



The Planning Inspectorate
Yr Arolygiaeth Gynllunio

Section 55

Acceptance of Applications Checklist

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

Version: February 2023

Heckington Fen Solar Project Section 55 Acceptance of Applications Checklist

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

DISCLAIMER: This Checklist a non-statutory checklist for the Planning Inspectorate to complete. Completion or self-assessment by the Applicant does not hold weight at the Acceptance stage. Unless specified, all references to the Planning Inspectorate are made in relation to functions being carried out on behalf of the Secretary of State for Department for Levelling Up, Housing and Communities.

Section 55(2) Acceptance of Applications				
1	Within 28 days (starting day after receipt) the Planning Inspectorate must decide whether or not to accept the application for Examination.	Date received	28-day due date	Date of decision
		Wednesday 15 February 2023	Wednesday 15 March 2023	Monday 13 March 2023
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	<p>Yes</p> <p>The Proposed Development set out in Schedule 1 of the Draft Development Consent Order (Doc 3.1) includes development falling within the categories in s14 of the PA2008. The development is for the construction, operation (including maintenance) and decommissioning of a Generating Station and satisfies section 15 of the PA2008;</p>		

¹ NSIP is defined generally in s14 with the detailed thresholds for each of the specified categories being set out in ss15 to 30

² Development consent is required for development to the extent that the development is or forms part of an NSIP (s31 of the PA2008)

	<p>(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> <p>If the development does not fall within the categories in s14 to 30, has a direction been given by the Secretary of State under s35 of the PA2008 for the development to be treated as development for which development consent is required?</p>	<p>including subsection 1, and subsection 2. The Applicant states that the Generating Station is intended to have a generating capacity of more than 50MW.</p> <p>This is consistent with the summary provided in section 4 of the Application Form (Doc 1.3) which states that the application is for an NSIP.</p>
3	<p>Summary: Section 55(3)(a) and s55(3)(c)</p>	<p>The Planning Inspectorate is satisfied that the Draft DCO (Doc 3.1) includes development for which development consent is required.</p>
<p>Section 55(3)(e): The Applicant in relation to the application made has complied with Chapter 2 of Part 5 (pre-application procedure)</p>		
4	<p>In accordance with the EIA Regulations³, 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</p>	<p>Yes</p> <p>On 06 January 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 30 June 2022.</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)

	Environmental Statement in respect of that development?	
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?	<p>Yes</p> <p>There are 18 host and neighbouring authorities, of which 11 responded to the Planning Inspectorate's invitation to make an Adequacy of Consultation Representation (AoCR) dated 20 February 2023.</p> <p>All 11 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"> • East Lindsey District Council (A authority) • South Holland District Council (A authority) • City of Lincoln Council (A authority) • West Lindsey District Council (A authority) • North Kesteven District Council (B authority)* • Boston Borough Council (B authority) • Lincolnshire County Council (C authority) • Nottinghamshire County Council (D authority)

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

		<ul style="list-style-type: none"> • North East Lincolnshire Council (D authority) • Norfolk County Council (D authority) • North Lincolnshire Council (D Authority) <p>*North Kesteven District Council. North Kesteven made a number of observations which have been noted. The Planning Inspectorate has taken these into account and is satisfied that the Applicant has complied with its statutory obligations under s42, s47 and s48.</p> <p>All AoCRs received have been carefully considered and are available to view on the National Infrastructure Planning website:</p> <p>https://infrastructure.planninginspectorate.gov.uk/projects/east-midlands/heckington-fen-solar-park/?ipcsection=docs</p>
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Section 42: Duty to consult		
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Did the Applicant consult the applicable persons set out in s42 of the PA2008 about the proposed application?		
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6	Section 42(1)(a) persons prescribed ⁵ ?	<p>Yes</p> <p>The Applicant has provided a list of persons consulted under s42(1)(a) on 28 June 2022 at Appendix 11 (Doc 5.1.11) of the Consultation Report (Doc 5.1).</p> <p>A sample of the letter sent to s42(1)(a) consultees is provided at Appendix 13 (Doc 5.1.13) of the Consultation Report (Doc 5.1).</p> <p>The Applicant also carried out supplementary targeted consultation after the Statutory Consultation period ended due to amendments to the scheme boundary. A sample of the letter sent to the persons consulted is included at Appendix 19 (Doc 5.1.19),</p>
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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>Appendix 20 (Doc 5.1.20) and Appendix 21 (Doc 5.1.21). The sample letters dated 10 November 2022 confirmed that responses should be received by 18 December 2022.</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 were not consulted by the Applicant under s42:</p> <ul style="list-style-type: none"> • Northern Gas Networks Limited • Southern Gas Networks Plc • ES Pipelines Ltd • ESP Networks Ltd • Harlaxton Gas Networks Limited • ESP Electricity Limited • London Power Networks Plc • Mua Electricity Limited • Optimal Power Networks Limited • National Grid Electricity Distribution Midlands Limited <p>The Applicant’s Consultation Report (Doc 5.1) does not explain why the bodies identified above have not 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 lands and are not listed in the Book of Reference (Doc 4.3).</p> <p>Section 51 advice has been issued to the Applicant in respect of the above matter: https://infrastructure.planninginspectorate.gov.uk/projects/east-midlands/heckington-fen-solar-park/?ipcsection=docs&stage=2</p>
7	Section 42(1)(aa) the Marine Management Organisation ⁶ ?	N/A

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

8	Section 42(1)(b) each local authority within s43 ⁷ ?	<p>Yes</p> <p>Section 7.2.2 of the Consultation Report (Doc 5.1) lists the relevant local authorities that were identified and consulted under s43 and s42(1)(b) on 28 June 2022.</p> <p>The host ‘B’ authorities were consulted:</p> <ul style="list-style-type: none"> • North Kesteven District Council • Boston Borough Council <p>The host ‘C’ authority was consulted:</p> <ul style="list-style-type: none"> • Lincolnshire County Council <p>The boundary ‘A’ authorities were consulted:</p> <ul style="list-style-type: none"> • West Lindsey District Council • East Lindsey District Council • City of Lincoln Council • South Holland District Council • South Kesteven District Council • Newark & Sherwood District Council <p>The boundary ‘D’ authorities were consulted:</p> <ul style="list-style-type: none"> • North Lincolnshire Council • Cambridgeshire County Council
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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"> • Norfolk County Council • Leicestershire County Council • Nottinghamshire County Council • Peterborough City Council • North East Lincolnshire Council • North Northamptonshire Council • Rutland County Council <p>A sample of the letter sent to s42(1)(b) relevant authorities is provided at Appendix 13 (Doc 5.1.13) of the Consultation Report (Doc 5.1).</p>
9	Section 42(1)(c) the Greater London Authority (if in Greater London area)?	N/A. The proposed development is not in the Greater London Authority area.
10	Section 42(1)(d) each person in one or more of s44 categories ⁸ ?	<p>Yes</p> <p>Paragraph 144 of the Consultation Report (Doc 5.1) states that all persons identified under s42(1)(d) were consulted on 28 June 2022.</p> <p>Paragraphs 137 to 146 of the Consultation Report (Doc 5.1) summarise how the Applicant made diligent inquiry to seek to identify and consult persons with an interest in lands affected by the Draft DCO (Doc 3.1). The full methodology undertaken by the Applicant is provided in Section 5 of the Consultation Report (Doc 5.1).</p> <p>The persons consulted under s42(1)(d) are listed at Appendix 11 of the Consultation Report (Doc 5.1).</p> <p>A sample of the letter is provided at Appendix 13 (Doc 5.1.13) of the Consultation Report (Doc 5.1).</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 13 (Doc 5.1.13) of the Consultation Report (Doc 5.1).</p> <p>The sample letter dated 28 June 2022 confirmed that consultation commenced on 30 June 2022 and closed on 01 September 2022, providing more than the required minimum time for receipt of responses.</p>
Section 46: Duty to notify the Planning Inspectorate of proposed application		
12	Did the Applicant supply information to notify the Planning Inspectorate of the proposed application; and if so, was the information supplied to the Planning Inspectorate on or before the date it was sent to the s42 consultees? Was this done on or before commencing consultation under s42?	<p>Yes</p> <p>The Applicant gave notice under s46 on 27 June 2022, which was before the beginning of s42 consultation.</p> <p>A copy of the s46 notification letter is provided at Appendix 14 (Doc 5.1.14) of the Consultation Report (Doc 5.1) and a copy of s46 notification acknowledgement letter from the Planning Inspectorate is provided at Appendix 14 (Doc 5.1.14) of the Consultation Report (Doc 5.1).</p>
Section 47: Duty to consult local community		
13	Did the Applicant prepare a Statement of Community Consultation (SoCC) on how it intended to consult people living in the vicinity of the land?	<p>Yes</p> <p>A copy of the final SoCC is provided at Appendix 15 (Doc 5.1.15) of the Consultation Report (Doc 5.1).</p>
14	Were 'B' and (where relevant) 'C' authorities consulted about the content of the SoCC; and if so, was the deadline for receipt of responses 28 days beginning with the day after	<p>Yes</p> <p>The Applicant sent the draft SoCC to Boston Borough Council, North Kesteven District Council ('B Authority') and Lincolnshire County Council ('C' authority) on 1 March 2022 and set a deadline of 29 March 2022 for responses; providing more than the required minimum time for responses to be received.</p>

	the day that 'B' and, where applicable, 'C' authorities received the consultation documents?	
15	Has the Applicant had regard to any responses received when preparing the SoCC?	<p>Yes</p> <p>Table 6.4 of the Consultation Report (Doc 5.1) provides a summary of the consultation responses from Boston Borough Council, North Kesteven District Council and Lincolnshire County 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"> • The consultation period was extended by two weeks to 1 September 2022 due to concerns raised that it was the summer holidays. • Following suggestions that the Heckington Show be used, a request to the organisers of the Heckington Show was made and a stand made available for the Project team. The team attended both days. • Online and evening events were extended later into the evening following concern that original times were over the evening meal. <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 on the Applicant's project website at: https://www.ecotricity.co.uk/our-green-energy/heckington-fen-solar-park-consultation.</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"> • Project website • Boston Library

		<ul style="list-style-type: none"> • Heckington Community Hub <p>A notice stating when and where the final SoCC could be inspected was published in:</p> <ul style="list-style-type: none"> • Lincolnshire Free Press – 28 June 2022 • Boston Standard – 22 June 2022 <p>The published SoCC notice, provided at Appendix 13 (Doc 5.1.13) of the Consultation Report (Doc 5.1) states where and when the final SoCC was available to inspect.</p> <p>Clippings of the published advertisements are provided at Appendix 13 (Doc 5.1.13) of the Consultation Report (Doc 5.1).</p>
17	Does the SoCC set out whether the development is EIA development ⁹ ; and does it set out how the Applicant intends to publicise and consult on the Preliminary Environmental Information?	<p>Yes</p> <p>Paragraph 3.2.1 of the final SoCC at Appendix 15 (Doc 5.1.15) of the Consultation Report (Doc 5.1) sets out that the development is EIA development and sets out how the Applicant intended to publicise and consult on the Preliminary Environmental Information.</p>
18	Has the Applicant carried out the consultation in accordance with the SoCC?	<p>Yes</p> <p>Paragraphs 54 to 84 of the Consultation Report (Doc 5.1) set out how the community consultation was carried out in line with the final SoCC.</p> <p>Section 12 of the Consultation Report (Doc 5.1) sets out how the Applicant has complied with the commitments set out in the final SoCC.</p> <p>Appendices 15, 16, 17 and 18 of the Consultation Report (Doc 5.1) provide evidence that the commitments within the final SoCC have been carried out.</p>

Section 48: Duty to publicise the proposed application

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

19	Did the Applicant publicise the proposed application in the prescribed manner set out in Regulation 4(2) of the APFP Regulations which may encompass changes made by The Infrastructure Planning (Publication and Notification of Applications etc.) (Amendment) Regulations 2020?	<p>Yes</p> <p>Table 12.1 of the Consultation Report (Doc 5.1) states: <i>“The Applicant prepared and published a Section 48 Notice in the manner prescribed under the APFP Regulations 2009 (see Section 12 of this Consultation Report for more detail). The published Notice is provided at Appendix 13.”</i></p> <p>Table 12.2 of the Consultation Report (Doc 5.1) displays the newspapers and dates of s48 publicity as set out below.</p> <p>A copy of the s48 notice is provided at Appendix 13 (Doc 5.1.13) of the Consultation Report (Doc 5.1).</p> <p>Clippings of the published notices set out below are provided at Appendix 13 (Doc 5.1.13) of the Consultation Report (Doc 5.1):</p>
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		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"> • Lincolnshire Free Press • Boston Standard 	Week commencing 20 June 2022 and 27 June 2022
b)	once in a national newspaper;	<ul style="list-style-type: none"> • The Guardian 	25 June 2022
c)	once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and	<ul style="list-style-type: none"> • London Gazette 	28 June 2022
d)	where the proposed application relates to offshore development – (i) once in Lloyds List; and	N/A	N/A

	(ii) once in an appropriate fishing trade journal?		
20	Did the s48 notice include the required information set out in Regulation 4(3) of APFP Regulations, which may encompass changes made by The Infrastructure Planning (Publication and Notification of Applications etc.) (Amendment) Regulations 2020?	Yes The published s48 notice, supplied at Appendix 13 (Doc 5.1.13) of the Consultation Report (Doc 5.1) , contains the required information as set out below:	
	Information	Paragraph	Information
a)	the name and address of the Applicant.	1	b) a statement that the Applicant intends to make an application for development consent to the Secretary of State
c)	a statement as to whether the application is EIA development	4	d) a summary of the main proposals, specifying the location or route of the Proposed Development
e)	a statement that the documents, plans and maps were available on a website maintained by or on behalf of the Applicant. The statement must include: <ul style="list-style-type: none"> The nature and location of the Proposed Development 	9 & 10	f) the latest date on which those documents, plans and maps will be available for inspection

	<ul style="list-style-type: none"> • The address of the website • The place on the website • A telephone number which can be used to contact the Applicant for enquiries in relation to the documents, plans and maps. 					
g)	whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge	10		h)	details of how to respond to the publicity	11
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	12				
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	Yes A copy of the s48 notice was sent to the EIA consultation bodies as part of the s42 consultation, as confirmed in Appendix 13 (Doc 5.1.13), paragraph 1.2 of the Consultation Report (Doc 5.1) .				

	Applicant in accordance with the EIA Regulations ¹⁰ ?	A sample of the s42 consultation letter provided at Appendix 13 (Doc 5.1.13) of the Consultation Report (Doc 5.1) confirms a copy of the s48 notice was enclosed.
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>Section 7.3 of the Consultation Report (Doc 5.1) sets out how the Applicant had regard to the consultation responses received; including whether or not responses led to changes to the application.</p> <p>The actions informed by the consultation responses appear to be reflected in the final form of the application as submitted. Where a particular response has not led to a change in the application, it is sufficiently clear that regard was had to it.</p>
Guidance about pre-application procedure		
24	To what extent has the Applicant had regard to statutory guidance 'Planning Act 2008: Guidance on the pre-application process' ¹¹ ?	<p>Paragraph 63 and 64 of the Consultation Report (Doc 5.1) states that the Applicant has taken into consideration all relevant statutory and other guidance.</p> <p>Having reviewed the application, the Planning Inspectorate is satisfied that the Applicant has identified and had regard to the relevant statutory guidance.</p>
25	Summary: Section 55(3)(e)	<p>The Applicant has complied with Chapter 2 of Part 5 (pre-application procedure) of the PA2008.</p> <p>In respect of the minor consultation discrepancies identified, s51 advice has been provided to the Applicant in this regard, available here: https://infrastructure.planninginspectorate.gov.uk/projects/east-midlands/heckington-fen-solar-park/?ipcsection=docs</p>

¹⁰ Regulation 13 of the 2017 EIA Regulations, or where Regulation 37 of the 2017 EIA Regulations applies, Regulation 11 of the 2009 EIA Regulations

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

s55(3)(f) and s55(5A): The application (including accompaniments) achieves a satisfactory standard having regard to the extent to which it complies with section 37(3) (form and contents of application) and with any standards set under section 37(5) and follows any applicable guidance under section 37(4)

26	<p>Is it made in the prescribed form as set out in Schedule 2 of the APFP Regulations, and does it include:</p> <ul style="list-style-type: none"> • a brief statement which explains why it falls within the remit of the Planning Inspectorate; and • a brief statement that clearly identifies the location of the application site, or the route if it is a linear scheme? 	<p>Yes</p> <p>Section 4 of the Application Form (Doc 1.3) explains why the development falls within the remit of the Planning Inspectorate.</p> <p>Section 5 of the Application Form (Doc 1.3) provides a brief non-technical description of the site and section 6 provides the location of the Proposed Development.</p> <p>A Location Plan (Doc 2.8) has been provided.</p>
27	<p>Is it accompanied by a Consultation Report?</p>	<p>Yes</p> <p>The application is accompanied by a Consultation Report (Doc 5.1) and Consultation Report Appendices (Doc 5.1.1 to Doc 5.1.25).</p>
28	<p>Where a plan comprises three or more separate sheets, has a key plan been provided showing the relationship between the different sheets?¹²</p>	<p>Yes</p>
29	<p>Is it accompanied by the documents and information set out in APFP Regulation 5(2)?</p>	<p>The documents and information required by APFP Regulation 5(2) are set out in the documents and locations within the application as listed below:</p>

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

a)	Where applicable, the Environmental Statement required under the EIA Regulations ¹³ and any scoping or screening opinions or directions	Environmental Statement Volume 1: Main Text (Doc refs 6.1.1 - 6.1.20) Environmental Statement Volume 2: Figures (Doc refs 6.2.1 – 6.2.17) Environmental Statement Volume 3: Technical Appendices (Doc refs 6.3.1.1 - 6.3.18.1) Environmental Statement: Non-Technical Summary (Doc 6.4)	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 (with minor discrepancies as noted in Box 30)
c)	An Explanatory Memorandum explaining the purpose and effect of provisions in the draft DCO	Explanatory Memorandum (Doc 3.3)	d)	Where applicable, a Book of Reference	Book of Reference (Doc 4.3)

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

e)	Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)	f)	Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)
	A copy of any Flood Risk Assessment	Environmental Statement Appendix 9.1 (Parts 1 and 2) (Doc 6.3.9.1)		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	Statement in Respect of Statutory Nuisance (Doc 5.3)
h)	Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)	i)	Is this of a satisfactory standard?	Yes
	A Statement of Reasons and a Funding Statement (where the application involves any Compulsory Acquisition)	Statement of Reasons (Doc 4.1) Funding Statement (Doc 4.2)		A Land Plan identifying:- (i) the land required for, or affected by, the Proposed Development; (ii) where applicable, any	Land and Crown Land Plan (Doc 2.1)

j)			k)	land over which it is proposed to exercise powers of Compulsory Acquisition or any rights to use land;	
				(iii) any land in relation to which it is proposed to extinguish easements, servitudes and other private rights; and	
				(iv) any special category land and replacement land	
	Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)		Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)
	A Works Plan showing, in relation to existing features:-	Works Plan (Doc 2.2)		Where applicable, a plan identifying any new or altered means of access, stopping up of	Rights of Way Plan (Doc 2.3) Street and Access Plan (Doc 2.7)

l)	(i) the proposed location or (for a linear scheme) the proposed route and alignment of the development and works; and (ii) the limits within which the development and works may be carried out and any limits of deviation provided for in the draft DCO		m)	streets or roads or any diversions, extinguishments or creation of rights of way or public rights of navigation	
	Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)		Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)
	Where applicable, a plan with accompanying information identifying:- (i) any statutory or non-statutory sites or features of nature	(i) Statutory / Non-statutory Nature Conservation Designations Plan (Doc 2.4) Environmental Statement Figure 8.2 Statutory and Non-		Where applicable, a plan with accompanying information identifying any statutory or non-statutory sites or features of the historic environment, (eg	Statutory / Non-statutory Historic Environment Designations Plan (Doc 2.6) Environmental Statement Figure 10.1 Designated Heritage Assets (Doc 6.2.10) Environmental Statement Chapter 10 - Cultural Heritage (Doc 6.1.10)

	<p>conservation eg sites of geological or landscape importance;</p> <p>(ii) habitats of protected species, important habitats or other diversity features; and</p> <p>(iii) water bodies in a river basin management plan,</p> <p>together with an assessment of any effects on such sites, features, habitats or bodies likely to be caused by the Proposed Development</p>	<p>Statutory Designated Sites (Doc 6.2.8)</p> <p>Environmental Statement Chapter 8 - Ecology and Ornithology (Doc 6.1.8)</p> <p>Environmental Statement Chapter 6 - Landscape and Visual (Doc 6.1.6)</p> <p>(ii) Environmental Statement Figure 8.3 Protected and Notable Species (Doc 6.2.8)</p> <p>Important Hedgerows Plan (Doc 2.9)</p> <p>(iii) Water Bodies in a River Basin Management Plan (Doc 2.5)</p> <p>Environmental Statement Figure 9.1 Hydrology and Drainage (Doc 6.2.9)</p> <p>Environmental Statement Chapter 9 - Hydrology, Hydrogeology, Flood Risk and Drainage (Doc 6.1.9)</p>		<p>scheduled monuments, World Heritage sites, listed buildings, archaeological sites and registered battlefields) together with an assessment of any effects on such sites, features or structures likely to be caused by the Proposed Development</p>	
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n)	Is this of a satisfactory standard?	Yes	o)	Is this of a satisfactory standard?	Yes
	Where applicable, a plan with any accompanying information identifying any Crown land	Land and Crown Land Plan (Doc 2.1)		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	Important Hedgerows Plan (Doc 2.9) Location and Order Limits Plan (Doc 2.8) Design and Access statement (Doc 7.4) Outline Construction Traffic Management Plan (Doc 7.10)
p)	Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)	q)	Are they of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)
	Any of the documents prescribed by Regulation 6 of the	Grid Connection Statement (Doc 5.4)		Any other documents considered necessary to	Application cover letter (Doc 1.1) Guide to the application (Doc 1.4) Navigation Document (Doc 1.5)

	APFP Regulations:		support the application	Outline Design Principles (Doc 7.1) Mitigation Schedule (Doc 7.2) Statement of Need and Planning Statement (Doc 7.3) Consents and Licenses required under other legislation (Doc 7.5) Outline Construction Environmental Management Plan (Doc 7.7) Outline Landscape Ecological Management Plan (Doc 7.8) Outline Decommissioning and Restoration Plan (Doc 7.9) Outline Energy Storage Safety Management Plan (Doc 7.11) Outline Supply Chain, Employment and Skills Plan (Doc 7.12) Outline Written Scheme of Investigation – Evaluation (Doc 7.13) Outline Written Scheme of Investigation – Mitigation (Doc 7.14)
	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?			
	Land and Crown Land Plan (Doc 2.1)			

- Not all road names are clearly identifiable.
- Plot 104b, 104c, 104d and 190, track is not labelled on the plan but it is used as an identifier in the Book of Reference.
- Text base layer on the plans appears very small.
- The map legend is not easy to interpret. The Applicant should clarify the rights sought by cross referencing to the information contained within the introduction of the Book of Reference to enable easier interpretation.
- Plot 12 is identified as Crown Land in the Statement of Reasons at paragraph 9.1.4 and in the Book of Reference, but it is not hashed as per the legend on the Land and Crown Land Plan.
- To aid legibility the applicant should provide a separate Crown Land Plan.

Work Plans (Doc 2.2)

- On sheet 5, Work No. 8 has a lighter green line running through it which is not identified in the legend.
- On sheet 3, Work No. 9b is shown on the plan but not in the legend.
- There is an area on Sheet 1 marked with pink line hatching that has been identified as Work No. 9B, however, this is not consistent with the legend.

Rights of Way Plan (Doc 2.3)

- Sheet 7 depicts a break in the footpath Swhd/14/1 between points C and D with that gap identified as ‘Streets Subject to Streetworks (Article 8 of the DCO)’. The Applicant should clarify this and confirm whether any mitigation measures are proposed should this stretch of Swhd/14/1 be affected during the construction period.

Street and Access Plan (Doc 2.7)

- In Schedule 4 of the draft DCO ‘Royalty Lane’ is named, but this is missing from Sheet 7.
- In Schedule 4 of the draft DCO ‘Timms Drove’ is named, but this is missing from Sheet 9.
- On the maps and legend ‘Temporary means of access to works’ is coloured purple however schedule 7 of the draft DCO describes this as being coloured blue. The applicant should update this inconsistency to provide clarity.
- On sheet 7 identifiers CR/B and CR/D appear to be slightly off from where they need to be located.

Draft Development Consent Order (Doc 3.1)

- Schedule 13 Parts 1 to 8 of the draft DCO provide draft protective provisions with a number of undertakers and organisations. Notwithstanding this, there are other potential interests such as Triton Knoll and Viking Link with whom protective provisions may be required. Therefore, the Applicant is advised to check that all the relevant draft protective provisions have been provided and, if not, then early engagement with any other parties is advised.

Explanatory Memorandum (Doc 3.3)

- Page 6 paragraph 2.1.12.3 – Work No 4 refers to an “*onsite substation and associated works*”. The Applicant may wish to clarify how this relates to the “*works to extend the Existing Substation*” that is referenced in paragraph 2.1.12.5.
- Page 7 paragraph 2.1.13 refers to “*Further Associated Development*” but this term is not defined in the Glossary in pages 3 to 5 of the EM. The Applicant may wish to define this.
- Page 7 paragraph 2.1.13.1.1 refers to the “*alteration of any street permanently or temporarily ...*”. The Applicant should provide more detail on this including whether all streets that are intended to be altered have been included within the Order limits.

Statement of Reasons (Doc 4.1)

- Clarification needed on the two small areas of white land shown on sheet 1 of the Land and Crown Land Plan, within plot 282.

Book of Reference (Doc 4.3)

- The Applicant should consider cross referencing the Book of Reference to the relevant articles within the draft DCO as suggested at paragraph 10, Annex D of the guidance related to the procedures for the compulsory acquisition of land.
- It is not clear within the introduction whether Class 4 and Class 5 relate to permanent or temporary needs. The Applicant should provide clarity on this.

Outline Construction Traffic Management Plan (Doc 7.10)

- The Applicant should consider clarifying whether the HGV movements provided in Table 5.1 are for one-way or two-way movements and provide further details as to how the proposed internal construction access roads and construction compounds within the energy park site are to be constructed and configured.

Flood Risk Assessment (Environmental Statement Appendix 9.1 ((Parts 1 and 2) (Doc ref 6.3.9.1))

- The Applicant should clarify in the Flood Risk Assessment (FRA) whether the Order Limits for the application are within Flood Zone 3a and/or Flood Zone 3b.

- FRA (Part 2) (**Doc ref 6.3.9.1**) Appendix C, para 3.2.1: (Pg 6 of 17) states that the maximum flood depth (m) is shown in **Error! Reference source not found.** for the 1000-year plus 20% climate change scenario for breach 2. The Applicant should amend any reference source errors in the FRA.
- The Applicant should explain how all flood-sensitive infrastructure would be elevated above the 1:100 year breach level of 1.95m AOD and how this has been accounted for in terms of landscape and visual impact assessment.

Environmental Statement Chapter 3 (Doc 6.1.3)

- Page 11 paragraph 3.3.9 states that the onshore cable route will need to cross a range of existing infrastructure including Triton Knoll cable route and Viking Link and paragraph 3.3.11 states there would be 46 no. locations where open-cut trenching would not be used. Consequently, the Applicant should consider providing a cable crossing method statement.

Environmental Statement Chapter 4 (Doc 6.1.4)

- Page 4 Table 4.1. If open-cut trenching is to be used the Applicant should explain how the impacts of this on landscaping have been assessed in visual impact terms.

Environmental Statement Appendix 6.9 (Doc 6.3.6.9)

- This appendix refers to construction phases. It is assumed that this relates to the phases described within the indicative phasing plan (ES Figure 4.3) and paragraph 4.3.1 of Environmental Statement Chapter 4, but this is not explicit. The Applicant should provide clarity on this.

Construction Environmental Management Plan (Doc 7.7)

- Appendix D of the CEMP contains a Construction Dust Risk Assessment and Appendices E and F provide a Soil Management Plan for the energy park and the cable route, respectively. However, whilst other matters are referred to in the CEMP, there are other outline documents that the Applicant should consider including either as appendices to the CEMP or as standalone documents that are then secured in the DCO. These include, but are not limited to, the following: Artificial Light Emissions Management Plan, Watercourse Crossing Method Statement, Construction Noise Management Plan, Contaminated Land and Groundwater Scheme, and Site Waste/Materials Management Plan.

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

<https://infrastructure.planninginspectorate.gov.uk/projects/east-midlands/heckington-fen-solar-park/?ipcsection=docs>

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 (Doc 5.2).</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	<p>No hard copies requested.</p>
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>Although it does not appear to be explicitly referenced within the documentation, the Planning Inspectorate is satisfied that the Applicant has demonstrated regard to the guidance principles.</p>
34	Summary - s55(3)(f) and s55(5A)	<p>The Planning Inspectorate concludes that the application (including accompaniments) has been prepared to a standard that it considers satisfactory.</p>

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/projects/east-midlands/heckington-fen-solar-park/?ipcsection=docs
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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 13 February 2023; before the application was made.
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Role	Electronic signature	Date
Case Manager	<i>Tom Bennett</i>	Monday 13 March 2023
Acceptance Inspector	<i>Gavin Jones</i>	Monday 13 March 2023

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