p>Is this of a satisfactory standard?</p>	<p><b>Yes</b></p>
	<p>Where applicable, a plan with any accompanying information identifying any Crown land</p>	<p><b>N/A</b></p>		<p>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><b>Works Details Key Plan (Doc 2.9)</b></p> <p><b>Works Details – Key A1 – Sheet 1 of 7 (Doc 2.10)</b></p> <p><b>Works Details – Key A2 – Sheet 2 of 7 (Doc 2.11)</b></p> <p><b>Works Details – Key A3 – Sheet 3 of 7 (Doc 2.12)</b></p> <p><b>Works Details – Key B1 – Sheet 4 of 7 (Doc 2.13)</b></p> <p><b>Works Details – Key B2 – Sheet 5 of 7</b></p>

					<p>(Doc 2.14)</p> <p><b>Works Details – Key B3 – Sheet 6 of 7 (Doc 2.16)</b></p> <p><b>Works Details – Key C1 – Sheet 7 of 7 (Doc 2.17)</b></p> <p><b>Solar Farm and Battery Storage Cable Trench Plan (Doc 2.18)</b></p> <p><b>Battery Compound Layout (Doc 2.19)</b></p> <p><b>Archaeological Exclusion Zone Sheet 1 of 2 (Doc 2.20)</b></p> <p><b>Archaeological Exclusion Zone Sheet 2 of 2 (Doc 2.21)</b></p> <p><b>Archaeological Exclusion Zone – Whole Area Plan (Doc 2.22)</b></p> <p><b>Works Details – Section Details (Doc 2.23)</b></p> <p><b>132KV Substation Layout General Arrangement (Doc 2.24)</b></p> <p><b>132KV Substation Layout Elevation Section A – A Cross Section B – B (Doc 2.25)</b></p> <p><b>132KV Substation Layout Proposed Site Access (Doc 2.26)</b></p> <p><b>132KV Substation Layout Site Location Plan (Doc 2.27)</b></p> <p><b>NPG Control Room General Arrangement and Elevations (Doc 2.28)</b></p> <p><b>Customer Switchroom Plan, Layout and</b></p>
--	--	--	--	--	--

			<b>Elevations (Doc 2.29)</b> <b>Battery Compound Layout and Elevations (Doc 2.30)</b> <b>53FT Battery Container Plan and 3D View (Doc 2.31)</b> <b>Transformer and Inverter Skid Plan and Elevations (Doc 2.32)</b> <b>53FT Battery Container Elevations (Doc 2.33)</b> <b>40FT Client Switchroom Container Elevations (Doc 2.34)</b> <b>132kV Substation and Battery Storage Cable Trench details (Doc 2.35)</b> <b>Alternative Location For Battery Compound – Work No. 2B (Doc 2.36)</b> <b>Shapefile of Order Limits (Doc 2.37)</b> <b>Indicative Aerial Image of Order Limits (Doc 2.38)</b>
	Is this of a satisfactory standard?	<b>N/A</b>	Are they of a satisfactory standard?
p)	Any of the documents prescribed by Regulation 6 of the APFP Regulations:	<b>Grid Connection Statement (Doc 4.4)</b> According to <b>6.1</b> of the Applicant's <b>Grid Connection Statement (Doc 4.4)</b> , the connections process for the scheme is at an 'advanced stage' and the Applicant has accepted the non-contestable works option with final adoption by Northern	q) Any other documents considered necessary to support the application
			<b>Yes</b> – with minor discrepancies as noted in Box 30  <b>Planning Statement (Doc 9.1)</b> <b>Design and Access Statement (Doc 9.2)</b> <b>Statement of Common Ground Overview (Doc 9.3)</b> <b>Draft Statement of Common Ground with NLC (North Lincolnshire Council) (Doc 9.4)</b>

	<p>Powergrid.</p> <p>The appointment of an Independent Connection Provider is at tender stage with <i>'progression to appoint being dependant on securing Development Consent.'</i></p> <p><b>Draft SoCG with Northern Powergrid (Doc 9.12) 3.2:</b></p> <p><i>'INRG accepted a grid connection offer from NPG in 2017 and secured the 99.9MW of export capacity. The grid offer accepted by INRG can only be used for the Little Crow Solar Farm and cannot under be transferred to any other site, as this would be deemed by NPG as a significant alteration to the original application. The only viable connection voltage for a project of this size is 132kV and it requires the construction of a new 132kV sub-station on-site.'</i></p>		<p><b>Draft Statement of Common Ground with Anglian Water (Doc 9.5)</b></p> <p><b>Draft Statement of Common Ground with Environment Agency (Doc 9.6)</b></p> <p><b>Draft Statement of Common Ground with Highways England (Doc 9.7)</b></p> <p><b>Draft Statement of Common Ground with Highways England (Doc 9.8)</b></p> <p><b>Draft Statement of Common Ground with Public Health England (Doc 9.9)</b></p> <p><b>Draft Statement of Common Ground with Natural England (Doc 9.10)</b></p> <p><b>Draft Statement of Common Ground with Local Wildlife Trust (Doc 9.11)</b></p> <p><b>Draft Statement of Common Ground with Northern Powergrid (Doc 9.12)</b></p> <p><b>Unilateral Undertaking (Doc 9.13)</b></p>
Are they of a satisfactory standard?	<b>Yes</b>	Are they of a satisfactory standard?	<b>Yes</b>
30	<p>Are there any observations in respect of the documents provided at Box 29 (a) to (q) above?</p> <p>There are some discrepancies between Application documents when describing the maximum generating capacity of the Proposed Development.</p> <p>For example:</p> <p><b>Paragraph 4.3.3, Chapter 4, Environmental Statement (Doc Ref 6.4) and Paragraph 3.7, Planning Statement (Doc Ref 9.1) state a maximum</b></p>		

generating capacity of '*between 150MWp & 200MWp*'.

The draft **Development Consent Order (Doc 3.1)**, **Explanatory Memorandum (Doc 3.2)** and **Grid Connection Statement (Doc 4.4)** do not refer to a maximum capacity and instead state the intended design capacity is '*over 50MWp*'; and

Consultation materials as provided in the **Consultation Report Technical Appendices (Doc 4.2)** for the purposes of Part 5, Chapter 2 of the PA2008 and the draft **Statements of Common Ground (excluding the draft SoCG with Highways England) (Docs 9.4 - 9.6 and 9.8 - 9.12)** refer to a maximum generating capacity of 150MWp or a generating capacity of up to 150MWp.

### **Environmental Statement**

The **Environmental Statement (ES)** and **No Significant Effects Report (NSER)** submitted by the Applicant, whilst deemed to be sufficient for the purposes of the s55 acceptance process provide limited detail in some assessment areas. This has been considered in the context of the nature of the proposed development, the characteristics of the impacts, and the receiving environment and considerations of proportionate EIA. As a result of the approach adopted by the Applicant, a number of issues have been highlighted in relation to the ES, NSER and **Flood Risk Assessment (FRA)** which will require further consideration during examination.

### **Figures 6.1, 6.2, 6.4 and 6.5 (Doc Ref 6.5)**

These figures do not appear to have been updated whereby the Screened ZTV does not reflect the maximum design scenario (i.e., maximum height of solar panels of 3.5m). These figures state 'Screened ZTV – 3m Development height'.

### **Para 6.4.6 (Doc Ref 6.6)**

There appears to be an inconsistency when providing the height of the security fencing. The Landscape and Visual Assessment states a height of 2m whilst Para 4.6.5, ES (Doc Ref 6.4) states security fencing will be 3m in height.

### **Para 3.2.1 (Doc Ref.6.3)**

Unclear why the ES states the temporary construction compound has not been included in the overall area for the proposed development site (e.g., 225ha). It appears that this is referring to the area within the temporary construction compound excluded from the order limits.

### **Socio Economic Issues (Doc Ref 6.11)**

Unlike other aspect chapters in the ES, this aspect chapter does not include a table outlining how the Applicant has responded to the Planning Inspectorate's comments in Table 4.6, Scoping Opinion (Doc Ref 7.1).

At paragraph 11.4.2 the capital cost for the Proposed Development has been estimated as being £160 million using a capital investment cost of around £800,000 for building one megawatt and based on 150MW of solar generation and 50MW of battery storage. Battery storage of 50MW is inconsistent with the 90MW that has been referred to in other application documents, for example paragraph, 4.6.2 of Chapter 4 of the ES (Doc Ref 6.4 LC ES CH4).

At paragraph 11.4.4 a six month build phase is referred to, which is inconsistent with the eleven months/47 weeks referred to elsewhere in the ES, for example paragraph 9.8.2 of Chapter 9 (Doc Ref 6.9 LC ES CH9).

**Table 2.1 B1207 Ermine Street/ B1208 p.24 (Doc Ref 7.35)**

Information appears to be missing from this table where: '*Error! Not a valid link*' has been entered

**Development Consent Order (Doc 3.1) and Explanatory Memorandum (Doc 3.2)**

- Works 4(d) listed in **DCO (Doc 3.1)** as '*gantry with voltage and current transformers*' – **Explanatory Memorandum (Doc 3.2)** only lists this as '*gantry*'
- Works 6 (c) in **DCO (Doc 3.1)**: '*temporary diversion of public footpath during deconstruction and decommissioning*', **Explanatory Memorandum (Doc 3.2)** does not include '*during deconstruction and decommissioning*'
- Works 6(j) in **DCO (Doc 3.1)**: '*planting and ecological works incorporating the biodiversity objectives and management prescriptions set out in the LEMP*' – **Explanatory Memorandum (Doc 3.2)** has not included this
- Site Wide Works c in **DCO (Doc 3.1)**: **Explanatory Memorandum (Doc 3.2)** has not included '*construction of crossing structure*' and '*lighting*'
- Site Wide Works f in **DCO (Doc 3.1)**: **Explanatory Memorandum (Doc 3.2)** has not included '*ramps*' or '*hardstanding*'

**Book of Reference (Doc 3.3)**

**Part 3** of the **Book of Reference** (Easements etc) (**Doc 3.3**) includes landowner information plots 1/12 and 1/14 despite the previous Parts stating 'number not used'. Those two plots are also not included in the Land Plans.

The Land Plans appended to the BoR also do not include the hatched area in the top righthand side of the boundary that is identified as being '*excluded from the Order limits*' in the other plans included in the application.

**Plans**

**29 (o)**

*'Any other plans, drawings and sections necessary to describe the proposals for which development consent is sought, showing details of design, external appearance, and the preferred layout of buildings or structures, drainage, surface water management, means of vehicular and pedestrian access, any car parking to be provided, and means of landscaping'*

The following plans which meet the above description do not have a north arrow (APFP Regs 5(3)):

- 2.29 LC DRW      Customer Switchroom Plan – Layout and Elevations**
- 2.30 LC DRW      Battery Compound Layout and Elevations**
- 2.31 LC DRW      53ft Battery Container Plan and 3D View**
- 2.32 LC DRW      Transformer and Inverter Skid Plan and Elevations**
- 2.33 LC DRW      53ft Battery Container Elevations**
- 2.34 LC DRW      40ft Client Switchroom Container Elevations**
- 2.35 LC DRW      132kV Substation and Battery Storage Cable Trench Details**

31	Is the application accompanied by a report identifying any European site(s) to which Regulation 48 of The Conservation (Natural Habitats, &c.) Regulations 1994 applies; or any Ramsar site(s), which may be affected by the Proposed Development, together with sufficient information that will enable the Secretary of State to make an appropriate assessment of the implications for the site if required by Regulation	<p><b>Yes</b> (<i>with minor discrepancies as noted below</i>)</p> <p>A No Significant Effects Report (NSER) is provided at <b>Appendix 7.9</b> of the <b>Environmental Statement (Doc 7.29)</b>.</p> <p>The NSER 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>
----	--	--

48(1)? <sup>14</sup>	<p><b>Environmental Statement: Technical Appendix 7.9, Habitats Regulations Statement – No Significant Effects Report (NSER) (Doc Ref 7.29).</b></p> <p><b>Figure 1: Ordnance Survey Map Showing Location of Order Limits (OS License 100050456)</b> – This figure is of poor resolution which makes distinguishing it difficult.  <b>Figure 2: International Designations within 10km of Order Limits</b> – Due to the scale of this figure the true extent of European sites (e.g., Humber Estuary SPA, SAC, Ramsar) are not represented. In addition, the legend has been cropped out and is illegible.</p> <p>Plan identifying European Designated Sites – The Plan titled ‘Statutory and Non-statutory Sites of Ecological Importance’ (<b>Doc ref 2.3</b>) only identifies ecological sites of up to national importance (e.g., SSSI) and does not show the location of European sites.</p> <p><b>Para 1.1.17</b>– states that “The qualifying features for each of the European Sites are detailed in Appendix B of this NSER along with impact matrices (in Section 2 of this report) and information in Appendix A which assess potential LSE’s...”. The NSER lists qualifying features and impacts for each of the European sites identified within the HRA Screening Matrices and the report has not been divided into appendices A and B as stated by the Applicant. Therefore, the above statement is confusing, and it is unclear if Appendix A and B have been incorrectly omitted from the NSER.</p> <p><b>Para 1.1.22</b> – The NSER incorrectly refers to Chapter 7, Section 7.8 (<b>Doc Ref 6.7</b>) when referencing “‘Other Developments’ established within the EIA”. This should reference Chapter 7, Section 7.9 titled Cumulative Impacts.</p> <p>HRA Screening Matrix 03: Humber Estuary Ramsar – Section b, ‘Evidence supporting conclusions’ beneath the matrix incorrectly refers to the SPA when discussing Humber Estuary Ramsar.</p> <p>Approach taken to NSER – The NSER includes very little evidence or cross-referencing of documentation to support conclusions of no Likely Significant Effects (LSE) on European designated sites.</p>
----------------------	---

<sup>14</sup> Regulation 5(2)(g) of the APFP Regulations

		<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 Examination. This may result in additional information being required to inform the HRA Report and the competent authority. Depending upon the type and availability of information required it may not be possible to obtain this during the statutory timetable of the Examination.</p>
32	If requested by the Planning Inspectorate, two paper copies of the application form and other supporting documents and plans <sup>15</sup>	No hard copies requested.
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?	<p><b>Yes</b></p> <p>The Applicant has not included any explanation of how they have had regard to statutory guidance on the form of their application, however the Planning Inspectorate is satisfied that the Applicant has demonstrated regard to the statutory guidance set out in the Planning Act 2008: Application Form Guidance and the Planning Act 2008 Guidance on the pre-application process.</p>
34	<b>Summary - s55(3)(f) and s55(5A)</b>	<p>The Planning Inspectorate concludes that the application (including accompaniments) has been prepared to a standard that it considers satisfactory.</p> <p>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:</p> <p><a href="http://infrastructure.planninginspectorate.gov.uk/document/EN010101-000340">http://infrastructure.planninginspectorate.gov.uk/document/EN010101-000340</a></p>

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

<sup>15</sup> 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 <sup>16</sup> ?	The fee was received on 24 November 2020; before the application was submitted.

Role	Electronic signature	Date
Case Manager	<i>Louise Evans</i>	23 December 2020
Acceptance Inspector	<i>David M H Rose</i>	23 December 2020

---

<sup>16</sup> 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

