

# Stonestreet Green Solar

## Section 55 Checklist

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Version 1

June 2024

APFP Regulation 5(2)(q)

Planning Act 2008

The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009





The Planning Inspectorate  
Yr Arolygiaeth Gynllunio

## Section 55

# Acceptance of Applications Checklist

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

June 2024

## Section 55 Acceptance of Applications Checklist

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

### DISCLAIMER:

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

Section 55(2) Acceptance of Applications				
1	Within 28 days (starting day after receipt) the Planning Inspectorate must decide whether or not to accept the application for Examination.	Date received	28 day due date	Date of decision
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	<p>Yes.</p> <p>Stonestreet Green Solar (the Project) is a Nationally Significant Infrastructure Project under sections 14(1)(a) and 15(2) of the PA2008. The Project is an onshore generating station in England with a capacity exceeding 50 megawatts (MW). This is stated in the <b>Application Form (Doc Ref. 1.3)</b>. The description of the Project is in Schedule 1 of the <b>Draft Development Consent Order (Doc Ref. 3.1)</b>. The <b>Cover Letter (Doc Ref. 1.1)</b> confirms that the Application is an application for a DCO under the PA2008.</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>30 does the Proposed 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>	
3	<p><b>Summary: Section 55(3)(a) and s55(3)(c)</b></p>	<p>EPL 001 Limited (the Applicant) has demonstrated that the Application as submitted is an application for an order granting development consent under the PA2008 and that development consent is required for the development to which the Application relates (as set out in Schedule 1 to the <b>Draft Development Consent Order (Doc Ref. 3.1)</b>, being an onshore generating station in England with capacity exceeding 50 MW (section 15(1)(a) of the PA2008).</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>		
4	<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 proposed to provide an Environmental Statement in respect of that development?</p>	<p>Yes. A formal request for a Scoping Opinion was submitted to the Planning Inspectorate in accordance with Regulation 10(1) of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (EIA Regulations) on 19 April 2022. The Scoping Report is provided at <b>ES Volume 4, Appendix 1.1: Scoping Report (Doc Ref. 5.4)</b>. Paragraph 1.1.3 of the Scoping Report confirmed that the DCO application would be accompanied by an Environmental Statement. The Scoping Opinion was received from the Planning Inspectorate on 30 May 2022 (<b>ES Volume 4, Appendix 1.2: Scoping Opinion (Doc Ref. 5.4)</b>). Paragraph 1.0.1 of the Scoping Opinion acknowledged the Applicant's notification.</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)

		<p>In addition, on 24 October 2022 and 8 June 2023, the Applicant notified the Planning Inspectorate in accordance with Regulation 8(1)(b) of the EIA Regulations that it proposed to provide an Environmental Statement in relation to the Project. The notifications were given to the Planning Inspectorate in advance of the 2022 Statutory Consultation commencing on 25 October 2022 and the 2023 Statutory Consultation commencing on 12 June 2023. The Planning Inspectorate acknowledged receipt on 26 October 2022 and 12 June 2023.</p> <p>A copy of the notification letters and acknowledgements of receipt are in <b>Appendix C-4: Section 46 Notification and Acknowledgment for 2022 Statutory Consultation</b> and <b>Appendix C-7: Section 46 Notification and Acknowledgment for 2023 Statutory Consultation (Doc Ref. 6.2)</b> of the <b>Consultation Report (Doc Ref. 6.1)</b>.</p>
5	<p>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>	<p>No such representations have been received by the Applicant, however it is anticipated the Planning Inspectorate will request upon submission of the Application that relevant local authorities provide an adequacy of consultation statement in accordance with the Planning Inspectorate's Advice Note 14.</p>
<p><b>Section 42: Duty to consult</b></p>		
<p>Did the Applicant consult the applicable persons set out in s42 of the PA2008 about the proposed application?</p>		
6	<p>Section 42(1)(a) persons prescribed<sup>5</sup>?</p>	<p>Yes. The Applicant wrote to consultees under section 42(1)(a) of the PA2008 on 19 and 21 October 2022 to consult them as part of the 2022 Statutory Consultation that was carried out between 25 October and 29 November 2022. A follow up email attaching the letters was sent on 31 October 2022 to all</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)

consultees where the email address of the consultee was known. The letters notified the consultees about the launch of the consultation, identified where consultees could view the consultation material, explained how consultees could respond to the consultation and confirmed the deadline for receipt of consultation responses. The letters provided a link to the Project website where all of the consultation documents could be downloaded and enclosed the section 48 notice, a feedback form and a consultation plan. A sample letter is included in **Appendix C-3 Sample letters sent to section 42 consultees for 2022 Statutory Consultation (Doc Ref. 6.2)** of the **Consultation Report (Doc Ref. 6.1)** and a list of the consultees is provided at **Appendix C-1: List of section 42(1)(a) and (b) consultees for 2022 Statutory Consultation (Doc Ref. 6.2)** of the **Consultation Report (Doc Ref. 6.1)**. Information about how the section 42(1)(a) consultees were identified is provided in Section 5.3 of the **Consultation Report (Doc Ref. 6.1)**.

The Applicant subsequently wrote to consultees under section 42(1)(a) of the PA2008 on 8 June 2023 to consult them as part of the 2023 Statutory Consultation that was carried out between 12 June and 17 July 2023. Due to delivery issues, a small number of letters were posted on 22 June 2023. A follow up email attaching the letters was sent on 12 and 22 June 2023 to all consultees where the email address of the consultee was known. The letters notified consultees about the launch of the consultation, identified where consultees could view the consultation material, explained how consultees could respond to the consultation and confirmed the deadline for receipt of consultation responses. An extended deadline of 31 July 2023 was provided to those consultees whose letters were sent on 22 June 2023. The letters provided a link to the Project website where all of the consultation documents for the 2023 Statutory Consultation could be downloaded and enclosed the section 48 notice, a feedback form and a plan showing the site location and preferred Order limits. A sample letter is included in **Appendix C-6: Sample letters sent to section 42 consultees for 2023 Statutory Consultation (Doc Ref. 6.2)** of the **Consultation Report (Doc Ref. 6.1)** and a list of the consultees is provided at **Appendix C-5: List of section 42(1)(a) and (b) consultees for 2023 Statutory Consultation (Doc Ref. 6.2)** of the **Consultation Report (Doc Ref.**

**6.1).** Information about how the section 42(1)(a) consultees were identified is provided in Section 6.3 of the **Consultation Report (Doc Ref. 6.1)**.

Following the end of the 2023 Statutory Consultation, the Applicant made a number of minor, localised amendments to the Order limits as a result of feedback received from the consultation, ongoing design development and discussions with stakeholders. The Applicant therefore undertook targeted consultation between 13 November and 13 December 2023 (2023 Targeted Consultation) and 12 February and 12 March 2024 (2024 Targeted Consultation) under section 42 of the PA2008. The Applicant consulted with section 42(1)(a) consultees who the Applicant considered would be interested in the proposed changes. Letters were sent to these consultees on 10 November 2023 (for the 2023 Targeted Consultation) and 9 February 2024 (for the 2024 Targeted Consultation). The letters provided details of the proposed changes to the Order limits, explained how the consultees could submit responses to the targeted consultation to the Applicant and confirmed the deadline for responses to be submitted. A sample letter is included in **Appendix J-2: Sample letter and enclosures to consultees** (for the 2023 Targeted Consultation) and **Appendix L-2: Sample letter and enclosures to consultees (Doc Ref. 6.2)** (for the 2024 Targeted Consultation) of the **Consultation Report (Doc Ref. 6.1)** and a list of the consultees is provided at **Appendix J-1 List of consultees** (for the 2023 Targeted Consultation) and **Appendix L-1: List of consultees (Doc Ref. 6.2)** (for the 2024 Targeted Consultation) of the **Consultation Report (Doc Ref. 6.1)**. Information about how the section 42(1)(a) consultees were identified is provided in Section 8 of the **Consultation Report (Doc Ref. 6.1)**.

The Applicant did not consult the Canal and River Trust as part of the 2022 Statutory Consultation or 2023 Statutory Consultation on the basis that the Project was thought not likely to impact an inland waterway or land adjacent to an inland waterway, as the absence of a right to navigation over the part of the East Stour River that runs through and adjacent to the Site means that it cannot be used as a waterway for river transport. However, after the 2023 Statutory Consultation ended the Applicant decided, adopting a highly precautionary approach, to consult the Canal and River Trust on the Project. Therefore, on 20

		<p>February 2024, the Applicant sent a letter to the Canal and River Trust inviting them to comment on the Project (see <b>Appendix K-2: Sample letter and enclosures to new land interests and prescribed consultees (Doc Ref. 6.2)</b> of the <b>Consultation Report (Doc Ref. 6.1)</b> for a copy of the letter).</p> <p>As part of the 2022 Statutory Consultation and 2023 Statutory Consultation, the Applicant consulted NHS Kent and Medway as the relevant integrated care board. However, after the consultation ended, the Applicant double checked its records and noted that it had consulted NHS Kent and Medway using its previous name – the Kent and Medway Clinical Commissioning Group. On 20 February 2024, the Applicant therefore reissued NHS Kent and Medway with a corrected letter which referred to the Integrated Care Board (see <b>Appendix K-2: Sample letter and enclosures to new land interests and prescribed consultees (Doc Ref. 6.2)</b> of the <b>Consultation Report (Doc Ref. 6.1)</b> for a copy of the letter).</p>						
7	Section 42(1)(aa) the Marine Management Organisation <sup>6</sup> ?	Not applicable. The Project would not affect, or be likely to affect, any of the areas specified in section 42(2) PA2008. The MMO is not a relevant consultee in respect of the Project.						
8	Section 42(1)(b) each local authority within s43 <sup>7</sup> ?	<p>Yes. The section 42(1)(b) consultees consulted as part of the 2022 Statutory Consultation (25 October to 29 November 2022) and 2023 Statutory Consultation (12 June to 17 July 2023) were as follows:</p> <table border="1"> <thead> <tr> <th>Local Authority Name</th> <th>Category within section 43 PA2008</th> </tr> </thead> <tbody> <tr> <td>Ashford Borough Council</td> <td>B</td> </tr> <tr> <td>Canterbury City Council</td> <td>A</td> </tr> </tbody> </table>	Local Authority Name	Category within section 43 PA2008	Ashford Borough Council	B	Canterbury City Council	A
Local Authority Name	Category within section 43 PA2008							
Ashford Borough Council	B							
Canterbury City Council	A							

<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



	Dover District Council	A
	East Sussex County Council	D and A
	Folkestone and Hythe District Council	B
	Kent County Council	C
	London Borough of Bexley Council	D
	London Borough of Bromley	D
	Maidstone Borough Council	A
	Medway Council	D
	Rother District Council	A
	Surrey County Council	D
	Swale District Council	A
	Thurrock Council	D
	Tunbridge Wells Borough Council	A
	<p>Following a reduction in the Order limits that took place after the 2023 Statutory Consultation had ended, the land within the Site that fell within Folkestone and Hythe District Council's administrative boundary was removed from the Site. This meant that the category within which Folkestone and Hythe District Council falls changed from local authority (B) to local authority (A), and consequently Dover District Council was no longer a local authority consultee. The local authorities within section 42(1)(b) of the PA2008 for the purposes of the</p>	

Project that is the subject of the Application are as follows:

Local Authority Name	Category within section 43 PA2008
Ashford Borough Council	B
Canterbury City Council	A
Dover District Council	No longer a consultee under section 42(1)(b)
East Sussex County Council	D and A
Folkestone and Hythe District Council	A
Kent County Council	C
London Borough of Bexley Council	D
London Borough of Bromley	D
Maidstone Borough Council	A
Medway Council	D
Rother District Council	A
Surrey County Council	D
Swale District Council	A
Thurrock Council	D
Tunbridge Wells Borough Council	A

		This information is provided in Section 5.3 of the <b>Consultation Report (Doc Ref. 6.1)</b> .
9	Section 42(1)(c) the Greater London Authority (if in Greater London area)?	Not applicable. The Project does not fall within Greater London. The Greater London Authority is not a relevant consultee in respect of the Project.
10	Section 42(1)(d) each person in one or more of s44 categories <sup>8</sup> ?	<p>Yes. As explained in the <b>Consultation Report (Doc Ref. 6.1)</b>, in accordance with section 42(1)(d) of the PA2008, the Applicant consulted with landowners, lessees, tenants or occupiers (Category 1 persons, as per section 44(1)); those with an interest in the land or certain powers with respect to the land (Category 2 persons, section 44(2)); and those who the Applicant thinks would or might be entitled to make a relevant claim under section 44(4) (Category 3 persons).</p> <p>Land referencers were appointed by the Applicant to complete a diligent enquiry process prior to and throughout the pre-application stage to identify relevant persons within one or more section 44 categories. Further details on the methodology of this diligent enquiry process are provided in Section 5.3 of the <b>Consultation Report (Doc Ref. 6.1)</b>.</p> <p>Category 1, 2 and 3 persons are listed in the <b>Book of Reference (Doc Ref. 4.1)</b>.</p> <p>The Applicant consulted all section 42(1)(d) consultees as part of the 2022 Statutory Consultation (25 October to 29 November 2022) and 2023 Statutory Consultation (12 June to 17 July 2023).</p> <p>After the 2023 Statutory Consultation ended, new persons with an interest in land within the Order limits were identified by the Applicant. The Applicant therefore sent those persons (see <b>Appendix K-1: List of consultees (Doc Ref. 6.2)</b> of the <b>Consultation Report (Doc Ref. 6.1)</b> for a list of the consultees) letters inviting them to comment on the Project (see <b>Appendix K-2: Sample</b></p>

<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><b>letter and enclosures to new land interests and prescribed consultees (Doc Ref. 6.2) of the Consultation Report (Doc Ref. 6.1) for a sample letter).</b> The letters provided details about the Project, explained where copies of the previous consultation materials could be located and gave those consultees the opportunity to submit comments to the Applicant by a deadline that was at least 28 days beginning with the day after the day on which the consultees received the letter.</p> <p>The Applicant consulted those section 42(1)(d) consultees who would be directly affected by the proposed changes to the Order limits as part of the 2023 Targeted Consultation (13 November to 13 December 2023) and 2024 Targeted Consultation (12 February to 12 March 2024).</p> <p>See <b>Appendix C-2: List of section 42(1)(d) consultees for Statutory Consultation (Doc Ref. 6.2) of the Consultation Report (Doc Ref. 6.1)</b> for a list of the section 42(1)(d) consultees.</p> <p>Further information is provided in Sections 5.3, 6.3, 8.3, 8.4 and 8.55 of the <b>Consultation Report (Doc Ref. 6.1).</b></p>
<p><b>Section 45: Timetable for s42 consultation</b></p>		
11	<p>Did the Applicant notify s42 consultees of the deadline for receipt of consultation responses; and if so was the deadline notified by the Applicant 28 days or more starting with the day after receipt of the consultation documents?</p>	<p>Yes. The Applicant wrote to all consultees identified under section 42 of the PA2008 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>Each of the letters for the 2022 Statutory Consultation were issued on 19 or 21 October 2022 to arrive by the consultation launch on 25 October 2022 and provided a deadline for comments of 29 November 2022, therefore allowing more than 28 days to submit consultation responses. A copy of a sample letter can be found in <b>Appendix C-3: Sample letters sent to section 42 consultees for 2022 Statutory Consultation (Doc Ref. 6.2) of the Consultation Report (Doc Ref. 6.1).</b></p> <p>The majority of the letters for the 2023 Statutory Consultation were issued on 8</p>

		<p>June 2023 to arrive by the consultation launch on 12 June 2023 and provided a deadline for comments no later than 17 July 2023, therefore allowing more than 28 days to provide comments. Due to delivery issues, a small number of letters were posted on 22 June 2023, and those consultees were given an extended deadline of 31 July 2023. A copy of a sample letter can be found in <b>Appendix C-6: Sample letters sent to section 42 consultees for 2023 Statutory Consultation (Doc Ref. 6.2)</b> of the <b>Consultation Report (Doc Ref. 6.1)</b>.</p> <p>Each of the letters for the 2023 Targeted Consultation were issued on 10 November 2023 to arrive by the targeted consultation launch on 13 November 2023 and provided a deadline for comments of 13 December 2023, therefore allowing more than 28 days to submit consultation responses. A copy of a sample letter can be found in <b>Appendix J-2: Sample letter and enclosures to consultees (Doc Ref. 6.2)</b> of the <b>Consultation Report (Doc Ref. 6.1)</b>.</p> <p>Letters for the 2024 Targeted Consultation were issued on 9 February 2024 to arrive by the targeted consultation launch on 12 February 2024 and provided a deadline for comments by 12 March 42024, therefore allowing more than 28 days to submit consultation responses. A copy of a sample letter can be found in <b>Appendix L-2: Sample letter and enclosures to consultees (Doc Ref. 6.2)</b> of the <b>Consultation Report (Doc Ref. 6.1)</b>.</p> <p>Letters sent to the Canal and River Trust, the NHS Kent and Medway Integrated Care Board and new persons with an interest in land within the OrderOrder limits identified by the Applicant after the 2023 Statutory Consultation ended gave those consultees the opportunity to submit comments to the Applicant by a deadline that was at least 28 days beginning with the day after the day on which the consultees received the letter. See <b>Appendix K-2: Sample letter and enclosures to new land interests and prescribed consultees (Doc Ref. 6.2)</b> of the <b>Consultation Report (Doc Ref. 6.1)</b> for a sample letter.</p>
<b>Section 46: Duty to notify the Planning Inspectorate of proposed application</b>		
12	Did the Applicant supply information to notify the Planning Inspectorate of the proposed	Yes. Prior to commencing section 42 consultation, the Applicant notified the Planning Inspectorate of its intention to submit an application for development

	<p>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>consent.</p> <p>The section 46 letter was sent to the Planning Inspectorate on 24 October 2022, prior to the section 42 consultation commencing on 25 October 2022. A copy of the letter can be found at <b>Appendix C-4: Section 46 Notification and Acknowledgment for 2022 Statutory Consultation (Doc Ref. 6.2)</b> of the <b>Consultation Report (Doc Ref. 6.1)</b>. A response, acknowledging receipt of this notification, was received from the Planning Inspectorate on 26 October 2022 and can be found in <b>Appendix C-4: Section 46 Notification and Acknowledgment for 2022 Statutory Consultation (Doc Ref. 6.2)</b> of the <b>Consultation Report (Doc Ref. 6.1)</b>.</p> <p>A further section 46 letter was sent to the Planning Inspectorate on 8 June 2023, prior to the section 42 consultation beginning on 12 June 2023. A copy of the letter can be found at <b>Appendix C-7: Section 46 Notification and Acknowledgment for 2023 Statutory Consultation (Doc Ref. 6.2)</b> of the <b>Consultation Report (Doc Ref. 6.1)</b>.</p> <p>A response, acknowledging receipt of this notification, was received from the Planning Inspectorate on 12 June 2023 and can be found in <b>Appendix C-7: Section 46 Notification and Acknowledgment for 2023 Statutory Consultation (Doc Ref. 6.2)</b> of the <b>Consultation Report (Doc Ref. 6.1)</b>.</p>
<p><b>Section 47: Duty to consult local community</b></p>		
<p>13</p>	<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. As required by section 47(1) of the PA2008, the Applicant prepared a SoCC setting out how it intended to consult people living in the vicinity of the land.</p> <p>An initial SoCC ('SoCC 1') was made available for inspection from 22 March 2022 (see <b>Appendix B-3: Published Statement of Community Consultation 1 (Doc Ref. 6.2)</b> of the <b>Consultation Report (Doc Ref. 6.1)</b>). SoCC 1 was revised in advance of the commencement of the 2022 Statutory Consultation by a revised SoCC ('SoCC 2') that was made available for inspection from 28 September 2022 (see <b>Appendix B-8: Published Statement of Community Consultation 2 (Doc Ref. 6.2)</b> of the <b>Consultation Report (Doc Ref. 6.1)</b>). SoCC 2 was revised in advance of the commencement of the 2023 Statutory</p>

		Consultation by a further revised SoCC ('SoCC 3') that was made available for inspection from 24 May 2023 (see <b>Appendix B-12: Published Statement of Community Consultation 3 (Doc Ref. 6.2)</b> of the <b>Consultation Report (Doc Ref. 6.1)</b> ).
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. A draft of SoCC 1 was sent to Ashford Borough Council, Folkestone and Hythe District Council and Kent County Council for formal consultation under section 47(2) of the PA2008 between 10 January and 7 February 2022 (see <b>Appendix B-1: Letters consulting host authorities on Statement of Community Consultation 1 (Doc Ref. 6.2)</b> of the <b>Consultation Report (Doc Ref. 6.1)</b> for the covering letters).</p> <p>A draft of SoCC 2 was sent to Ashford Borough Council, Folkestone and Hythe District Council and Kent County Council for formal consultation under section 47(2) of the PA2008 between 8 August 2022 and 5 September 2022 (see <b>Appendix B-6: Emails consulting host authorities on the Statement of Community Consultation 2 (Doc Ref. 6.2)</b> of the <b>Consultation Report (Doc Ref. 6.1)</b> for the covering emails).</p> <p>A draft of SoCC 3 was sent to Ashford District Council and Kent County Council for formal consultation under section 47(2) of the PA2008 between 20 January and 17 February 2023 and to Folkestone and Hythe District Council between 24 January and 21 February 2023 (see <b>Appendix B-10: Emails and letters consulting host authorities on the Statement of Community Consultation 3 (Doc Ref. 6.2)</b> of the <b>Consultation Report (Doc Ref. 6.1)</b> for the covering letters).</p>
15	Has the Applicant had regard to any responses received when preparing the SoCC?	Yes. The Applicant had regard to all responses received from the local authorities consulted when preparing each SoCC. A table listing the feedback received and how the Applicant had regard to that feedback in preparing the final version of each SoCC is provided in <b>Appendix B-2: Regard had to host authorities' responses to Statement of Community Consultation 1</b> , <b>Appendix B-7: Regard had to host authorities' responses to Statement of Community Consultation 2</b> and <b>Appendix B-11: Regard had to host authorities' responses to Statement of Community Consultation 3 (Doc</b>

		<b>Ref. 6.2) of the Consultation Report (Doc Ref. 6.1).</b>
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. As stated in Section 4 of the <b>Consultation Report (Doc Ref. 6.1)</b> each SoCC was made publicly available for inspection in a way that is reasonably convenient for people living in the vicinity of the land. Following each SoCC being finalised, the Applicant made it available for the public to inspect on the Project website as well hard copies as set out below.</p> <p>SoCC 1 was made available for public inspection from 22 March 2022 onwards at the following locations:</p> <ul style="list-style-type: none"> <li>• Ashford Library, Ashford Gateway Plus, Church Road, Ashford, Kent, TN23 1AS</li> <li>• Folkestone Library, 2 Grace Hill, Folkestone, Kent CT20 1HD</li> <li>• Ashford Borough Council Offices, Civic Centre, Tannery Lane, Ashford TN23 1PL</li> <li>• Folkestone &amp; Hythe Council Offices, Civic Centre, Castle Hill Avenue, Folkestone CT20 2QY</li> <li>• Kent County Council, County Hall, Maidstone, Kent ME14 1XQ</li> </ul> <p>SoCC 2 was made available for public inspection from 28 September 2022 onwards at the following locations (referred to as the Deposit Locations):</p> <ul style="list-style-type: none"> <li>• Ashford Library, Ashford Gateway Plus, Church Road, Ashford, Kent, TN23 1AS</li> <li>• Folkestone Library, 2 Grace Hill, Folkestone, Kent CT20 1HD</li> <li>• Ashford Borough Council Offices, Civic Centre, Tannery Lane, Ashford TN23 1PL</li> <li>• Folkestone &amp; Hythe Council Offices, Civic Centre, Castle Hill Avenue, Folkestone CT20 2QY</li> <li>• Kent County Council, County Hall, Maidstone, Kent ME14 1XQ</li> </ul>



		<ul style="list-style-type: none"> <li>• New Romney Library, 82 High Street, New Romney, TN28 8AU</li> <li>• Lyminge Library, Station Road, Lyminge, CT18 8HS</li> <li>• Hythe Library, 1 Stade Street, Hythe, CT21 6BQ</li> </ul> <p>SoCC 3 was made available for public inspection from 24 May 2023 onwards at the above Deposit Locations.</p> <p>A notice (see <b>Appendix B-4: Section 47 notices for Statement of Community Consultation 1, Appendix B-9: Section 47 notices for Statement of Community Consultation 2</b> and <b>Appendix B-13: Section 47 notices for Statement of Community Consultation 3 (Doc Ref. 6.2)</b> of the <b>Consultation Report (Doc Ref. 6.1)</b>) stating where and when each of SoCC 1, SoCC 2 and SoCC 3 could be inspected was published in the local newspapers on the dates listed in Tables 4 to 6 of the <b>Consultation Report (Doc Ref. 6.1)</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. Each of SoCC 1, SoCC 2 and SoCC 3 (see <b>Appendix B-3: Published Statement of Community Consultation 1, Appendix B-8: Published Statement of Community Consultation 2</b> and <b>Appendix B-12: Published Statement of Community Consultation 3 (Doc Ref. 6.2)</b> of the <b>Consultation Report (Doc Ref. 6.1)</b> ) stated that the Project is EIA development, alongside setting out how the Applicant intended to publicise and consult on preliminary environmental information.
18	Has the Applicant carried out the consultation in accordance with the SoCC?	Yes. SoCC 1 was superseded by SoCC 2 before the statutory consultation commenced. Once SoCC 2 was finalised and made available for public inspection, the Applicant carried out the local community consultation as part of the 2022 Statutory Consultation in accordance with that statement. Once SoCC 3 (which superseded SoCC 2) was finalised and made available for public inspection, the Applicant carried out the local community consultation as part of the 2023 Statutory Consultation in accordance with that statement. The commitments set out in each of SoCC 2 and SoCC 3 have been fulfilled as set

<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

out in the compliance with guidance checklist in **Appendix H: Compliance with legislation, guidance and Statement of Community Consultation (Doc Ref. 6.2)** of the **Consultation Report (Doc Ref. 6.1)**.

**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.

A copy of the notice published as part of the 2022 Statutory Consultation in accordance with section 48 of the PA2008 is provided in **Appendix E-1: Section 48 newspaper notices for 2022 Statutory Consultation (Doc Ref. 6.2)** of the **Consultation Report (Doc Ref. 6.1)**. This notice contained the prescribed information required by Regulation 4(3) of the APFP Regulations. The Applicant published the section 48 notice in the newspapers and on the dates as set out below in accordance with Regulation 4(2) of the APFP Regulations:

Newspaper	Date of advertisement
The Kentish Express (Ashford and District)	20 and 27 October 2022
The Folkestone and Hythe Express	19 and 26 October 2022
The Guardian	20 October 2022
The London Gazette	20 October 2022

A copy of the notice published in accordance with section 48 of the PA2008 in advance of the 2023 Statutory Consultation is provided in **Appendix E-2: Section 48 newspaper notices for 2023 Statutory Consultation (Doc Ref. 6.2)** of the **Consultation Report (Doc Ref. 6.1)**. This notice contained the prescribed information required by Regulation 4(3) of the APFP Regulations. The Applicant published the section 48 notice in the newspapers and on the dates as set out below in accordance with Regulation 4(2) of the APFP Regulations:

		Newspaper	Date of advertisement
		The Kentish Express (Ashford and District District)	8 and 15 June 2023
		London Gazette	8 June 2023
		The Guardian	7 June 2023
		Folkestone and Hythe Express	7 and 14 June 2023
		Newspaper(s)	Date
a)	for at least two successive weeks in one or more local newspapers circulating in the vicinity in which the Proposed Development would be situated;	<p><i>2022 Statutory Consultation</i></p> <ul style="list-style-type: none"> <li>The Kentish Express (Ashford and District)</li> <li>The Folkestone and Hythe Express</li> </ul> <p><i>2023 Statutory Consultation</i></p> <ul style="list-style-type: none"> <li>The Kentish Express (Ashford and District)</li> <li>The Folkestone and Hythe Express</li> </ul>	<p>20 &amp; 27 October 2022</p> <p>19 &amp; 26 October 2022</p> <p>8 &amp; 15 June 2023</p> <p>7 &amp; 14 June 2023</p>
b)	once in a national newspaper;	The Guardian	<p>20 October 2022</p> <p>7 June 2023</p>
c)	once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and	<p>London Gazette</p> <p>No land in Scotland is affected by the Project and there is therefore no requirement to publish in the Edinburgh Gazette.</p>	<p>20 October 2022</p> <p>8 June 2023</p>
d)	where the proposed application relates to offshore development –	Not applicable. The Project does not relate to offshore development.	Not applicable

	(i) once in Lloyds List; and (ii) once in an appropriate fishing trade journal?		
20	Did the s48 notice include the required information set out in Regulation 4(3) of APFP Regulations?	Yes. Copies of the published newspaper notices are provided at <b>Appendix E-1: Section 48 newspaper notices for 2022 Statutory Consultation</b> and <b>Appendix E-2: Section 48 newspaper notices for 2023 Statutory Consultation (Doc Ref. 6.2)</b> of the <b>Consultation Report (Doc Ref. 6.1)</b> . The published section 48 notices contain the required information as set out below:	
<b>Information</b>		<b>Paragraph</b>	
a)	the name and address of the Applicant.	b)	a statement that the Applicant intends to make an application for development consent to the Secretary of State
	Yes. The first paragraph of the section 48 notice for the 2022 Statutory Consultation and the 2023 Statutory Consultation (beginning: <i>“Notice is hereby given that EPL 001 Limited...”</i> ).		Yes. The first paragraph of the section 48 notice for the 2022 Statutory Consultation and the 2023 Statutory Consultation (beginning: <i>“Notice is hereby given that EPL 001 Limited...”</i> ).
c)	a statement as to whether the application is EIA development	d)	a summary of the main proposals, specifying the location or route of the Proposed Development
	Yes. The seventh paragraph of the section 48 notice for the 2022 Statutory Consultation and the 2023 Statutory Consultation (beginning: <i>“The Project is an Environmental Impact Assessment development...”</i> ).		Yes. The second, third, fourth and sixth paragraphs of the section 48 notices for the 2022 Statutory Consultation and the 2023 Statutory Consultation (beginning: <i>“The Project comprises...”</i> , <i>“The Project is located...”</i> , <i>“The Project is proposed to include...”</i> and <i>“At the time of writing, there are two</i>

e)	<p>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>	<p>Yes. The ninth, twelfth and twenty-third paragraphs of the section 48 notice for the 2022 Statutory Consultation and the 2023 Statutory Consultation (beginning: <i>“The following documents (which contain plans and maps)...”, “Electronic copies of the consultation documents...” and “For further information or queries”</i>).</p>	f)	<p>the latest date on which those documents, plans and maps will be available for inspection on the website</p>	<p><i>potential points...”).</i>          Yes. The twelfth paragraph of the section 48 notice for the 2022 Statutory Consultation and the 2023 Statutory Consultation (beginning: <i>“Electronic copies of the consultation documents ...”</i>).</p>
g)	<p>whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge</p>	<p>Yes. The sixteenth paragraph of the section 48 notice for the 2022 Statutory Consultation and the fifteenth paragraph of the section 48 notice for the 2023 Statutory Consultation (beginning: <i>“A full set of consultation documents can also be provided...”</i>).</p>	h)	<p>details of how to respond to the publicity</p>	<p>Yes. The eighteenth and nineteenth paragraphs of the section 48 notice for the 2022 Statutory Consultation and the seventeenth and eighteenth paragraphs of the section 48 notice for the 2023 Statutory Consultation (beginning: <i>“Any person may respond...” and “Please submit any comments</i></p>



		<p><b>List of section 42(1)(d) consultees for Statutory Consultation and Appendix C-5: List of section 42(1)(a) and (b) consultees for 2023 Statutory Consultation (Doc Ref. 6.2) of the Consultation Report (Doc Ref. 6.1).</b></p> <p>The Applicant did not receive notification of additional consultees under Regulation 11(1)(c) of the EIA Regulations.</p>
<p><b>s49: Duty to take account of responses to consultation and publicity</b></p>		
23	<p>Has the Applicant had regard to any relevant responses to the s42, s47 and s48 consultation?</p>	<p>Yes. The Applicant has had regard to all relevant responses received to the statutory cstatutory consultation.</p> <p>Tables 12, 16, 17, 25 and 26 of the <b>Consultation Report (Doc Ref. 6.1)</b> provide a summary of the key comments received from consultees for the 2022 Statutory Consultation, the 2023 Statutory Consultation, the new land interests / prescribed consultees, the 2023 Targeted Consultation and the 2024 Targeted Consultation, respectively, and how the Applicant had regard to those comments. A more detailed summary of the responses received and how the Applicant had regard to the responses is provided in <b>F-5: Regard had to section 42 consultee responses, Appendix F-6: Regard had to section 47 and 48 responses, Appendix G-4: Regard had to section 42 consultee responses, Appendix G-5: Regard had to Section 47 and 48 Responses, Appendix J-3: Regard had to 2023 Targeted Consultation consultee responses and Appendix L-3: Regard had to 2024 Targeted Consultation consultee responses (Doc Ref. 6.2) of the Consultation Report (Doc Ref. 6.1).</b> These responses have been sorted by topic.</p>
<p><b>Guidance about pre-application procedure</b></p>		

24	To what extent has the Applicant had regard to statutory guidance 'Planning Act 2008: Guidance on the pre-application process' <sup>11</sup> ?	<b>Appendix H: Compliance with legislation, guidance and Statement of Community Consultation (Doc Ref. 6.2)</b> of the <b>Consultation Report (Doc Ref. 6.1)</b> evidences how the Applicant has complied with the 'Planning Act 2008: PPre-application stagestage for Nationally Significant Infrastructure Projects' guidance which was published in April 2024 and superseded the previous pre-application stage guidance.
25	<b>Summary: Section 55(3)(e)</b>	The Applicant has complied with Chapter 2 of Part 5 of the PA2008 and applicable guidance and has undertaken both non-statutory consultation and statutory consultation. As part of the statutory consultation, the Applicant consulted the required consultees under section 42 of the PA2008, consulted the local community under section 47 of the PA2008 and undertook the required publicity under section 48 of the PA2008. The Applicant had regard to all relevant responses to the consultation in accordance with section 49 of the PA2008.
<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> <li>• a brief statement that clearly identifies the location of the application site, or the route if it is a linear scheme?</li> </ul>	Yes. The Application is made in the prescribed form as set out in Schedule 2 of the APFP Regulations.  Paragraph 1.2.33 of the <b>Cover Letter (Doc Ref. 1.1)</b> provides a brief statement as to why the Project falls within the remit of the Planning Inspectorate, as well as section 4 of the <b>Application Form (Doc Ref. 1)</b> .  Section 5 of the <b>Application Form (Doc Ref. 1.3)</b> provides a brief non-technical description of the Project and Section 6 identifies the location of the Project.  <b>ES Volume 3, Figure 1.1: Site Location Plan ((Doc Ref. 5.3)</b> has been provided to show the location of the Project.

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



27	Is it accompanied by a Consultation Report?	Yes. The Application is accompanied by a <b>Consultation Report (Doc Ref. 6.1)</b> and <b>Appendices to the Consultation Report (Doc Ref. 6.2)</b> .													
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. Several plans comprise of three or more separate sheets, and for these plans a key plan been provided showing the relationship between the different sheets. Examples are as follows:</p> <ul style="list-style-type: none"> <li>• <b>Land Plans (Doc Ref. 2.1)</b></li> <li>• <b>Crown Land Plans (Doc Ref. 2.2)</b></li> <li>• <b>Works Plans (Doc Ref. 2.3)</b></li> <li>• <b>Traffic Regulations Measures Plans (Doc Ref. 2.4)</b></li> <li>• <b>Streets, Rights of Way and Access Plans (Doc Ref. 2.5)</b></li> <li>• <b>Illustrative Project Drawings – Not for Approval (Doc Ref. 2.6)</b></li> <li>• <b>Illustrative Landscape Drawings – Not for Approval (Doc Ref. 2.7)</b></li> <li>• <b>Vegetation Removal Plan (Doc Ref. 2.8)</b></li> </ul>													
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 provided provided as listed below. The <b>Guide to the Application (Doc Ref. 1.5)</b> and <b>Electronic Application Index (Doc Ref. 1.4)</b> list the documents submitted and the APFP Regulation references.													
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 25%;"></th> <th style="width: 25%; text-align: center;">Information</th> <th style="width: 25%; text-align: center;">Document</th> <th style="width: 25%;"></th> <th style="width: 25%; text-align: center;">Information</th> <th style="width: 25%; text-align: center;">Document</th> </tr> </thead> <tbody> <tr> <td style="vertical-align: top;">a)</td> <td>Where applicable, the Environmental Statement required</td> <td>Yes. The Application is accompanied by an Environmental Statement</td> <td style="vertical-align: top;">b)</td> <td>The draft Development Consent Order (DCO)</td> <td>Yes. The Application includes the <b>Draft Development Consent Order (Doc Ref. 3.1)</b>.</td> </tr> </tbody> </table>					Information	Document		Information	Document	a)	Where applicable, the Environmental Statement required	Yes. The Application is accompanied by an Environmental Statement	b)	The draft Development Consent Order (DCO)	Yes. The Application includes the <b>Draft Development Consent Order (Doc Ref. 3.1)</b> .
	Information	Document		Information	Document										
a)	Where applicable, the Environmental Statement required	Yes. The Application is accompanied by an Environmental Statement	b)	The draft Development Consent Order (DCO)	Yes. The Application includes the <b>Draft Development Consent Order (Doc Ref. 3.1)</b> .										

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

	<p>under the EIA Regulations<sup>13</sup> and any scoping or screening opinions or directions</p>	<p>comprising the following:</p> <ul style="list-style-type: none"> <li>• <b>Environmental Statement Volume 1: Non-Technical Summary (Doc Ref. 5.1)</b></li> <li>• <b>Environmental Statement Volume 2: Main Text (Doc Ref. 5.2)</b></li> <li>• <b>Environmental Statement Volume 3: Figures (Doc Ref. 5.3)</b></li> <li>• <b>Environmental Statement - Volume 4: Appendices (Doc Ref. 5.4)</b></li> </ul> <p>The Scoping Report is provided in <b>ES Volume 4, Appendix 1.1: EIA Scoping Report (Doc Ref. 5.4)</b> and the Scoping Opinion is provided in <b>ES Volume 4, Appendix 1.2: EIA Scoping Opinion (Doc Ref. 5.4)</b>.</p>			
	<p>Is this of a satisfactory standard?</p>			<p>Is this of a satisfactory standard?</p>	
<p>c)</p>	<p>An Explanatory Memorandum explaining the purpose and effect of provisions in the draft</p>	<p>Yes. The Application includes an <b>Explanatory Memorandum (Doc Ref. 3.3)</b>. This explains the purpose and effect of the</p>	<p>d)</p>	<p>Where applicable, a Book of Reference (where the application involves any</p>	<p>Yes. The Application includes a <b>Book of Reference (Doc Ref. 4.1)</b>. This complies with the requirements of applicable guidance related to</p>

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

	DCO	provisions of the <b>Draft Development Consent Order (Doc Ref. 3.1)</b> .		Compulsory Acquisition)	procedures for the compulsory acquisition of land. A <b>Schedule of Negotiations and Powers Sought (Doc Ref. 4.4)</b> has also been submitted.
	Is this of a satisfactory standard?			Is this of a satisfactory standard?	
e)	A copy of any Flood Risk Assessment	Yes. The Application includes a <b>Flood Risk Assessment at ES Volume 4, Appendix 10.2: Flood Risk Assessment (Doc Ref. 5.4)</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	Yes. A <b>Statutory Nuisance Statement (Doc Ref. 7.2)</b> is provided as part of the Application.
	Is this of a satisfactory standard?			Is this of a satisfactory standard?	
h)	A Statement of Reasons and a Funding Statement (where the application involves any Compulsory Acquisition)	Yes. The Application includes a <b>Statement of Reasons (Doc Ref. 4.2)</b> and a <b>Funding Statement (Doc Ref. 4.3)</b> .	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	Yes. The Application includes <b>Land Plans (Doc Ref. 2.1)</b> which are in accordance with Regulation 5(2)(i) of the APFP Regulations.  Plots and descriptions listed within the <b>Book of Reference (Doc Ref. 4.1)</b> are consistent with the plots shown on the Land Plans.

			Acquisition or any rights to use land;	
			(iii) any land in relation to which it is proposed to extinguish easements, servitudes and other private rights; and	
			(iv) any special category land and replacement land	
	Is this of a satisfactory standard?		Is this of a satisfactory standard?	
j)	A Works Plan showing, in relation to existing features:-  (i) the proposed location or (for a linear scheme) the proposed route and alignment of the development and works; and  (ii) the limits within which the development and works may be carried out and any limits of	Yes. The Application includes <b>Works Plans (Doc Ref. 2.3)</b> which 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)	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
			Yes. The Application includes <b>Streets, Rights of Way and Access Plans (Doc Ref. 2.5)</b> . These are in accordance with Regulation 5(2)(k) of the APFP Regulations.	

	deviation provided for in the draft DCO				
	Is this of a satisfactory standard?			Is this 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 eg 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, together with an assessment of any effects on such sites, features, habitats or bodies likely to be caused by the Proposed Development</p>	<p>Yes.</p> <p>The locations of statutory designated sites is provided at <b>ES Volume 3, Figure 9.1: Locations of Statutory Designated Sites (Doc Ref. 5.3)</b>. Locations of statutory designated and non-statutory designated features are shown in <b>ES Volume 3, Figure 2.2: Environmental Designations (Doc Ref. 5.33)</b>.</p> <p>The locations of habitats of protected species, information habitats or other diversity features are provided in: <b>ES Volume 3, Figure 9.2: Locations of Local Wildlife Sites;</b></p> <p><b>Figure 9.3: Locations of Ancient Woodland Sites,</b></p> <p><b>Figure 9.6: Habitat Prior to Development Plan;</b></p> <p><b>Figure 9.7: Water Body Location Plan;</b></p>	m)	<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>The Yes. The relevant plans are provided at <b>ES Volume 3, Figure 7.1a: Designated Heritage Assets within 2km of the Site;;</b></p> <p><b>Figure 7.1b: Designated Heritage Assets within 5km of the Site;;</b></p> <p><b>Figure 7.2: Designated Heritage Assets beyond 5km of the Site Boundary;</b></p> <p><b>Figure 7.3: Recorded Non-Designated Heritage Assets within 1km of the Site;;</b></p> <p><b>Figure 7.5: Highly Graded Designated Heritage Assets within between 2km and 5km of the Site;</b></p> <p><b>Figure 7.6: Protected Military Remains within 1km of the Site;</b></p> <p><b>Figure 7.7: Non-Designated Heritage Assets Prehistoric to Roman;</b></p> <p><b>Figure 7.8: Non-Designated Heritage Assets Early Medieval and Medieval; and</b></p> <p><b>Figure 7.9: Non-Designated</b></p>

n)		<p><b>Figure 9.8: Locations of Habitats of alPrincipal Importance;</b> and</p> <p><b>Figure 9.9: Important Hedgerows (Doc Ref. 5.33</b></p> <p>An Information for Habitats Regulations Assessment is provided at <b>Information for Habitats Regulations Assessment(Doc Ref. 7.19).</b></p> <p>A River Basin Management Plan Waterbodies and Stodmarsh Location and Pathway plan is provided at <b>ES Volume 3, Figure 9.4: River Basin Management Plan Waterbodies and Stodmarsh Location and Pathway (Doc Ref. 5.3).</b></p> <p>Supporting assessments are presented in <b>ES Volume 2, Chapter 9: Biodiversity (Doc Ref. 5.2).</b></p>	o)		<p><b>Heritage Assets Post Medieval, Modern and Unknown (Doc Ref. 5.3)).</b></p> <p>Assessments of the effects have been presented within <b>ES Volume 2, Chapter 7: Cultural Heritage (Doc Ref. 5.2).</b></p>
	Is this of a satisfactory standard?			Is this of a satisfactory standard?	
	Where applicable, a plan with any accompanying information identifying any Crown land	Yes. <b>Crown Land Plans (Doc Ref. 2.2)</b> have been submitted with the Application.		Any other plans, drawings and sections necessary to describe the development consent proposal showing details of	Yes. The Application is accompanied by the following plans and drawings which are provided under Regulation 5(2)(o) of the APFP Regulations: <ul style="list-style-type: none"> <li>• <b>Streets, Rights of Way and</b></li> </ul>

			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><b>Access Plans (Doc Ref 2.5)</b></p> <ul style="list-style-type: none"> <li>• <b>Illustrative Project Drawings - Not for Approval (Doc Ref. 2.6)</b></li> <li>• <b>Illustrative Landscape Drawings - Not for Approval (Doc Ref. 2.7)</b></li> <li>• <b>Vegetation Removal Plan (Doc Ref. 2.8)</b></li> </ul>
	Is this of a satisfactory standard?		Are they of a satisfactory standard?	
p)	Any of the documents prescribed by Regulation 6 of the APFP Regulations:	Yes. The Application includes a <b>Grid Connection Statement (Doc Ref. 7.3)</b> .	q) Any other documents considered necessary to support the application	The following documents have been included in support of the Application: <ul style="list-style-type: none"> <li>• <b>Cover Letter (Doc Ref. 1.1)</b></li> <li>• <b>Section 55 Checklist (Doc Ref. 1.2)</b></li> <li>• <b>Application Form (Doc Ref. 1.3)</b></li> <li>• <b>Electronic Application Index (Doc Ref. 1.4)</b></li> <li>• <b>Guide to the Application (Doc Ref. 1.5)</b></li> <li>• <b>Glossary (Doc Ref. 1.6)</b></li> <li>• <b>Draft DCO Template Validation Validation Report</b></li> </ul>

					<p><b>(Doc Ref 3.2)</b></p> <ul style="list-style-type: none"> <li>• <b>Schedule of Other Consents and Licences (Doc Ref. 3.4)</b></li> <li>• <b>Biodiversity Net Gain Assessment (Doc Ref. 7.1)</b></li> <li>• <b>Design Approach Document (Doc Ref. 7.4)</b></li> <li>• <b>Design Principles (Doc Ref. 7.5)</b></li> <li>• <b>Planning Statement (Doc Ref. 7.6)</b></li> <li>• <b>Planning Statement Appendix 1: Policy Compliance Checklist (Doc Ref. 7.6)</b></li> <li>• <b>Planning Statement Appendix 2: Sequential and Exception Test Report (Doc Ref. 7.6)</b></li> <li>• <b>Planning Statement Appendix 3: Preliminary Areas of Disagreement Schedule (Doc Ref. 7.6)</b></li> <li>• <b>Mitigation Schedule (Doc Ref. 7.7)</b></li> <li>• <b>Outline Construction Environmental Management Plan (Doc Ref. 7.8)</b></li> <li>• <b>Outline Construction Traffic Management Plan (Doc Ref.</b></li> </ul>
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					<p><b>7.9)</b></p> <ul style="list-style-type: none"> <li>• <b>Outline Landscape and Ecological Management Plan (Doc Ref. 7.10)</b></li> <li>• <b>Outline Operational Management Plan (Doc Ref. 7.11)</b></li> <li>• <b>Outline Decommissioning Environmental Management Plan (Doc Ref. 7.12)</b></li> <li>• <b>Outline Decommissioning Traffic Management Plan (Doc Ref. 7.13)</b></li> <li>• <b>Outline Operational Surface Water Drainage Strategy (Doc Ref. 7.14)</b></li> <li>• <b>Outline Rights of Way and Access Strategy (Doc Ref. 7.15)</b></li> <li>• <b>Outline Battery Safety Management Plan (Doc Ref. 7.16)</b></li> <li>• <b>Archaeological Management Strategy (Doc Ref. 7.17)</b></li> <li>• <b>Equalities Statement (Doc Ref. 7.18)</b></li> <li>• <b>Information for Habitats Regulations Assessment (Doc Ref. 7.19)</b></li> </ul>
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	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?			
	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)? <sup>14</sup>	Yes. An <b>Information for Habitats Regulations Assessment (Doc Ref. 7.19)</b> (IHRA) has been submitted with the Application. The IHRA Report identifies relevant European sites and the likely effects on those sites. The IHRA Report provides sufficient information for the Secretary of State to undertake an appropriate assessment to determine whether the Project would have an adverse effect on the integrity of any European site. The IHRA Report concludes that, with the inclusion of mitigation measures, the likely significant effects of the Project will not adversely affect the integrity of any European site in view of its conservation objectives.		
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 wrote to the Applicant on 26 <sup>th</sup> 26 <sup>th</sup> April 2024 and confirmed that no hard copies of the Application are required at the point of submission.		
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 guidance 'Planning Act 2008: Application form guidance' when preparing the Application. The Applicant considers that the Application has been prepared to a satisfactory standard.		
34	<b>Summary - s55(3)(f) and s55(5A)</b>	The Application contains all documents as required under the PA2008 and the APFP Regulations. These documents are of a satisfactory standard to be		

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

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

accepted for Examination.

### 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 <sup>16</sup> ?	The fee of £8,796 was paid on 17 May 2024 by a BACS transfer, in advance of the Application submission. This was confirmed as received by the Planning Inspectorate on 29 May 2024.
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Role	Electronic signature	Date
Case Manager		
Acceptance Inspector		

<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