



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 2024

Morecambe Offshore Wind Farm Section 55 Acceptance of Applications Checklist

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

DISCLAIMER: This Checklist 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 Department for Levelling Up, Housing and Communities.

Section 55(2) Acceptance of Applications				
1	Within 28 days (starting day after receipt) the Planning Inspectorate must decide whether or not to accept the application for Examination.	Date received	28-day due date	Date of decision
		31 May 2024	28 June 2024	27 June 2024
Section 55(3) – the Planning Inspectorate may only accept an application if it concludes that:		Planning Inspectorate comments		
Section 55(3)(a) and s55(3)(c): It is an application for an order granting development consent				
2	Is the development a Nationally Significant Infrastructure Project ¹ (NSIP) (or does it form part of an NSIP); and does the application state on the face of it that it is an application for a Development Consent Order ² (DCO) under the Planning Act 2008 (the PA2008), or equivalent words? Does the application specify the development to which it relates (i.e. which category or categories in Sections (s)14 to 30 does the Proposed Development fall)?	<p>Yes</p> <p>The Proposed Development set out in Schedule 1 of the Draft DCO (Doc 3.1) includes development falling within the categories in s14 of the PA2008. The development is for the construction of a Generating Station and satisfies section 14 and section 15 of the PA2008; including section 15, subsection 3.</p> <p>This is consistent with the summary provided in section 4 of the Application Form (Doc 1.2) which states that the application is for an NSIP.</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 s14 to 30, has a direction been given by the Secretary of State under s35 of the PA2008 for the development to be treated as development for which development consent is required?	
3	Summary: Section 55(3)(a) and s55(3)(c)	The Planning Inspectorate is satisfied that the Draft DCO (Doc 3.1) 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 On 23 June 2022 the Applicant notified the Planning Inspectorate in accordance with Regulation 8(1)(b) of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 of its intention to provide an Environmental Statement (ES) in respect of the Proposed Development. The notification was received before the start of statutory consultation on 19 April 2023 .
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 The Order Limits for the Proposed Development are located in the English Waters in the East Irish Sea and are entirely offshore. Therefore, no local authorities within the definition described in s43 of the PA2008 have been identified. However, the Applicant has identified 29 authorities, on a precautionary basis, as non-statutory

³ Regulation 8 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (2017 EIA Regulations), or where Regulation 37 of the 2017 EIA Regulations applies, Regulation 6 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (2009 EIA Regulations)

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

		<p>authorities that they should consult as Local Authorities. The Inspectorate has sought the views of these Authorities on the adequacy of consultation; of which 14 responded to the Planning Inspectorate’s invitation to make an Adequacy of Consultation Representation (AoCR) dated 31 May 2024.</p> <p>All 14 responding authorities confirmed in their AoCR that either the Applicant had complied with its duties under s42, s47 and s48 of the PA2008 and/ or that their authority had no comments/ objections to make. These local authorities were:</p> <ul style="list-style-type: none"> • Douglas City Council * • Cumberland Council * • Sefton Council • Wyre Council • Liverpool City Region Combined Authority • Denbighshire County Council * • Isle of Anglesey County Council * • Blackpool Council • Westmorland and Furness Council * • Preston City Council • Fylde Council • Isle of Man Government * • Isle of Man Government (Territorial Sea Committee) • Lancashire County Council <p>* Douglas City Council is not formally a Local Authority within the scope of s43 (3) of the Planning Act 2008 for Development Consent Applications.</p> <p>* Although Denbighshire County Council and Isle of Anglesey County Council did not provide a view on compliance in relation to s42, s47 and s48, the councils did</p>
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		<p>not raise any concerns with the Applicant's compliance with these sections of the Act and it is clear from their response that the Authority had been contacted by the Applicant.</p> <p>* Several authorities referred to in application documentation were not invited to make an Adequacy of Consultation Representation (AoCR) following their abolition by the provisions of The Cumbria (Structural Changes) Order 2022 and the consultation of their successor authorities. These authorities located within the ceremonial county of Cumbria were succeeded by Cumberland Council, and Westmoreland and Furness Council, who were consulted.</p> <p>* The Isle of Man Government as the government of the Crown Dependency of the Isle of Man.</p> <p>Due to an administrative oversight, Bangor City Council (BCC), a non-statutory authority, were not invited to make an AoCR on 31 May 2024. However, an invite was sent on 20 June 2024. BCC confirmed it would be unlikely to be in a position to respond by the Acceptance deadline of 28 June 2024. BCC was assured that if the application was accepted for examination, the council would be able to fully participate, register as an Interested Party and make any Relevant Representations it wishes the Examining Authority to consider.</p> <p>All AoCRs received have been carefully considered and are available to view on the National Infrastructure Planning website:</p> <p>Documents Morecambe Offshore Windfarm Generation Assets (planninginspectorate.gov.uk)</p>
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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)

		<p>The Applicant has provided a list of persons consulted under s42(1)(a) on 19 April 2023 at Appendix D16 of the Consultation Report (Doc 4.1.2).</p> <p>A sample of the letter sent to s42(1)(a) consultees is provided at Appendix D7 of the Consultation Report (Doc 4.1.2).</p> <p>The Planning Inspectorate has identified the following parties based on a precautionary interpretation of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the APFP Regulations) that do not appear to have been consulted by the Applicant under s42:</p> <ul style="list-style-type: none">• Utility Assets Limited• Northern Gas Networks Limited• CNG Services Ltd• ES Pipelines Ltd• ESP Connections Ltd• ESP Networks Ltd• ESP Pipelines Ltd• GTC Pipelines Limited• Leep Gas Networks Limited• Quadrant Pipelines Limited• Aidien Ltd• Independent Distribution Connection Specialists Ltd <p>The Applicant's Consultation Report (Doc 4.1) does not explain why the bodies identified above do not appear to have been consulted. However, it is noted that the licences held by these bodies cover Great Britain or various smaller areas and the operational areas of each are not clear from information in the public domain.</p> <p>None of the bodies listed above have been identified by the Applicant as having an interest in the Order Limits.</p>
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		Section 51 advice has been issued to the Applicant in respect of the above matter: https://infrastructure.planninginspectorate.gov.uk/document/EN010121-000402
7	Section 42(1)(aa) the Marine Management Organisation ⁶ ?	Yes
8	Section 42(1)(b) each local authority within s43 ⁷ ?	<p>N/A</p> <p>The Order Limits for the Proposed Development are in the Irish Sea and are entirely offshore. Therefore, no local authorities under s42(1)(b) within the definition set out in s43 of the PA2008 have been identified as being host or neighbouring authorities. However, on a precautionary basis the Applicant identified 29 local authorities as non-statutory authorities that they should consult as Local Authorities.</p> <p>Appendix D17 of the Consultation Report (Doc 4.1.2) lists the relevant local authorities that were identified and consulted under s43 and s42(1)(b) on 19 April 2023.</p> <p>The following authorities were consulted:</p> <ul style="list-style-type: none"> • Douglas Borough Council • Isle of Man Government • Barrow in Furness Borough Council • Blackpool Council • Copeland Borough Council • Cumberland 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">• Cumbria County Council• Flyde Borough Council• Greater Manchester Combined Authority• Lancashire County Council• Lancaster City Council• Liverpool City Council• Liverpool City Combined Authority• Preston City Council• Ribble Valley Borough Council• Sefton Council• South Lakeland District Council• South Ribble Borough Council• West Lancashire Borough Council• Westmorland and Furness Council• Wirral Council• Wyre Council• Conwy County Borough Council• Bangor City Council• Denbighshire County Council• Flintshire County Council• Isle of Anglesey County Council• North Yorkshire County Council
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		<ul style="list-style-type: none"> • West Yorkshire Combined Authority <p>* Cumberland Council is the successor to Cumbria County Council (part), Copeland Borough Council with respect to this application.</p> <p>* Douglas City Council was previously known as Douglas Borough Council, and this is reflected in Table 8.1 of the Consultation Report (Doc 4.1).</p> <p>* Westmoreland and Furness Council is the successor to Cumbria County Council (part), Barrow-in-Furness Borough Council and South Lakeland District Council with respect to this application.</p> <p>A sample of the email sent to these authorities is provided at Appendix D7 and D8 of the Consultation Report (Doc 4.1.2).</p>
9	Section 42(1)(c) the Greater London Authority (if in Greater London area)?	N/A
10	Section 42(1)(d) each person in one or more of s44 categories ⁸ ?	<p>Yes</p> <p>Paragraph 450 of the Consultation Report (Doc 4.1) states that all persons identified under s42(1)(d) were consulted on 19 April 2024.</p> <p>Paragraphs 43 to 49 and 436 of the Consultation Report (Doc 4.1) summarise how the Applicant considered the persons with an interest in lands affected by the Draft DCO (Doc 3.1).</p> <p>The persons consulted under s42(1)(d) are listed at Appendix D16 of the Consultation Report (Doc 4.1.2).</p> <p>A sample of the letters sent are provided at Appendix D1 through to D14 of the Consultation Report (Doc 4.1.2).</p>
Section 45: Timetable for s42 consultation		

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.

11	Did the Applicant notify s42 consultees of the deadline for receipt of consultation responses; and if so was the deadline notified by the Applicant 28 days or more starting with the day after receipt of the consultation documents?	<p>Yes</p> <p>A sample of the letter sent to s42 consultees is provided at Appendix D7 of the Consultation Report (Doc 4.1.2).</p> <p>The sample letter confirmed that consultation commenced on 19 April 2023 and closed on 4 June 2023, providing more than the required minimum time for receipt of responses. Paragraph 450 of the Consultation Report (Doc 4.1) details the dates the correspondence was issued.</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 18 April 2023, which was before the beginning of s42 consultation.</p> <p>A copy of the s46 notification letter is provided at Appendix E1 of the Consultation Report (Doc 4.1.3) and a copy of s46 notification acknowledgement letter from the Planning Inspectorate is provided at Appendix E2 of the Consultation Report (Doc 4.1.3).</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>The Applicant prepared a Statement of Community Consultation (SoCC) despite Morecambe Offshore Windfarm Generation Assets being entirely at sea and therefore in their view is not subject to the requirements of both s42 and s47 of the 2008 Act. Therefore, the Inspectorate has reviewed compliance with s47 in boxes 13 – 18, as it would, if these requirements applied to this development.</p> <p>A copy of the final SoCC is provided at Appendix C3 and C4 of the Consultation Report (Doc 4.1.1).</p>
14	Were 'B' and (where relevant) 'C' authorities consulted about the content of the SoCC; and	<p>Yes</p>

	<p>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>The Applicant sent the draft SoCC to:</p> <ul style="list-style-type: none"> Blackpool Council Conwy County Borough Council Cumberland Council Denbighshire County Council Douglas Borough Council Flintshire County Council Fylde Council Isle of Anglesey County Council Isle of Man Government Lake District National Park Lancashire County Council Lancaster City Council Liverpool City Council Liverpool City Region Combined Authority Sefton Council West Lancashire Borough Council Westmorland and Furness Council Wirral Council Wyre Council <p>This was sent on 30 January 2023. Appendix C2 of the Consultation Report (Doc 4.1.1) set a final deadline of 6 March 2023 for responses; providing more than the required minimum time for responses to be received.</p>
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15	Has the Applicant had regard to any responses received when preparing the SoCC?	<p>Yes</p> <p>Table 8.1 of the Consultation Report (Doc 4.1) provides a summary of the consultation responses from Isle of Anglesey Council and Douglas Borough Council in respect of the draft SoCC and demonstrates how the Applicant had regard to their content.</p> <p>Examples of changes from the draft SoCC to the final SoCC include:</p> <ul style="list-style-type: none"> • Inviting IACC to attend future SLVIA Expert Topic Group meetings, providing detail of when the next meeting will take place. • Confirmation of considering all feedback provided before finalising the document for publication. <p>The Planning Inspectorate is satisfied that the Applicant had regard to the responses received when preparing the SoCC.</p>
16	Has the SoCC been made available for inspection on a website maintained by or on behalf of the Applicant; and has a notice been published in a newspaper circulating in the vicinity of the land which states where and when the SoCC can be inspected?	<p>Yes</p> <p>The final SoCC was made available at the following locations, which is reasonably convenient having regard to the location of the Proposed Development:</p> <ul style="list-style-type: none"> • Henry Bloom Noble Library • Ramsey Town Library • Abbots Vale Community Centre, Barrow-in-Furness • Egremont Community Centre • Penwortham Town Council and Community Centre • Preston City Council Town Hall • Southport Library • Amlwch Library

		<ul style="list-style-type: none"> • Bangor Public Library • Llandudno Library • Rhyl Library, Museum and Arts Centre <p>A notice stating when and where the final SoCC could be inspected was published in:</p> <ul style="list-style-type: none"> • Liverpool Echo – 29 March 2023 (English) • Blackpool Gazette – 30 March 2023 (English) • Lancashire Evening Post – 30 March 2023 (English) • Daily Post – 29 March 2023 (English and Welsh) • Isle of Man Courier – 31 March 2023 (English) • Golwg – 30 March 2023 (Welsh) <p>The published SoCC notice, provided at Appendices C3 and C4 of the Consultation Report (Doc 4.1.1) states where and when the final SoCC was available to inspect.</p> <p>Clippings of the published advertisements are provided at Appendix C5, C6 and C8 of the Consultation Report (Doc 4.1.1).</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>Section 3.2 of the final SoCC at Appendix C3 and C4 of the Consultation Report (Doc 4.1) 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>

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

		<p>Paragraphs 408 to 411 of the Consultation Report (Doc 4.1) set out how the community consultation was carried out in line with the final SoCC.</p> <p>Table 8.4 of the Consultation Report (Doc 4.1) sets out how the Applicant has complied with the commitments set out in the final SoCC.</p> <p>Section 8 of the Consultation Report (Doc 4.1) provides 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 final SoCC, the following observations have been noted with regards to certain commitments:</p> <ul style="list-style-type: none"> • There appears to be a discrepancy between the list of local planning authorities who were consulted with on the draft SoCC, and those LPA's consulted with for the Statutory Consultation. However, the Inspectorate acknowledges that due to the project being entirely offshore, no local authorities under s42(1)(b) within the definition set out in s43 of the PA2008 have been identified as being host or neighbouring authorities to be consulted with under s47 of the PA2008. • The Applicant has declared a technical website error affecting the receipt of respondents feedback to question 1.16 was not captured. Section 14.2 of the Consultation Report (Doc 4.1) details the additional steps the Applicant took to ensure parties were not prejudiced by this error.
<p>Section 48: Duty to publicise the proposed application</p>		
19	<p>Did the Applicant publicise the proposed application in the prescribed manner set out in Regulation 4(2) of the (as amended) APFP Regulations 2009?</p>	<p>Yes</p> <p>Paragraph 64 of the Consultation Report (Doc 4.1) states:</p> <p>“As part of the statutory consultation and timed to coincide with the beginning of the Section 47 and 42 consultations, the Applicant published a notice in accordance with Section 48 of the PA 2008 and Regulation 4 of the APFP Regulations (Appendix F1 and F2).”</p>

		<p>Table 13.1 of the Consultation Report (Doc 4.1) displays the newspapers and dates of s48 publicity as set out below.</p> <p>A copy of the s48 notice is provided at Appendix F1 and F2 of the Consultation Report (Doc 4.1.3).</p> <p>Clippings of the published notices set out below are provided at Appendix F3 of the Consultation Report (Doc 4.1.3):</p>	
		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"> • IoM Courier • Liverpool Echo • Lancashire Post • Golwg • Barrow Mail • Blackpool Gazette • Daily Post 	<p>(All Dates 2023)</p> <p>14 and 21 April</p> <p>12 and 19 April</p> <p>12 and 19 April</p> <p>13 and 20 April</p> <p>12 and 20 April</p> <p>12 and 19 April</p> <p>12 and 19 April</p>
b)	once in a national newspaper;	<ul style="list-style-type: none"> • The Guardian 	12 April 2023
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 	12 April 2023
d)	where the proposed application relates to offshore development –		
	(i) once in Lloyds List; and	<ul style="list-style-type: none"> • Lloyds List • Fishing News 	<p>12 April 2023</p> <p>12 April 2023</p>

	(ii) once in an appropriate fishing trade journal?		
20	Did the s48 notice include the required information set out in Regulation 4(3) of the (as amended) APFP Regulations 2009?	Yes The published s48 notice, supplied at Appendix F3 of the Consultation Report (Doc 4.1.3) , contains the required information as set out below:	
Information		Paragraph	
a)	the name and address of the Applicant.	1	b)
c)	a statement as to whether the application is EIA development	3	d)
e)	a statement that the documents, plans and maps were available on a website maintained by or on behalf of the Applicant. The statement must include: <ul style="list-style-type: none"> • the nature and location of the Proposed Development • The address of the website • The place on the website • A telephone number which can be used to contact the Applicant for enquiries in relation to the documents, plans and maps. 	4	f)
			a statement that the Applicant intends to make an application for development consent to the Secretary of State
			a summary of the main proposals, specifying the location or route of the Proposed Development
			the latest date on which those documents, plans and maps will be available for inspection
			1
			2
			4

g)	whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge	4	h)	details of how to respond to the publicity	6
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	6			
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 as part of the s42 consultation, as confirmed in paragraph 507 of the Consultation Report (Doc 4.1).</p> <p>A sample of the s42 consultation letter provided at Appendix D7 of the Consultation Report (Doc 4.1.2) 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>Paragraph 12, Section 15, Table 6.1 and Appendix I (Doc 4.1.4) of the Consultation Report (Doc 4.1) set out how the Applicant had regard to the consultation responses received; including whether or not responses led to changes to the application.</p> <p>The actions informed by the consultation responses appear to be reflected in the final form of the application as submitted. Where a particular response has not led to a change in the application, it is sufficiently clear that regard was had to it.</p>			

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

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 198 of the Consultation Report (Doc 4.1) states that the Applicant has taken into consideration all relevant statutory and other guidance.</p> <p>Having reviewed the application, the Planning Inspectorate is satisfied that the Applicant has identified and had regard to the relevant statutory guidance.</p>
25	Summary: Section 55(3)(e)	The Applicant has complied with Chapter 2 of Part 5 (pre-application procedure) of the PA2008.
<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)</p>		
26	<p>Is it made in the prescribed form as set out in Schedule 2 of the APFP Regulations, and does it include:</p> <ul style="list-style-type: none"> • a brief statement which explains why it falls within the remit of the Planning Inspectorate; and • a brief statement that clearly identifies the location of the application site, or the route if it is a linear scheme? 	<p>Yes</p> <p>Section 4 of the Application Form (Doc 1.2) explains why the development falls within the remit of the Planning Inspectorate.</p> <p>Section 5 of the Application Form (Doc 1.2) provides a brief non-technical description of the site and section 6 provides the location of the Proposed Development.</p> <p>An Offshore Location Plan (Doc 2.1) 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 4.1) and Consultation Report Appendices (Docs 4.1.1, 4.1.2, 4.1.3 and 4.1.4).</p>

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

28	Where a plan comprises three or more separate sheets, has a key plan been provided showing the relationship between the different sheets? ¹²	N/A There are no plans comprising three or more separate sheets.
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	Non-technical Summary (Doc 5.1) Environmental Statement (Doc 5.1.1 – 5.1.23) Appendices (Doc 5.2.6.1 – 5.2.21.1) Figures (Doc 5.3.1 – 5.3.23) Scoping Report and Scoping Opinion (Doc 5.4) Schedule of Mitigation (Doc 5.5)	b)	The draft Development Consent Order (DCO)	Draft Development Consent Order (Doc 3.1)
	Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)		Is this of a satisfactory standard?	Yes
c)	An Explanatory Memorandum explaining the purpose	Explanatory Memorandum (Doc 3.2)	d)	Where applicable, a Book of Reference	The Applicant did not provide a Book of Reference but provided an explanation of their rationale why this

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

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

	and effect of provisions in the draft DCO				was not required in the Application Letter (Doc 1.1) .
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?	N/A
e)	A copy of any Flood Risk Assessment	The Proposed Development is located wholly within the offshore marine environment. A flood risk assessment is not applicable.	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 (Doc 4.17)
	Is this of a satisfactory standard?	N/A		Is this of a satisfactory standard?	Yes
h)	A Statement of Reasons and a Funding Statement (where the application involves any Compulsory Acquisition)	The Applicant did not provide a Statement of Reasons and a Funding Statement but provided an explanation of their rationale why this was not required in Application Letter (Doc 1.1)	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 rights to use land;	Offshore Location Plan (Doc 2.1) Offshore Order Limits and Grid Coordinates Plan (Doc 2.4)

			(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?	N/A	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	Offshore Works Plan (Doc 2.3) Indicative Extent of Marine Licence (Doc 2.5)	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	N/A

	provided for in the draft DCO				
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard? N/A	
l)	Where applicable, a plan with accompanying information identifying:- (i) any statutory or non-statutory sites or features of nature conservation eg sites of geological or landscape importance; (ii) habitats of protected species, important habitats or other diversity features; and (iii) water bodies in a river basin management plan, together with an assessment of any effects on such sites, features, habitats or bodies likely to be caused by the	(i) Offshore Statutory and Non-Statutory Nature Conservation Sites (Doc 2.6) (ii) Offshore Statutory and Non-Statutory Nature Conservation Sites (Doc 2.6) (iii) N/A Relevant assessments of effects: • ES Chapter 7: Marine Geology, Oceanography and Physical Processes (Doc 5.1.7) • ES Chapter 9: Benthic Ecology (Doc 5.1.9) • ES Chapter 10: Fish and Shellfish Ecology (Doc 5.1.10) • ES Chapter 11: Marine Mammals (Doc 5.1.11) (iv) ES Chapter 12: Offshore Ornithology (Doc 5.1.12)	m)	Where applicable, a plan with accompanying information identifying any statutory or non-statutory sites or features of the historic environment, (eg scheduled monuments, World Heritage sites, listed buildings, archaeological sites and registered battlefields) together with an assessment of any effects on such sites, features or structures likely to be caused by the Proposed Development	Historic Environment Plan (Doc 2.7) ES Chapter 15: Marine Archaeology and Cultural Heritage (Doc 5.1.15)

n)	Proposed Development		o)		
	Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)		Is this of a satisfactory standard?	Yes
	Where applicable, a plan with any accompanying information identifying any Crown land	Crown Land Plan (Doc 2.2)		Any other plans, drawings and sections necessary to describe the development consent proposal showing details of design, external appearance, and the preferred layout of buildings, structures, drainage, surface water management, means of vehicular and pedestrian access, any car parking and landscaping	N/A
p)	Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)	q)	Are they of a satisfactory standard?	N/A
	Any of the documents prescribed by Regulation 6 of the APFP Regulations:	Cable Statement (Doc 4.2) Safety Zone Statement (Doc 4.5)		Any other documents considered necessary to support the application	Cover letter (Doc 1.1) Application Form (Doc 1.2) Guide to the Application (Doc 1.3) Environmental Benefit and Net Gain Statement (Doc 4.4) Marine Plan Policy Review (Doc 4.7)

				<p>Planning Development Consent and Need Statement (Doc 4.8)</p> <p>Habitats Regulations Assessment Without Prejudice Derogation Case (Doc 4.11)</p> <p>Outline Compensation Implementation and Monitoring Plan (Doc 4.11.1)</p> <p>Marine Conservation Zone Assessment Screening Report (Doc 4.12)</p> <p>Marine Conservation Zone Assessment (4.13)</p> <p>National Policy Statement Accordance Report (Doc 4.14)</p> <p>Other Consents and Licences Required (Doc 4.15)</p> <p>Transmission Assets PEIR Non Technical Summary (Doc 4.16)</p> <p>Design Statement (Doc 4.3)</p> <p>Environmental Benefit and Net Gain Statement (Doc 4.4)</p> <p>Sediment Disposal Site Characterisation (Doc 4.6)</p> <p>Plan Hierarchy (Doc 6.1)</p> <p>Outline Offshore Written Scheme of Investigation (Doc 6.10)</p>
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				Outline Skills and Employment Plan (Doc 6.11) Outline Project Environmental Management Plan (Doc 6.2) Outline Fisheries Liaison and Co-Existence Plan (Doc 6.3) In Principle Monitoring Plan (Doc 6.4) Draft Marine Mammal Mitigation Protocol (Doc 6.5) Outline Offshore Operation and Maintenance Plan (Doc 6.6) Outline Port Access and Transport Plan (Doc 6.7) Outline Scour Protection and Cable Protection Plan (Doc 6.8) Outline Vessel Traffic Management Plan (Doc 6.9)
	Are they of a satisfactory standard?	Yes	Are they of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)
30	Are there any observations in respect of the documents provided at Box 29 (a) to (q) above?			
	Crown Land Plan (Doc 2.2) <ul style="list-style-type: none"> The map scale is 1:50,000 (smaller than the Requirement in Regulation 5(3) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the APFP Regulations). The plan is wholly offshore therefore the Inspectorate takes a proportionate view that no one is prejudice by this matter. 			

- The blue shaded area to left of the legend not identifiable, appears that the Applicant may have placed red line boundary over an existing navigational map, labelling unclear but may be seabed depth.

Offshore Statutory and Non-Statutory Nature Conservation Sites (Doc 2.6)

- This document does not include any reference to the relevant Ramsar sites that are in the vicinity of the Proposed Development and discussed within the HRA. It is noted that the Report to Inform the Appropriate Assessment (Figure 1.1) does however include this information. This information should be provided on one plan where possible.

Draft Development Consent Order (Doc 3.1) and ES Chapter 5: Project Description (Doc 5.1.5)

- Requirement 2 of the dDCO includes values regarding maximum design parameters. The maximum volume of natural material for disposal is stated to be 1,416,463m³, however it is unclear in the ES as to where this figure has been derived. Further clarification of this is required prior to examination.
- ES Volume 5 - Appendix 11.5 Marine Mammal Consultation Responses incorrectly labelled as Appendix 11.5 - Marine Mammal CEA Project Screening in Certified documents list in the draft Development Consent Order

Chapter 14: Marine Archaeology and Cultural Heritage (Doc 5.1.15)

- ES paragraph 15.46 states that further geotechnical investigations are planned to be undertaken in 2024 to acquire additional data. The precise scope and date of availability of the data are not detailed.

Marine Conservation Zone Assessment (Doc 4.13)

- Impact 3 in Table 3.7 refers to 37 pin piles but since each Wind Turbine Generator foundation has four pin piles, this number does not appear to be correct.

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

<https://infrastructure.planninginspectorate.gov.uk/document/EN010121-000402>

31	Is the application accompanied by a report identifying any European site(s) to which Regulation 48 of The Conservation (Natural Habitats, &c.) Regulations 1994 applies; or any Ramsar site(s), which may be affected by the Proposed Development, together with sufficient information that will enable the Secretary of State to make an appropriate assessment of the implications for the site if required by Regulation 48(1)? ¹⁴	<p>Yes</p> <p>A Habitat Regulations Assessment (HRA) Report has been provided. It comprises a HRA Screening Report (Doc 4.10) and Report to Inform Appropriate Assessment (Doc 4.9).</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	If requested by the Planning Inspectorate, two paper copies of the application form and other supporting documents and plans ¹⁵	No hard copies requested.
33	Has the Applicant had regard to statutory guidance 'Planning Act 2008: Application form guidance', and has this regard led to the application being prepared to a standard that the Planning Inspectorate considers satisfactory?	<p>Yes</p> <p>Section 3.1 and Paragraph 739 of the Consultation Report (Doc 4.1) explains 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)	The Planning Inspectorate concludes that the application (including accompaniments) has been prepared to a standard that it considers satisfactory.

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

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

	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/EN010121-000402
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The Infrastructure Planning (Fees) Regulations 2010 (as amended)

Fees to accompany an application

35	Was the fee paid at the same time that the application was made ¹⁶ ?	The fee was received on 23 April 2024; before the application was made.
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Role	Electronic signature	Date
Case Manager	<i>Caroline Hopewell</i>	27 June 2024
Acceptance Inspector	<i>Ken Taylor</i>	27 June 2024

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

