

From: [Five Estuaries OSWF](#)
To: [REDACTED]@rwe.com; [Five Estuaries OSWF](#)
Cc: [REDACTED]@rwe.com; [REDACTED]@rwe.com; [fiveestuaries_dco@rwe.com](#);
[REDACTED]@rwe.com
Subject: RE: Five Estuaries - Pre-submission letter and Reg 5 Acceptance fee request
Date: 01 March 2024 12:19:00
Attachments: [image001.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)
[image012.png](#)

Dear Mr Eaton

Thank you for your email dated the 22 February 2024 which highlighted the fact that the Broads Authority has recently been identified as a local authority under s43 of the 2008 Planning Act (PA2008) and that you have given them until the 22 of March 2024 to respond to your s42 consultation. You also state that you hope to resolve the issue before the submission planned for the week commencing 11 March 2024.

To minimise the risk of a non-acceptance of the application, the Planning Inspectorate (the Inspectorate) advises the Applicant not to submit the application before the end of the consultation period and to cover the consultation with the Broads Authority, including any actions arising from it, within the consultation report.

In regards to your query relating to part 5 of the Book or Reference, the Inspectorate is content with the advice you have received.

Please keep the Inspectorate up to date on this matter and any impact that this may have on the proposed submission date for the application.

This advice will be published on the project page in accordance with s51 of PA2008.

Kind regards

Karl-Jonas Johansson



The Planning
Inspectorate

**Karl-Jonas Johansson | Case Manager – National
Infrastructure (Environment)**

The Planning Inspectorate

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[The Planning Inspectorate](#)



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From: [REDACTED]@rwe.com [REDACTED]@rwe.com>

Sent: Thursday, February 22, 2024 4:04 PM

To: Five Estuaries OSWF <FiveEstuaries@planninginspectorate.gov.uk>

Cc: [REDACTED]@rwe.com; [REDACTED]@rwe.com; fiveestuaries_dco@rwe.com;
[REDACTED]@rwe.com

Subject: RE: Five Estuaries - Pre-submission letter and Reg 5 Acceptance fee request

Thanks Harpriya / KJ,

We just wanted to confirm receipt of the pre-submission letter and respond to a couple of actions identified within it:

1. Please find attached the application shapefile in the format requested – the file is named UK_FES_Order_Limit_Boundary_py_OSGB36_v0.
2. Please find attached the S42 Local Authority contact sheet with names and contact details added as requested – please let me know if you have any queries on this.
 - In preparing this information for the Planning Inspectorate, we identified that the Broads Authority should have been included as a local authority in the section 42 consultation carried out between 5 December 2023 and 31 January 2024 on the habitat compensatory measures in East Suffolk (Stage 3, targeted consultation), they are a neighbouring authority with East Suffolk Council who are the host local authority for the compensatory habitat measures. This error was identified on 20 February. On 21 February, we provided the Broads Authority with a version of the section 42 letter by email and invitation to comment on the proposals for habitat compensatory measures, with a deadline to respond of 22 March 2024. A letter was also sent the same day. We have since followed that contact with a call and an offer of a meeting to discuss the proposals and whether they wish to comment on them. The proposed site is approximately 40km from southern edge of the Broads Authority area. We hope to resolve this issue with The Broads Authority ahead of our planned submission w/c 11/03. However, if not this may delay our submission date until after the consultation period closes on 22 March 2023, although we would welcome a short discussion on the topic. We will keep you updated on progress and any changes to our planned submission date.
3. Method for submitting, we propose to use our consultants sharepoint platform. We will create a dedicated folder with the application documents within and provide the Planning Inspectorate with a link on the day of submission. We would request that we test this a week in advance. Can you confirm which email addresses from the Planning Inspectorate should be granted access to the sharepoint folder?
4. In response to the query raised by PINS at the meeting of the 06 Feb on whether we would want the application documents published on the project webpage during acceptance. Our preference would be to wait for the project to be accepted before they are made public.
5. We note the request to provide the electronic list of application documents by 4th March.
6. We understand the requirements set out in your Regulation 5 Acceptance fee request letter.

We would also like to ask for clarification on comment 32, received from PINS on Part 5 of the Book of Reference. *“The table doesn’t list the name and address of those who owns, manages, maintains or has the benefit of the interest.”*

- We have reviewed this with our land and legal team and they have advised that Part 5 is to identify Special Category Land, there is no requirement to set out names and addresses within that part. That information would be included within parts 1, 2 and 3. We would be grateful if you could confirm we have not misunderstood the comment.

Kind regards,

James
