



# SECTION 55 CHECKLIST: 1.6

DECARBONISATION

## Cory Decarbonisation Project

PINS Reference: EN010128

March 2024

Revision A

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# 1. INTRODUCTION

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## 1.1. BACKGROUND

- 1.1.1. This draft Section 55 checklist has been prepared on behalf of the Applicant to support an application (the “Application”) for a Development Consent Order under section 37 of the Planning Act 2008 (‘PA 2008’) for the Proposed Scheme. The Application is submitted to the Secretary of State (‘the SoS’) for Energy Security and Net Zero (‘DESNZ’).

## 1.2. SECTION 55 OF THE PLANNING ACT 2008 (AS AMENDED)

- 1.2.1. Section 55 of the PA 2008 sets out the circumstances under which the SoS may accept an application for development consent. Following acceptance, an application will be subject to an examination pursuant to sections 86 to 102B of the PA 2008.
- 1.2.2. The ‘Section 55 checklist’ is a document prepared by the Planning Inspectorate (PINS) on behalf of the SoS upon submission of an application. Completion of the Section 55 checklist by an applicant is not a requirement under Regulation 5 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the ‘APFP Regulations’), nor does the submission of a draft completed Section 55 checklist by the Applicant hold any weight at the acceptance stage.
- 1.2.3. However, the Applicant considers that the submission of a ‘draft’ Section 55 checklist can assist the Planning Inspectorate with the compliance check at the acceptance stage by signposting to relevant Application documents or parts within Application documents. Therefore, the Applicant has decided to complete the Section 55 checklist for the Application.



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:** October 2019

## 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 for information only and is not a formal application document. It is a non-statutory checklist for the Planning Inspectorate to complete. Completion or self-assessment by the Applicant does not hold weight at the Acceptance stage. Unless specified, **all references to the Planning Inspectorate are made in relation to functions being carried out on behalf of the Secretary of State for Housing, Communities and Local Government.**

Section 55(2) Acceptance of Applications				
1	Within 28 days (starting day after receipt) the Planning Inspectorate must decide whether or not to accept the application for Examination.	Date received	28 day due date	Date of decision
Section 55(3) – the Planning Inspectorate may only accept an application if it concludes that:			Planning Inspectorate comments	
Section 55(3)(a) and s55(3)(c): It is an application for an order granting development consent				
2	Is the development a Nationally Significant Infrastructure Project <sup>1</sup> (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 <sup>2</sup> (DCO) under the Planning Act 2008 (the PA2008), or equivalent words? Does the application specify the development to which it relates (i.e. which category or categories in ss14 to 30 does the Proposed Development fall)?	<p>Yes. The Proposed Scheme constitutes a Project of National Significance (PNS) pursuant to a Direction under section 35 of the Planning Act 2008 (PA 2008) as outlined in the application Covering Letter.</p> <p>By way of letter dated 6<sup>th</sup> October 2022, the SoS made a Direction, under sections 35(1) and 35ZA of the PA 2008, that the Proposed Scheme should be treated as development for which development consent under the PA 2008 is required and is therefore a PNS.</p> <p>Those parts of the Proposed Scheme which make up the PNS are included in the <b>Draft DCO (Document Reference 3.1)</b>.</p>		

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

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

	<p>If the development does not fall within the categories in ss14 to 30, has a direction been given by the Secretary of State under s35 of the PA2008 for the development to be treated as development for which development consent is required?</p>	<p>The SoS was satisfied that:</p> <ul style="list-style-type: none"> <li>• “The Proposed Project is in the field of energy and development and will be wholly within England;</li> <li>• The Proposed Project does not currently fall within the existing definition of a “nationally significant infrastructure project” and therefore it is appropriate to consider use of the power in section 35(1) of the PA2008 and</li> <li>• Cory’s request constitutes a “qualifying request” in accordance with section 35ZA(11) of the Planning Act 2008.”</li> </ul> <p>This is also summarised in the following supporting documents; Section 4 of the <b>Application Form (Document Reference 1.4)</b> and Section 1 of the <b>Planning Statement (Document Reference 5.4)</b>. The Covering Letter (Document Reference 1.1) clearly states that this application (the Application) is for a development consent order under the Planning Act 2008.</p>
<p>3</p>	<p><b>Summary: Section 55(3)(a) and s55(3)(c)</b></p>	<p>The <b>Draft DCO (Document Reference 3.1)</b> Schedule 1 and Section 4 of the <b>Application Form (Document Reference 1.2)</b> demonstrate that the Application as submitted is an application for an order granting development consent under the PA 2008 and that the Proposed Scheme is a project of national significance pursuant to a section 35 Direction made by the Secretary of State requiring development consent.</p>
<p><b>Section 55(3)(e): The Applicant in relation to the application made has complied with Chapter 2 of Part 5 (pre-application procedure)</b></p>		
<p>4</p>	<p>In accordance with the EIA Regulations<sup>3</sup>, 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</p>	<p>Yes, the Applicant notified the Planning Inspectorate and SoS both to notify that it proposed to provide an Environmental Statement in respect of the Proposed Scheme and to request that the Planning Inspectorate adopt a Screening Opinion in respect of the Proposed Scheme under the EIA Regulations 2017 – Regulation 8(1)(b) ‘Notification of Intention to Provide an Environmental Statement’ and Regulation 10(1) ‘Request for a</p>

<sup>3</sup> 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)

	proposed to provide an Environmental Statement in respect of that development?	<p>Scoping Opinion' on 18 April 2023. This was prior to the consultation carried out in accordance with section 42 between 18 October 2023 and 29 November 2023.</p> <p>The Scoping Opinion was adopted by the Secretary of State on the 26 May 2023. The Scoping Opinion and the Applicant's responses are set out in the <b>Environmental Statement Technical Appendix 4-2: Scoping Opinion Response (Document Reference 6.3 Appendix 4-2)</b>.</p>
5	Have any Adequacy of Consultation Representations <sup>4</sup> 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>It is envisaged that the Planning Inspectorate will request upon submission of the Application that relevant local authorities provide an adequacy of consultation statement. This is as set out in the Planning Inspectorate's Advice Note 14.</p> <p>The <b>Consultation Report (Document Reference 5.1)</b> and its respective appendices sets out how the Applicant has complied with its duties under Sections 42, 47 and 48 of the PA 2008.</p>
<b>Section 42: Duty to consult</b>		
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 <sup>5</sup> ?	<p>Yes – Prescribed consultees were identified from Schedule 1 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended). The prescribed consultees under section 42(1)(a) of the PA 2008 were sent a section 42 letter and section 48 Notice on the 18 October 2023, notifying them of the start of the statutory consultation and of its details. The consultation closed on 29 November 2023. See <b>Section 3 of the Consultation Report (Document Reference 5.1)</b> for more detail. The list of prescribed consultees is set out in <b>Table 1 of Appendix H-1 of the Consultation Report (Document Reference 5.1)</b>.</p>

<sup>4</sup> 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

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

7	Section 42(1)(aa) the Marine Management Organisation <sup>6</sup> ?	<p>Yes – The Applicant sent a section 42 letter and a section 48 Notice (with reference to Regulation 13 of the EIA Regulations) to the MMO on 18 October 2023, notifying them of the start of the statutory consultation and its details. A copy of the Section 42 letter can be found in <b>Appendix C-40 of the Consultation Report (Document Reference 5.1)</b>. Engagement with the MMO has continued following the statutory consultation with the Proposed Scheme being presented to the MMO during a meeting held on 7 February 2024.</p>
8	Section 42(1)(b) each local authority within s43 <sup>7</sup> ?	<p>Yes - The relevant local authorities were consulted under section 42(1)(b) of the PA 2008 between 18 October 2023 and 29 November 2023. The relevant local authorities were sent a section 42 letter and a section 48 notice, see <b>Section 3 of the Consultation Report (Document Reference 5.1)</b> and <b>Appendices C-40 and C-13</b> respectively.</p> <p>The local authorities affected by the proposals and consulted on the Proposed Scheme are detailed in <b>Table 3 of Appendix H-1 of the Consultation Report (Document Reference 5.1)</b>. The Order limits for the Proposed Scheme fall wholly within the London Borough of Bexley. All local authorities bordering the London Borough of Bexley were included as neighbouring authorities.</p> <p>The Applicant received responses from London Borough of Bexley, Dartford Borough Council and Sevenoaks District Council under Section 42(1)(b).</p>

<sup>6</sup> 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

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



		<p>The consultation letter for the London Borough of Barking and Dagenham was returned as 'undeliverable' and as a response had not been received, the Applicant decided that it was appropriate to contact the London Borough of Barking and Dagenham again, in accordance with Part 5 of the PA2008, to invite them to give feedback on the Proposed Scheme, and to ensure that they have the full statutory period. On 15th February 2024 a further letter and notice was sent by special delivery and hand delivered to the London Borough of Barking and Dagenham giving them until 23.59pm on 17th March 2024 to respond. No response has been received.</p>
<p>9</p>	<p>Section 42(1)(c) the Greater London Authority (if in Greater London area)?</p>	<p>Yes - The Greater London Authority was consulted under Section 42(1)(c) of the PA 2008, see <b>Section 3 of the Consultation Report (Document Reference 5.1)</b>. The Greater London Authority were issued with a section 42 letter and a section 48 notice. The letters issued to the Greater London Authority can also be viewed in <b>Appendix E-11 of the Consultation Report (Document Reference 5.1)</b>.</p> <p>There were issues with the original delivery of the consultation documents to the Greater London Authority as part of the statutory consultation. With the agreement of the Greater London Authority, a digital copy of the section 42 letter and associated statutory consultation pack was sent 13<sup>th</sup> November 2023. Additionally, as the original consultation letter was returned as 'undeliverable' and as a response had not been received, the Applicant decided that it was appropriate to contact the Greater London Authority again, in accordance with Part 5 of the PA2008, to invite them to give feedback on the Proposed Scheme, and to ensure that they have the full statutory period in which to respond. On 14<sup>th</sup> February 2024 a further letter and notice was sent by special delivery, hand delivered, and emailed to the Greater London Authority giving them until 23.59pm on 15th March 2024 to respond. The Applicant received a response from the GLA on 29th February 2024.</p> <p>Details of the Greater London Authority's consultation on the Proposed Scheme are detailed in <b>Section 3.6</b> and <b>Section 5.2</b> of the <b>Consultation Report (Document Reference 5.1)</b>.</p>

<p>10</p>	<p>Section 42(1)(d) each person in one or more of s44 categories<sup>8</sup>?</p>	<p>Yes – In preparing the DCO Application, the Applicant has carried out diligent inquiry through the land referencing process, in order to identify all persons who fall within the Category 1, 2 and 3 as defined in section 44 of the PA2008. Such persons are listed in the <b>Book of Reference (Document reference: 4.3)</b> and have been consulted about the DCO Application in accordance with section 42 of the PA2008. On 18th October 2023, the Applicant sent all persons identified under section 44, a section 42 letter and section 48 Notice notifying them about the Proposed Scheme and the statutory public consultation process. Further detail can be found in <b>Section 3.6</b> of the <b>Consultation Report (Document Reference 5.1)</b> which details the engagement with Persons with an Interest in Land (PIL) throughout the consultation.</p> <p>Targeted consultation was undertaken when Red Line Boundary limits of the Proposed Scheme set out in the statutory consultation was extended to include the mitigation and enhancement area land identified as part of the <b>Outline Landscape, Biodiversity, Access and Recreation Delivery Strategy (Document Reference 7.9)</b>. The Applicant contacted Peabody Land Ltd and Thames Water Property again, in accordance with Part 5 of the PA2008, to invite them to give feedback on the Environmental Mitigation Opportunity Area immediately to the west of the Scheme Boundary at Statutory Consultation, to ensure that they have the full statutory period within which to respond. On 5 January 2024 further letters were sent to Peabody Land Ltd and Thames Water Property and site notices were placed on the affected land and within Crossness LNR. The notices were placed on 4 January 2024 and their locations can be found in <b>Appendix E-3</b> of the <b>Consultation Report (Document Reference 5.1)</b>. The notices set out a deadline of 23.59pm on 05 February 2024 for responses to be received.</p> <p>Five additional interests were identified during land referencing process and detailed in <b>Table 6</b> of <b>Appendix H-6</b> of the <b>Consultation Report (Document Reference 5.1)</b>. The Applicant decided that it was appropriate to contact these land interests, in accordance with Part 5 of the PA2008, to invite them to give feedback on the Proposed Scheme, and to ensure that they have the full statutory period within which to respond. On 26 January</p>
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<sup>8</sup> Category 1: owner, lessee, tenant or occupier of land; Category 2: person interested in the land or has power to sell and convey the land or to release the land; Category 3: persons who would or might be entitled to make a relevant claim. There is no requirement on the Planning Inspectorate to check the accuracy of the list(s) provided or whether the Applicant has made diligent inquiry

		<p>letters and notices were sent giving the five additional interests until 23.59pm on 6 March 2024 to respond. No responses were received.</p>
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**Section 45: Timetable for s42 consultation**

<p>11</p>	<p>Did the Applicant notify s42 consultees of the deadline for receipt of consultation responses; and if so was the deadline notified by the Applicant 28 days or more starting with the day after receipt of the consultation documents?</p>	<p>Yes – The Applicant wrote formally to all consultees identified under section 42 of the PA 2008 to notify them of the consultation. Each of the letters issued to the section 42 consultees clearly stated a deadline for the receipt of consultation responses.</p> <p>On 18<sup>th</sup> October 2023 the Applicant sent all bodies and organisations identified under Section 42 (listed in <b>Appendix H-1</b> of the <b>Consultation Report (Document Reference 5.1)</b>) a letter and s48 Notice notifying them about the Proposed Scheme, the statutory public consultation process, where they can find the pre application materials, and how they can provide feedback. The public consultation closed at 11.59pm on 29th November 2023. This allowed the public consultation to run for a period of six weeks (more than 28 days starting from the day after receipt of the consultation documents).</p> <p>There was a targeted consultation and number of additional consultations undertaken by the Applicant after the statutory consultation of 18 October 2023 to 29 November 2023.</p> <p>A targeted consultation was undertaken when Red Line Boundary limits of the Proposed Scheme set out in the statutory consultation was extended to include the mitigation and enhancement area land identified as part of the <b>Outline Landscape, Biodiversity, Access and Recreation Delivery Strategy (Document Reference 7.9)</b>. The Applicant issued section 42 letters to the affected landowners on 5 January 2024. The targeted consultation deadline was 5 February 2024 (28 days or more starting with the day after receipt of the consultation documents).</p> <p>A summary of additional consultation periods is set out in the table below:</p> <table border="1" data-bbox="960 1262 2114 1452"> <thead> <tr> <th data-bbox="960 1262 1348 1358">Consultee</th> <th data-bbox="1348 1262 1729 1358">Date additional s42 consultation letter issued</th> <th data-bbox="1729 1262 2114 1358">Deadline for responses given</th> </tr> </thead> <tbody> <tr> <td data-bbox="960 1358 1348 1452">Alaska Propco GP 2 Limited</td> <td data-bbox="1348 1358 1729 1452">26 January 2024</td> <td data-bbox="1729 1358 2114 1452">6 March 2024</td> </tr> </tbody> </table>	Consultee	Date additional s42 consultation letter issued	Deadline for responses given	Alaska Propco GP 2 Limited	26 January 2024	6 March 2024
Consultee	Date additional s42 consultation letter issued	Deadline for responses given						
Alaska Propco GP 2 Limited	26 January 2024	6 March 2024						

	Alaska Propco GP 2 Limited	26 January 2024	6 March 2024
	CIP SLI UKPF Nominee No 1 Limited	26 January 2024	6 March 2024
	CIP SLI UKPF Nominee No 2 Limited	26 January 2024	6 March 2024
	Viking Office UK Limited	26 January 2024	6 March 2024
	Office for Health Improvement and Disparities	30 January 2024	1 March 2024
	Greater London Authority	14 February 2024	15 March 2024
	Secretary of State for Transport	15 February 2024	17 March 2024
	Lewisham and Greenwich NHS Trust	15 February 2024	17 March 2024
	Network Rail	15 February 2024	17 March 2024
	Office of the Police and Crime Commissioner	15 February 2024	17 March 2024
	London Borough of Barking and Dagenham	15 February 2024	17 March 2024
	NATS	15 February 2024	17 March 2024
<p><b>Section 5.2</b> of the <b>Consultation Report (Document Reference 5.1)</b> provides more detail about the targeted and additional consultations but in each case, the deadlines given for these gave 28 days or more starting with the day after receipt of the consultation documents to respond.</p>			

<b>Section 46: Duty to notify the Planning Inspectorate of proposed application</b>		
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 - The Applicant supplied information to notify the Planning Inspectorate of the proposed Application in a letter dated 18 October 2023, the same date it was sent to s42 consultees; this was therefore completed upon commencing consultation under section 42. This letter was sent pursuant to Section 46 of the PA 2008. Further details of the Section 46 letter are contained in <b>Section 3.7 of the Consultation Report (Document Reference 5.1)</b>. A copy of the Section 46 Letter is appended to the <b>Consultation Report at Appendix C-46 (Document Reference 5.1)</b>.</p> <p>The section 46 Letter Contained:</p> <ul style="list-style-type: none"> <li>- A Summary of the proposed development for which the DCO will be sought</li> <li>- An example copy of the section 42 letter</li> <li>- Section 48 Notice which has also been published in local and national newspapers to publicise the proposed application</li> <li>- The public consultation brochure which provides an overview of the Proposed Scheme and Non-Technical Summary of the findings in the PEIR.</li> <li>- The Preliminary Environmental Information Report ('PEIR') which details the Proposed Scheme and a preliminary assessment of its likely significant environmental effects</li> <li>- The Statement of Community Consultation (SoCC)</li> </ul> <p>The Inspectorate emailed the Applicant to acknowledge receipt of the section 46 letter on 18 October 2023 (see <b>Appendix C-47 of the Consultation Report (Document Reference 5.1)</b>)</p>
<b>Section 47: Duty to consult local community</b>		
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 - In accordance with Section 47 of the PA2008, the Applicant prepared a Statement of Community Consultation (SoCC) which explained how it intended to consult with the local community in the vicinity of the Proposed Scheme, including residents, businesses, community groups and political representatives about the Proposed Scheme, in accordance with the statutory requirements. This is detailed in Section 3.3 of the</p>

		<p><b>Consultation Report (Document Reference 5.1)</b>. The SoCC (<b>Appendix A-4 of the Consultation Report (Document Reference 5.1)</b>) was published on the Applicant's consultation website (<a href="https://corydecarbonisation.co.uk/">https://corydecarbonisation.co.uk/</a>) on 4 October 2023., and paper copies were available for inspection.</p>
<p>14</p>	<p>Were 'B' and (where relevant) 'C' authorities consulted about the content of the SoCC; and if so, was the deadline for receipt of responses 28 days beginning with the day after the day that 'B' and (where applicable) 'C' authorities received the consultation documents?</p>	<p>Yes - Pursuant to Section 47(2) of the PA2008, the draft SoCC was sent to the host local authority London Borough of Bexley (B) for section 47 statutory consultation on 6 September 2023 (covering email provided in <b>Appendix C-2 of the Consultation Report (Document Reference 5.1)</b>) because it is the only local authority within which the Proposed Scheme sits pursuant to section 43(1) PA2008, and therefore there were no relevant 'C' authorities to be consulted. The Applicant allowed the London Borough of Bexley from 7 September to 5 October 2023 for consultation on the draft SoCC, allowing 28 days beginning from the day after receipt for consultation.</p>
<p>15</p>	<p>Has the Applicant had regard to any responses received when preparing the SoCC?</p>	<p>Yes. London Borough of Bexley's response was received on 28 September 2023 (see <b>Appendix C-5 of the Consultation Report (Document Reference 5.1)</b>) and following the Applicant's updates to the draft SoCC, the Council approved the draft SoCC on 03 October 2023.</p> <p>In its response, London Borough of Bexley confirmed it considered the Applicant's level of public engagement and consultation proposed within the SoCC to be 'acceptable' and therefore it had no comment in that regard. Notwithstanding this, <b>Table 8</b> of the <b>Consultation Report (Document Reference 5.1)</b> shows the wider comments made by London Borough of Bexley on the Applicant's draft SoCC and the changes the Applicant made as a result.</p>
<p>16</p>	<p>Has the SoCC been made available for inspection in a way that is reasonably convenient for people living in the vicinity of the land; and has a notice been published in a newspaper circulating in the vicinity of the land which states where and when the SoCC can be inspected?</p>	<p>All section 47 statutory consultation activities were undertaken by the Applicant in the consultation zone (See <b>Section 3 of the Consultation Report (Document Reference 5.1)</b>) which covered 18,354 addresses. This consultation zone was set to engage with the local communities most affected by the Proposed Scheme and its potential mitigation areas.</p> <p>The Applicant published the SoCC on 04 October 2023 ahead of the statutory consultation process (<b>Appendix A-4 of the Consultation Report (Document Reference 5.1)</b>).</p>

		<p>The SoCC was published on the Applicant’s consultation website on 04 October 2023 and paper copies were available for public inspection at the venues in the vicinity of the Site listed in <b>Section 3.3</b> of the <b>Consultation Report (Document Reference 5.1)</b> from 04 October 2023 to end of the statutory consultation period on 29 November 2023. The SoCC was published in the prescribed fashion in the Bexley and Bromley News Shopper, which circulates in the vicinity of the land, on 04 October 2023.</p> <p>Paper copies of the published SoCC were also available to inspect at the statutory consultation public exhibitions held on 10 November and 11 November 2023. Hard copies of the SoCC were also available to members of the public upon request, as outlined in the Applicant’s section 47 notice (see <b>C-8 of the Consultation Report (Document Reference 5.1)</b>).</p>
17	Does the SoCC set out whether the development is EIA development <sup>9</sup> ; and does it set out how the Applicant intends to publicise and consult on the Preliminary Environmental Information?	Yes. The SoCC is in <b>Appendix A-4 of the Consultation Report (Document Reference 5.1)</b> . Section 1.5 of the SoCC states that the development is EIA development, and sets out how the Applicant intended to publicise and consult on its PEIR.
18	Has the Applicant carried out the consultation in accordance with the SoCC?	Yes - <b>Table 14</b> within the <b>Consultation Report (Document Reference 5.1)</b> summarises the commitments made by the Applicant in its SoCC to consult with people living in the vicinity of the Proposed Scheme and demonstrates how the Applicant has met these commitments.
<b>Section 48: Duty to publicise the proposed application</b>		
19	Did the Applicant publicise the proposed application in the prescribed manner set out in Regulation 4(2) of the APFP Regulations?	Yes - The Applicant placed a Section 48 notice (see <b>Appendix C-13 of the Consultation Report (Document Reference 5.1)</b> ) in the Bexley and Bromley News Shopper (see <b>C-14</b> ) as the most suitable local publication with a reach covering the Applicant’s consultation zone across Belvedere and Thamesmead. Nationally, the Applicant placed a Section 48 notice in The Guardian, Fishing News, Lloyds List and The London Gazette (see <b>Appendices C-15, C-16, C 17 and C-18 of the Consultation Report (5.1)</b> ).

<sup>9</sup> Regulation 12 of the 2017 EIA Regulations, or where Regulation 37 of the 2017 EIA Regulations applies, Regulation 10 of the 2009 EIA Regulations

		<b>Newspaper(s)</b>	<b>Date</b>
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;	Bexley and Bromley News Shopper	11 October 2023 18 October 2023
b)	once in a national newspaper;	The Guardian	18 October 2023
c)	once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and	London Gazette  No land in Scotland is affected by the Proposed Scheme, and there was therefore no requirement to publish in the Edinburgh Gazette.	19 October 2023
d)	where the proposed application relates to offshore development –  (i) once in Lloyds List; and  (ii) once in an appropriate fishing trade journal?	Lloyds List  Fishing News	18 October 2023  19 October 2023
20	Did the s48 notice include the required information set out in Regulation 4(3) of APFP Regulations?	Yes – A copy of the Section 48 notice can be found in <b>C-13 of the Consultation Report (Document Reference 5.1)</b> . The published section 48 notice contain the required information as set out below:	
		<b>Information</b>	<b>Paragraph</b>
a)	the name and address of the Applicant.	Yes  Paragraph 1 of the Section 48 Notice States the name and address of Applicant	b)
		a statement that the Applicant intends to make an application for development consent to the Secretary of State	Yes  Paragraph 1 of the Section 48 Notice provides the Secretary of State with notice that the Applicant proposes to make a Development Consent Order application.



c)	a statement as to whether the application is EIA development	<p>Yes</p> <p>Paragraph 6 of the Section 48 Notice states that the Applicant has notified the Secretary of State in writing under Regulation 8(1)(b) of the EIA Regulations that it proposes to provide an ES in respect of the Proposed Development.</p>	d)	a summary of the main proposals, specifying the location or route of the Proposed Development	<p>Yes</p> <p>Paragraphs 1-5 provides a summary of the development and its location.</p>
e)	a statement that the documents, plans and maps showing the nature and location of the Proposed Development are available for inspection free of charge on a website maintained by or on behalf of the Applicant, including the address of the website; the place on the website where the documents, plans and maps may be inspected; and a telephone number which can be used to contact the Applicant for enquiries in relation to the documents, plans and maps	<p>Yes</p> <p>Paragraphs 8 - 12 of the Section 48 Notice provide details on how the documents, plans and maps showing the nature and location of the Proposed Scheme could be accessed both online and physically, including information on an inspection venue (and its opening hours) which could be visited by appointment through contacting the provided consultation.</p>	f)	the latest date on which those documents, plans and maps will be available for inspection on the website	<p>Yes</p> <p>Paragraph 15 of the Section 48 Notice provides the details of the date of closure. This being 29 November 2023.</p>

g)	whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge	Yes The Section 48 Notice confirmed at paragraphs 12 that copies of any of the documents, plans or maps could be viewed free of charge through any of the means provided. Though the PEIR due its size would have a delivery and printing fee.	h)	details of how to respond to the publicity	Yes  Paragraph 13 of the Section 48 Notice provides the information of public response.
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	Yes Paragraph 15 of the Section 48 Notice provides the deadline for receipt of responses.			
21	Are there any observations in respect of the s48 notice provided above?  The notice accords with section 48 of the PA 2008.				
22	Has a copy of the s48 notice been sent to the EIA consultation bodies and to any person notified to the Applicant in accordance with the EIA Regulations <sup>10</sup> ?	Yes – a copy of the Section 48 Notice ( <b>C-13 of the Consultation Report (Document Reference 5.1)</b> ) was sent to the EIA consultation bodies at the same time as the Section 42 letters. This is explained at <b>Section 8 of the Consultation Report (Document Reference 5.1)</b> .  The Planning Inspectorate confirmed that there were no Regulation 11(1)(c) consultees. The consultation bodies identified by the Planning Inspectorate and notified to the Applicant under Regulation 11(1)(b) were sent the S48 notice along with their S42 letter			
<b>s49: Duty to take account of responses to consultation and publicity</b>					

<sup>10</sup> Regulation 13 of the 2017 EIA Regulations, or where Regulation 37 of the 2017 EIA Regulations applies, Regulation 11 of the 2009 EIA Regulations

23	Has the Applicant had regard to any relevant responses to the s42, s47 and s48 consultation?	Yes – all responses received to the consultations under sections 42, 47 and 48 have been considered by the Applicant. A full list of responses can be found in <b>Appendices A-5 and A-6 of the Consultation Report (Document Reference 5.1)</b> . <b>Section 4 of the Consultation Report (Document Reference 6.1)</b> sets out provides a breakdown of the feedback received, summarises the content of this feedback and how the Applicant has had regard to this feedback.
<b>Guidance about pre-application procedure</b>		
24	To what extent has the Applicant had regard to statutory guidance 'Planning Act 2008: Guidance on the pre-application process' <sup>11</sup> ?	The Applicant developed the approach to statutory consultation in line with the requirements of the PA2008, the APFP Regulations, EIA Regulations 2017 and in line with guidance in Planning Act 2008: Guidance on the pre-application process and the Planning Inspectorate's Advice Note Fourteen, as set out in <b>Section 3 of the Consultation Report (Document Reference 5.1)</b> .
25	<b>Summary: Section 55(3)(e)</b>	The Applicant has complied with Chapter 2 of Part 5 (pre-application procedure) of the PA 2008 in relation to the Proposed Scheme. All relevant duties have been complied with.
<b>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)</b>		
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"> <li>• a brief statement which explains why it falls within the remit of the Planning Inspectorate; and</li> </ul>	Yes, the Application Form has been submitted in the prescribed format as contained in Schedule 2 of the APFP Regulations.  <b>Section 4 of the Application Form (Document Reference 1.2)</b> explains why the Planning Inspectorate should receive the application.

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

	<ul style="list-style-type: none"> <li>a brief statement that clearly identifies the location of the application site, or the route if it is a linear scheme?</li> </ul>	<p><b>Section 5 of the Application Form (Document Reference 1.2)</b> provides a brief non-technical description of the site and Section 6 provides the location of the Proposed Development. The site can also outlined within the Site Location Plan (<b>Document Reference 2.1</b>).</p>	
27	Is it accompanied by a Consultation Report?	<p>Yes</p> <p>The application is accompanied by a <b>Consultation Report (Document Reference 5.1)</b> The Consultation Report has a number of appendices which are referenced A-1 to H-11 .</p>	
28	Where a plan comprises three or more separate sheets, has a key plan been provided showing the relationship between the different sheets? <sup>12</sup>	<p>Yes, a Key Plan has been produced for the following documents:</p> <ul style="list-style-type: none"> <li><b>Land Plans (Document Reference 2.2)</b></li> <li><b>Works Plans (Document Reference 2.3)</b></li> </ul>	
29	Is it accompanied by the documents and information set out in APFP Regulation 5(2)?	<p>Yes. 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>	
<b>Information</b>		<b>Document</b>	
a)	Where applicable, the Environmental Statement required under the EIA Regulations <sup>13</sup> and any scoping or screening opinions or directions	<p>An Environmental Statement is provided in four volumes as follows:</p> <p><b>ES - Volume 1 – Main Text (Document Reference 6.1)</b></p> <p><b>ES Volume 2 – Figures (Document Reference 6.2)</b></p> <p><b>ES Volume 3 – Technical Appendices (Document Reference 6.3)</b></p>	b)
		The Draft Development Consent Order (DCO)	<b>Draft Development Consent Order (Document Reference 3.1)</b> in the validated statutory instrument template.

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

<sup>13</sup> The 2017 EIA Regulations, or where Regulation 37 of the 2017 EIA Regulations applies, the 2009 EIA Regulations

		<b>ES Volume 4 – Non-Technical Summary (Document Reference 6.4)</b>			
		<b>Scoping Opinion Responses (Appendix 4-2 Document Reference 6.3)</b>			
	Is this of a satisfactory standard?			Is this of a satisfactory standard?	
c)	An Explanatory Memorandum explaining the purpose and effect of provisions in the draft DCO	<b>Explanatory Memorandum (Document Reference 3.2)</b>	d)	Where applicable, a Book of Reference (where the application involves any Compulsory Acquisition)	<b>Book of Reference (Document Reference 4.3)</b>
	Is this of a satisfactory standard?			Is this of a satisfactory standard?	
e)	A copy of any Flood Risk Assessment	<b>Flood Risk Assessment (Document Reference 6.3 Appendix 11-2)</b>	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	<b>Statement of Statutory Nuisance (Document Reference 5.9)</b>
	Is this of a satisfactory standard?			Is this of a satisfactory standard?	
h)	A Statement of Reasons and a Funding Statement (where the	<b>Statement of Reasons (Document Reference 4.1)</b>	i)	A Land Plan identifying:-  (i) the land required for, or affected by,	<b>Land Plans (Document Reference 2.2)</b>  <b>Special Category Land Plan (Document Reference 2.8)</b>

	<p>application involves any Compulsory Acquisition)</p>	<p><b>Funding Statement (Document Reference 4.2)</b></p>		<p>the Proposed Development;</p> <p>(ii) where applicable, any land over which it is proposed to exercise powers of Compulsory Acquisition or any rights to use land;</p> <p>(iii) any land in relation to which it is proposed to extinguish easements, servitudes and other private rights; and</p> <p>(iv) any special category land and replacement land</p>	
	<p>Is this of a satisfactory standard?</p>			<p>Is this of a satisfactory standard?</p>	
<p>j)</p>	<p>A Works Plan showing, in relation to existing features:-</p> <p>(i) the proposed location or (for a linear scheme) the proposed route and</p>	<p><b>Work Plans (Document Reference 2.3)</b></p>	<p>k)</p>	<p>Where applicable, a plan identifying any new or altered means of access, stopping up of streets or roads or any diversions, extinguishments or creation of rights of way or public rights of navigation</p>	<p><b>Access and Rights of Way Plans (Document Reference 2.4)</b></p>

	<p>alignment of the development and works; and</p> <p>(ii) the limits within which the development and works may be carried out and any limits of deviation provided for in the draft DCO</p>				
	<p>Is this of a satisfactory standard?</p>			<p>Is this of a satisfactory standard?</p>	
<p>l)</p>	<p>Where applicable, a plan with accompanying information identifying:-</p> <p>(i) any statutory/ non-statutory sites or features of nature conservation eg sites of geological/ landscape importance;</p> <p>(ii) habitats of protected species, important habitats or other</p>	<p><b>Environmental Features Plan (Document Reference 2.7)</b></p> <p><b>ES Chapter 7 Terrestrial Biodiversity (Document Reference 6.1.7)</b></p> <p><b>ES Chapter 8 Marine Biodiversity (Document Reference 6.1.8)</b></p> <p><b>ES Chapter 11 Water Environment and Flood Risk (Document Reference 6.1.11)</b></p> <p><b>Water Framework Directive - Impact Assessment (Appendix 11-1 of ES (Document Reference 6.3)</b></p>	<p>m)</p>	<p>Where applicable, a plan with accompanying information identifying any statutory/ non-statutory sites or features of the historic environment, (eg scheduled monuments, World Heritage sites, listed buildings, archaeological sites and registered battlefields) together with an assessment of any effects on such sites, features or structures likely to be caused by the Proposed Development</p>	<p><b>ES Chapter 9 Historic Environment (Document Reference 6.2.9)</b></p> <p><b>Historic Environmental Desk Based Assessment (Document Reference 6.3 Appendix 9-1)</b></p> <p><b>Environmental Features Plans (Document Reference 2.7)</b></p>

n)	<p>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>		o)		
	<p>Is this of a satisfactory standard?</p>			<p>Is this of a satisfactory standard?</p>	
	<p>Where applicable, a plan with any accompanying information identifying any Crown land</p>	<p>Not Applicable</p>		<p>Any other plans, drawings and sections necessary to describe the development consent proposal showing details of design, external appearance, and the preferred layout of buildings/ structures, drainage, surface water management, means of vehicular and pedestrian access, any car parking and landscaping</p>	<p><b>Site Location Plan (Document Reference 2.1)</b></p> <p><b>Engineering Plans: Indicative Equipment Layout (Document Reference 2.5)</b></p> <p><b>Traffic Regulation Measures (Document Reference 2.6)</b></p> <p><b>Extended Crossness Local Nature Reserve Plan (Document Reference 2.9)</b></p> <p><b>Engineering Plans: Elevations (Document Reference 2.10)</b></p> <p><b>Engineering Plans: Proposed Export</b></p>



p)			q)		<b>Jetty Indicative Elevations (Document Reference 2.12)</b>
	Is this of a satisfactory standard?			Are they of a satisfactory standard?	
	Any of the documents prescribed by Regulation 6 of the APFP Regulations:	N/A		Any other documents considered necessary to support the application	<b>Covering Letter (Document Reference 1.1)</b> <b>Application Form (Document Reference 1.2)</b> <b>Application Guide (Document Reference 1.3)</b> <b>Application Document Tracker (Document Reference 1.4)</b> <b>Electronic Application Index (Document Reference 1.5)</b> <b>Section 55 Checklist (Document Reference 1.6)</b> <b>Glossary (Document Reference 1.7)</b> <b>Consultation Report (Document Reference 5.1)</b> <b>Planning Statement (Document Reference 5.2)</b> <b>Policy Accordance Tracker (Document Reference 5.3)</b> <b>Project Benefits Report (Document Reference 5.4)</b>

				<p><b>Other Consents and Licences (Document Reference 5.5)</b></p> <p><b>Design Approach Document (Document Reference 5.6)</b></p> <p><b>Design Principles and Design Code (Document Reference 5.7)</b></p> <p><b>Potential main issues for the Examination (PMIE) (Document Reference 5.8)</b></p> <p><b>Heads of Terms for development consent obligation (106 agreement) Document Reference 7.1)</b></p> <p><b>Outline Drainage Strategy (Document Reference 7.2)</b></p> <p><b>Outline Lighting Strategy (Document Reference 7.3)</b></p> <p><b>Outline Code of Constuction Practice (Document Reference 7.4)</b></p> <p><b>Terrestrial Site Alternatives Report (Document Reference 7.5)</b></p> <p><b>Jetty Site Alternatives Report (Document Reference 7.6)</b></p> <p><b>Framework Construction Traffic Management Plan (Document Reference 7.7)</b></p> <p><b>Mitigation Schedule (Document Reference 7.8)</b></p>
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				<p><b>Outline Landscape, Access, Biodiversity and Recreation Delivery Strategy (Document Reference 7.9)</b></p> <p><b>Outline Site Waste Management Plan (Document Reference 7.10)</b></p> <p><b>Outline Emergency Preparedness and Response Plan (Document Reference 7.11)</b></p>
	Are they of a satisfactory standard?			Are they of a satisfactory standard?
30	Are there any observations in respect of the documents provided at Box 29 (a) to (q) above?			
	N/A			
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)? <sup>14</sup>	Yes, report called <b>Information to Inform HRA (Appendix 7-3 of Environmental Statement (Document Reference 6.3))</b> has been provided. The report provides the Competent Authority with the information it needs to inform an assessment of likely significant effects associated with the Proposed Scheme on statutory designated sites of national importance, including Ramsar wetland sites, and to make an appropriate assessment of the implications of the Proposed Scheme on these sites both alone and in-combination with other plans and projects.		

<sup>14</sup> Regulation 5(2)(g) of the APFP Regulations

32	If requested by the Planning Inspectorate, two paper copies of the application form and other supporting documents and plans <sup>15</sup>	The Planning Inspectorate Advice Note 6 confirms that PINS are committed to 'digital by default' approach and no longer requires Applicants to submit their application documents in printed copy at the point of submission. PINS has not instructed the Applicant to submit any application documents by any method other than File Transfer so paper copies are therefore not required.
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  the 'Planning Act 2008: Application form guidance' has been complied with as part of preparations for this Application.
34	<b>Summary - s55(3)(f) and s55(5A)</b>	The Applicant has complied with s55(3)(f) and s55(5A) of the PA 2008.
<b>The Infrastructure Planning (Fees) Regulations 2010 (as amended)</b>		
<b>Fees to accompany an application</b>		
35	Was the fee paid at the same time that the application was made <sup>16</sup> ?	The Applicant has paid the fee at the time that the application was made.

<b>Role</b>	<b>Electronic signature</b>	<b>Date</b>
Case Manager		
Acceptance Inspector		

<sup>15</sup> Regulation 5(2)(r) of the APFP Regulations

<sup>16</sup> 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



## DECARBONISATION

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