



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: December 2022

Mallard Pass 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
		24 November 2022	22 December 2022	21 December 2022
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	<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 15 of the PA2008; including subsection 1, and subsection 2.</p> <p>This is consistent with the summary provided in section 4 of the Application Form (Doc 1.3) which states that the application is for an NSIP.</p>		

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

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

	Development fall)?	
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?	<p>Yes.</p> <p>On 7 February 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 26 May 2022.</p> <p>A copy of the notification letter has not been provided as a part of the application.</p>
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 16 host and neighbouring authorities, of which five responded to the Planning Inspectorate's invitation to make an Adequacy of Consultation Representation (AoCR) dated 25 November 2022.</p> <p>All five 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>

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

		<ul style="list-style-type: none"> • Rutland County Council ('B' authority) • South Kesteven District Council ('B' authority) • Lincolnshire County Council ('C' authority') • North Northamptonshire Council ('A' authority') • North East Lincolnshire Council ('D' authority') <p>Rutland County Council, South Kesteven District Council and Lincolnshire County Council all appended a letter from Mallard Pass Action Group which made comments in relation to the adequacy of the consultation. The comments are noted and with regard to Category 3 parties the Applicant has been given s51 advice to review and, if necessary, update the Book of Reference: https://infrastructure.planninginspectorate.gov.uk/document/EN010127-000297</p> <p>All AoCRs received have been carefully considered and are available to view on the National Infrastructure Planning website: https://infrastructure.planninginspectorate.gov.uk/projects/east-midlands/mallard-pass-solar-project/?ipcsection=docs&stage=2</p>
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.</p> <p>The Applicant has provided a list of persons consulted under s42(1)(a) on 23 May 2022 in Table 3-1, Appendix 3.2 of the Consultation Report Appendices (Doc 5.2).</p>

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

		A sample of the letter sent to s42(1)(a) consultees is provided at Appendix 3.3.1 of the Consultation Report Appendices (Doc 5.2) .
7	Section 42(1)(aa) the Marine Management Organisation ⁶ ?	Not Applicable.
8	Section 42(1)(b) each local authority within s43 ⁷ ?	<p>Yes.</p> <p>Table 3-1 at Appendix 3.2 of the Consultation Report Appendices (Doc 5.2) lists the relevant local authorities that were identified and consulted under s43 and s42(1)(b) on 23 May 2022.</p> <p>The host 'B' authority was consulted:</p> <ul style="list-style-type: none"> • Rutland County Council • South Kesteven District 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"> • Melton Borough Council • Harborough District Council • North Northamptonshire Council • Peterborough City Council • South Holland District Council

⁶ In any case where the Proposed Development would affect, or would be likely to affect, any of the areas specified in s42(2) of the PA2008

⁷ Definition of 'local authority' in s43(3) of the PA2008: The 'B' authority where the application land is in the authority's area; the 'A' authority where any part of the boundary of A's area is also a part of the boundary of B's area; the 'C' authority (upper tier) where the application land is in that authority's area; the 'D' authority (upper tier) where such an authority shares a boundary with a 'C' authority

		<ul style="list-style-type: none"> • North Kesteven District Council • Newark and Sherwood District Council • Leicestershire County Council • Nottinghamshire County Council <p>The boundary 'D' authorities were consulted:</p> <ul style="list-style-type: none"> • North Lincolnshire Council • Cambridgeshire County Council • Norfolk County Council • North East Lincolnshire Council <p>A sample of the letter sent to s42(1)(b) relevant authorities is provided at Appendix 3.3.1 of the Consultation Report Appendices (Doc 5.2).</p>
9	Section 42(1)(c) the Greater London Authority (if in Greater London area)?	Not Applicable.
10	Section 42(1)(d) each person in one or more of s44 categories ⁸ ?	<p>Yes.</p> <p>Paragraph 9.5.6 of the Consultation Report (Doc 5.1) states that all persons identified under s42(1)(d) were consulted between 26 May 2022 and 4 August 2022.</p> <p>Paragraphs 9.5.1 to 9.5.10 of the Consultation Report (Doc 5.1) briefly summarise how the Applicant made diligent inquiry to seek to identify and consult persons with an interest in land affected by the Draft DCO (Doc 3.1). The full methodology undertaken by the Applicant has not been provided in the Consultation Report but Appendix 11 of the Consultation Report Appendices</p>

⁸ Category 1: owner, lessee, tenant or occupier of land; Category 2: person interested in the land or has power to sell and convey the land or to release the land; Category 3: persons who would or might be entitled to make a relevant claim.

		<p>(Doc 5.2) outlines the consultation undertaken with s44 consultees.</p> <p>The persons consulted under s42(1)(d) are listed at Appendix 3.2, Table 3-1 of the Consultation Report Appendices (Doc 5.2).</p> <p>A sample of the letter is provided at Appendix 3.3.1 of the Consultation Report Appendices (Doc 5.2).</p>
Section 45: Timetable for s42 consultation		
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.</p> <p>A sample of the letter sent to s42 consultees is provided at Appendix 3.3.1 of the Consultation Report Appendices (Doc 5.2).</p> <p>The sample letter dated 23 May 2022 confirmed that consultation commenced on 26 May 2022 and closed on 4 August 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	<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.</p> <p>The Applicant gave notice under s46 on 20 May 2022, which was before the beginning of s42 consultation.</p> <p>A copy of the s46 notification letter is provided at Appendix 2.2 of the Consultation Report Appendices (Doc 5.2) and a copy of the s46 notification acknowledgement letter from the Planning Inspectorate is provided at Appendix 2.5 of the Consultation Report Appendices (Doc 5.2).</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.</p> <p>A copy of the final SoCC is provided at Appendix 6.4 of the Consultation Report Appendices (Doc 5.2).</p>

14	Were 'B' and (where relevant) 'C' authorities consulted about the content of the SoCC; and if so, was the deadline for receipt of responses 28 days beginning with the day after the day that 'B' and, where applicable, 'C' authorities received the consultation documents?	<p>Yes.</p> <p>The Applicant sent the draft SoCC to Rutland County Council and South Kesteven District Council ('B' Authorities) and Lincolnshire County Council ('C' Authority) on 23 March 2022 and set a deadline of 22 April 2022 for responses, providing more than the required minimum time for responses to be received.</p>
15	Has the Applicant had regard to any responses received when preparing the SoCC?	<p>Yes.</p> <p>Table 15 of the Consultation Report (Doc 5.1) provides a summary of the consultation response from Rutland County Council on an earlier working draft version of the SoCC. Table 16 of the Consultation Report (Doc 5.1) provides a summary of the consultation responses from Lincolnshire County Council, South Kesteven District Council and Rutland 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"> • When referring to non-prescribed local community organisations the Applicant replaced the term 'hard to reach' with 'seldom heard' in all consultation materials; • Inclusion of dates, times and locations of consultation events; • Inclusion of reference to the project being a Nationally Significant Infrastructure Project was added to the introduction; • Shading was added to Figure 2 to better indicate the proposed site boundary and area; • The period for consultation was increased. <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	<p>Yes.</p>

	<p>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>	<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"> • Essendine Village Hall • Stamford Arts Centre • Ryhall Village Hall <p>A notice stating when and where the final SoCC could be inspected was published in:</p> <ul style="list-style-type: none"> • Rutland and Stamford Mercury – 20 May 2022 <p>The published SoCC notice, provided at Appendix 6.5.1 of the Consultation Report Appendices (Doc 5.2) states where and when the final SoCC was available to inspect.</p> <p>Clippings of the published advertisements are provided at Appendix 6.5.2 of the Consultation Report Appendices (Doc 5.2).</p>
17	<p>Does the SoCC set out whether the development is EIA development⁹; and does it set out how the Applicant intends to publicise and consult on the Preliminary Environmental Information?</p>	<p>Yes.</p> <p>Section 10 of the final SoCC at Appendix 6.4 of the Consultation Report Appendices (Doc 5.2) 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	<p>Has the Applicant carried out the consultation in accordance with the SoCC?</p>	<p>Yes.</p> <p>Table 17 of the Consultation Report (Doc 5.1) set out how the community consultation was carried out in line with the final SoCC.</p> <p>Appendices 1-13 of the Consultation Report (Doc 5.2) provide evidence that</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

the commitments within the final SoCC have been carried out.

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 which may encompass changes made by The Infrastructure Planning (Publication and Notification of Applications etc.) (Amendment) Regulations 2020?

Yes.

Paragraph 10.2.2 of the **Consultation Report (Doc 5.1)** states:
“The Applicant placed notices in the London Gazette and The Guardian in addition to local publications.”

Table 33 of the **Consultation Report (Doc 5.1)** displays the newspapers and dates of s48 publicity as set out below.

A copy of the s48 notice is provided at **Appendix 8.2** of the **Consultation Report Appendices (Doc 5.2)**.

Clippings of the published notices set out below are provided at **Appendix 8.3** of the **Consultation Report Appendices (Doc 5.2)**:

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"> Rutland and Stamford Mercury 	20 and 27 May 2022
b)	once in a national newspaper;	<ul style="list-style-type: none"> The Guardian 	24 May 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 (Print) London Gazette (Online) 	20 May 2022 19 May 2022
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	Not Applicable

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?	<p>Yes.</p> <p>The published s48 notice, supplied at Appendix 8.2 of the Consultation Report Appendices (Doc 5.2), contains the required information as set out below:</p>
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Information		Paragraph	Information		Paragraph
a)	the name and address of the Applicant.	1.	b)	a statement that the Applicant intends to make an application for development consent to the Secretary of State	1.
c)	a statement as to whether the application is EIA development	5.	d)	a summary of the main proposals, specifying the location or route of the Proposed Development	3 & 4.
e)	<p>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:</p> <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. 	12.	f)	the latest date on which those documents, plans and maps will be available for inspection	12.

g)	whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge	14.	h)	details of how to respond to the publicity	15 - 17
	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		18	
21	Are there any observations in respect of the s48 notice provided above?				
	No.				
22	Has a copy of the s48 notice been sent to the EIA consultation bodies and to any person notified to the Applicant in accordance with the EIA Regulations ¹⁰ ?	<p>Yes.</p> <p>A copy of the s48 notice was sent to the EIA consultation bodies as part of the s42 consultation, as confirmed in paragraph 10.3.2 of the Consultation Report (Doc 5.1).</p> <p>Samples of the s42 consultation letters provided at Appendix 3.3 and 3.4 of the Consultation Report Appendices (Doc 5.2) 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>Tables 34 35 of the Consultation Report (Doc 5.1) set out how the Applicant had regard to the consultation responses received; including whether or not responses led to changes to the application.</p>			

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

		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.
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 ?	Paragraph 3.2.1 of the Consultation Report (Doc 5.1) lists the Applicant has taken into consideration all relevant statutory and other guidance. Having reviewed the application, the Planning Inspectorate is satisfied that the Applicant has identified and had regard to the relevant statutory guidance.
25	Summary: Section 55(3)(e) (CM)	The Applicant has complied with Chapter 2 of Part 5 (pre-application procedure) of the PA2008. In respect of the minor consultation discrepancies identified, s51 advice has been provided to the Applicant how in this regard, available here: https://infrastructure.planninginspectorate.gov.uk/document/EN010127-000297
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 	Yes. Section 4 of the Application Form (Doc 3.1) explains why the development falls within the remit of the Planning Inspectorate. Section 5 of the Application Form (Doc 3.1) provides a brief non-technical description of the site and section 6 provides the location of the Proposed Development.

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

	location of the application site, or the route if it is a linear scheme?	A Location Plan (Doc 2.6) has been provided.	
27	Is it accompanied by a Consultation Report?	Yes. The application is accompanied by a Consultation Report (Doc 5.1) and Consultation Report Appendices (Doc 5.2) .	
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.	
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	
a)	Where applicable, the Environmental Statement required under the EIA Regulations ¹³ and any scoping or screening opinions or directions	Non-Technical Summary (Doc 6.4) Environmental Statement Chapters 1-17 (Doc 6.1) Environmental Statement Appendix (Doc 6.2) Environmental Statement Figures (Doc 6.3) Appendix 2.2 Scoping Opinion (Doc 6.2)	b)
		The draft Development Consent Order (DCO)	Draft DCO (Doc 3.1)

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

c)	Is this of a satisfactory standard?	Yes	d)	Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)
	An Explanatory Memorandum explaining the purpose and effect of provisions in the draft DCO	Explanatory Memorandum (Doc 3.2)		Where applicable, a Book of Reference	Book of Reference (Doc 4.3)
e)	Is this of a satisfactory standard?	Yes	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 11.5: Flood Risk Assessment (Doc 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	Statutory Nuisance Statement (Doc 7.5) The Applicant acknowledges the potential to engage the following statutory nuisances: Section 79(1)(a)- “any premises in such a state as to be prejudicial to health or a nuisance”. Section 79(1)(e) - “any accumulation or deposit which is prejudicial to health or a nuisance”.
h)	Is this of a satisfactory standard?	Yes	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 Reason (Doc 4.1) Funding Statement (Doc 4.2)		A Land Plan identifying:- (i) the land required for, or affected by, the Proposed	Land Plans (Doc 2.1)

				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 land	
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?	Yes
j)	A Works Plan showing, in relation to existing features:- (i) the proposed location or (for a linear scheme) the proposed route and alignment of the development and	Works Plan (Doc 2.2)		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	Access and Rights of Way Plans (Doc 2.4) Claimed Public Rights of Way Plan (Doc 2.8)

	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		navigation	
	Is this of a satisfactory standard?	Yes	Is this of a satisfactory standard?	Yes
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	(i) Figure 7.1: Statutory and Non-Statutory Nature Conservation Designations Plan (Map 1 of 2) Figure 7.1: Statutory and Non-Statutory Nature Conservation Designations Plan (Map 2 of 2) Figure 6.2: Non-Statutory Landscape Sites (ii) Figure 7.3: Phase 1 habitats plan (Map 1 of 3) Figure 7.3: Phase 1 habitats plan (Map 2 of 3) Figure 7.3: Phase 1 habitats plan (Map 3 of 3) The assessment of effects on such sites are provided in Environmental Statement (Doc	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 Environmental Statement Chapter 8: Cultural Heritage (Doc 6.1) Figure 8.1: Statutory and Non-Statutory Historic Environment Designations Plan (no doc ref provided, assume it should be 6.2 as per the other figures). Figure 24 of Appendix 8.4 Cultural Heritage Impact Assessment (Doc 6.2). (This shows the 1km study area which is not shown on Figure 8.1).

	assessment of any effects on such sites, features, habitats or bodies likely to be caused by the Proposed Development	<p>6.1) Chapters:</p> <ul style="list-style-type: none"> • ES Chapter 6: Landscape and Visual • ES Chapter 7: Ecology and Biodiversity • ES Chapter 8: Cultural Heritage <p>(iii) Figure 11.6: Water Bodies in a River Basin Management Plan.</p> <p>ES Chapter 11: Water Resources and Ground Conditions (Doc 6.1) provides further details regarding water bodies in a river basin management plan).</p>		
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard? Yes
n)	Where applicable, a plan with any accompanying information identifying any Crown land	Not Applicable	o)	<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 management, means of</p> <p>Hedgerows Plans (Doc 2.5) Location, Order Limits and Grid Coordinates (Doc 2.6) Traffic Regulation measure plans (Temporary Road Closures and Temporary measures) (Doc 2.7) Claimed Right of Way Plan (Doc 2.8)</p>

			vehicular and pedestrian access, any car parking and landscaping	
	Is this of a satisfactory standard?	Not Applicable	Are they of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)
p)	Any of the documents prescribed by Regulation 6 of the APFP Regulations:	Grid Connection Statement (Doc 7.4)	q) Any other documents considered necessary to support the application	Application Covering Letter (Doc 1.1) Guide to the Application (Doc 1.2) Section 55 Checklist (Doc 1.4) Electronic Application Index (Doc 1.5) Schedule of Negotiations (Doc 4.4) Non-technical summary (Doc 6.4) Statement of Need (Doc 7.1) Planning Statement (Doc 7.2) Design and Access Statement (Doc 7.3) Outline Construction Environmental Management Plan (Doc 7.6) Outline Operational Environmental Management Plan (Doc 7.7) Outline Decommissioning Environmental Management Plan (Doc 7.8) Outline Landscape and Ecology Management Plan (Doc 7.9)

				Outline Employment, Skills and Supply Chain Plan (Doc 7.10) Outline Construction Traffic Management Plan (Doc 7.11) Outline Soil Management Plan (including outline Excavated Materials Management Plan) (Doc 7.12) Outline Water Management Plan (Doc 7.13) Outline Travel Plan (Doc 7.14)	
	Are they of a satisfactory standard?	Yes		Are they of a satisfactory standard?	Yes
30	Are there any observations in respect of the documents provided at Box 29 (a) to (q) above?				
	<p>Draft DCO (Doc 3.1) Schedule 15 of the draft DCO does not include Protective Provisions for Anglian Water, Cadent Gas and Network Rail.</p> <p>Book of Reference (Doc 4.3) Part 2 of the Book of Reference, in relation to Category 3 parties, should be reviewed and, if necessary, updated.</p> <p>Access and Rights of Way Plans (Doc 2.4) and Traffic Regulation Measures Plans (Doc 2.7) For clarity and to help understanding, existing public footpaths (public rights of way) should be marked and the plans more clearly notated to reflect the proposals, including differentiating works to footpaths and roads.</p> <p>Works Plans (Doc 2.2) Hedgerows Plans (Doc 2.5), Location, Order Limits and Grid Coordinates Plans (Doc 2.6) Sheets 1 and 3 are missing areas which, albeit outside of the Order limits, are close enough to the Order limits to warrant inclusion.</p> <p>ES Chapter 5 Project Description (Doc 6.1) and Appendix 5.1 (Doc.6.2)</p>				

The Development Parameters in Appendix 5.1 are not fully consistent with those set out in ES Chapter 5.

ES Non-Technical Summary (Doc 6.4)

It appears that paragraph 2.8.1 should refer to Figure 4 (Indicative Cable Crossing Locations) rather than Figure 3.

ES Landscape and Visual (Figure 6.8.9)

Landscape and Visual – Representative Viewpoint 9 (Figure 6.8.9) is missing from the Applicant’s documents.

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

<https://infrastructure.planninginspectorate.gov.uk/document/EN010127-000297>

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 is provided at Appendix 7.5 of the Environmental Statement (Doc 6.2).</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>

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

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

33	Has the Applicant had regard to statutory guidance 'Planning Act 2008: Application form guidance', and has this regard led to the application being prepared to a standard that the Planning Inspectorate considers satisfactory?	Yes. 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.
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. 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/EN010127-000297
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 21 November 2022, before the application was made.

Role	Electronic signature	Date
Case Manager	<i>Karl-Jonas Johansson</i>	21 December 2022
Acceptance Inspector	<i>David Cliff</i>	21 December 2022

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