



The Planning Inspectorate
Yr Arolygiaeth Gynllunio

Section 55

Acceptance of Applications Checklist

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

Date: Thursday 16 December 2021

Sunnica Energy Farm 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 the Department for Levelling Up, Housing and Communities.**

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
		18 November 2021	16 December 2021	16 December 2021
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 (i.e. which	<p>Yes</p> <p>The Proposed Development set out in Schedule 1 of the Draft DCO (Doc 3.1) includes a category of development falling in section 14(1)(a) of the PA2008, a ground mounted solar PV generating station. The development is for the construction, operation, maintenance and decommissioning of ground mounted solar photovoltaic (PV) panel arrays, a Battery Energy Storage System (BESS), connection to the UK electricity transmission system and</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)

	<p>category or categories in ss14 to 30 does the Proposed Development fall)?</p> <p>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?</p>	<p>other associated and ancillary development with a gross electrical output capacity of over 50MW and therefore satisfies sections 15(1) and 15(2) of the PA2008.</p> <p>This is consistent with the summary provided in section 4 of the Application Form (Doc 1.3) which states that the application is for "... <i>an onshore generating station in England with capacity exceeding 50 megawatts (MW).</i>"</p>
3	<p>Summary: Section 55(3)(a) and s55(3)(c)</p>	<p>The Planning Inspectorate is satisfied that the Draft DCO (Doc 3.1) includes development for which development consent is required.</p>
<p>Section 55(3)(e): The Applicant in relation to the application made has complied with Chapter 2 of Part 5 (pre-application procedure)</p>		
4	<p>In accordance with the EIA Regulations³, 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?</p>	<p>Yes</p> <p>On 13 March 2019 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 22 September 2020.</p> <p>A copy of the notification letter is provided at Appendix B-1 of the Consultation Report Appendices Part 2 (Doc 5.2).</p>

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)

5	<p>Have any Adequacy of Consultation Representations⁴ 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?</p>	<p>Yes</p> <p>There are 21 host and neighbouring authorities, of which 17 responded to the Planning Inspectorate's invitation dated 19 November 2021 to make an Adequacy of Consultation Representation (AoCR).</p> <p>All 17 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> <p>Host ("B, C") Authorities</p> <ul style="list-style-type: none"> • East Cambridgeshire District Council* • West Suffolk District Council* • Cambridgeshire County Council* • Suffolk County Council* <p>Neighbouring ("A, D") Authorities</p> <ul style="list-style-type: none"> • Braintree District Council • Fenland District Council • Huntingdonshire District Council • King's Lynn and West Norfolk District Council • South Cambridgeshire District Council • Bedford Borough Council • Central Bedfordshire Council • Hertfordshire County Council • Lincolnshire County Council
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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

		<ul style="list-style-type: none">• Norfolk County Council• North Northamptonshire Council• Peterborough City Council• The Broads <p>Responses were invited but were not received from the following neighbouring authorities:</p> <ul style="list-style-type: none">• Breckland Council• Babergh District Council• Essex County Council• Mid Suffolk District Council <p>West Suffolk Council, Suffolk County Council, East Cambridgeshire District Council and Cambridgeshire County Council provided a joint AoCR. Whilst the joint response notes that the Applicant could have done more to inform Parish Councils and the public during the early non-statutory consultation, the Councils consider that the Applicant has met the minimum standards required for carrying out statutory consultation, including publicity, under s47 and s48.</p> <p>All AoCRs received have been carefully considered and are available to view on the National Infrastructure Planning website: https://infrastructure.planninginspectorate.gov.uk/projects/eastern/sunnica-energy-farm/</p> <p>Additionally, the Planning Inspectorate has received submissions from Parish Councils, members of the public and two Members of Parliament highlighting concerns with the Applicant's consultation. These have been published here https://infrastructure.planninginspectorate.gov.uk/projects/eastern/sunnica-energy-farm/?ipcsection=docs</p> <p>These representations include, amongst other matters, comments in relation to:</p>
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		<ul style="list-style-type: none"> • Confusion about the location of the scheme • Inadequate consultation material • Availability and accessibility of consultation material • Quality and format of the virtual consultation webinars • Inadequate responses to requests for further clarification and / or information <p>Some of the representations also include comments about the merits of the proposal, which are not directly relevant to the adequacy of consultation and will be matters that parties can raise in Relevant Representations and during the course of the Examination.</p> <p>The Consultation Report (Doc 5.1) explains how, at a project wide level, the Applicant has had regard to consultation responses, as set out in Box 23.</p> <p>The Inspectorate has taken into account all representations relating to the adequacy of consultation and is of the view that the Applicant has complied with its statutory obligations under s42, s46, s47 and s48.</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 ⁵ ?	<p>Yes</p> <p>The Applicant has provided a list of persons consulted on 16 September 2020 under s42(1)(a) at Appendix E-1 of the Consultation Report Appendices Part 3 (Doc 5.2).</p>

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

		<p>A sample of the letter sent to s42(1)(a) consultees dated 16 September 2020 is provided at Appendix F-1 of the Consultation Report Appendices Part 3 (Doc 5.2).</p> <p>The Applicant also carried out supplementary targeted consultation after the Statutory Consultation commenced due to amendments to the scheme boundary following design development work.</p> <p>The list of persons consulted regarding the amendments to the scheme boundary and a sample of the letter sent to them is included at Appendix L-2 of the Consultation Report Appendices Part 5 (Doc 5.2). The sample letter dated 02 November 2020 confirmed that responses should be received by 02 December 2020.</p> <p>Section 4.7 of the Consultation Report (Doc 5.1) explains that subsequently, on 09 November 2020, the Statutory Consultation was extended for all consultees to the 18 December 2020.</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 do not appear to have been consulted by the Applicant under s42:</p> <ul style="list-style-type: none"> • Waterbeach Level Internal Drainage Board • Cawdle Fen Internal Drainage Board • Lakenheath Internal Drainage Board • Littleport and Downham Internal Drainage Board • Burnt Fen Internal Drainage Board • Padnal and Waterden Internal Drainage Board • Old West Internal Drainage Board • Hadenham Level Drainage Commissioners • Ministry of Defence • Highways England Historical Railways Estate
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		<ul style="list-style-type: none"> • Leep Gas Networks Limited • Squire Energy Limited • Forbury Assets Limited • Indigo Power Limited • Last Mile Electricity Limited <p>The Applicant's Consultation Report (Doc 5.1) does not explain why the bodies identified above do not appear to have 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 4.3).</p> <p>Section 51 advice has been issued to the Applicant in respect of the above matter: https://infrastructure.planninginspectorate.gov.uk/document/EN010106-002084</p>
7	Section 42(1)(aa) the Marine Management Organisation ⁶ ?	N/A
8	Section 42(1)(b) each local authority within s43 ⁷ ?	Yes Table 4-3 of the Consultation Report (Doc 5.1) lists the relevant local authorities that were identified and consulted under s43 and s42(1)(b). It is noted that Lincolnshire County Council is not included in the list however the

⁶ In any case where the Proposed Development would affect, or would be likely to affect, any of the areas specified in s42(2) of the PA2008

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

		<p>Council has been listed as a s42(1)(a) prescribed consultee in Appendix E-1 of the Consultation Report Appendices Part 3 (Doc 5.2).</p> <p>Two host 'B' authorities were consulted:</p> <ul style="list-style-type: none">• East Cambridgeshire District Council• West Suffolk Council <p>Two host 'C' authorities were consulted:</p> <ul style="list-style-type: none">• Cambridgeshire County Council• Suffolk County Council <p>Eight boundary 'A' authorities were consulted:</p> <ul style="list-style-type: none">• Babergh District Council• Borough Council of Kings Lynn and Norfolk• Braintree District Council• Breckland District Council• Fenland District Council• Huntingdonshire District Council• Mid Suffolk Council• South Cambridgeshire District Council <p>Eight boundary 'D' authorities were consulted:</p> <ul style="list-style-type: none">• Bedford Borough Council• Broads Authority• Central Bedfordshire Council• Essex County Council• Hertfordshire County Council• Norfolk County Council
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		<ul style="list-style-type: none"> • Northamptonshire County Council • Peterborough City Council <p>A sample of the letter sent to the s42(1)(b) relevant authorities dated 16 September 2020 is provided at Appendix F-1 of the Consultation Report Appendices Part 3 (Doc 5.2).</p>
9	Section 42(1)(c) the Greater London Authority (if in Greater London area)?	N/A
10	Section 42(1)(d) each person in one or more of s44 categories ⁸ ?	<p>Yes</p> <p>Paragraph 4.3.26 of the Consultation Report (Doc 5.1) states that all persons identified under s42(1)(d) were consulted on 16 September 2020.</p> <p>Paragraphs 4.3.6 to 4.3.17 of the Consultation Report (Doc 5.1) summarise how the Applicant made diligent inquiry to seek to identify and consult persons with an interest in lands affected by the Draft DCO (Doc 3.1). The full methodology undertaken by the Applicant is provided in section 4.3 of the Consultation Report (Doc 5.1).</p> <p>A sample of the letter dated 16 September 2020 is provided at Appendix F-1.2 of the Consultation Report Appendices Part 3 (Doc 5.2).</p> <p>Section 5 of the Consultation Report (Doc 5.1) explains how the Applicant carried out additional targeted consultation with s42(1)(d) consultees following further changes to the Order limits. A summary of the additional targeted consultation is included in Table 5-1 of the Consultation Report (Doc 5.1).</p> <p>The persons consulted under s42(1)(d) are listed, anonymously, at Appendix E-2 of the Consultation Report Appendices Part 3 (Doc 5.2) and are set out in the Book of Reference (Doc 4.3).</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.

		Appendix E-2 of the Consultation Report Appendices Part 3 (Doc 5.2) highlights one s42(1)(d) person present in the Book of Reference (Doc 4.3) who has been identified as a new land interest following the close of the Statutory Consultation. The Applicant is in discussion with this person who is aware of the scheme.
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>A sample of the letter sent to s42 consultees is provided at Appendix F-1 of the Consultation Report Appendices Part 3 (Doc 5.2).</p> <p>The sample letter dated 16 September 2020 confirmed that consultation commenced on 22 September 2020 and closed on 02 December 2020.</p> <p>Section 4.7 of the Consultation Report (Doc 5.1) explains that the Statutory Consultation was extended on 09 November 2020 for all consultees to the 18 December 2020, this provided a deadline of more than 28 days.</p> <p>A sample of the letter sent to s42 consultees is provided at Appendix L-3 of the Consultation Report Appendices Part 3 (Doc 5.2).</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 notified the Planning Inspectorate under s46 on 16 September 2020, which was on the date the consultation under s42 commenced.</p> <p>A copy of the s46 notification letter is provided at Appendix G-1 of the Consultation Report Appendices Part 3 (Doc 5.2).</p>
Section 47: Duty to consult local community		
13	Did the Applicant prepare a Statement of Community Consultation (SoCC) on how it	Yes

	intended to consult people living in the vicinity of the land?	A copy of the final SoCC is provided at Appendix D-2 of the Consultation Report Appendices Part 2 (Doc 5.2) .
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>The Applicant sent the draft SoCC to the following local authorities on 03 August 2020 and set a deadline of 01 September 2020 for responses; providing more than the required minimum time for responses to be received:</p> <ul style="list-style-type: none"> • East Cambridgeshire District Council ('B' Authority) • West Suffolk Council ('B' Authority) • Cambridgeshire County Council ('C' Authority) • Suffolk County Council ('C' Authority) <p>A copy of the draft SoCC is provided at Appendix C-1 of the Consultation Report Appendices Part 2 (Doc 5.2).</p>
15	Has the Applicant had regard to any responses received when preparing the SoCC?	<p>Yes</p> <p>Table 4-1 of the Consultation Report (Doc 5.1) provides a summary of the joint consultation response from the local authorities listed in Box 14 above in respect of the draft SoCC and demonstrates how the Applicant had regard to the content.</p> <p>For example, the local authorities stated that the Applicant should explain what EIA development is, what an ES is and how this differs from the PEIR. In response the Applicant amended the text in the final SoCC to explain these terms. The local authorities also stated that a larger location plan should be provided, consequently an A3 landscape plan was included.</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	<p>Yes</p> <p>Due to COVID-19 restrictions the final SoCC was made available online on the scheme website from 17 September 2020.</p>

	newspaper circulating in the vicinity of the land which states where and when the SoCC can be inspected?	<p>A notice stating when and where the final SoCC could be inspected was published in:</p> <ul style="list-style-type: none"> • Newmarket Journal – 17 September 2020 • Ely Standard – 17 September 2020 <p>Copies of the published SoCC notices are provided at Appendix D-1 of the Consultation Report Appendices Part 2 (Doc 5.2). The notice provides details of where and when the final SoCC was available to inspect.</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 2 of the final SoCC at Appendix D-2 of the Consultation Report Appendices Part 2 (Doc 5.2) sets out that the development is EIA development. Page 10 sets out how the Applicant would 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>Section 4.5 of the Consultation Report (Doc 5.1) sets out how the community consultation was carried out in line with the final SoCC.</p> <p>Table 4-6 and Table 4-7 of the Consultation Report (Doc 5.1) set out how the commitments within the final SoCC regarding publicity have been carried out.</p> <p>Table 4-8 of the Consultation Report (Doc 5.1) sets out how the Applicant has complied with the commitments set out in the final SoCC.</p>
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>Yes</p> <p>Section 4.6 of the Consultation Report (Doc 5.1) provides information about the Applicant's s48 notices.</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

		Table 4-9 of the Consultation Report (Doc 5.1) provides details of the newspapers and dates of publication of the s48 notices as set out below:	
		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"> Ely Standard Newmarket Journal 	17 and 24 September 2020 17 and 24 September 2020
b)	once in a national newspaper;	<ul style="list-style-type: none"> The Guardian 	17 September 2020
c)	once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and	<ul style="list-style-type: none"> The London Gazette 	17 September 2020
d)	where the proposed application relates to offshore development – (i) once in Lloyds List; and (ii) once in an appropriate fishing trade journal?	N/A	N/A
20	Did the s48 notice include the required information set out in Regulation 4(3) of APFP Regulations?	Yes Appendix K-1 of the Consultation Report Appendices Part 5 (Doc 5.2) contains copies of the published newspaper notices. The published s48 notices contain the required information as set out below:	
Information		Paragraph	
Information		Paragraph	

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	1
c)	a statement as to whether the application is EIA development	3	d)	a summary of the main proposals, specifying the location or route of the Proposed Development	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	4	f)	the latest date on which those documents, plans and maps will be available for inspection	4
g)	whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge	7	h)	details of how to respond to the publicity	8
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	9			
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	Yes Paragraph 4.6.5 of the Consultation Report (Doc 5.1) states that the s48 notice was sent to the EIA consultation bodies as part of the s42 consultation. A sample of the s42 consultation letter provided at Appendix			

	notified to the Applicant in accordance with the EIA Regulations ¹⁰ ?	F-1 of the Consultation Report (Doc 5.2) Appendices Part 3 confirms that a copy of the s48 notice was enclosed with the consultation material.
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>Appendices J-1 to J-5 of the Consultation Report (Doc 5.2) Appendices Part 4 set out the response to, and regard had, to the s42 and s47 consultation responses received, including whether this led to a change 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. For example, the submitted application includes proposals for permissive routes which connect to existing footpaths or roads. 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		
24	To what extent has the Applicant had regard to statutory guidance 'Planning Act 2008: Guidance on the pre-application process' ¹¹ ?	<p>Paragraph 1.1.3 of the Consultation Report (Doc 5.1) states that the Applicant has taken into consideration all relevant statutory and other guidance.</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	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 in this regard, available here:</p>

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

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

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 1.3) explains why the development falls within the remit of the Planning Inspectorate.</p> <p>Section 5 of the Application Form (Doc 1.3) 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 2.5) has been provided. Whilst the Location Plan does not include any marked identifiable landmarks it is considered that when viewed alongside the description of the location, and other supporting documentation, the location of the application site can be identified.</p> <p>s51 advice has been provided to the Applicant regarding the Location Plan and is available here: https://infrastructure.planninginspectorate.gov.uk/document/EN010106-002084</p>
27	Is it accompanied by a Consultation Report?	<p>Yes</p> <p>The application is accompanied by a Consultation Report (Doc 5.1), and Consultation Report Appendices (Doc 5.2) Part 1 to Part 5.</p>
28	Where a plan comprises three or more separate sheets, has a key plan been provided showing the relationship between the different sheets? ¹²	<p>Yes</p>

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

29	Is it accompanied by the documents and information set out in APFP Regulation 5(2)?	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>Information</p>		<p>Information</p>	
<p>Document</p>		<p>Document</p>	
a)	<p>Where applicable, the Environmental Statement required under the EIA Regulations¹³ and any scoping or screening opinions or directions</p>	b)	<p>The draft Development Consent Order (DCO)</p>
<p>Submission Volume 6: Document 6.1 – ES Chapters Document 6.2 – ES Appendices The Applicants Scoping Report is included within Submission Volume 6 – Document 6.2 (ES Appendices) – Appendix 1A. A copy of the Scoping Opinion which was adopted on 23 April 2019 is included within Volume 6 – Document 6.2 (Appendices) – Appendix 1B. Document 6.3 – ES Figures Document 6.4 – Non-Technical Summary Document 6.5 – Schedule of Environmental Mitigation Document 6.6 – Offsetting Habitat Provision for Stone-Curlew Specification</p>		<p>Draft Development Consent Order (Doc 3.1)</p>	

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

		Document 6.7 – Biodiversity Net gain Assessment			
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?	Yes
c)	An Explanatory Memorandum explaining the purpose and effect of provisions in the draft DCO	Explanatory Memorandum (Doc 3.2)	d)	Where applicable, a Book of Reference (where the application involves any Compulsory Acquisition)	Book of Reference (parts 1 to 5) (Doc 4.3)
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?	Yes
e)	A copy of any Flood Risk Assessment	Submission Volume 6: Document 6.2 – Appendix 9C – Flood Risk Assessment	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	ES Volume 7: Document 7.5 – Statutory Nuisance Statement
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?	Yes
h)	A Statement of Reasons and a Funding Statement (where the application involves any	Statement of Reasons (Doc 4.1) Funding Statement (Doc 4.2)	i)	A Land Plan identifying:-	Land and Crown Land Plans (Doc 2.1)

	Compulsory Acquisition)			<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 	
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)
j)	A Works Plan showing, in relation to existing features:- (i) the proposed location or (for a linear scheme) the	Work Plans (Doc 2.2)		k) Where applicable, a plan identifying any new or altered means of access, stopping up of streets or roads or any diversions,	Access and Rights of Way Plans (Doc 2.3)

	<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</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) Site or features of nature conservation and geological importance are both included within the same plan:</p> <p>Submission Volume 2 – Document 2.6 – Statutory or Non- Statutory Site or Features of Nature Conservation, Habitats of Protected Species and Important Habitat Plans</p> <p>Submission Volume 6 – Document 6.3 – Figure 8-1 (Statutory Designated Sites of nature conservation and</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>Submission Volume 2 – Document 2.8 – Features of the Historic Environment Plan</p> <p>Submission Volume 6 – Document 6.3 – Figures 7-1 (Designated and Non-Designated Heritage Assets) and 7-2a,b,c (Designated Heritage Assets)</p> <p>The assessment of effects on sites or features of the historic environment is included within:</p> <p>Submission Volume 6, Document 6.1 – Chapter 7 (Cultural Heritage)</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>geological importance), Figure 8-2 (Non-Statutory Sites), 8-3 (Phase 1 Habitat Survey)</p> <p>Sites or features of landscape importance are shown on:</p> <p>Document 6.3 – Figure 10-3 – Landscape Designations</p> <p>(ii) As per 29 (L) (i)</p> <p>(iii) Submission Volume 2 – Document 2.7 – Water Bodies in a River Basin management Plan</p> <p>Submission Volume 6 – Document 6.3 – Figure 9-1 Surface Water Bodies and their Attributes</p> <p>The assessment of effects on statutory / non statutory sites or features of nature conservation importance (including geological sites) and on protected species is included within:</p> <p>Submission Volume 6, Document 6.1 – Chapter 8 (Ecology and Nature Conservation)</p>	<p>caused by the Proposed Development</p>	<p>Document 6.2 Appendices 7B to 7L (desk and field-based assessment reports)</p>
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	<p>Document 6.2 Appendices 8C to 8L (individual habitat and species reports)</p> <p>Document 6.2 Appendix 8M – Habitats Regulations Assessment: Report to Inform an Appropriate Assessment</p> <p>The assessment of effects on landscape features is included within:</p> <p>Volume 6, Document 6.1 – Chapter 10 Landscape and Visual Amenity</p> <p>The assessment of potential effects on waterbodies is included within:</p> <p>Volume 6, Document 6.1 - Chapter 9, Flood Risk and Water Resources</p> <p>Document 6.2 Appendix 9B: Water Framework Directive Assessment</p> <p>Appendix 9C: Flood Risk Assessment, including Drainage Technical Note</p>			
Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?	Yes

n)	Where applicable, a plan with any accompanying information identifying any Crown land	Land and Crown Land Plans (Doc 2.1)	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	Traffic Regulation Measures Plans – Road Closures Parts 1 - 3 (Doc 2.4) Traffic Regulation Measures Plans – Temporary Measures Parts 1-2 (Doc 2.4)
	Is this of a satisfactory standard?	Yes		Are they of a satisfactory standard?	Yes
p)	Any of the documents prescribed by Regulation 6 of the APFP Regulations:	Grid Connection Statement (Doc 7.4)	q)	Any other documents considered necessary to support the application	Consents and Agreements Position Statement (Doc 3.3) Schedule of Negotiations and Powers Sought (Doc 4.4) Statement of Need (Doc 7.1) Planning Statement (Doc 7.2) Design and Access Statement (Doc 7.3) Outline Battery Fire Safety Management Plan (Doc 7.6)
	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 at Box 29 (a) to (q) above?				

Volume 6, Document 6.3 – Environmental Statement Chapter 9 (Flood Risk, Drainage and Water Resources) Figures and Appendix 9C (Flood Risk Assessment)

Figure 9-1 demonstrating the location of surface waterbodies contains multiple layers of information. To aid understanding, it should be provided in more than one plan.

Submission Volume 6, Document 6.1 – Chapter 8 (Ecology and Nature Conservation) and Document 6.2 Appendices 8C to 8L (individual habitat and species reports). Document 6.1 – Chapter 7 Cultural Heritage and Document 6.2 Appendices 7B to 7L

The Applicant has highlighted some limitations on survey information for land within the proposed Order Limits. The Proposed Development site has been surveyed but some sections of the proposed cable route have not been surveyed due to factors such as restrictions on third party land access, presence of crops and / or presence of livestock. The ES has adopted alternative measures to address geographic gaps in ecological or archaeological information data such as providing enhanced archaeological trial trenching in nearby locations (in agreement with the relevant local authority archaeological officers), use of vantage points and surveying from land where access was permitted to support survey effort. On this basis the ES meets the requirements of the regulations and can be accepted.

Land and Crown Plans (Doc 2.1)

Sheet 2 of 24 –The plot numbers for Plots 2-01 and 2-02 have not been included on the shaded plots. Plot 2-01 is shown outside the cut line on Sheet 1 of 24.

Work Plans (Doc 2.2)

The cut lines on Sheets 15 and 16 do not align such that the limits of deviation to the west of Work No. 1D are not clear. Similarly, the cut lines on Sheets 16 and 17 do not align.

Work No. 6D is labelled on Sheet 16 inside the red line boundary, there is also a label for Work No. 6D outside the red line boundary to the east of Fordham Road.

Section 51 advice has been issued to the Applicant in respect of the above matters:

<https://infrastructure.planninginspectorate.gov.uk/document/EN010106-002084>

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	Yes A Habitat Regulations Assessment (HRA) Report (HRA Report to Inform an Appropriate Assessment) is provided at Appendix 8M of the Environmental Statement (Submission Volume 6, Document 6.2) .
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	sufficient information that will enable the Secretary of State to make an appropriate assessment of the implications for the site if required by Regulation 48(1)? ¹⁴	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. 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.
32	If requested by the Planning Inspectorate, two paper copies of the application form and other supporting documents and plans ¹⁵	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?	Yes Section 1.3 of the Applicants Covering Letter (Doc 1.1) explains how the Applicant has had regard to statutory guidance on the form of the application. 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:

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

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

<https://infrastructure.planninginspectorate.gov.uk/document/EN010106-002084>

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

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 26 October 2021; before the application was made.
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Role	Electronic signature	Date
Case Manager	Michele Gregory	16 December 2021
Acceptance Inspector	Grahame Kean	16 December 2021

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