



The Planning Inspectorate
Yr Arolygiaeth Gynllunio

Section 55

Acceptance of Applications Checklist

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

June 2021

Keadby 3 Low Carbon Gas Power Station 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
		1 June 2021	29 June 2021	28 June 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 category or categories in ss14 to 30 does the Proposed Development fall)?	<p>Yes.</p> <p>The Proposed Development set out in Schedule 1 of the Draft DCO (Doc 2.1) includes development falling within the categories in s14 of the PA2008. The development is for the construction of a generating station and satisfies section 15 of the PA2008; including subsection 2</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 an NSIP.</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)

	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?	
3	Summary: Section 55(3)(a) and s55(3)(c)	The Planning Inspectorate is satisfied that the Draft DCO (Doc 2.1) includes development for which development consent is required.
Section 55(3)(e): The Applicant in relation to the application made has complied with Chapter 2 of Part 5 (pre-application procedure)		
4	In accordance with the EIA Regulations ³ , did the Applicant (prior to carrying out consultation in accordance with s42) either (a) request the Planning Inspectorate adopt a Screening Opinion in respect of the development to which the application relates, or (b) notify the Planning Inspectorate in writing that it proposed to provide an Environmental Statement in respect of that development?	Yes – notification of provision of an Environmental Statement. Paragraph 58 of the Consultation Report (Doc 5.1) states that on 15 May 2020 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, which commenced on 24 November 2020. The notification letter is referenced in paragraph 17.3.2, Appendix 10.1, Appendix 10.2 and Appendix 11.7 of the Consultation Report (Doc 5.1) .
5	Have any Adequacy of Consultation Representations ⁴ been received from ‘A’, ‘B’, ‘C’ and ‘D’ local authorities; and if so, do they confirm that the Applicant has complied with the duties under s42, s47 and s48?	Yes. There are 8 host and neighbouring authorities, of which 7 responded to the Planning Inspectorate’s invitation to make an Adequacy of Consultation Representation (AoCR) dated 2 June 2021.

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

The following 7 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:

- North Lincolnshire Council ('B' Authority);
- Lincolnshire County Council ('A' authority)
- Nottinghamshire County Council ('A' authority);
- West Lindsey District Council ('A' authority);
- Doncaster Council ('A' authority);
- Bassetlaw District Council ('A' authority);
- North East Lincolnshire Council ('A' authority).

East Riding of Yorkshire Council ('A' authority) did not respond.

All AoCRs received have been carefully considered and are available to view on the National Infrastructure Planning website:
<https://infrastructure.planninginspectorate.gov.uk/projects/yorkshire-and-the-humber/keadby-3-low-carbon-gas-power-station-project/>

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

The Applicant has provided a list of persons consulted under s42(1)(a) on 24 November 2020 at **Appendix 8.1, 8.4, 8.5 and 12.3** of the **Consultation Report (Doc 5.1)**.

A sample of the letter/email sent to s42(1)(a) consultees is provided at **Appendix 9.3 and Appendix 9.4** of the **Consultation Report (Doc 5.1)**.

The Planning Inspectorate has identified the following parties based on a precautionary interpretation of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the APFP Regulations) that were not consulted by the Applicant under s42:

- Leep Gas Networks Limited
- Northern Gas Networks Plc
- Forbury Assets Limited
- Indigo Power Limited
- Eastern Power Networks Plc
- UK Power Networks Limited (note this is the parent company of Eastern Power Networks Plc)

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.

The Planning Inspectorate has also identified the following parties based on a precautionary interpretation of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the APFP Regulations) that were not consulted by the Applicant under s42:

- Ancholme Internal Drainage Board
- Goole Fields Internal Drainage Board
- Reedness and Swinefleet Internal Drainage Board

		<ul style="list-style-type: none"> • Dempster Internal Drainage Board <p>These parties were not listed in the Regulation 11 list at scoping.</p> <p>The Applicant's Consultation Report (Doc 5.1) does not explain why the bodies identified above have not been consulted.</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 3.1).</p> <p>Section 51 advice has been issued to the Applicant in respect of the above matter: https://infrastructure.planninginspectorate.gov.uk/document/EN010114-000400</p>
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 8.1 of the Consultation Report (Doc 5.1) lists the relevant local authorities that were identified and consulted under s43 and s42(1)(b) on 24 November 2020.</p> <p>The host 'B' authority was consulted:</p> <ul style="list-style-type: none"> • North Lincolnshire Council <p>The boundary 'A' authorities were consulted:</p> <ul style="list-style-type: none"> • East Riding of Yorkshire Council • Lincolnshire County Council • Doncaster Council • Nottinghamshire County Council

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"> • North East Lincolnshire Council • Bassetlaw District Council • West Lindsey District Council <p>There was no host 'C' authority or boundary 'D' identified or consulted. The Inspectorate can confirm the relevant local authorities have been identified, in accordance with s43 of the Act.</p> <p>A sample of the letter sent to s42(1)(b) relevant authorities is provided at Appendix 9.3 and Appendix 12.4 of the Consultation Report (Doc 5.1).</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 9.1.1 of the Consultation Report (Doc 5.1) states that persons identified under s42(1)(d) were consulted on 24 November 2020.</p> <p>Paragraphs 8.2.14 to 8.2.20 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 2.1).</p> <p>The persons consulted under s42(1)(d) are listed at Appendix 8.4 of the Consultation Report (Doc 5.1).</p> <p>A sample of the letter is provided at Appendix 9.3 of the Consultation Report (Doc 5.1).</p>

⁸ Category 1: owner, lessee, tenant or occupier of land; Category 2: person interested in the land or has power to sell and convey the land or to release the land; Category 3: persons who would or might be entitled to make a relevant claim. There is no requirement on the Planning Inspectorate to check the accuracy of the list(s) provided or whether the Applicant has made diligent inquiry

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>Samples of the letters sent to s42 consultees are provided at Appendix 9.3 of the Consultation Report (Doc 5.1). A sample of the email sent to s42 consultees is provided at Appendix 9.4 of the Consultation Report (Doc 5.1).</p> <p>The letters, dated 23 November 2020, confirmed that consultation closed on 20 January 2021, providing more than the required minimum time for receipt of 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 commencing consultation under s42?	<p>Yes.</p> <p>The Applicant gave notice under s46 on 23 November 2020, which was the same day as the beginning of s42 consultation.</p> <p>A copy of the s46 notification letter is provided at Appendix 10.1 of the Consultation Report (Doc 5.1) and a copy of s46 notification acknowledgement letter from the Planning Inspectorate is provided at Appendix 10.2 of the Consultation Report (Doc 5.1).</p>
Section 47: Duty to consult local community		
13	Did the Applicant prepare a Statement of Community Consultation (SoCC) on how it intended to consult people living in the vicinity of the land?	<p>Yes.</p> <p>A copy of the final SoCC is provided at Appendix 7.6 of the Consultation Report (Doc 5.1).</p>
14	Were 'B' and (where relevant) 'C' authorities consulted about the content of the SoCC; and if so, was the deadline for receipt of responses 28 days beginning with the day after the day that 'B' and (where applicable) 'C' authorities received the	<p>Yes.</p> <p>The Applicant sent the draft SoCC to North Lincolnshire Council ('B' Authority) on 13 October 2020 and set a deadline of 11 November 2020 for responses; providing more than the required minimum time for responses to be received.</p>

	consultation documents?	North Lincolnshire Council is a unitary authority, therefore, in accordance with s43 of the Act, there were no 'C' authorities to consult.
15	Has the Applicant had regard to any responses received when preparing the SoCC?	<p>N/A.</p> <p>Appendix 7.5 of the Consultation Report (Doc 5.1) explains that the Applicant contacted North Lincolnshire Council ('B' Authority) one week prior to the 11 November 2020 deadline seeking a response to the SoCC consultation.</p> <p>Section 7.4 of the Consultation Report (Doc 5.1) states that North Lincolnshire Council did not respond with any comments on the statutory consultation of the draft SoCC. However, in May 2021 North Lincolnshire Council provided a letter stating its opinion that the SoCC used appropriate methods and that the various consultations carried out were legally adequate.</p> <p>A copy of this letter can be found at Appendix 18.1 of the Consultation Report (Doc 5.1).</p> <p>The Applicant therefore had no responses to have regard to when preparing the SoCC but had complied with the requirement in s47 to consult the host local authority about the content of 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 the land which states where and when the SoCC can be inspected?	<p>Yes.</p> <p>Paragraph 7.5.3 of the Consultation Report (Doc 5.1) states:</p> <p><i>“The final SoCC was made available online and physical copies could be requested by visiting the Applicants website, telephone, in writing (FREEPOST) and email. This was in light of the on-going COVID-19 pandemic and temporary changes to the regulations set out in ‘The Infrastructure Planning (Publication and Notification of Applications etc.) (Coronavirus) (Amendment) Regulations 2020.’”</i></p> <p>A notice stating when and how the final SoCC could be inspected was published in:</p> <ul style="list-style-type: none"> • Scunthorpe Telegraph on 19 and 26 November 2020

		<ul style="list-style-type: none"> • Doncaster Free Press on 19 and 26 November 2020 • Goole/Selby/Epworth Times on 19 and 26 November 2020 <p>The published SoCC notice provided at Appendix 7.7 of the Consultation Report (Doc 5.1) states where the final SoCC was available to inspect.</p> <p>Clippings of the published advertisements are provided at Appendix 7.8 of the Consultation Report (Doc 5.1).</p>
17	Does the SoCC set out whether the development is EIA development ⁹ ; and does it set out how the Applicant intends to publicise and consult on the Preliminary Environmental Information?	<p>Yes.</p> <p>Paragraph 3.7 and 3.8 of the final SoCC at Appendix 7.6 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>
18	Has the Applicant carried out the consultation in accordance with the SoCC?	<p>Yes.</p> <p>Paragraphs 11.9.1 to 11.9.3 of the Consultation Report (Doc 5.1) set out how the community consultation was carried out in line with the final SoCC.</p> <p>Appendices 11.1 – 11.12 of the Consultation Report (Doc 5.1) 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 SoCC, the following observation has been noted with regard to certain commitments:</p> <ul style="list-style-type: none"> • The notification and newsletter set out the dates and times for the webinars, that are consistent with SoCC. However, in the Consultation Report there are inconsistencies over how many took place. Notwithstanding this, there is nothing to suggest that anyone tried to attend an event which did not take place.

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

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?

Yes,
Paragraph 15.1.5 of the **Consultation Report (Doc 5.1)** states:
 Pursuant to APFP Regulation 4(2) (as amended), the Section 48 Notice for the Proposed Development was published by the Applicant in the Scunthorpe Telegraph on the 25 March 2021 and 1 April 2021, The Telegraph (a national newspaper) on 1 April 2021 and in the London Gazette on 30 March 2021, Lloyd’s List on 1 April 2021 and Fishing News on 1 April 2021.
Table 15.1 of the **Consultation Report (Doc 5.1)** displays the newspapers and dates of s48 publicity as set out below.
 A copy of the s48 notice is provided at **Appendix 15.1** of the **Consultation Report (Doc 5.1)**.
 Clippings of the published notices set out below are provided at **Appendix 15.2** of the **Consultation Report (Doc 5.1)**.

		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"> Scunthorpe Telegraph 	25 March 2021 01 April 2021
b)	once in a national newspaper;	<ul style="list-style-type: none"> The Daily Telegraph 	1 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 	30 March 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 	01 April 2021																																				
20	Did the s48 notice include the required information set out in Regulation 4(3) of APFP Regulations?	Yes. The published s48 notice, supplied at Appendix 15.1 of the Consultation Report (Doc 5.1) , contains the required information as set out below:																																					
<table border="1"> <thead> <tr> <th colspan="2">Information</th> <th>Paragraph</th> <th colspan="2">Information</th> <th>Paragraph</th> </tr> </thead> <tbody> <tr> <td>a)</td> <td>the name and address of the Applicant.</td> <td>1</td> <td>b)</td> <td>a statement that the Applicant intends to make an application for development consent to the Secretary of State</td> <td>1</td> </tr> <tr> <td>c)</td> <td>a statement as to whether the application is EIA development</td> <td>7</td> <td>d)</td> <td>a summary of the main proposals, specifying the location or route of the Proposed Development</td> <td>4</td> </tr> <tr> <td>e)</td> <td>a statement that the documents, plans and maps showing the nature and location of the Proposed Development are available for inspection free of charge on a website maintained by or on behalf of the applicant</td> <td>8</td> <td>f)</td> <td>the latest date on which those documents, plans and maps will be available for inspection</td> <td>8</td> </tr> <tr> <td>g)</td> <td>whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge</td> <td>9</td> <td>h)</td> <td>details of how to respond to the publicity</td> <td>12</td> </tr> <tr> <td>i)</td> <td>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</td> <td>14</td> <td></td> <td></td> <td></td> </tr> </tbody> </table>				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	7	d)	a summary of the main proposals, specifying the location or route of the Proposed Development	4	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 on a website maintained by or on behalf of the applicant	8	f)	the latest date on which those documents, plans and maps will be available for inspection	8	g)	whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge	9	h)	details of how to respond to the publicity	12	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	14			
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21	Are there any observations in respect of the s48 notice provided above?																																						

	No	
22	Has a copy of the s48 notice been sent to the EIA consultation bodies and to any person notified to the Applicant in accordance with the EIA Regulations ¹⁰ ?	<p>Yes.</p> <p>A copy of the s48 notice was sent to the EIA consultation bodies as part of the s42 consultation, as confirmed in paragraph 15.1.9 of the Consultation Report (Doc 5.1).</p> <p>A sample of the s42 consultation letter provided at Appendix 15.4 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>Table 16.1 a to 16.3 within Section 16 of the Consultation Report (Doc 5.1) sets 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 4.1.5 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>

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

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: https://infrastructure.planninginspectorate.gov.uk/document/EN010114-000400</p>
s55(3)(f) and s55(5A): The application (including accompaniments) achieves a satisfactory standard having regard to the extent to which it complies with section 37(3) (form and contents of application) and with any standards set under section 37(5) and follows any applicable guidance under section 37(4)		
26	<p>Is it made in the prescribed form as set out in Schedule 2 of the APFP Regulations, and does it include:</p> <ul style="list-style-type: none"> • a brief statement which explains why it falls within the remit of the Planning Inspectorate; and • a brief statement that clearly identifies the location of the application site, or the route if it is a linear scheme? 	<p>Yes.</p> <p>Section 4 of the Application Form (Doc 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 4.1) has been provided.</p>
27	Is it accompanied by a Consultation Report?	<p>Yes.</p> <p>The application is accompanied by a Consultation Report (Doc 5.1) and Consultation Report Appendices (Doc 5.1).</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> <ul style="list-style-type: none"> • Land Plans (Doc 4.2) • Works Plans (Doc 4.3) • Access and Rights of Way Plans (Doc 4.4) • Highway Works Plans (Doc 4.6)

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

		<ul style="list-style-type: none"> • Indicative Proposed Carbon Capture Layout, Elevations and Sections (Doc 4.7) • Indicative Electrical Connection Plans (Doc 4.8) • Indicative Cooling Water and Waste Water Connection Plans (Doc 4.9) • Indicative Gas Supply Pipelineha Connection Plans and Gas Above Ground Installation Plans (Doc 4.11) • Indicative CO2 Above Ground Installation Plans (Doc 4.12) • SSE Land Ownership Plan (Doc 4.18) 			
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:			
Information		Document	Information		Document
a)	Where applicable, the Environmental Statement required under the EIA Regulations ¹³ and any scoping or screening opinions or directions	Environmental Statement – Non-Technical Summary (K3 – Document 6.1 – Environmental Statement Non-Technical Summary) Environmental Statement - Volume I (K3 – Documents 6.2.0 – 6.2.20 – ES Chapters 1–20) Environmental Statement - Volume II (K3 – Documents 6.3.0 – 6.3.34 – ES Appendices) Environmental Statement - Volume III (K3 – Documents 6.4.0 – 6.4.60 – ES Figures)	b)	The draft Development Consent Order (DCO)	Draft Development Consent Order (Doc 2.1)

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

	Is this of a satisfactory standard?	<i>Yes, with minor discrepancies</i>		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 2.2)	d)	Where applicable, a Book of Reference (where the application involves any Compulsory Acquisition)	Book of Reference (Doc 3.1)
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?	Yes
e)	A copy of any Flood Risk Assessment	Environmental Statement Volume II - Appendix 12A: Flood Risk Assessment (K3 – Document 6.3.20 – ES Appendix 12A 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	Statutory Nuisance Statement (K3 – Document 5.9 – 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 Compulsory Acquisition)	Statement of Reasons (Doc 3.2) Funding Statement (Doc 3.3)	i)	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	Land Plans (Doc 4.2)

			rights to use land; (iii) any land in relation to which it is proposed to extinguish easements, servitudes and other private rights; and (iv) any special category land and replacement land	
	Is this of a satisfactory standard?	Yes	Is this of a satisfactory standard?	Yes
j)	A Works Plan showing, in relation to existing features:- (i) the proposed location or (for a linear scheme) the 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	Works Plans (Doc 4.3)	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	Access and Rights of Way Plans (Doc 4.4)
	Is this of a satisfactory standard?	Yes	Is this of a satisfactory standard?	Yes, with minor discrepancies
l)	Where applicable, a plan with accompanying	(i)	m) Where applicable, a plan with accompanying	ES Figure 15.1 Locations of Designated

<p>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>(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>ES Figure 11.1 Statutory Nature Conservation Designations (Doc 6.4.22)</p> <p>ES Figure 11.2 Non-Statutory Nature Conservation Designations (Doc 6.4.23)</p> <p>ES Chapter 11 - Biodiversity and Nature Conservation (Doc 6.2.11)</p> <p>(ii)</p> <p>ES Appendices 11C to 11E (Preliminary Ecological Appraisal Report, Confidential Badger Survey Report, Bat Survey Report)</p> <p>(iii)</p> <p>ES Figure 12.1 Surface Waterbodies and their Attributes (Doc 6.4.24);</p> <p>ES Figure 12.2 Groundwater Bodies and their Attributes (Doc 6.4.25).</p> <p>ES Appendix 12B Water Framework Directive Assessment (Doc 6.3.21)</p> <p>ES Chapter 12 Water Environment and Flood Risk (Doc 6.2.12)</p>	<p>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 caused by the Proposed Development</p>	<p>Heritage Assets (Doc 6.4.56)</p> <p>ES Figure 15.2 Locations of Non-Designated Heritage Assets (Doc 6.4.57)</p> <p>ES Chapter 15 – Cultural Heritage (Doc 6.2.15)</p>
<p>Is this of a satisfactory standard?</p>	<p>Yes</p>	<p>Is this of a satisfactory standard?</p>	<p>Yes</p>
<p>n) Where applicable, a plan with any accompanying</p>	<p>Crown Land Plan (Doc 4.5)</p>	<p>o) Any other plans, drawings and sections necessary to</p>	<p>Indicative Proposed Power and Carbon Capture Layout, Elevations and</p>

<p>information identifying any Crown land</p>		<p>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>Sections (Doc 4.7) Indicative Electrical Connection Plans (Doc 4.8) Indicative Cooling Water and Waste Water Connection Plans (Doc 4.9) Indicative Towns Water Connections Plan (Doc 4.10) Indicative Gas Supply Pipeline Connections Plan (Doc 4.11) Indicative CO2 Above ground Installation Plans (Doc 4.12) Indicative Surface Water Drainage Plan (Doc 4.13) Indicative General Arrangement and Elevations A18 Gatehouse (Doc 4.14) Indicative Landscape and Biodiversity Plan (Doc 4.15) Mabey Bridge Replacement General Arrangement and Sections (Doc 4.16) Emergency Access Bridge General Arrangement and Sections (Doc 4.17) SSE Land Ownership Plan (Doc 4.18) Haul Road Plans (Doc 4.19) Pilfrey Laydown Plans (Doc 4.20)</p>
<p>Is this of a satisfactory standard?</p>	<p>Yes</p>	<p>Are they of a satisfactory standard?</p>	<p>Yes</p>

p)	Any of the documents prescribed by Regulation 6 of the APFP Regulations:	<p>Electricity Grid Connection Statement (Doc 5.2)</p> <p>Gas Connection Statement (Doc 5.3)</p> <p>Highway Works Plans (Doc 4.6)</p> <p>Mabey Bridge Replacement General Arrangement and Sections (Doc 4.16)</p> <p>Emergency Access Bridge General Arrangement and Sections (Doc 4.17)</p>	q)	Any other documents considered necessary to support the application	<p>Planning Statement (Doc 5.5)</p> <p>Design and Access Statement (Doc 5.6)</p> <p>Combined Heat and Power Readiness Assessment (Doc 5.7)</p> <p>Carbon Capture Statement (Doc 5.8)</p> <p>Landscaping and Biodiversity Management and Enhancement Plan (Doc 5.10)</p> <p>Indicative Lighting Strategy (Doc 5.11)</p> <p>Application Cover Letter (Doc 1.1)</p> <p>Application Guide (Doc 1.2)</p> <p>Application Form (Doc 1.3)</p> <p>Notices for Statutory Publicity (Doc 1.4)</p> <p>Schedule of Other Consents and Licences (Doc 5.4)</p> <p>Framework Construction Environmental Management Plan (Doc 7.1)</p> <p>Framework Construction Traffic Management Plan (Doc 7.2)</p> <p>Framework Construction Workers' Travel Plan (Doc 7.3)</p> <p>Outline Written Scheme of Investigation (Doc 7.4)</p>
	Are they of a satisfactory	Yes		Are they of a satisfactory	Yes

standard?		standard?	
30	Are there any observations in respect of the documents provided at Box 29 (a) to (q) above?		
<p>Access and Rights of Way Plans (Doc 4.4)</p> <p>Road names are given in the tables in Schedule's 3, 4 & 5 of the Development Consent Order (Doc 2.1) to aid with locating specific points of access, but these names are not given on the plans.</p> <p>Environmental Statement - Volume I (K3 – Documents 6.2.0 – 6.2.20 – ES Chapters 1–20)</p> <p>The Environmental Statement does not contain an estimate of quantities of waste arising from construction, or an estimate of types and quantities of waste arising during operation. The ES does not contain an assessment determining the severity of the impact to the waste capacity infrastructure in the region as requested in the Scoping Opinion.</p> <p>Section 51 advice has been issued to the Applicant in respect of the above matters: https://infrastructure.planninginspectorate.gov.uk/document/EN010114-000400</p>			
31	<p>Is the application accompanied by a report identifying any European site(s) to which Regulation 48 of The Conservation (Natural Habitats, &c.) Regulations 1994 applies; or any Ramsar site(s), which may be affected by the Proposed Development, together with sufficient information that will enable the Secretary of State to make an appropriate assessment of the implications for the site if required by Regulation 48(1)?¹⁴</p>	<p>Yes</p> <p>A Habitat Regulations Assessment (HRA) Report has been provided (K3 – Document 5.12 – Habitats Regulations Assessment Screening Report).</p> <p>The HRA Report identifies relevant European sites and the likely effects on those sites. It is considered that the information provided in the report is adequate for acceptance.</p> <p>Note: The Examining Authority will be able to ask questions during the 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	<p>If requested by the Planning Inspectorate, two paper copies of the application form and other supporting documents and plans¹⁵</p>	<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>Section 2 and Table 2.1 of the Application Guide (Doc 1.2) 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: https://infrastructure.planninginspectorate.gov.uk/document/EN010114-000400</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 13 May 2021; before the application was made.

Role	Electronic signature	Date
Case Manager	<i>Liam Fedden</i>	28 June 2021
Acceptance Inspector	<i>Simon Warder</i>	28 June 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

