

Gate Burton Energy Park EN010131

Covering Letter and Section 55 Checklist
Document Reference: EN010131/APP/1.1
January 2023

Regulation 5(2)(q)
Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009



Prepared for:

Gate Burton Energy Park Limited

Prepared by:

AECOM Limited

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Gate Burton Energy Park Limited
Stirling Square
5-7 Carlton Gardens
London
SW1Y 5AD

27 January 2023

Paige Hanlon
National Infrastructure Directorate
The Planning Inspectorate
Temple Quay House
Temple Quay
Bristol
BS1 6PN

FAO: gateburtonsolar@planninginspectorate.gov.uk

Dear Paige

Planning Act 2008 – Application for a Development Consent Order for Gate Burton Energy Park

Application Ref: EN010131

We are pleased to enclose an application from Gate Burton Energy Park Limited (company number 12660764) (the Applicant) for a Development Consent Order (DCO) (the Application) pursuant to section 37 of the Planning Act 2008 (PA 2008) for the proposed Gate Burton Energy Park (the Scheme).

Subject of the Application

- 1.1.1 Gate Burton Energy Park is a proposed solar photovoltaic electricity generating facility. The Application is for development consent to construct, operate, maintain and decommission ground mounted solar photovoltaic (PV) panel arrays, on-site battery storage and associated infrastructure. Associated infrastructure includes, but is not limited to, access provision and an underground 400kV electrical connection of approximately 7.5km to the Cottam National Grid Substation.
- 1.1.2 A detailed technical description of the Scheme is included within **Chapter 2** of the **Environmental Statement (ES) [EN010131/APP/3.1]**. An overview of the Scheme and its environmental impacts is provided in the **ES Non-Technical Summary [EN010131/APP/3.4]**.
- 1.1.3 The Scheme will make a substantial contribution of renewable energy (with a capacity of 531MW) to the National Electricity Transmission System by 2030. The Application is accompanied by a **Statement of Need**

[EN010131/APP/2.1] which provides further detail on the need for Gate Burton Energy Park. The **Statement of Need** concludes:

“The conclusion reached is that a significant capacity of low-carbon solar generation is urgently needed in the UK, and that developing the Scheme as proposed will be an essential near-term step in meeting that urgent need and the government objectives of delivering sustainable development to enable decarbonisation. By doing so, the Scheme will contribute to addressing the climate change emergency that affects everyone’s lives and the environment, by ensuring our energy supply is secure, low-carbon and low-cost. The Scheme’s contribution to addressing the need for new renewable energy should be afforded significant weight when the Secretary of State considers matters which are important and relevant in his decision making process.”

- 1.1.4 A DCO Application is required because the Scheme is classified as a Nationally Significant Infrastructure Project (NSIP) pursuant to sub-sections 14(1)(a) and 15(1) and (2) of the PA 2008, as an onshore generating station in England that does not generate electricity from wind and has a capacity exceeding 50 megawatts (MW). The decision whether to grant development consent will be made by the Secretary of State for Business, Energy and Industrial Strategy (Secretary of State). The NSIP and associated development are formally described in **Schedule 1 of the draft DCO [EN010131/APP/6.1]**.
- 1.1.5 The Scheme is Environmental Impact Assessment (EIA) development, so the Application is accompanied by an ES in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017.
- 1.1.6 A Section 55 Checklist is provided in Appendix A of this cover letter to assist with the Planning Inspectorate’s compliance check of the Application.

1.2 Application fee and documents enclosed

- 1.2.1 The application has been submitted electronically using WeTransfer as agreed with the Planning Inspectorate in advance of submission.
- 1.2.2 A fee of £7,488 was submitted to the account of the Planning Inspectorate on 17 January 2023. The Planning Inspectorate confirmed on 23 January 2023 that the fee had been received.

1.3 Application formalities

- 1.3.1 The Application is made in the form required by Section 37(3)(b) of the PA 2008 and the application documents comply with the requirements in Section 37 of the PA 2008 and those set out in:
- The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the APFP Regulations);
 - The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations);
 - The Department for Communities and Local Government Guidance ‘Planning Act 2008: guidance on the pre-application process’ (March 2015)

- The Department for Communities and Local Government's (DCLG) 'Planning Act 2008: Nationally significant infrastructure projects – Application form guidance' (June 2013);
- 1.3.2 Regard has also been had to the Planning Inspectorate's 'Advice Note Six: Preparation and submission of application documents' (September 2021).
- 1.3.3 The Applicant confirms that the Planning Inspectorate will be able to publish the Application (with any necessary redactions and minus any confidential documents) on the Planning Inspectorate's webpage from the point of acceptance.
- 1.3.4 There are two documents that contain confidential information in the Application, these documents are:
- Environmental Statement Appendix 8-H: Report on survey for breeding birds **[EN010131/APP/3.3]**; and
 - Environmental Statement Appendix 8-L: Badger Survey Report **[EN010131/APP/3.3]**.
- 1.3.5 These documents have been marked as red in the Electronic Index and the Guide to the Application to highlight their confidentiality.
- 1.3.6 In accordance with Advice Note 6: Preparation and submission of application documents a GIS file showing the Order limits was submitted to the Planning Inspectorate on 10 January 2023, more than 10 working days before the Application was submitted. In order to assist the Planning Inspectorate in their resourcing and handling of the Application a draft Electronic Index was submitted alongside the GIS file.

1.4 Changes to the Electronic Index Since Draft Issued on 10 January 2023

- 1.4.1 Since submission of the Draft Electronic Index a small number of additional files have been added to the Index. For ease of reference these additional files are described below.
- 1.4.2 On 11 January 2023 a discussion was held with Lincolnshire County Council on the approach to Statements of Common Ground and it was agreed that separate Statements of Common Ground would be submitted for Lincolnshire County Council and West Lincolnshire District Council. This decision was taken to reduce the complexity of sign off processes at local authorities in recognition of the number of DCO applications in preparation in the area and the pressure that this will put on local authority resources.

Doc Name (Index: 10 Jan)	Doc Name (Index: 10 Jan)	Submission Version	Nature of change
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4.3A Draft SoCG: West Lindsey & LCC	4.3A Draft SoCG: West Lindsey District Council		Name change (one LPA rather than two)
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N/A	4.3H: Draft Lincolnshire Council		SoCG: New document County
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1.4.3 A person with a land interest has also requested that their personal information be redacted from all documents. We are aware that the Planning Inspectorate redacts personal information as standard but that this does not apply to the Book of Reference. In recognition of this request we have also attached a version of the following documents with that land interest’s details redacted for use by the Planning Inspectorate. The two versions of each are recorded on the Electronic Index.

- Consultation Report Appendices F1-F3 **[EN010131/APP/4.2]**
- Book of Reference **[EN010131/APP/6.6]**

1.4.4 At the request of a number of residents photomontages were prepared from private properties, including from residents private gardens. Given that these photomontages contain private information and are not required for the Landscape and Visual Impact Assessment (or its Appendices) these have not been submitted. Figure 10-20 **[EN010131/APP/3.2]** therefore no longer contains this information.

1.4.5 Additional documents have also been added to the list under **[EN010131/APP/6.1]** to provide the draft DCO Statutory Instrument Checker and e-mail confirming that the draft DCO has passed the check.

1.4.6 Finally, a number of documents have been split into separate files to keep them under the 50MB limit.

1.4.7 All lines in the Electronic Index that have been added or with information removed since the issue of the draft Index have been highlighted in yellow.

1.5 Consent flexibility

1.5.1 A number of the design aspects and features of the Scheme cannot be confirmed until the tendering process for design and construction has been completed. Use of design parameters is therefore adopted to present a likely worst-case assessment of potential environmental effects of the Scheme that cannot yet be fixed. Wherever an element of flexibility is maintained, the likely worst-case impacts are reported in this ES.

1.5.2 The EIA has therefore been undertaken adopting the principles of the ‘Rochdale Envelope’, as described in the Planning Inspectorate Advice Note 9: Rochdale Envelope (July 2018). This involves assessing the maximum (and where relevant, minimum) parameters for the Scheme where flexibility needs to be retained.

1.5.3 The **draft DCO [EN010131/APP/6.1]** and supporting **Works Plans [EN010131/APP/5.2]** which form part of the Application propose an appropriate degree of flexibility to allow the Applicant to consider technological advancements which may occur post-consent.

1.5.4 An **Outline Design Principles document [EN010131/APP/2.3]** sets out the design parameters within which the Scheme is proposed to be constructed and operated, and these are secured by requirement 5 on the draft DCO **[EN010131/APP/6.1]**. The EIA undertaken to assess the environmental effects of the Scheme has considered and reflected the flexibility sought in these Outline Design Principles and the reasonable worst case has been assessed in the ES.

1.6 Habitats Regulations Assessment

1.6.1 A Pre-Screening Habitat Regulations Assessment (HRA) exercise was undertaken to identify any areas that have been internationally designated for nature conservation purposes (termed 'European Sites') that could be impacted by the Scheme.

1.6.2 No European Sites are present within 10 km of the Scheme. The nearest European site to the Scheme, Birklands & Bilhaugh Special Area of Conservation is located approximately 17.9 km from the Scheme and is designated for Old acidophilous Oak woods with *Quercus robur* on sandy plains.

1.6.3 The baseline evidence gathering did not identify any European Sites within a search area where they may be impacted by the construction, operation and decommissioning of the proposed Gate Burton Energy Park as described within Chapter 2 of the ES **[EN010131/APP/3.1]**. As such, the pre-screening Report concluded that there are no European Sites to be taken forward to Stage 1 – Screening for Likely Significant Effects.

1.6.4 This is reported in the **Habitats Regulations Assessment: No Significant Effects Report (HRA Report) [EN010131/APP/7.2]**, as required by Regulation 5(2)(g) of the Infrastructure Planning (Applications: Prescribed Forms and Procedures Regulations) (APFP Regulations).

1.7 Compulsory Acquisition

1.7.1 The land over which the Applicant is seeking powers of compulsory acquisition of land, rights and interests and powers of temporary possession in the **draft DCO [EN010131/APP/6.1]** is listed in the **Book of Reference [EN010131/APP/6.6]** and shown on the **Land Plans [EN010131/APP/5.6]**. The **Statement of Reasons [EN010131/APP/6.4]** also provides details of the powers sought and the Schedule of Negotiations and Powers Sought **[EN010131/APP/6.5]** provides an update on negotiations to date.

1.7.2 The **Book of Reference [EN010131/APP/6.6]** has been prepared and submitted in compliance with Regulation 5(2)(d) of the APFP Regulations, and in accordance with the Department for Communities and Local Government

guidance 'Planning Act 2008: Guidance related to procedures for compulsory acquisition of land' (September 2013).

- 1.7.3 Details of the adequacy of the funding for compensation are provided in the **Funding Statement [EN010131/APP/6.7]**. The Statement of Reasons and Funding Statement are submitted in compliance with Regulation 5(2)(h) of the APFP Regulations.

1.8 Other consents

- 1.8.1 A summary of other consents and licences likely to be required in addition to those being requested as part of the draft DCO is provided in the **Consents and Agreements Position Statement [EN010131/APP/6.3]**.

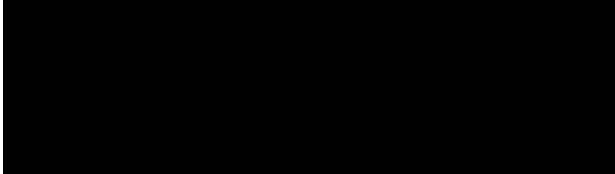
1.9 Pre-application consultation

- 1.9.1 The Applicant has had careful regard to the pre-application consultation requirements of the PA 2008, the guidance on pre-application consultation issued by the Planning Inspectorate, responses received during pre-application consultation and its pre-application discussions held with the Planning Inspectorate, as required by Section 50(3) and 55(4) of the PA 2008.
- 1.9.2 As required by Section 37(3)(c) of the PA 2008, the Application is accompanied by a **Consultation Report [EN010131/APP/4.1]**, which provides details of the Applicant's compliance with sections 42, 46, 47, 48 and 49 of the PA 2008, the APFP Regulations, the EIA Regulations, and the relevant guidance.
- 1.9.3 The responses of statutory and non-statutory consultees are listed and summarised in the Consultation Report and these have informed the design evolution of the Application and the Scheme.

1.10 Other matters

- 1.10.1 In accordance with Regulation 5(5) of the APFP Regulations, the Applicant retains all responses to the consultation carried out under Part 5 of the PA 2008 and can make them available at the request of the Planning Inspectorate and/or the Secretary of State.
- 1.10.2 The Applicant will keep all application documents under review and will endeavour to provide updates (where it considers it necessary to do so) during the examination of the Application considering questions and comments received from the Examining Authority and Interested Parties.
- 1.10.3 We look forward to hearing from you in relation to a formal acceptance of this Application. If we can be of any assistance, please do not hesitate to contact us using the details provided below.

Yours sincerely,



Lauren McGill

Project Development Manager, Gate Burton Energy Park Limited

0800 860 6259

info@gateburtonenergypark.com

Enclosure: Section 55 Checklist



The Planning Inspectorate
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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 ¹ (NSIP) (or does it form part of an NSIP); and does the application state on the face of it that it is an application for a Development Consent Order ² (DCO) under the Planning Act 2008 (the PA2008), or equivalent words? Does the application specify the development to which it relates (i.e. which category or categories in ss14 to 30 does the Proposed	Yes. Gate Burton Energy Park (the Scheme) is a Nationally Significant Infrastructure Project (NSIP) under sections 14(1)(a), 15(1) and 15(2) of the Planning Act 2008 (PA 2008), as it is an onshore generating station in England, that does not generate electricity from wind and has a capacity exceeding 50 megawatts (MW). The works that form the Scheme are set out in Schedule 1 of the draft DCO [EN010131/APP/6.1]. This is set out in the Application Form [EN010131/APP/1.2] and explained further in the Explanatory Memorandum [EN010131/APP/6.2]. The Covering Letter		

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>Development fall)?</p> <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>[EN010131/APP/1.1] states that this application (the Application) is for a development consent under the Planning Act 2008.</p> <p>A non-technical description of the Scheme is included in the Guide to the Application [EN010131/APP/1.2] and in the ES Non-Technical Summary [EN010131/APP/3.4]. A more detailed technical description of the Scheme is included in Chapter 2 of the Environmental Statement [EN010131/APP/3.1].</p>
3	<p>Summary: Section 55(3)(a) and s55(3)(c)</p>	<p>The Planning Inspectorate can be satisfied that the draft DCO [EN010131/APP/6.1] 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 Environmental Statement in respect of that development?</p>	<p>Yes. On 12 November 2021, the Applicant notified the Secretary of State (SoS) under Regulation 8(1)(b) of the Infrastructure Planning (Environmental Impact Assessment) regulations 2017 (EIA Regulations) that it proposes to provide an Environmental Statement (ES) in respect of the Scheme and by virtue of Regulation 6(2)(a), the Scheme is 'EIA development'.</p> <p>The Applicant also formally requested a Scoping Opinion from the Planning Inspectorate under Regulation 10 of the EIA Regulations, accompanied by the necessary information to inform the request, the Scoping Report. The Environmental Impact Assessment Scoping Report is provided in as Appendix 1-A to the Environmental Statement [EN010131/APP/3.3]. The Planning Inspectorate's Scoping Opinion, dated 20 December 2021, is also provided in Appendix 1-B to the Environmental Statement [EN010131/APP/3.3]. The Scoping Opinion acknowledges the Applicant's notice at paragraph 1.0.1. Notice of the Applicant's proposal to provide an Environmental Statement was given prior to carrying out consultation in accordance with s42 of the PA 2008.</p>

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

5	Have any Adequacy of Consultation Representations ⁴ been received from 'A', 'B', 'C' and 'D' local authorities; and if so, do they confirm that the Applicant has complied with the duties under s42, s47 and s48?	No such representations have been received by the Applicant. However, it is envisaged that the Planning Inspectorate will request upon submission of the Application that relevant local authorities provide an adequacy of consultation statement pursuant to s55(4)(b) of the PA 2008 and PINS Advice Note 14. The Applicant is not aware of any issues that the local authorities have had with the adequacy of consultation.
Section 42: Duty to consult		
Did the Applicant consult the applicable persons set out in s42 of the PA2008 about the proposed application?		
6	Section 42(1)(a) persons prescribed ⁵ ?	<p>Yes. The Applicant wrote to consultees under s42(1)(a) of the PA 2008 on 16 June 2022, setting out the background to the Scheme, the Applicant's intention to submit a DCO application, the fact that the Applicant had identified them as a consultee under s42(1)(a) of the PA 2008, the documents being provided as part of the consultation, and how to respond to the consultation. A copy of the letter issued is provided in Appendix F1 of the Consultation Report [EN010131/APP/4.1].</p> <p>The list of persons consulted was produced using Schedule 1 of the APFP Regulations 2009 and included consultation bodies identified under Regulation 11. When identifying prescribed consultees to receive consultation letters under Section 42(1)(a), the Applicant included consultation bodies and all persons notified to the Applicant in accordance with Regulation 11 of the EIA Regulations. The list of consultation bodies was provided by PINS on 20 December 2021 and is provided in Appendix A-4 of the Consultation Report [EN010131/APP/4.2].</p> <p>Regard was had to PINS Advice Note 3: EIA Notification and Consultation in identifying the consultation bodies.</p> <p>The Applicant enclosed with the letter a copy of the feedback form. The letter also confirmed that these documents, alongside the consultation booklet, plan showing the proposed Order limits, Preliminary Environmental Information Report (PEIR) and its non-technical summary, were available electronically on a website maintained by the</p>

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

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

		<p>Applicant, and the website address was provided.</p> <p>These parties were all also consulted as prescribed persons during the targeted statutory consultation on the Scheme which was held from 3 November 2022 until 13 December 2022. The full list of s42(1)(a) consultees consulted during targeted consultation is provided in Appendix I-24 of the Consultation Report [EN010131/APP/4.2].</p>
7	Section 42(1)(aa) the Marine Management Organisation ⁶ ?	<p>Yes. The Marine Management Organisation was included as a consultee given that the Order limits includes an area of the River Trent, which is tidal in that location. The MMO was sent the same information as for Section 42(1)(a) consultees above. The MMO was similarly consulted during targeted statutory consultation.</p>
8	Section 42(1)(b) each local authority within s43 ⁷ ?	<p>Yes. The Applicant wrote by Royal Mail delivery to consultees under s42(1)(b) of the PA 2008 on 16 June 2022, setting out the background to the Scheme, the Applicant's intention to submit a DCO application, the fact that the Applicant had identified them as a consultee under s42(1)(b) of the PA 2008, the documents being provided as part of the consultation, and how to respond to the consultation.</p> <p>The Applicant enclosed with the letter a feedback form. The letter also confirmed that these documents, alongside the consultation booklet, plan showing the Order limits, PEIR and its non-technical summary, were available electronically on a website maintained by the Applicant, and the website address was provided.</p> <p>All s42(1)(b) local authorities were also consulted during the targeted statutory consultation on the Scheme which was held from 3 November to 13 December 2022. The full list of s42(1)(b) consultees consulted during targeted consultation is provided in Appendix I-24 of the Consultation Report [EN010131/APP/4.2].</p>
9	Section 42(1)(c) the Greater London Authority (if in Greater London area)?	<p>Not applicable – the Scheme does not fall within Greater London, therefore the Greater London Authority is not a relevant consultee in respect of the Scheme.</p>

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

10	Section 42(1)(d) each person in one or more of s44 categories ⁸ ?	<p>Yes. As explained in Section 7 of the Consultation Report [EN010131/APP/4.1] in line with section 42(1)(d) of the PA 2008, the Applicant consulted with landowners, lessees, tenants or occupiers (Category 1 persons, as per s44(1)); those with an interest in the land or certain powers with respect to the land (Category 2 persons, s44(2)); and those who the Applicant considered would or might be entitled to make a relevant claim under s44(4) (Category 3 persons).</p> <p>The process of identifying Section 42(1)(d) consultees is set out in Section 7.5 of the Consultation Report [EN010131/APP/4.1].</p> <p>The Applicant wrote by Royal Mail delivery to consultees identified under s42(1)(d) of the PA 2008 before the start of consultation on 22 June 2022 setting out the background to the Scheme, the Applicant's intention to submit a DCO application, the fact that the Applicant had identified them as a consultee under s42(1)(d) of the PA 2008, the documents being provided as part of the consultation, and how to respond to the consultation.</p> <p>The Applicant enclosed with the letter a feedback form. The letter also confirmed that these documents, alongside the consultation booklet, plan showing the Order limits, PEIR and its non-technical summary, were available electronically on a website maintained by the Applicant, and the website address was provided.</p> <p>All relevant interests with the potential to make a claim under section 10 of the Compulsory Purchase Act 1965 because they are in benefit of a restrictive right or covenant over land within the Order limits, have been included within the Book of Reference [EN010131/APP/6.6] as Category 2 or Category 3 persons.</p> <p>All relevant interests with the potential to make a claim under section 152(3) of the PA 2008 because they are in benefit of a restrictive covenant over land within the Order limits, have been included within the Book of Reference [EN010131/APP/6.6] as Category 2 and Category 3 persons.</p> <p>Section 42(1)(d) parties were also consulted during the targeted statutory consultation held between 3 November and 13 December 2022 where their interest in land had the</p>
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⁸ Category 1: owner, lessee, tenant or occupier of land; Category 2: person interested in the land or has power to sell and convey the land or to release the land; Category 3: persons who would or might be entitled to make a relevant claim. There is no requirement on the Planning Inspectorate to check the accuracy of the list(s) provided or whether the Applicant has made diligent inquiry

potential to be affected by the changes to the Order limits.

Section 45: Timetable for s42 consultation

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. The Applicant wrote formally to all consultees identified under s42 of the PA 2008 ahead of statutory consultation starting on 22 June to notify them of the consultation. The Applicant notified s42 consultees that its deadline for receipt of consultation responses was 5 August 2022. The deadline was more than 28 days after the day after receipt of the consultation documents by s42 consultees.</p> <p>Following the statutory consultation, the Applicant made a number of minor changes to the Order limits having regard to feedback from the consultation, and in light of further work on the Scheme's design and environmental impacts. The Applicant wrote to the full list of prescribed consultees and local authorities under Section 42(1)(a), (aa) and (b); and parties under Section 42(1)(d) (where their interest in land had the potential to be affected by the changes to the Order limits) of the Planning Act 2008 to notify them of the changes and invited comment between 3 November 2022 and 13 December 2022. This period exceeded the 28 day period that starts after the day after receipt of the documents.</p> <p>Where new Section 42(1)(d) land interests were identified as a result of ongoing due diligence the parties were written to and provided with at least 28 days to respond to the consultation. The date by which a response must be provided was included in each letter. Consultation Report Appendix F-2 [EN010131/APP/4.2] identifies s42(1)(d) consultees and includes the date that the individual was consulted.</p> <p>Examples of letters issued to each party are provided in Appendix F-3 of the Consultation Report [EN010131/APP/4.2].</p> <p>Each of the letters issued to the section 42 consultees clearly stated a deadline for the receipt of consultation responses.</p>
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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	Yes. As explained in Section 7 of the Consultation Report [EN010131/APP/4.1], the Applicant wrote to the Planning Inspectorate (PINS) on 16 June 2022 providing details of its intention to submit an application for development consent and the consultation,
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	Planning Inspectorate on or before the date it was sent to the s42 consultees? Was this done on or before commencing consultation under s42?	including a list of consultation documents and dates. Follow up emails to PINS containing consultation documents were then issued on 21 June 2022. The Applicant received an acknowledgement of the receipt of its notification under section 46 of PA 2008 on 22 June 2022. The information was therefore provided to PINS before the start of the consultation on 22 June 2022, when all documents including the PEIR, were available online to view by S42 consultees and others. A copy of the letter and emails sent to PINS are provided in Appendix A of the Consultation Report [EN010131/APP/4.2] .
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. In accordance with section 47(1) of the Planning Act 2008, a Statement of Community Consultation (SoCC) was prepared in consultation with West Lindsey District Council, Lincolnshire County Council, Bassetlaw District Council and Nottinghamshire County Council, 'the host authorities'. This set out how the Applicant proposed to consult on the Scheme with the relevant local authorities. Further detail on the SoCC is provided in Section 5 of the Consultation Report [EN010131/APP/4.1]. A copy of the SoCC is provided in Appendix D-1 of the Consultation Report [EN010131/APP/4.2].</p> <p>When the SoCC was published on 8 June 2022 the Applicant also issued an email to all Parish Councils to advise them that the SoCC had been published, attaching a PDF copy of the SoCC and section 47 notice (as well as a link to where it could be found on the project website) plus details of the five document inspection locations where copies were lodged.</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. As outlined by Section 5 of the Consultation Report [EN010131/APP/4.1], the Applicant wrote to the following local authorities on 11 April 2022 enclosing a copy of the draft SoCC and requesting comments by 13 May 2022, providing more than the statutory 28-day response period for comments:</p> <ul style="list-style-type: none"> • 'B' authorities: West Lindsey District Council and Bassetlaw District Council; and • 'C' authorities: Lincolnshire County Council and Nottinghamshire County Council.

		<p>A copy of the consultation letter sent to each local authority and the draft SoCC is included in Appendix C-3 of the Consultation Report [EN010131/APP/4.1].</p> <p>As outlined in Section 5 of the Consultation Report [EN010131/APP/4.1], the Applicant received responses to the draft SoCC from Lincolnshire County Council, West Lindsey District Council and Bassetlaw District Council by the deadline of 13 May 2022. Following contact by the Applicant, Nottingham County Council advised by email on 16 April 2022 it had no further comments on the SoCC to those provided informally by email on 8 April 2022 (which the Applicant also had regard to).</p> <p>Copies of the responses from each of the host authorities are included in Appendix C-4 of the Consultation Report [EN010131/APP/4.1].</p>
15	Has the Applicant had regard to any responses received when preparing the SoCC?	<p>Yes. The Applicant has had regard to all responses from local authorities consulted on the draft SoCC. Appendices C-4 and C-5 of the Consultation Report [EN010131/APP/4.1] provides the comments received from the local authorities and how the Applicant has had regard to them.</p>
16	Has the SoCC been made available for inspection in a way that is reasonably convenient for people living in the vicinity of the land; and has a notice been published in a newspaper circulating in the vicinity of the land which states where and when the SoCC can be inspected?	<p>Yes. The Applicant made the SoCC publicly available on its website [REDACTED] from 8 June 2022.</p> <p>Printed copies of the SoCC were lodged and available at the document inspection locations outlined in Section 6 of the Consultation Report [EN010131/APP/4.1]</p> <p>The Applicant also publicised a notice stating where and when the SoCC could be inspected in newspapers circulated in the vicinity of the land, as follows:</p> <ul style="list-style-type: none"> • Market Rasen Mail (published 8 June 2022); • Lincolnshire Echo (published 9 June 2022); • Retford Times (published 9 June 2022); and • Gainsborough Standard (published 9 June 2022). <p>Copies of the final SoCC notices as published (which confirm the name of the publication and the date) are provided within Appendix D-2 of the Consultation Report [EN010131/APP/4.2].</p>

17	Does the SoCC set out whether the development is EIA development ⁹ ; and does it set out how the Applicant intends to publicise and consult on the Preliminary Environmental Information?	<p>Yes. In Section 1.8 on page 4 of the SoCC it is stated that:</p> <p><i>“The Project is ‘EIA development’ for the purposes of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017. An environmental impact assessment is being undertaken and the results of the EIA will be presented in an environmental statement accompanying the DCO application.”</i></p> <p>Section 9 sets out how the Applicant will consult:</p> <p><i>“During Stage Two consultation we will provide information about the consultation and the proposals being consulted utilising a range of methods we consider will ensure that people living and working within vicinity of the Project will be adequately consulted in accordance with Section 47 of the PA 2008.”</i></p> <p>Table 9.4 and Table 9.5 sets out the consultation publicity. Table 9.1 sets out the consultation documents availability. Paragraphs 9.19 to 9.22 set out the consultation techniques employed by the Applicant which included providing copies of the consultation materials, including the PEIR and Non-Technical Summary of the PEIR.</p> <p>A copy of the published SoCC can be found in Appendix D-1 of the Consultation Report [EN010131/APP/4.2].</p>
18	Has the Applicant carried out the consultation in accordance with the SoCC?	Yes. Table 5-3 of the Consultation Report [EN0101/APP/4.1] provides details of commitments made in the SoCC and how the Applicant fulfilled these.
Section 48: Duty to publicise the proposed application		
19	Did the Applicant publicise the proposed application in the prescribed manner set out in Regulation 4(2) of the APFP Regulations?	Yes. The Applicant publicised the proposed application in accordance with the requirements of section 48 of the PA 2008 and Regulation 4 of the APFP Regulations as outlined below. Copies of all newspaper notices are included in Appendix E of the Consultation Report [EN0101/APP/4.2] .
Newspaper(s) Date		
a)	for at least two successive weeks in one or more local	Market Rasen Mail 8 and 15 June

⁹ Regulation 12 of the 2017 EIA Regulations, or where Regulation 37 of the 2017 EIA Regulations applies, Regulation 10 of the 2009 EIA Regulations

	newspapers circulating in the vicinity in which the Proposed Development would be situated;	Lincolnshire Echo Retford Times Gainsborough Standard	2022 9 and 16 June 2022 9 and 16 June 2022 9 and 16 June 2022		
b)	once in a national newspaper;	The Guardian	11 June 2022		
c)	once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and	The London Gazette No land in Scotland is affected by the Scheme, and there was therefore no requirement to publish in the Edinburgh Gazette.	15 June 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 – the Scheme does not relate to offshore development.	N/A		
20	Did the s48 notice include the required information set out in Regulation 4(3) of APFP Regulations?	Yes. Copies of the published s48 notices set out above are provided within Appendix E-21 of the Consultation Report [EN010131/APP/4.2]. Those notices contained the required information as set out in Regulation 4(3).			
	Information	Paragraph	Information	Paragraph	
a)	the name and address of the Applicant.	First paragraph (beginning: Gate Burton Energy Park Limited)	b)	a statement that the Applicant intends to make an application for development consent to the Secretary of State	First paragraph (beginning: Gate Burton Energy Park Limited)

c)	a statement as to whether the application is EIA development	Fifth paragraph (beginning: The Scheme is an Environmental Impact Development)	d)	a summary of the main proposals, specifying the location or route of the Scheme	Third paragraph (beginning The Scheme's main proposals...) for the main proposals and second paragraph (beginning The Application is for...') for the location
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	Eighth paragraph (beginning 'Copies of all consultation documents') Thirteenth and fourteenth paragraph for telephone number for enquiries related to documents, plans and maps. In accordance with the requirements of the APFP Regulations, all documents, plans and maps were available for inspection free of charge at all times during the statutory consultation period on a website hosted by or on behalf of the Applicant.	f)	the latest date on which those documents, plans and maps will be available for inspection on the website	Seventh paragraph (beginning: Copies of all consultation documents)
g)	whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge	Twelfth paragraph (beginning: Requests for hard copies)	h)	details of how to respond to the publicity	Thirteenth paragraph (beginning: Any person may comment)
i)	a deadline for receipt of those responses by the Applicant, being not less than 28 days following the	Thirteenth paragraph (beginning: Any person may comment)			

	date when the notice is last published		
21	Are there any observations in respect of the s48 notice provided above?		
	The notice accords with Section 48 of the Planning Act 2008.		
22	Has a copy of the s48 notice been sent to the EIA consultation bodies and to any person notified to the Applicant in accordance with the EIA Regulations ¹⁰ ?	<p>The relevant consultation bodies were sent a copy of the Section 48 Notice.</p> <p>A copy of the Section 48 Notice is provided in Appendix G of the Consultation Report [EN010131/APP/4.2].</p> <p>When identifying consultation bodies to receive consultation letters under Section 42(a) of the PA 2008 and the Section 48 notice, the Applicant included consultation bodies and all persons notified to the Applicant in accordance with Regulation 11 of the EIA Regulations. The list of consultation bodies was provided by PINS on 20 December 2021 and is provided in Appendix A-4 of the Consultation Report [EN010131/APP/4.2].</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. All responses received to the Consultation under section 42, section 47 and section 48 of the PA 2008 have been considered by the Applicant.</p> <p>Chapter 9 of the Consultation Report [EN010131/APP/4.1] provides a summary of matters raised by consultees consulted under section 42, section 47 and section 48 of the PA 2008. These responses are sorted by theme, setting out how regard has been had to the responses by the Applicant in line with section 49 of the PA 2008, as well as whether they have led to a change to the Scheme. The Applicant did not receive any feedback that could be identified as being specifically submitted as a result of the publicity required by s48 of PA 2008.</p>	
Guidance about pre-application procedure			

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

24	To what extent has the Applicant had regard to statutory guidance 'Planning Act 2008: Guidance on the pre-application process' ¹¹ ?	Section 12 of the Consultation Report [EN010131/APP/4.1] evidences how the Applicant has complied with MHCLG 'Planning Act 2008: Guidance on the pre-application process' published March 2015.
25	Summary: Section 55(3)(e)	The Planning Inspectorate can be satisfied that the Applicant has complied with Chapter 2 of Part 5 (pre-application procedure) of the PA 2008.
s55(3)(f) and s55(5A): The application (including accompaniments) achieves a satisfactory standard having regard to the extent to which it complies with section 37(3) (form and contents of application) and with any standards set under section 37(5) and follows any applicable guidance under section 37(4)		
26	Is it made in the prescribed form as set out in Schedule 2 of the APFP Regulations, and does it include: <ul style="list-style-type: none"> a brief statement which explains why it falls within the remit of the Planning Inspectorate; and a brief statement that clearly identifies the location of the application site, or the route if it is a linear scheme? 	Yes. The Application is made in the prescribed form as set out in Schedule 2 of the APFP Regulations. A statement that explains why the application falls within the remit of the Secretary of State is provided in Section 4 of the Application Form [EN010131/APP/1.2] and the Cover Letter [EN010131/APP/1.1], amongst other locations within the documentation. Section 6 of the Application Form provides a brief statement that describes the location of the Scheme. The location of the Scheme is also shown on the Location Plan [EN010131/APP/5.1].
27	Is it accompanied by a Consultation Report?	Yes. A Consultation Report [EN010131/APP/4.1] and Appendices to the Consultation Report [EN010131/APP/4.2] are provided with the Application.
28	Where a plan comprises three or more separate sheets, has a key plan been provided showing the relationship between the different sheets? ¹²	Yes; key plans have been provided for all plans containing three or more sheets including in the Statutory and Non Statutory Nature Conservation Sites Plan [EN010131/APP/3.6]; Statutory and Non-Statutory Historic Sites Plan [EN010131/APP/3.7]; TPO and Hedgerow Plan [EN010131/APP/3.8]; Waterbodies in a River Base Management Plan [EN010131/APP/3.9]; Location Plan [EN010131/APP/5.1]; Works Plan [EN010131/APP/5.2], Streets, Rights of Way and Access Plan [EN010131/APP/5.3]; Traffic Regulation Measures Plans [EN010131/APP/5.5]; Land Plans [EN010131/APP/5.6]; and Crown Land Plans

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

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

		[EN010131/APP/5.7],
29	Is it accompanied by the documents and information set out in APFP Regulation 5(2)?	Yes. The documents and information required by APFP Regulation 5(2) are set out as listed below. The Guide to the Application [EN010131/APP/1.3] and the Electronic Index [EN010131/APP/1.4] list the documentation submitted with the respective Document References and APFP Regulation references.
Information		Document
a)	Where applicable, the Environmental Statement required under the EIA Regulations ¹³ and any scoping or screening opinions or directions	An Environmental Statement [EN010131/APP/3.1] and supporting appendices [EN010131/APP/3.3], figures [EN010106/APP/3.2] and a Non-Technical Summary [EN010131/APP/3.4] have been submitted with the DCO Application. The Environmental Statement is based on the Scoping Report, provided in Appendix 1A of the ES [EN010131/APP/3.3] and Scoping Opinion, provided in Appendix 1B of the ES [EN010131/APP/3.3]. The individual topic chapters in the ES [EN010131/APP/3.1] provide a tabulated summary of scoping comments relevant to that chapter and how the comments have been complied with.
	Is this of a satisfactory standard?	PINS can be satisfied that it is of a satisfactory standard.
c)	An Explanatory	An Explanatory Memorandum to the
Information		Document
b)	The draft Development Consent Order (DCO)	The DCO Application is accompanied by the Draft Development Consent Order [EN010131/APP/6.1] in the validated statutory instrument template.
	Is this of a satisfactory standard?	PINS can be satisfied that it is of a satisfactory standard.
d)	Where applicable, a Book	A Book of Reference is provided

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

	Memorandum explaining the purpose and effect of provisions in the draft DCO	draft Development Consent Order [EN010131/APP/6.2] has been submitted with the DCO Application which explains the purpose and effect of the provisions of the draft Development Consent Order [EN010131/APP/6.1] .		of Reference (where the application involves any Compulsory Acquisition)	[EN010131/APP/6.6] and meets the requirements of DCLG's Planning Act 2008: guidance related to procedures for the compulsory acquisition of land.
	Is this of a satisfactory standard?	PINS can be satisfied that it is of a satisfactory standard.		Is this of a satisfactory standard?	PINS can be satisfied that it is of a satisfactory standard.
e)	A copy of any Flood Risk Assessment	A Flood Risk Assessment is provided at Appendix 9-D of the Environmental Statement [EN010131/APP/3.3] .	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	A Statutory Nuisance Statement [EN010131/APP/3.5] is provided with the Application.
	Is this of a satisfactory standard?	PINS can be satisfied that it is of a satisfactory standard.		Is this of a satisfactory standard?	PINS can be satisfied that it is of a satisfactory standard.
h)	A Statement of Reasons and a Funding Statement (where the application involves any Compulsory Acquisition)	The Application is accompanied by a Statement of Reasons [EN010131/APP/6.4] and a Funding Statement [EN010131/APP/6.7] .	i)	A Land Plan identifying:- (i) the land required for, or affected by, the Proposed Development; (ii) where applicable, any land over which it is proposed to exercise powers of Compulsory Acquisition or any	The DCO Application is accompanied by the Land Plans [EN010131/APP/5.6] showing the land required / affected by the Scheme. These are in accordance with Regulation 5(2)(i) of the APFP Regulations. Plots and descriptions listed within the Book of Reference [EN010131/APP/6.6] are consistent with the plots shown on the Land Plans. There is no special category land within

			<p>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>	the Order limits so no replacement land is required.
	Is this of a satisfactory standard?	PINS can be satisfied that it is of a satisfactory standard.	Is this of a satisfactory standard?	PINS can be satisfied that it is of a satisfactory standard.
j)	<p>A Works Plan showing, in relation to existing features:-</p> <p>(i) the proposed location or (for a linear scheme) the proposed route and alignment of the development and works; and</p> <p>(ii) the limits within which the development and works may be carried out and any limits of deviation provided for in the draft DCO</p>	The DCO Application is accompanied by the Works Plan [EN010131/APP/5.2] . The Works Plans accord with Regulation 5(2)(j) of the APFP Regulations and show the proposed location of the development and the limits within which the works are proposed to be carried out.	k)	<p>Where applicable, a plan identifying any new or altered means of access, stopping up of streets or roads or any diversions, extinguishments or creation of rights of way or public rights of navigation</p> <p>The DCO Application is accompanied by the Streets, Rights of Way and Access Plans [EN010131/APP/5.3]. These are in accordance with Regulation 5(2)(k) of the APFP Regulations</p>
	Is this of a satisfactory standard?	PINS can be satisfied that it is of a satisfactory standard.	Is this of a satisfactory standard?	PINS can be satisfied that it is of a satisfactory standard.

l)	<p>Where applicable, a plan with accompanying information identifying:-</p> <p>(i) any statutory/ non-statutory sites or features of nature conservation e.g. sites of geological/ 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>The DCO Application is accompanied by a Statutory and Non-Statutory Nature Conservation Sites Plans [EN010131/APP/3.6].</p> <p>Plans and accompanying information on the habitats of protected species, important habitats and other diversity features is provided in Chapter 8: Ecology and Nature Conservation of the ES [EN010131/APP/3.1] and its associated Figures [EN010131/APP/3.2] and Appendices [EN010131/APP/3.3].</p> <p>The DCO Application is accompanied by a Waterbodies in a River Basin Management Plan [EN010131/APP/3.9] meeting requirement iii.</p> <p>The assessment of effects on such sites and features are provided in the following chapters of the ES [EN010131/APP/3.1] respectively Chapter 8: Ecology (nature conservation and habitats); Chapter 9: Water Environment (water bodies).</p>	m)	<p>Where applicable, a plan with accompanying information identifying any statutory/ non-statutory sites or features of the historic environment, (e.g. 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>The DCO Application is accompanied by a Statutory and Non-Statutory Historic Sites Plan [EN010131/APP/3.7].</p> <p>The assessment of the Scheme's effects on these sites and features required by this regulation is presented in Chapter 7: Cultural Heritage of the ES [EN010131/APP/3.1].</p>
	Is this of a satisfactory standard?	PINS can be satisfied that it is of a satisfactory standard.		Is this of a satisfactory standard?	PINS can be satisfied that it is of a satisfactory standard.
n)	Where applicable, a plan with any accompanying information identifying any	The DCO Application is accompanied by the Crown Land Plans [EN010131/APP/5.7] .	o)	Any other plans, drawings and sections necessary to describe the development consent proposal showing	The DCO Application is accompanied by the following plans and drawings which are provided under Regulation 5(2)(o) of the ACPF Regulations 2009 (as

	Crown land		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	amended): Location Plan [EN010131/APP/5.1] A TPO and Hedgerow Plan [EN010131/APP/3.8] Engineering Section Drawings [EN010131/APP/5.4] Traffic Regulation Orders Plans [EN010131/APP/5.5]
	Is this of a satisfactory standard?	PINS can be satisfied that it is of a satisfactory standard.	Are they of a satisfactory standard?	PINS can be satisfied that it is of a satisfactory standard.
p)	Any of the documents prescribed by Regulation 6 of the APFP Regulations:	A Grid Connection Statement [EN010131/APP/7.11] accompanies the DCO Application.	q) Any other documents considered necessary to support the application	Volumes 1, 2, 4, 6 and 7 of the DCO Application contain additional documents considered necessary to support the Application. These are listed below: Covering Letter and this Section 55 Checklist [EN010131/APP/1.1] Guide to the Application [EN010131/APP/1.3] Electronic Index [EN010131/APP/1.4] Statement of Need [EN010131/APP/2.1] Planning, Design and Access Statement [EN0101/APP/2.2] Outline Design Principles [EN010131/APP/2.3] Mitigation Schedule [EN010131/APP/2.4] Draft SoCG: West Lindsey [EN010131/APP/4.3A]

					<p>Draft SoCG: Bassetlaw & NCC [EN010131/APP/4.3B]</p> <p>Draft SoCG: Natural England [EN010131/APP/4.3C]</p> <p>Draft SoCG: Historic England [EN010131/APP/4.D]</p> <p>Draft SoCG: Environment Agency [EN010131/APP/4.3E]</p> <p>Draft SoCG: Trent Valley Internal Drainage Board [EN010131/APP/4.3F]</p> <p>Draft SoCG: Upper Witham Interna; Drainage Board [EN010131/APP/4.3G]</p> <p>Draft SoCG: Lincolnshire County Council [EN010131/APP/4.3H]</p> <p>Consents and Agreements Position Statement [EN010131/APP/6.3]</p> <p>Outline Battery Safety Management Plan [EN010131/APP/7.1]</p> <p>Framework Construction Environmental Management Plan [EN010131/APP/7.3]</p> <p>Framework Operational Environmental Management Plan [EN010131/APP/7.4]</p> <p>Framework Decommissioning Environmental Management Plan [EN010131/APP/7.5]</p> <p>Archaeological Mitigation Strategy [EN010131/APP/7.6]</p> <p>Outline Skills, Supply Chain and Employment Plan [EN010131/APP/7.7]</p>
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				Public Rights of Way Management Plan [EN010131/APP/7.8] Biodiversity Net Gain Assessment [EN010131/APP/7.9] Outline Landscape and Ecological Management Plan [EN010131/APP/7.10] Outline Soils Resource Management Plan [EN010131/APP/7.12]
	Are they of a satisfactory standard?	PINS can be satisfied that it is of a satisfactory standard.		Are they of a satisfactory standard? PINS can be satisfied that it is of a satisfactory standard.
30	Are there any observations in respect of the documents provided at Box 29 (a) to (q) above?			
	Not applicable			
31	Is the application accompanied by a report identifying any European site(s) to which Regulation 48 of The Conservation (Natural Habitats, &c.) Regulations 1994 applies; or any Ramsar site(s), which may be affected by the Proposed Development, together with sufficient information that will enable the Secretary of State to make an appropriate assessment of the implications for the site if required by Regulation 48(1)? ¹⁴	<p>Yes. A Pre-Screening Habitat Regulations Assessment (HRA) exercise was undertaken to identify any areas that have been internationally designated for nature conservation purposes (termed 'European Sites') that could be impacted by the Scheme.</p> <p>No European Sites are present within 10 km of the Scheme. The nearest European site to the Scheme, Birklands & Bilhaugh Special Area of Conservation is located approximately 17.9 km from the Scheme and is designated for Old acidophilous Oak woods with Quercus robur on sandy plains.</p> <p>The baseline evidence gathering did not identify any European Sites within a search area where they may be impacted by the construction, operation and decommissioning of the proposed Gate Burton Energy Park as described within Chapter 2 of the ES [EN010131/APP/3.1]. As such, the pre-screening Report concluded that there are no European Sites to be taken forward to Stage 1 – Screening for Likely Significant Effects.</p> <p>This is reported in the Habitats Regulations Assessment: No Significant Effects Report</p>		

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

		[EN010131/APP/7.2] , as required by Regulation 5(2)(g) of the Infrastructure Planning (Applications: Prescribed Forms and Procedures Regulations).
32	If requested by the Planning Inspectorate, two paper copies of the application form and other supporting documents and plans ¹⁵	The Applicant has not been advised that any documents are required in hard copy.
33	Has the Applicant had regard to statutory guidance 'Planning Act 2008: Application form guidance', and has this regard led to the application being prepared to a standard that the Planning Inspectorate considers satisfactory?	The Applicant has had regard to the DCLG guidance 'Planning Act 2008: Application form guidance' when preparing the Application. The Applicant considers that the Application has been prepared to the standards that the Secretary of State considers satisfactory.
34	Summary - s55(3)(f) and s55(5A)	The Planning Inspectorate can conclude that the application (including accompaniments) has been prepared to a standard that it considers satisfactory.
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 payment of £7,488 was made on 17 January 2023 by Faster Payment, in advance of the Application submission. This was confirmed as received by the Planning Inspectorate on 23 January 2023. It was paid in advance of submission to ensure it was received before the submission date.

Role	Electronic signature	Date
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¹⁵ Regulation 5(2)(r) of the APFP Regulations

¹⁶ The Planning Inspectorate must charge the Applicant a fee in respect of the decision by the Planning Inspectorate under section 55 of the PA2008. If the Applicant fails to pay the fee, the Planning Inspectorate need not consider the application until payment is received. The fee must be paid at the same time that the application is made

Case Manager		
Acceptance Inspector		

