



Longfield Solar Farm

Application Forms [PINS Ref: EN010118]

Section 55 Checklist

Document Reference: EN010118/APP/1.4

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Longfield Solar Energy Farm Ltd

APFP Regulation 5(2)(q)

Planning Act 2008

Infrastructure Planning (Applications: Prescribed Forms and Procedure)
Regulations 2009

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
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>Longfield Solar Farm (the Scheme) is set out in Schedule 1 of the draft DCO [EN010118/APP/3.1] and is a Nationally Significant Infrastructure Project (NSIP) under sections 14(1)(a) and 15(2) of the Planning Act 2008, as an onshore generating station in England with capacity exceeding 50 megawatts (MW). This is set out in the Application Form [EN010118/APP/1.3] in Section 4. The Covering Letter [EN010118/APP/1.1] clearly states that this application (the Application) is for a development consent order under the Planning Act 2008.</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)	Longfield Solar Energy Farm Limited (the Applicant) has demonstrated that the Application as submitted is an application for an order granting development consent under the Planning Act 2008 and that development consent is required for the development to which the application relates (as set out in Schedule 1 to the draft DCO [EN010118/APP/3.1]), being an onshore generating station in England with capacity exceeding 50 MW (section 15(1)(a) of the Planning Act 2008).
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. The Applicant notified the Planning Inspectorate on 30 October 2020 in writing in accordance with Regulation 8(1)(b) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 that it proposed to provide an Environmental Statement in respect of the Scheme. The Planning Inspectorate acknowledged this request in its letter dated 6 November 2020. The Environmental Impact Assessment Scoping Report, dated October 2020, submitted as Appendix 1A to the Environmental Statement [EN010118/APP/6.2] also includes notice of the Applicant's proposal to provide an Environmental Statement at paragraph 1.2.4. The Planning Inspectorate's Scoping Opinion, dated December 2020, submitted as Appendix 1B to the Environmental Statement [EN010118/APP/6.2] acknowledges the Applicant's notice at paragraph 1.1.4.</p> <p>As per this requirement, notice of the Applicant's proposal to provide an Environmental Statement was given prior to carrying out consultation in accordance with s42 of the PA 2008.</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	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?	No such representations have been received by the Applicant, as it is envisaged that the Planning Inspectorate will request upon submission of the Application that relevant local authorities provide an adequacy of consultation statement. This is as set out in the Planning Inspectorate's Advice Note 14.
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. The Applicant wrote by recorded delivery to consultees under s42(1)(a) of PA 2008 on 28 May 2021 setting out the background to the Scheme, the Applicant's intention to submit a DCO application, the fact that the Applicant had identified them as a consultee under section 42(1)(a) of the PA 2008, the documents being provided as part of the consultation, and explained how to respond to the consultation. A follow up email was also issued to all consultees ensuring they also had digital versions of the materials. An example of the letter sent to consultees is included in Appendix F-1 of the Consultation Report [EN010118/APP/5.7]. Delivery of consultation letters was tracked by the Applicant.</p> <p>A list of persons consulted under section 42(1)(a) is provided at Appendix E-1: List of prescribed consultees of the Consultation Report [EN010118/APP/5.6]. The list was compiled using the consultees listed in column 1 of the table in Schedule 1 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (APFP Regulations), and included all those identified by the Secretary of State in their Scoping Opinion. Regard was had to the Planning Inspectorate's Advice Note Three: EIA Notification and Consultation in identifying the consultation bodies. An example of the letter sent to consultees is included in Appendix F-1 of the Consultation Report [EN010118/APP/5.7].</p> <p>Following the statutory consultation, the Applicant made a number of minor changes to the Order limits having regard to feedback from the consultation, and in light of further</p>

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

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

		<p>work on the Scheme's design and environmental impacts. The Applicant wrote by recorded delivery on 25 October 2021 to affected consultees under Section 42(1)(a), (b) and (d) of the Planning Act 2008 to notify them of the changes and invite comment for a 28 day period between 26 October 2021 and 23 November 2021. The Applicant enclosed a leaflet summarising the changes with an updated Scheme boundary plan with the letter.</p> <p>Following this period, the Applicant became aware of a formatting error in the Scheme boundary plan issued as part of the targeted consultation. It therefore wrote again to the same consultees on 10 January 2022, enclosing a corrected Scheme boundary plan, by recorded delivery and provided a further 28 day period for responses between 11 January and 8 February 2022.</p>
7	Section 42(1)(aa) the Marine Management Organisation ⁶ ?	Not applicable – The Marine Management Organisation is not a relevant consultee in respect of the Scheme.
8	Section 42(1)(b) each local authority within s43 ⁷ ?	<p>Yes. The Applicant wrote by recorded delivery to consultees under s42(1)(b) of PA 2008 on 28 May 2021 setting out the background to the Scheme, the Applicant's intention to submit a DCO application, the fact that the Applicant had identified them as a consultee under section 42(1)(b) of the PA 2008, the documents being provided as part of the consultation, and explained how to respond to the consultation. A follow up email was also issued to all consultees ensuring they also had digital versions of the materials. An example of the letter sent to consultees is included in Appendix F-1 of the Consultation Report [EN010118/APP/5.7]. Delivery of consultation letters was tracked by the Applicant. On 29 May 2021, the Applicant was contacted by Essex Police to note that the consultation letter sent to it had been received at the Southend on Sea Borough Council offices but confirming receipt of the letter.</p> <p>The section 42(1)(b) local authorities are as follows:</p> <ul style="list-style-type: none"> • 10 'A' authorities: Babergh District Council, Basildon Borough Council, Brentwood Borough Council, Colchester Borough Council, Epping Forest District Council, Maldon District Council, Rochford District Council, South

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>Cambridgeshire District Council, Uttlesford District Council and West Suffolk Council;</p> <ul style="list-style-type: none"> • 2 'B' authorities: Braintree District Council and Chelmsford City Council; • 1 'C' authority: Essex County Council; and • 11 'D' authorities: Cambridgeshire County Council, Greater London Authority, Hertfordshire County Council, London Borough of Enfield, London Borough of Havering, London Borough of Redbridge, London Borough of Waltham Forest, Medway Council, Southend-on-Sea Borough Council, Suffolk County Council and Thurrock Council. <p>This list is also contained in Table 6-1 of the Consultation Report [EN010118/APP/5.1].</p> <p>Following the statutory consultation, the Applicant made a number of minor changes to the Order limits having regard to feedback from the consultation, and in light of further work on the Scheme's design and environmental impacts. The Applicant wrote by recorded delivery on 25 October 2021 to affected consultees under Section 42(1)(a), (b) and (d) of the Planning Act 2008 to notify them of the changes and invite comment for a 28 day period between 26 October 2021 and 23 November 2021. The Applicant enclosed a leaflet summarising the changes with an updated Scheme boundary plan with the letter.</p> <p>The Applicant carried out further targeted consultation with Essex County Council, Chelmsford City Council and Braintree District Council to notify the host authorities of the proposed changes to the Scheme's boundary. The Applicant hand delivered a letter to each authority to notify them of these changes on 11 October 2021.</p> <p>Following this period, the Applicant became aware of a formatting error in the Scheme boundary plan issued as part of the targeted consultation. It therefore wrote again to the same consultees on 10 January 2022, enclosing a corrected Scheme boundary plan, by recorded delivery and provided a further 28 day period for responses between 11 January and 8 February 2022.</p>
9	Section 42(1)(c) the Greater London Authority (if in Greater London area)?	Not applicable – the Scheme does not fall within Greater London, therefore the Greater London Authority is not a relevant consultee in respect of the Scheme.
10	Section 42(1)(d) each person in one or more of s44	Yes.

<p>categories⁸?</p>	<p>As explained in Section 6.2 of the Consultation Report [EN010118/APP/5.1], in line with section 42(1)(d) of the PA 2008, the Applicant consulted with landowners, lessees, tenants or occupiers (Category 1 persons, as per s44(1)); those with an interest in the land or certain powers with respect to the land (Category 2 persons, s44(2)); and those who the Applicant considered would or might be entitled to make a relevant claim under s44(4) (Category 3 persons).</p> <p>Landowners, lessees, tenants or occupiers (Category 1 persons as per section 44(1)) were identified via a diligent inquiry process covering six research methods: title information, land interest questionnaire, environmental impact assessment information, host and companies house searches, site investigations and internet-based research. Further details on the methodology of this diligent enquiry process are provided in Section 6.2 of the Consultation Report [EN010118/APP/5.1].</p> <p>Those with an interest in the land or certain powers with respect to the land (Category 2 persons as per section 44(2)) were identified using title information, requests for information, site visits and collaboration with the wider project team to identify any interests not identified through the land referencing process.</p> <p>These people are listed in the Book of Reference [EN00118/APP/4.3].</p> <p>Through diligent inquiry, the Applicant considers that there are no persons who might be entitled to make a relevant claim as a Category 3 interest. Part 1 of the Land Compensation Act 1973 relates to people who live outside of the Order limits but whose property may be sufficiently close to be depreciated in value due to noise, vibration, smells, smoke or light emissions caused by the use of the Scheme once it is in operation.</p> <p>The Applicant considers that there are no interests that have a relevant claim under Part 1 of the Land Compensation Act 197 in relation to each of the following factors:</p> <ul style="list-style-type: none"> • Noise – in light of the results of a noise assessment carried out as part of the Environmental Statement for the Application, there are no Category 3 land interests as part of the proposed Scheme. Further information on this is provided in Chapter 11 of the Environmental Statement: Noise and
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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

Vibration [EN010118/APP/6.1];

- Vibration – in light of the results of an assessment of vibration carried out as part of the Environmental Statement for the Application, there are no Category 3 land interests as part of the proposed Scheme. Further information on this is provided in **Chapter 11 of the Environmental Statement: Noise and Vibration [EN010118/APP/6.1];**
- Fumes – in light of the results of an assessment of the proposed Scheme's impact on air quality and the emission of fumes as a result of the proposed Scheme, there are no Category 3 land interests as part of the proposed Scheme. Further information on this is provided in **Chapter 14 of the Environmental Statement: Air Quality [EN010118/APP/6.1];**
- Smoke – in light of the results of an assessment of the proposed Scheme's impact on air quality and the emission of smoke as a result of the proposed Scheme, there are no Category 3 land interests as part of the proposed Scheme. Further information on this is provided in **Chapter 14 of the Environmental Statement: Air Quality [EN010118/APP/6.1];** and,
- Light emissions – in light of the results of an assessment of the proposed Scheme's impact on visual amenity, there are no Category 3 land interests as part of the proposed Scheme. Further information on this is provided in **Chapter 10 of the Environmental Statement: Landscape and Visual Amenity [EN010118/APP/6.1].**

All relevant interests with the potential to make a claim under Section 10 (s10) of the Compulsory Purchase Act 1965 because they are in benefit of a restrictive right or covenant over land within the Order limits, have been included within the **Book of Reference [EN010118/APP/4.3]** as Category 2 and Category 3 persons.

All relevant interests with the potential to make a claim under Section 152(3) of the PA 2008 because they are in benefit of a restrictive right or covenant over land within the Order limits, have been included within the **Book of Reference [EN010118/APP/4.3]** as Category 2 and Category 3 persons.

The Applicant wrote by recorded delivery to consultees identified under s42(1)(d) of the PA 2008 on 28 May 2021 setting out the background to the Scheme, the Applicant's intention to submit a DCO application, the fact that the Applicant had identified them as a consultee under s42(1)(d) of the PA 2008, the documents being provided as part of

		<p>the consultation, and how to respond to the consultation. An example of the letter sent to consultees is included in Appendix F-1 of the Consultation Report [EN010118/APP/5.7].</p> <p>The Applicant enclosed with the letter a copy of a consultation booklet, which provided more information about the Scheme and included a plan showing the proposed red line boundary of the Scheme and a copy of a consultation questionnaire. The letter also confirmed that these documents, alongside the PEIR Report and its non-technical summary, were available electronically on a website maintained by the Applicant, and the website address was provided. This information was provided in an electronic form to minimise the provision of paper or electronic documentation which would have been physically handled during the COVID-19 pandemic.</p> <p>Following the statutory consultation, the Applicant made a number of minor changes to the Order limits having regard to feedback from the consultation, and in light of further work on the Scheme's design and environmental impacts. The Applicant wrote by recorded delivery on 25 October 2021 to affected consultees under Section 42(1)(a), (b) and (d) of the Planning Act 2008 to notify them of the changes and invite comment for a 28 day period between 26 October 2021 and 23 November 2021. The Applicant enclosed a leaflet summarising the changes with an updated Scheme boundary plan with the letter.</p> <p>Following this period, the Applicant became aware of a formatting error in the Scheme boundary plan issued as part of the targeted consultation. It therefore wrote again to the same consultees on 10 January 2022, enclosing a corrected Scheme boundary plan, by recorded delivery and provided a further 28 day period for responses between 11 January and 8 February 2022.</p>
<p>Section 45: Timetable for s42 consultation</p>		
11	<p>Did the Applicant notify s42 consultees of the deadline for receipt of consultation responses; and if so was the deadline notified by the Applicant 28 days or more starting with the day after receipt of the consultation documents?</p>	<p>Yes. The Applicant wrote formally to all consultees identified under s42 of the PA 2008 to notify them of the consultation. The Applicant notified s42 consultees that its deadline for receipt of consultation responses was 13 July 2021. The deadline was more than 28 days after the day after receipt of the consultation documents by s42 consultees. The start of the consultation was 1 June 2021.</p> <p>Following the statutory consultation, the Applicant made a number of minor changes to the Order limits having regard to feedback from the consultation, and in light of further work on the Scheme's design and environmental impacts. The Applicant wrote by</p>

		<p>recorded delivery on 25 October 2021 to affected consultees under Section 42(1)(a), (b) and (d) of the Planning Act 2008 to notify them of the changes and invite comment for a 28 day period between 26 October 2021 and 23 November 2021. The Applicant enclosed a leaflet summarising the changes with an updated Scheme boundary plan with the letter.</p> <p>Following this period, the Applicant became aware of a formatting error in the Scheme boundary plan issued as part of the targeted consultation. It therefore wrote again to the same consultees on 10 January 2022, enclosing a corrected Scheme boundary plan, by recorded delivery and provided a further 28 day period for responses between 11 January and 8 February 2022.</p>
<p>Section 46: Duty to notify the Planning Inspectorate of proposed application</p>		
12	<p>Did the Applicant supply information to notify the Planning Inspectorate of the proposed application; and if so, was the information supplied to the Planning Inspectorate on or before the date it was sent to the s42 consultees? Was this done on or before commencing consultation under s42?</p>	<p>Yes. As explained in Section 4.4 of the Consultation Report [EN010118/APP/5.1], the Applicant wrote to the Planning Inspectorate (PINS) on 1 June 2021 and received an acknowledgement of the receipt of its notification under section 46 of PA 2008 on 2 June 2021. The information was therefore provided to PINS on or before the start of the consultation on 1 June 2021.</p> <p>A copy of the letter sent to PINS is provided in Appendix G-1 of the Consultation Report [EN010118/APP/5.8].</p>
<p>Section 47: Duty to consult local community</p>		
13	<p>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>	<p>Yes. The Applicant prepared a Statement of Community Consultation (SoCC) setting out how it proposed to consult about the proposed application with people living in the vicinity of the land of the Scheme. A copy of the published SoCC can be found in Appendix D-1 of the Consultation Report [EN010118/APP/5.5].</p>
14	<p>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>	<p>Yes. As outlined by Section 5.5 of the Consultation Report [EN010118/APP/5.1], the Applicant wrote to the following authorities on 10 March 2021 enclosing a copy of the draft SoCC and requesting comments by 9 April 2021:</p> <ul style="list-style-type: none"> • 'B' authorities: Braintree District Council and Chelmsford City Council; and • 'C' authority: Essex County Council. <p>A copy of the consultation letter to each local authority is included in Appendix C-2 of</p>

		<p>the Consultation Report [EN010118/APP/5.4]. A copy of the draft SoCC issued to the authorities is provided in Appendix C-1 of the Consultation Report [EN010118/APP/5.4].</p> <p>As outlined by Section 5.6 of the Consultation Report [EN010118/APP/5.1], the Applicant received responses to the draft SoCC from Braintree District Council, Chelmsford City Council and Essex County Council on 9 April 2021.</p> <p>This was presented via comments in a covering letter, in the case of Braintree District Council and Essex County Council, and in a table of comments with an attached cover letter – in the case of Chelmsford City Council.</p> <p>Copies of the respective responses are included in Appendix C-3 of the Consultation Report [EN010118/APP/5.4].</p>
15	Has the Applicant had regard to any responses received when preparing the SoCC?	<p>Yes. The Applicant has had regard to responses from local authorities consulted on the draft SoCC. Table 4-1 of Appendix C-4 of the Consultation Report [EN010118/APP/5.4] provides the comments received from the local authorities and the regard had to them by the Applicant.</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. The Applicant has made the SoCC publicly available on its website (https://www.longfieldsolarfarm.co.uk/downloads/) from 20 May 2021. The Government has confirmed that placing materials on a website maintained by or on behalf of the Applicant meets the requirement to place information on public deposit in the Infrastructure Planning (Publication and Notification of Applications etc.) (Coronavirus) (Amendment) Regulations 2020.</p> <p>The Applicant also publicised the SoCC's availability in newspapers circulated in the vicinity of the land, namely:</p> <ul style="list-style-type: none"> • Braintree and Witham Times; • Chelmsford and Mid Essex times; and • Essex Chronicle <p>All on 27 May 2021.</p> <p>Copies of the final SoCC notices as published (which clearly confirm the name of the publication and the date) are provided within Appendix D-1 of the Consultation Report [EN010118/APP/5.5].</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. In Section 1.6, on page 4 of the SoCC, it is stated that:</p> <p><i>'For the proposed Longfield Solar Farm, we are required to carry out an Environmental Impact Assessment ("EIA") of our proposals as part of the planning process. In legal terms, this means the proposed scheme is considered to be 'EIA development' for the purposes of the EIA Regulations.</i></p> <p><i>This means we must assess the likely significant environmental effects of our proposals and where appropriate describe mitigation that is proposed to avoid, prevent, reduce or, if possible, offset any significant adverse effects. We will report on this process in a document called an Environmental Statement ("ES") when we submit our DCO application.</i></p> <p><i>At this consultation stage, we will be sharing and seeking feedback on the preliminary results of our assessments. We will do so in a document called a Preliminary Environmental Information Report ("PEIR")'</i></p> <p>Table 3 of the SoCC sets out the consultation publicity and techniques, which included providing copies of consultation materials, including the PEIR and Non-Technical Summary of the PEIR.</p> <p>A copy of the published SoCC can be found in Appendix D-1 of the Consultation Report [EN010118/APP/5.5].</p>						
18	Has the Applicant carried out the consultation in accordance with the SoCC?	Yes. Details of the way in which the Applicant complied with commitments made in the SoCC are set out in Appendix D-3 of the Consultation Report [EN010118/APP/5.5] .						
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. The Applicant publicised the proposed application in accordance with the requirements of section 48 of the PA 2008 and Regulation 4 of the APFP Regulations as outlined below. Copies of all newspaper notices are included in Appendix I-1 of the Consultation Report [EN010118/APP/5.10] .						
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 5%;"></th> <th style="width: 75%;">Newspaper(s)</th> <th style="width: 20%;">Date</th> </tr> </thead> <tbody> <tr> <td data-bbox="114 1201 185 1251">a)</td> <td data-bbox="185 1201 1832 1251">for at least two successive weeks in one or more local Braintree and Witham Times; Chelmsford and Mid Essex Times;</td> <td data-bbox="1832 1201 2112 1251">27 May 2021 and</td> </tr> </tbody> </table>				Newspaper(s)	Date	a)	for at least two successive weeks in one or more local Braintree and Witham Times; Chelmsford and Mid Essex Times;	27 May 2021 and
	Newspaper(s)	Date						
a)	for at least two successive weeks in one or more local Braintree and Witham Times; Chelmsford and Mid Essex Times;	27 May 2021 and						

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

	newspapers circulating in the vicinity in which the Proposed Development would be situated;	Essex Chronicle	3 June 2021
b)	once in a national newspaper;	The Guardian	1 June 2021
c)	once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and	The London Gazette No land in Scotland is affected by the Scheme, and there was therefore no requirement to publish in the Edinburgh Gazette.	1 June 2021
d)	where the proposed application relates to offshore development – (i) once in Lloyds List; and (ii) once in an appropriate fishing trade journal?	Not applicable – the Scheme does not relate to offshore development.	N/A
20	Did the s48 notice include the required information set out in Regulation 4(3) of APFP Regulations?	Yes. Copies of the published s48 notices set out above are provided within Appendix I-1 of the Consultation Report [EN010118/APP/5.10] . Those notices contained the required information as set out below:	

Information		Paragraph	Information		Paragraph
a)	the name and address of the Applicant.	First paragraph (beginning: “Notice is hereby...”)	b)	a statement that the Applicant intends to make an application for development consent to the Secretary of State	First paragraph (beginning: “Notice is hereby...”)
c)	a statement as to whether the application is EIA development	Fourth paragraph (beginning: “The scheme is an Environmental Impact Assessment development	d)	a summary of the main proposals, specifying the location or route of the Proposed Development	Second and third paragraphs (beginning: “The Application is for...” and “The Scheme’s main

		...”)			proposals...”, respectively)
e)	<p>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</p>	<p>Sixth paragraph (beginning: “The Applicant will also publish...”) and Seventh paragraph (beginning: “Subject to any restrictions...”) and associated table.</p> <p>In accordance with the requirements of the APFP Regulations, all documents, plans and maps were available for inspection free of charge at all times during the statutory consultation period on a website hosted by or on behalf of the Applicant.</p>	f)	<p>the latest date on which those documents, plans and maps will be available for inspection</p>	<p>Sixth paragraph (beginning: “The Applicant will also publish...”)</p>

g)	whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge	Tenth paragraph (beginning: "Paper copies of the...")	h)	details of how to respond to the publicity	Eleventh paragraph (beginning: "Paper copies of the...")
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	Twelfth paragraph (beginning: "Responses must be...")			
21 Are there any observations in respect of the s48 notice provided above?					
The notice accords with Section 48 of the Planning Act 2008.					
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. As set out by paragraph 6.5.5 of the Consultation Report [EN010118/APP/5.1], in accordance with Regulation 13 of the EIA Regulations, the Applicant issued a copy of the section 48 notice to EIA consultation bodies as defined in Regulation 3 of the EIA Regulations (being those bodies prescribed under s42(1)(a) of the PA 2008 and set out in Schedule 1 of the APFP Regulations and the authorities within s43 of the PA 2008). These bodies are set out in Appendix E-1 of the Consultation Report [EN010118/APP/5.6]. This took place at the same time as publishing notice of the proposed application under s48(1) of the PA 2008, and as the consultation under s42 of the PA 2008. The s48 notice was sent to the prescribed consultees as part of the consultation materials sent by recorded delivery. A follow up email was also issued to all consultees ensuring they also had digital versions of the materials.</p> <p>The Applicant did not receive notification of additional consultees under Regulation 11(1)(c) of the EIA Regulations.</p>			
s49: Duty to take account of responses to consultation and publicity					
23	Has the Applicant had regard to any relevant	Yes. Chapter 7 of the Consultation Report [EN010118/APP/5.1] provides a summary			

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

	responses to the s42, s47 and s48 consultation?	<p>of matters raised by consultees consulted under section 42, section 47 and section 48 of the PA 2008. These responses are sorted by theme, setting out how regard has been had to the responses by the Applicant in line with section 49 of the PA 2008, as well as whether they have led to a change in matters such as siting, route, design, form or scale of the Scheme itself; to mitigation or compensatory measures proposed; or have led to no change.</p> <p>The Applicant notes that all consultees prescribed under s42(1)(a) and (b) were required to receive the s48 notice, and those responses are dealt with together in section 7.2. Responses from the local community, consulted under s47, are addressed in section 7.3. Responses from consultees under s42(1)(d) are addressed in section 7.4. The approach to s48 consultees is explained briefly at section 7.5.</p> <p>Chapter 7 should be read alongside Appendices J1 to J5 of the Consultation Report [EN010118/APP/5.11] which sets out the relevant responses to the statutory consultation from all consultees and provides a response from the Applicant to each, demonstrating the regard had to them.</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 ?	Appendix M-1 of the Consultation Report [EN010118/APP/5.14] evidences how the Applicant has complied with MHCLG 'Planning Act 2008: Guidance on the pre-application process' published March 2015.
25	Summary: Section 55(3)(e)	The Applicant has complied with Chapter 2 of Part 5 of the PA 2008 and applicable Guidance and undertaken both non-statutory consultation and statutory consultation. Regarding statutory consultation, the Applicant has consulted the required consultees under section 42 of the PA 2008 during a period spanning 01 June 2021 to 13 July 2021. At the same time, the Applicant carried out consultation under section 47 and section 48 of the PA 2008. As a result of changes to the Order limits in October 2021, following statutory consultation, the Applicant undertook targeted statutory consultation and wrote to relevant consultees by recorded delivery and provided in excess of 28 days to respond, from 26 October 2021 to 23 November 2021. Following this period, the Applicant became aware of a formatting error in the Scheme boundary plan issued as part of the targeted consultation. It therefore wrote again to the same consultees on 10

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

January 2022, enclosing a corrected Scheme boundary plan, by recorded delivery and provided a further 28 day period for responses between 11 January and 8 February 2022. In summary, the Applicant has adequately consulted on the Application pursuant to the requirements of the PA 2008.

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	Is it made in the prescribed form as set out in Schedule 2 of the APFP Regulations, and does it include: <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? 	Yes. The application is made in the prescribed form as set out in Schedule 2 of the APFP Regulations. A statement which explains why the application falls within the remit of the Secretary of State is provided in Section 4 of the Application Form [EN010118/APP/1.3] , Section 2 of the Draft Explanatory Memorandum [EN010118/APP/3.2] and Paragraph 1.1.2 of the Cover Letter [EN010118/APP/1.1] . Section 6 of the Application Form provides a brief statement that describes the location of the Scheme. The location of the Scheme is also shown on the Location Plan [EN010118/APP/2.5] .
27	Is it accompanied by a Consultation Report?	Yes. A Consultation Report [EN010118/APP/5.1] and Appendices to the Consultation Report [EN010118/APP/5.2] to [EN010118/APP/5.14] is provided with the application.
28	Where a plan comprises three or more separate sheets, has a key plan been provided showing the relationship between the different sheets? ¹²	Yes; for examples see Works Plan [EN010118/APP/2.2] and Streets, Access and Rights of Way Plans [EN010118/APP/2.3] .
29	Is it accompanied by the documents and information set out in APFP Regulation 5(2)?	Yes. The Guide to the Application [EN010118/APP/1.2] and the Application Index [EN010118/APP/1.5] list the documentation submitted with the respective Document References and APFP Regulation references.

Information		Document			
a)	Where applicable, the	An Environmental Statement	b)	The draft Development	The DCO Application is accompanied by

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

	<p>Environmental Statement required under the EIA Regulations¹³ and any scoping or screening opinions or directions</p>	<p>[EN010118/APP/6.1] and supporting appendices [EN010118/APP/6.2], figures [EN010118/APP/6.3] and a Non-Technical Summary [EN010118/APP/6.4] have been submitted with the DCO Application.</p> <p>The Environmental Statement is based on the Scoping Report, provided in Appendix 1A of the ES [EN010118/APP/6.2] and Scoping Opinion, provided in Appendix 1B of the ES [EN010118/APP/6.2].</p> <p>The individual topic chapters in the Environmental Statement [EN010118/APP/6.1] provide a tabulated summary of scoping comments relevant to that chapter and how the comments have been complied with.</p>		<p>Consent Order (DCO)</p>	<p>the Draft Development Consent Order [EN010118/APP/3.1] in the validated statutory instrument template.</p>
	<p>Is this of a satisfactory standard?</p>			<p>Is this of a satisfactory standard?</p>	
<p>c)</p>	<p>An Explanatory Memorandum explaining the purpose and effect of provisions in the draft DCO</p>	<p>An Explanatory Memorandum to the draft Development Consent Order [EN010118/APP/3.2] has been submitted with the DCO Application which explains the purpose and effect of the provisions of the draft Development Consent Order [EN010118/APP/3.1].</p>	<p>d)</p>	<p>Where applicable, a Book of Reference (where the application involves any Compulsory Acquisition)</p>	<p>A Book of Reference is provided [EN010118/APP/4.3] and meets the requirements of DCLG's Planning Act 2008: guidance related to procedures for the compulsory acquisition of land.</p>
	<p>Is this of a satisfactory</p>			<p>Is this of a satisfactory</p>	

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

e)	standard?		f)	standard?	
	A copy of any Flood Risk Assessment	A Flood Risk Assessment is provided at Appendix 9A of the Environmental Statement [EN010118/APP/6.2]		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	A Statutory Nuisance Statement [EN010118/APP/7.5] is provided.
	Is this of a satisfactory standard?			Is this of a satisfactory standard?	
h)	A Statement of Reasons and a Funding Statement (where the application involves any Compulsory Acquisition)	The DCO application is Accompanied by a Statement of Reasons [EN010118/APP/4.1] and a Funding Statement [EN010118/APP/4.2] .	i)	A Land Plan identifying:- <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 	The DCO Application is accompanied by the Land Plans [EN010118/APP/2.1] . These are in accordance with Regulation 5(2)(i) of the APFP Regulations. Plots and descriptions listed within the Book of Reference [EN010118/APP/4.3] are consistent with the plots shown on the Land Plans.

			land	
	Is this of a satisfactory standard?		Is this of a satisfactory standard?	
j)	<p>A Works Plan showing, in relation to existing 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>The DCO Application is accompanied by the Works Plans [EN010118/APP/2.2]. The Works Plans accord with Regulation 5(2)(j) of the APFP Regulations, and show the proposed location of the development and the limits within which the works are proposed to be carried out.</p>	k)	<p>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</p> <p>The DCO Application is accompanied by the Streets, Rights of Way and Access Plans [EN010118/APP/2.3]. These are in accordance with Regulation 5(2)(k) of the APFP Regulations.</p>
	Is this of a satisfactory standard?		Is this of a satisfactory standard?	
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</p>	<p>The DCO Application is accompanied by plans showing statutory and non-statutory sites or features of nature conservation, important habitats, protected species and water bodies in a river basin management plan. These comprise: -ES Figure 8-1: Statutory Designated Ecological Sites within 10km (international) and 5km (National) of the Order limits [EN010118/APP/6.3];</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</p> <p>The DCO Application is accompanied by plans identifying statutory and non-statutory sites or features of the historic environment. These comprise: ES Figure 7-1: Archaeological Assets [EN010118/APP/6.3] and ES Figure 7-2: Built Heritage Assets [EN010118/APP/6.3].</p> <p>The assessment of the Scheme's effects on these sites and features required by</p>

	<p>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 8-2: Non-statutory Ecological sites within 2km of the Order limits [EN010118/APP/6.3];</p> <p>-ES Figure 8-3: Phase 1 Habitat Survey [EN010118/APP/6.3]; and</p> <p>-ES Figure 9-1: Water Resource Features and Attributes [EN010118/APP/6.3]</p> <p>Supporting assessments of the effects of the Scheme on these sites and features required by this regulation are presented Chapter 8: Ecology; Chapter 9 Water Environment; and in Chapter 10: Landscape and Visual of the Environmental Statement [EN010118/APP/6.1]; and other survey and baseline reports provided in the Environmental Statement appendices [EN010118/APP/6.2]. A Habitat Regulations Assessment report [EN010118/APP/6.7] is also provided.</p>		<p>effects on such sites, features or structures likely to be caused by the Proposed Development</p>	<p>this regulation is presented in Chapter 7: Cultural Heritage of the Environmental Statement [EN010118/APP/6.1] and Appendix 7A: Heritage Desk Based Assessment of the ES[EN010118/APP/6.2].</p>
	<p>Is this of a satisfactory standard?</p>			<p>Is this of a satisfactory standard?</p>	
<p>n)</p>	<p>Where applicable, a plan with any accompanying information identifying any Crown land</p>	<p>Not applicable – there is no Crown land within the Order Limits.</p>	<p>o)</p>	<p>Any other plans, drawings and sections necessary to describe the development consent proposal showing details of design, external appearance, and the preferred layout of buildings/ structures, drainage, surface water</p>	<p>The DCO Application is accompanied by the following plans and drawings which are provided under Regulation 5(2)(o) of the AFPP Regulations 2009 (as amended):</p> <p>Traffic Regulation Plans (TTM) [EN010118/APP/2.4]</p> <p>Location Plan [EN010118/APP/2.5]</p>

			management, means of vehicular and pedestrian access, any car parking and landscaping	
	Is this of a satisfactory standard?		Are they of a satisfactory standard?	
p)	Any of the documents prescribed by Regulation 6 of the APFP Regulations:	A Grid Connection Statement [EN010118/APP/7.4] accompanies the DCO Application.	q) Any other documents considered necessary to support the application	Books 1, 3, and 7 of the DCO Application contain additional documents considered necessary to support the Application. These are listed below: Covering Letter [EN010118/APP/1.1] Guide to the Application [EN010118/APP/1.2] Application Form [EN010118/APP/1.3] Electronic Index [EN010118/APP/1.5] BNG Report [EN010118/APP/6.5] Mitigation Schedule [EN010118/APP/6.6] Statement of Need [EN010118/APP/7.1] Planning Statement [EN010118/APP/7.2] Design Statement [EN010118/APP/7.3] Design Principles [EN010118/APP/7.3] Biodiversity Design [EN010118/APP/7.3] Outline Battery Safety Management Plan (BSMP) [EN010118/APP/7.6] Mineral Safeguarding Assessment

			<p>[EN010118/APP/7.7] Minerals Infrastructure Impact Assessment [EN010118/APP/7.8] Waste Infrastructure Impact Assessment [EN010118/APP/7.9] Outline Construction Environmental Management Plan (CEMP) [EN010118/APP/7.10] Outline Soils Resource Management Plan [EN010118/APP/7.10] Outline Operational Environmental Management Plan (OEMP) [EN010118/APP/7.11] Decommissioning Strategy [EN010118/APP/7.12] Outline Landscape and Ecology Management Plan (LEMP) [EN010118/APP/7.13]</p>
	Are they of a satisfactory standard?		Are they of a satisfactory standard?
30	Are there any observations in respect of the documents provided at Box 29 (a) to (q) above?		
	Not applicable		
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	The DCO Application is accompanied by a Habitats Regulations Assessment: [EN010118/APP/6.7] (the “ HRA Report ”). The HRA Report identifies all relevant European sites potentially affected by the Scheme and sets out the screening undertaken for the purposes of the Habitats Regulations. Where likely significant effects could not be ruled out, those effects have been further assessed by the HRA Report. The HRA Report provides sufficient information for the Secretary of State to undertake an appropriate assessment to determine whether the Scheme would have	

	implications for the site if required by Regulation 48(1)? ¹⁴	an adverse effect on the integrity of any European site. The Applicant's appropriate assessment, set out in the HRA Report, concludes that there will be no adverse effects on the integrity of European sites as a result of the Scheme.
32	If requested by the Planning Inspectorate, two paper copies of the application form and other supporting documents and plans ¹⁵	The Planning Inspectorate wrote to the Applicant on 4 January 2022 confirming that the Planning Inspectorate no longer requires a hard copy of the application at the point of submission. The Applicant has not been advised that any documents are required in hard copy.
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?	The DCLG guidance 'Planning Act 2008: Application form guidance' has been used to prepare the Application. The Applicant considers that the Application has been prepared to the standards that the Secretary of State considers satisfactory.
34	Summary - s55(3) (f) and s55(5A)	The Application contains all documents as required under the PA 2008 and the APFP Regulations. These documents are of a satisfactory standard to be accepted for Examination.

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 ?	A fee of £7263 has been submitted by CHAPS transfer to the account of the Planning Inspectorate (PINS) in advance of submission of the application.
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Role	Electronic signature	Date
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¹⁴ Regulation 5(2)(g) of the APFP Regulations

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

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

Case Manager		
Acceptance Inspector		