



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: Monday 3 October 2022

Sheringham and Dudgeon Extension Projects Section 55 Acceptance of Applications Checklist

Section 55 of the Planning Act 2008 can be viewed at legislation.gov.uk, here: <http://www.legislation.gov.uk/ukpga/2008/29/section/55>

DISCLAIMER: This Checklist 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 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 in full	28-day due date	Date of decision
		05 September 2022	03 October 2022	03 October 2022
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 category or categories in Sections (s)14 to 30	<p>Yes.</p> <p>The Proposed Development set out in Schedule 1 of the Draft Development Consent Order (DCO) (Doc 3.1) includes development falling within the categories in s14 of the PA2008. The development is for the construction of a Generation Station and satisfies Section (s)14(1)(a) and s15(3) of the PA2008.</p> <p>This is consistent with the summary provided in section 4 of the Application Form (Doc 1.2) which states that the application is for an NSIP. This indicates that each Generation Station would exceed the threshold set out in s15(3) of the</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>does the Proposed Development fall)?</p> <p>If the development does not fall within the categories in s14 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>	PA2008.
3	Summary: Section 55(3)(a) and s55(3)(c)	The Planning Inspectorate is satisfied that the Draft DCO (Doc 3.1) is for the development for which development consent is required.
Section 55(3)(e): The Applicant in relation to the application made has complied with Chapter 2 of Part 5 (pre-application procedure)		
4	In accordance with the EIA Regulations ³ , did the Applicant (prior to carrying out consultation in accordance with s42) either (a) request the Planning Inspectorate adopt a Screening Opinion in respect of the development to which the application relates, or (b) notify the Planning Inspectorate in writing that it proposed to provide an Environmental Statement in respect of that development?	<p>Yes.</p> <p>On 28 April 2021 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 29 April 2021.</p> <p>A copy of the notification letter is provided at Appendix 5 of the Consultation Report (Doc 5.2.5).</p>
5	Have any Adequacy of Consultation Representations ⁴ been received from 'A', 'B', 'C' and 'D' local authorities; and if so, do they confirm that the Applicant has complied with	<p>Yes.</p> <p>There are 14 host and neighbouring authorities and four non-prescribed authorities. Of all relevant local authorities, 12 responded to the Planning Inspectorate's invitation to make an Adequacy of Consultation Representation</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)

⁴ Section 55(4) of the PA2008 provides that the Planning Inspectorate must have regard to the Consultation Report, and any Adequacy of Consultation Representations received

<p>the duties under s42, s47 and s48?</p>	<p>(AoCR), dated 05 September 2022.</p> <p>All 12 responding local authorities confirmed in their AoCR that either the Applicant had complied with its duties under s42, s47 and s48 of the PA2008 or that their authority had no comments or objections to make. The 12 responding local authorities are:</p> <ul style="list-style-type: none"> • Great Yarmouth Borough Council ('A/B' authority) • Mid Suffolk District Council ('A' authority) • East Suffolk Council ('A' authority) • Broads Authority ('A/D' authority) (please see comment in box 8 below) • Broadland District Council ('B' authority) • South Norfolk Council ('B' authority) • North Norfolk District Council ('B' authority) • Norfolk County Council ('C' authority) • Suffolk County Council ('D' authority) • King's Lynn and West Norfolk Borough Council ('A' authority) • Boston Borough Council (Non-prescribed Consultee) • South Holland District Council (Non-prescribed Consultee) <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/sheringham-and-dudgeon-extension-projects/?ipcsection=docs&stage=app&filter1=Adequacy+of+Consultation+Representation</p>
<p>Section 42: Duty to consult</p>	
<p>Did the Applicant consult the applicable persons set out in s42 of the PA2008 about the proposed application?</p>	

6	Section 42(1)(a) persons prescribed ⁵ ?	<p>Yes.</p> <p>The Applicant has provided a list of persons consulted under s42(1)(a) on 29 April 2021 at Table 1 of Appendix 6 – Consultees Consulted under s42 of the Planning Act 2008 of the Consultation Report (Doc 5.2.6).</p> <p>A sample of the letter sent to s42(1)(a) consultees is provided at Appendix 7 – Notification to s42 Consultees of s42 Consultation of the Consultation Report (Doc 5.2.7).</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"> • Northern Gas Network Limited • Wales and West Utilities Ltd • Leep Gas Networks Limited • Last Mile Gas Ltd • Squire Energy Limited • Norfolk Vanguard East Limited • Norfolk Boreas Limited • Indigo Power Limited • Last Mile Electricity Ltd • Mua Electricity Limited • Optimal Power Networks Limited • National Grid Electricity System Operator Limited
---	--	---

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

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.

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 4.1)**.

S51 advice has been issued to the Applicant in respect of the above matter:
<http://infrastructure.planninginspectorate.gov.uk/document/EN010109-000471>

In addition to the prescribed consultees, the Applicant carried out further consultation with 162 non-prescribed organisations as s42 consultees owing to their interest in the Proposed Development. The list of the non-prescribed consultees is provided at **Appendix 6 – Consultees Consulted under Section 42 of the Planning Act 2008** of the **Consultation Report (Doc 5.2.6)**.

The Applicant also carried out two statutory targeted consultations. **Section 13** of the **Consultation Report (Doc 5.1)** explains the Applicant's Onshore Targeted Consultation. The Applicant has provided a sample letter and list of persons consulted under s42(1)(a) on **06 January 2022** in **Appendix 19 – Targeted Consultations Notifications** of the **Consultation Report (Doc 5.2.19)**.

Section 13.2 of the **Consultation Report (Doc 5.1)** explains the Applicant's Offshore Targeted Consultation. The Applicant has provided a sample letter and list of persons consulted under s42(1)(a) on **05 April 2022** in **Appendix 19 – Targeted Consultations Notifications** of the **Consultation Report (Doc 5.2.19)**.

7	Section 42(1)(aa) the Marine Management Organisation ⁶ ?	Yes.
8	Section 42(1)(b) each local authority within s43 ⁷ ?	<p>Yes.</p> <p>Table 5-4 of Section 5.4 of the Consultation Report (Doc 5.1) lists the relevant local authorities that were identified and consulted under s43 and s42(1)(b).</p> <p>The host 'B' authority was consulted:</p> <ul style="list-style-type: none"> • Broadland District Council • North Norfolk District Council (NNDC) • South Norfolk Council (SNC) • Norwich City Council <p>The host 'C' authority was consulted:</p> <ul style="list-style-type: none"> • Norfolk County Council (NCC) <p>The boundary 'A' authorities were consulted:</p> <ul style="list-style-type: none"> • Breckland Council • East Suffolk Council • Great Yarmouth Borough Council • King's Lynn and West Norfolk Borough Council • Mid Suffolk District Council <p>The boundary 'D' authorities were consulted:</p>

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

		<ul style="list-style-type: none"> • Cambridgeshire County Council • Lincolnshire County Council • Suffolk County Council <p>Section 9.4 of the Consultation Report (Doc 5.1) lists the Additional Authorities identified as non-prescribed for the purposes of s42(1)(d).</p> <ul style="list-style-type: none"> • East Lindsay District Council • South Holland District Council • Broads Authority* • Boston Borough Council <p>* The Planning Inspectorate has determined that the Broads Authority is an A or D authority. But the Applicant has not identified the Broads Authority as an A or D authority in Sections 5.4 and 9.4 of the Consultation Report (Doc 5.1). However, the Planning Inspectorate is satisfied that the Boards Authority, listed under Table 3 of Appendix 6 – Consultees Consulted under Section 42 of the Planning Act 2008 of the Consultation Report (Doc 5.2.6), has been adequately consulted by the Applicant. The Planning Inspectorate has advises the Applicant, that the status of the Broads Authority as an A or D authority should be correctly established so it is given all relevant opportunities to participate in the Examination, in particular in line with s60 of the PA2008.</p> <p>A copy of the letter sent to s42(1)(b) relevant authorities is provided at Appendix 7 – Notification to Section 42 Consultees of Section 42 Consultation of the Consultation Report (Doc 5.2.7).</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>Paragraphs 130 to 141 of the Consultation Report (Doc 5.2) 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).</p> <p>The persons consulted under s42(1)(d) are listed at Appendix 22 of the Consultation Report (Doc 5.2.22).</p> <p>A sample of the letter dated 29 April 2021 is provided at Appendix 16 of the Consultation Report (Doc 5.2.16).</p>
Section 45: Timetable for s42 consultation		
11	Did the Applicant notify s42 consultees of the deadline for receipt of consultation responses; and if so was the deadline notified by the Applicant 28 days or more starting with the day after receipt of the consultation documents?	<p>Yes.</p> <p>A copy of the Applicant's letter sent to s42 consultees is provided at Appendix 7 – Notification to Section 42 Consultees of Section 42 Consultation of the Consultation Report (Doc 5.2.7).</p> <p>The copy of the Applicant's letter dated 29 April 2021 confirmed that consultation commenced on 29 April 2021 and closed on 10 June 2021, providing more than the required 28 days minimum time for receipt of consultation responses.</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	<p>Yes.</p> <p>The Applicant gave notice under s46 on 28 April 2021, which was before the beginning of s42 consultation.</p> <p>A copy of the Applicant's s46 notification letter is provided at Appendix 5 – S46 notification to PINS of the Consultation Report (Doc 5.2.5) and copy of s46 notification acknowledgement letter from the Planning Inspectorate is available on</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.

	commencing consultation under s42?	the project page of the National Infrastructure website.
Section 47: Duty to consult local community		
13	Did the Applicant prepare a Statement of Community Consultation (SoCC) on how it intended to consult people living in the vicinity of the land?	Yes. A copy of the final SoCC is provided at Appendix 8 (Doc 5.2.8) of the Consultation Report (Doc 5.2.8) .
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?	Yes. Section 7.3 of the Consultation Report (Doc 5.1) explains that the draft SoCC was sent to North Norfolk District Council (NNDC), Broadland District Council, South Norfolk Council and Norwich City Council ('B Authorities') and Norfolk County Council (NCC) ('C' authority) by email on 21 May 2020, setting a deadline of 18 June 2020 for responses. NNDC requested an extension to the consultation period, and the Applicant provided a further eight days to provide the feedback. In view of this, the Planning Inspectorate is satisfied that the 'B' and 'C' authorities consulted on the content of the SoCC have been provided with more than the minimum time period for commenting.
15	Has the Applicant had regard to any responses received when preparing the SoCC?	Yes. Table 7-2 of the Consultation Report (Doc 5.1) provides a summary of the consultation responses from North Norfolk District Council, Broadland District Council, South Norfolk District Council, Norwich City Council and Norfolk County Council in respect of the draft SoCC and demonstrates how the Applicant has had regard to their content. Examples of changes from the draft SoCC to the final SoCC include: <ul style="list-style-type: none"> • NNDC suggested that the consultation process should be described as an "iterative fact-finding process" rather than a support/object exercise. The Applicant has described it as "an iterative one" within the SoCC. • NNDC suggested the Applicant include more detailed cable route maps and the Applicant has made detailed maps available at consultation, including an

		<p>interactive map on the project website.</p> <ul style="list-style-type: none"> • NCC suggested the Core Consultation Zone (CZZ) is extended from 100m to 1000m and the Applicant has amended this. <p>The Planning Inspectorate is satisfied that the Applicant had regard to the responses received when preparing the SoCC.</p>
16	<p>Has the SoCC been made available for inspection on a website maintained by or on behalf of the Applicant; and has a notice been published in a newspaper circulating in the vicinity of the land which states where and when the SoCC can be inspected?</p>	<p>Yes.</p> <p>The final SoCC was made available on the Applicant's project website:</p> <ul style="list-style-type: none"> • https://sepanddep.commonplace.is/proposals/10-documents-library-october-2019-april-2021 <p>A notice stating when and where the final SoCC could be inspected was published in the following newspapers circulating in the vicinity:</p> <ul style="list-style-type: none"> • North Norfolk News on 9 July 2020 • Eastern Daily Press on 9 July 2020 <p>The published SoCC notice, provided at Appendix 8 (Doc 5.2.8) of the Consultation Report (Doc 5.1) states where and when the final SoCC was available to inspect.</p> <p>Clippings of the published advertisements are provided at Appendix 8 (Doc 5.2.8) of the Consultation Report (Doc 5.1).</p>
17	<p>Does the SoCC set out whether the development is EIA development⁹; and does it set out how the Applicant intends to publicise and consult on the Preliminary Environmental Information?</p>	<p>Yes.</p> <p>Paragraph 9 of the final SoCC at Appendix 8 (Doc 5.2.8) of the Consultation Report (Doc 5.1) sets out that the development is EIA development and sets out how the Applicant intended to publicise and consult on the Preliminary Environmental Information.</p>

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

18	Has the Applicant carried out the consultation in accordance with the SoCC?	<p>Yes.</p> <p>Paragraphs 211 to 276 of the Consultation Report (Doc 5.1) set out how the community consultation was carried out in line with the final SoCC.</p> <p>Appendix 25 (Doc 5.2.25) of the Consultation Report (Doc 5.1) provide evidence that the commitments within the final SoCC have been carried out.</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 which may encompass changes made by The Infrastructure Planning (Publication and Notification of Applications etc.) (Amendment) Regulations 2020?	<p>Yes.</p> <p>Paragraph 19 of the Consultation Report (Doc 5.1) states: <i>“As required under Section 48 of the 2008 Act and Regulation 4 of the APFP Regulations, the proposed Application was publicised in local and national newspapers and a commercial fishing publication as detailed in Section 10 of this Consultation Report. Advertisements in newspapers included information regarding the statutory periods of consultation.”</i></p> <p>Table 10-1 of the Consultation Report (Doc 5.1) displays the newspapers and dates of s48 publicity as set out below.</p> <p>A copy of the s48 notice is provided at Appendix 11 (Doc 5.2.11) of the Consultation Report (Doc 5.1).</p> <p>Clippings of the published notices set out below are provided at Appendix 11 (Doc 5.2.11) of the Consultation Report (Doc 5.1):</p>						
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 5%;"></th> <th style="width: 35%; text-align: left;">Newspaper(s)</th> <th style="width: 60%; text-align: left;">Date</th> </tr> </thead> <tbody> <tr> <td style="vertical-align: top;">a)</td> <td style="vertical-align: top;">for at least two successive weeks in one or more local newspapers circulating in the vicinity in which the Proposed Development would be situated;</td> <td style="vertical-align: top;"> <ul style="list-style-type: none"> • Eastern Daily Press 22 April 2021 28 April 2021 • North Norfolk News 22 April 2021 </td> </tr> </tbody> </table>				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"> • Eastern Daily Press 22 April 2021 28 April 2021 • North Norfolk News 22 April 2021
	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"> • Eastern Daily Press 22 April 2021 28 April 2021 • North Norfolk News 22 April 2021 						

			29 April 2021
b)	once in a national newspaper;	<ul style="list-style-type: none"> The Times 	28 April 2021
c)	once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and	<ul style="list-style-type: none"> London Gazette 	28 April 2021
d)	where the proposed application relates to offshore development – (i) once in Lloyds List; and (ii) once in an appropriate fishing trade journal?	<ul style="list-style-type: none"> Lloyds List Fishing News 	28 April 2021 29 April 2021
20	Did the s48 notice include the required information set out in Regulation 4(3) of APFP Regulations, which may encompass changes made by The Infrastructure Planning (Publication and Notification of Applications etc.) (Amendment) Regulations 2020?	<p>Yes.</p> <p>The published s48 notice, supplied at Appendix 11 (Doc 5.2.11) of the Consultation Report (Doc 5.1), contains the required information as set out below:</p>	
Information		Paragraph	
a)	the name and address of the Applicant.	1	
b)			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	4	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 were available on a website maintained by or on behalf of the Applicant. The statement must include: <ul style="list-style-type: none"> the nature and location of the 		f) the latest date on which those documents, plans and maps will be available for inspection
			7

	<p>Proposed Development</p> <ul style="list-style-type: none"> • The address of the website • The place on the website • A telephone number which can be used to contact the Applicant for enquiries in relation to the documents, plans and maps. 	<p>5, 6, 7</p> <p>5 & 9</p> <p>9</p> <p>14</p>		
g)	whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge	10	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	11		
21	Are there any observations in respect of the s48 notice provided above?			
	No.			
22	Has a copy of the s48 notice been sent to the EIA consultation bodies and to any person notified to the Applicant in accordance with the EIA Regulations ¹⁰ ?	Yes. A copy of the s48 notice was sent to the EIA consultation bodies as part of the s42 consultation, as confirmed in paragraph 314 of the Consultation Report		

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

		<p>(Doc 5.1).</p> <p>A sample of the Applicant's s42 consultation letter provided at Appendix 7 (Doc 5.2.7) of the Consultation Report (Doc 5.1) confirms a copy of the s48 notice was enclosed.</p>
s49: Duty to take account of responses to consultation and publicity		
23	Has the Applicant had regard to any relevant responses to the s42, s47 and s48 consultation?	<p>Yes.</p> <p>Sections 11 and 12 of the Consultation Report (Doc 5.1), Consultation Report Appendix 3: Applicant Response in Regard to Section 47 Comments (Doc 5.2.3) and Consultation Report Appendix 4: Applicant Response in Regard to S42 Comments (Doc 5.2.4) set out how the Applicant had regard to the consultation responses received; including whether or not responses led to changes to the application.</p> <p>The actions informed by the consultation responses appear to be reflected in the final form of the application as submitted. Where a particular response has not led to a change in the application, it is sufficiently clear that regard was had to it.</p>
Guidance about pre-application procedure		
24	To what extent has the Applicant had regard to statutory guidance 'Planning Act 2008: Guidance on the pre-application process' ¹¹ ?	<p>Paragraph 44 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, which is available here:</p>

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 s37(3) (form and contents of application) and with any standards set under s37(5) and follows any applicable guidance under s37(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 1.2) explains why the development falls within the remit of the Planning Inspectorate.</p> <p>Section 5 of the Application Form (Doc 1.2) provides a brief non-technical description of the site and section 6 provides the location of the Proposed Development.</p> <p>A Location Plan (Onshore) (Doc 2.1) and a Location Plan (Offshore) (Doc 2.2) has been provided.</p>
27	<p>Is it accompanied by a Consultation Report?</p>	<p>Yes.</p> <p>The application is accompanied by a Consultation Report (Doc 5.1) and Consultation Report Appendices (Doc 5.2.1 – Doc 5.2.28).</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?¹²</p>	<p>Yes.</p>
29	<p>Is it accompanied by the documents and information set out in APFP Regulation 5(2)?</p>	<p>The documents and information required by APFP Regulation 5(2) are set out in the documents and locations within the application as listed below:</p>

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

Information		Document	Information		Document
a)	Where applicable, the Environmental Statement required under the EIA Regulations ¹³ and any scoping or screening opinions or directions	<p>The Environmental Statement is presented in 6 volumes:</p> <ul style="list-style-type: none"> • Volume 1: Main ES Chapter text (Doc 6.1.1 – 6.1.29); • Volume 2: Figures (Doc 6.2.3 – 6.2.28); • Volume 3: Appendices (Doc 6.3.3.1 - 6.3.28.2); • Volume 4: Scoping Report and Scoping Opinion (Doc 6.4); • Volume 5: Schedule of Mitigation (Doc 6.5); and • Non-Technical Summary (Doc 6.1) 	b)	The draft Development Consent Order (DCO)	Draft DCO (Doc 3.1)
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?	Yes (discrepancies noted in Box 30)
c)	An Explanatory Memorandum	Explanatory Memorandum (Doc 3.2)	d)	Where applicable, a Book of Reference	Book of Reference (Doc 4.1)

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

	explaining the purpose and effect of provisions in the draft DCO			
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard? Yes (discrepancies noted in Box 30, and in s51 advice)
e)	A copy of any Flood Risk Assessment	Flood Risk Assessment (Doc 5.3)	f)	A statement whether the proposal engages one or more of the matters set out in section 79(1) of the Environmental Protection Act 1990 (statutory nuisances) and if so how the Applicant proposes to mitigate or limit them
	Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in s51 advice)		Is this of a satisfactory standard? Yes
h)	A Statement of Reasons and a Funding Statement (where the	Funding Statement (Doc 4.2) Statement of Reasons (Doc	i)	A Land Plan identifying:- Land Plans (Doc 2.3) Special Category Land Plan (Doc 2.5)

application involves any Compulsory Acquisition)	4.3)	<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	Works Plan (Onshore) (Doc 2.6)	k) Where applicable, a plan identifying any	Public Rights of Way (to be temporarily stopped up) (Doc 2.11)

	<p>features:-</p> <p>(i) the proposed location or (for a linear scheme) the proposed route and alignment of the development and works; and</p> <p>(ii) the limits within which the development and works may be carried out and any limits of deviation provided for in the draft DCO</p>	<p>Works Plan (Offshore) (Doc 2.7)</p>		<p>new or altered means of access, stopping up of streets or roads or any diversions, extinguishments or creation of rights of way or public rights of navigation</p>	<p>Streets (to be temporarily stopped up) (Doc 2.10)</p> <p>Access to works Plan (Doc 2.9)</p>
	<p>Is this of a satisfactory standard?</p>	<p>Yes (with minor discrepancies as noted in Box 30)</p>		<p>Is this of a satisfactory standard?</p>	<p>Yes (with minor discrepancies as noted in Box 30)</p>
<p>l)</p>	<p>Where applicable, a plan with accompanying information identifying:-</p> <p>(i) any statutory or non-statutory sites or features of nature conservation eg sites of geological or landscape importance;</p> <p>(ii) habitats of protected species, important</p>	<p>(i) Provided across multiple application documents:</p> <ul style="list-style-type: none"> • Statutory/Non-Statutory Nature Conservation Sites (Onshore) (Doc 2.15) • Statutory/Non-Statutory Nature Conservation Sites (Offshore) (Doc 2.16) • Habitats of Protected 	<p>m)</p>	<p>Where applicable, a plan with accompanying information identifying any statutory or non-statutory sites or features of the historic environment, (eg scheduled monuments, World Heritage sites, listed buildings, archaeological sites and registered</p>	<p>Historic Environment Plan (Onshore) (Doc 2.13)</p> <p>Historic Environment Plan (Offshore) (Doc 2.14)</p> <p>An assessment of any effects on these sites and features likely to be caused by the Proposed Development is provided in Environmental Statement Chapters 14 Offshore Archaeology and Cultural Heritage (Doc 6.1. 14) and 21 Onshore Archaeology and Cultural Heritage (Doc 6.1.21) (and their associated</p>

<p>habitats or other diversity features; and</p> <p>(iii) water bodies in a river basin management plan, together with an assessment of any effects on such sites, features, habitats or bodies likely to be caused by the Proposed Development</p>	<p>Species Plan (Doc 2.17)</p> <ul style="list-style-type: none"> • Environmental Statement Chapter 20 - Onshore Ecology and Ornithology Figures (Doc 6.2.20) • Environmental Statement Chapter 26 - Landscape and Visual Impact Assessment Figures (Doc 6.2.26) • Environmental Statement Volume 3, Appendix 17.1 - Land Quality Desk Study and Preliminary Risk Assessment Report (Doc 6.3.17.1) <p>(ii) See (i) above</p> <p>(iii) Water Bodies in a River Basin Management Plan (Doc 2.18) and ES Volume 3 Appendix 18.1 - Water Framework Directive Compliance Assessment (Doc 6.3.18.1)</p> <p>An assessment of any effects on such sites, features, habitats or bodies is provided in the following chapters of the Environmental Statement (and</p>		<p>battlefields) together with an assessment of any effects on such sites, features or structures likely to be caused by the Proposed Development</p>	<p>Appendices)</p>
---	---	--	---	--------------------

	<p>their associated Appendices):</p> <ul style="list-style-type: none"> • Chapter 8 Benthic Ecology (Doc 6.1.8) • Chapter 9 Fish and Shellfish Ecology (Doc 6.1.9) • Chapter 10 Marine Mammal Ecology (Doc 6.1.10) • Chapter 11 Offshore Ornithology (Doc 6.1.11) • Chapter 18 Water Resources and Flood Risk (Doc 6.1.18) (including Appendix 18.1 Water Framework Directive Compliance Assessment (Doc 6.3.18.1)) • Chapter 20 Onshore Ecology and Ornithology (Doc 6.1.20) 		
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	Crown Land Plan (Doc 2.4)	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	Outline Landscape Management Plan (Doc 9.18) Outline Operational Drainage Plan (onshore substation) (Doc 9.20)
	Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)		Are they of a satisfactory standard?	Yes
p)	Any of the documents prescribed by Regulation 6 of the APFP Regulations:	Cable Statement (Doc 8.1) Safety Zone Statement (Doc 8.2)	q)	Any other documents considered necessary to support the application	Guide to the Application (Doc 1.3) Copies of Statutory Newspaper Notices (Doc 1.4) Location Plan (onshore) (Doc 2.1) Location Plan (offshore) (Doc 2.2) Planning Statement (Doc 9.1) Design and Access Statement (Doc 9.3) Outline Public Rights of Way Strategy

			<p>(Doc 9.22) Outline Skills and Employment Plan (Doc 9.23) Offshore Design Statement (Doc 9.26) Project Vision (Doc 9.27) Scenario Statement (Doc 9.28)</p>
Are they of a satisfactory standard?	Yes	Are they of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)
30	<p>Are there any observations in respect of the documents provided at Box 29 (a) to (q) above? Yes.</p> <p>Section 51 advice</p> <p>Section 51 advice has been issued to the Applicant in respect of some of the above matters: http://infrastructure.planninginspectorate.gov.uk/document/EN010109-000471. In addition to the s51 advice, the Planning Inspectorate would also make the following observations:</p> <p>Draft DCO (Doc 3.1)</p> <ol style="list-style-type: none"> 1. The Applicant should review the Draft DCO (Doc 3.1) to ensure consistency in relation to the name of the order and that the names of certified documents are listed correctly in the Order. 2. The Crown Land Plan has not been included in the list of certified documents. 3. There is an inconsistency in the ordering of parts of Schedule 14 – Protective Provisions between the content list of the Draft DCO (Doc 3.1) and the Explanatory Memorandum (Doc 3.2). Schedule 14 of the Draft DCO (Doc 3.1) does not match the Explanatory Memorandum (Doc 3.2) in terms of the order of parts including Protective Provisions. An example would be Part 5 of Schedule 14 which is listed in the content list as relating to Anglian Water Limited but is in fact (and in the Explanatory Memorandum (Doc 3.2), relating to National Grid Gas. Anglian Water Limited is covered in Part 9 of Schedule 14. 4. There appears to be no Separate Schedules for Land Subject to Temporary Occupation and Freehold Acquisition (marked in pink on Land plans) or for Crown Land in the dDCO. 		

5. In **Access to works Plan (Doc 2.9)** there are crossing points which are not included in the **Draft DCO (Doc 3.1)**.

Land Plans (Doc 2.3), Special Category Land Plan (Doc 2.5), Works Plan (Onshore) (Doc 2.6) and Works Plan (Offshore) (Doc 2.7):

6. There is an inconsistency with respect to plot 39-043 and 39-044 on sheet 39 of 49 of the **Land Plans (Doc 2.3)**. On the main sheet the plot identified as 39-043 is marked as 39-044 in the Inset scale. Upon cross checking with **Draft Development Consent Order (Doc 3.1)** Schedule 7, plots 39-043 shown on the **Land Plans (Doc 2.3)** are not listed.
7. Plot boundaries need to be clear to support understanding by parties for example the boundary for plot 40-007 is not clear.
8. In general, road names were not clearly visible on some of the sheets of the Land plans.
9. There are variations in descriptions between the **Draft DCO (Doc 3.1)** and work plans, however these are not significant enough to cause issue identifying the works. Also, some similar works to be undertaken in different scenarios have been given the same legend (for example Works 12A, 12B and 12C) so it is difficult to distinguish whether there is any difference in land take for the works in different scenarios.

Crown Land Plan (Doc 2.4)

10. The dDCO does not include the **Crown Land Plan (Doc 2.4)** in section 38 (certification of plans). Some improvements could have been made in terms of clarity for example plots 28-005 and 28-007 would benefit from an insert being provided.

Access to works Plan (Doc 2.9), Streets (to be temporarily stopped up) (Doc 2.10) and Public Rights of Way (to be temporarily stopped up) (Doc 2.11)

11. Road names are not always visible behind keys/ reference points on applicable sheets in the **Access to works (Doc 2.9)**. Inconsistencies have been identified between the naming of roads in the **Draft DCO (Doc 3.1)** and those shown on the plans provided. The Planning Inspectorate has identified labelling errors on sheet 26 and some labels are illegible, for example, as seen with 26f.
12. There is a discrepancy between the **Public Rights of Way (to be temporarily stopped up) Plan (Doc 2.11)** and the **Development Consent Order (Doc 3.1)**, where the **Development Consent Order (Doc 3.1)** makes reference to points marked 18e and 18f on sheet 18, however these points are not visible on the **Public Rights of Way (to be temporarily stopped up) Plan (Doc 2.11)**. Additionally, there are other reference points missing labels on the **Public Rights of Way (to be temporarily**

stopped up) Plan (Doc 2.11), for example, points 22d, 35b and 37g.

Planning Statement (Doc 9.1)

13. In the **Planning Statement (Doc 9.1)** the citation of tables included in part of the Statement appears to have been omitted in the submitted version.

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 48(1)? ¹⁴	<p>Yes.</p> <p>A Report to Inform Appropriate Assessment has been provided (Doc 5.4) along with associated appendices (Habitats Regulations Assessment Screening Report (Doc 5.4.1), Screening Matrices (Doc 5.4.2) and Integrity Matrices (Doc 5.4.3). The Applicant also provides a document entitled “Habitats Regulations Derogation Provision of Evidence” (Doc 5.5) and associated appendices (Doc 5.5.1 – 5.5.5).</p> <p>The HRA information 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 ¹⁵	<p>No hard copies requested.</p>

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

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

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>Yes.</p> <p>Table 1-1 of the Compliance Checklist (Doc 5.2.2) explains how the Applicant has had regard to statutory guidance on the form of the application.</p> <p>The Planning Inspectorate is satisfied that the Applicant has demonstrated regard to the guidance principles.</p>
34	Summary - s55(3)(f) and s55(5A)	<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: http://infrastructure.planninginspectorate.gov.uk/document/EN010109-000471</p>
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 23 August 2022; before the application was submitted.

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.

Role	Electronic signature	Date
Case Manager	<i>Simon Raywood</i> (On behalf of Louise Harraway)	03 October 2022
Acceptance Inspector	<i>Menaka Sahai</i>	03 October 2022

