



The Planning Inspectorate
Yr Arolygiaeth Gynllunio

Section 55

Acceptance of Applications Checklist

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

May 2024

Morgan Offshore Wind Farm Generation Assets 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
		24 April 2024	22 May 2024	17 May 2024
Section 55(3) – the Planning Inspectorate may only accept an application if it concludes that:		Planning Inspectorate comments		
Section 55(3)(a) and s55(3)(c): It is an application for an order granting development consent				
2	Is the development a Nationally Significant Infrastructure Project ¹ (NSIP) (or does it form part of an NSIP); and does the application state on the face of it that it is an application for a Development Consent Order ² (DCO) under the Planning Act 2008 (the PA2008), or equivalent words? Does the application specify the development to which it relates (i.e. which category or categories in Sections	<p>Yes</p> <p>The Proposed Development set out in Schedule 1 of the Draft DCO (Doc C1) includes development falling within the categories in s14 of the PA2008. The development is for the construction of a Generating Station and satisfies section 14 and section 15 of the PA2008; including section 15, subsection 3.</p> <p>This is consistent with the summary provided in section 4 of the Application Form (Doc A3) which states that the application is for an NSIP.</p>		

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

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

	(s)14 to 30 does the Proposed Development fall)? If the development does not fall within the categories in s14 to 30, has a direction been given by the Secretary of State under s35 of the PA2008 for the development to be treated as development for which development consent is required?	
3	Summary: Section 55(3)(a) and s55(3)(c)	The Planning Inspectorate is satisfied that the Draft DCO (Doc C1) includes development for which development consent is required.
Section 55(3)(e): The Applicant in relation to the application made has complied with Chapter 2 of Part 5 (pre-application procedure)		
4	In accordance with the EIA Regulations ³ , did the Applicant (prior to carrying out consultation in accordance with s42) either (a) request the Planning Inspectorate adopt a Screening Opinion in respect of the development to which the application relates, or (b) notify the Planning Inspectorate in writing that it proposed to provide an Environmental Statement in respect of that development?	Yes On 26 May 2022 the Applicant notified the Planning Inspectorate in accordance with Regulation 8(1)(b) of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 of its intention to provide an Environmental Statement (ES) in respect of the Proposed Development. The notification was received before the start of statutory consultation on 19 April 2023. A copy of the notification letter is provided at Appendix D.22 of the Consultation Report (Doc E3.3) .
5	Have any Adequacy of Consultation Representations ⁴ been received from 'A', 'B', 'C' and 'D' local authorities; and if so, do	Yes The Order Limits for the Proposed Development are located in the Irish Sea and are entirely offshore. Therefore, no local authorities within the definition described in

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

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

<p>they confirm that the Applicant has complied with the duties under s42, s47 and s48?</p>	<p>s43 of the PA2008 have been identified. However, the Applicant has identified 13 authorities, on a precautionary basis, as non-statutory authorities that they should consult as Local Authorities. The Inspectorate has sought the views of these Authorities on the adequacy of consultation; of which 13 responded to the Planning Inspectorate’s invitation to make an Adequacy of Consultation Representation (AoCR) dated 25 April 2024.</p> <p>All 13 responding authorities confirmed in their AoCR that either the Applicant had complied with its duties under s42, s47 and s48 of the PA2008 and/ or that their authority had no comments/ objections to make. The responding authorities were:</p> <ul style="list-style-type: none"> • Blackpool Council • Chorley Council • Cumberland Council * • Douglas City Council * • Flyde Council • Lake District National Park Authority • Lancashire County Council • Preston City Council • Sefton Metropolitan Borough Council * • South Ribble Borough Council • The Isle of Man Government / Reiltys Ellan Vannin * • Westmoreland and Furness Council * • Wyre Council <p>* Douglas City Council is not formally a Local Authority within the scope of s43 (3) of the Planning Act 2008 for Development Consent Applications.</p> <p>* Although Sefton Metropolitan Borough Council did not provide a view on compliance in relation to s42, s47 and s48, it did not raise any concerns with the</p>
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		<p>Applicant’s compliance with these sections of the Act and it is clear from their response that the Authority had been contacted by the Applicant.</p> <p>* Several authorities referred to in application documentation were not invited to make an Adequacy of Consultation Representation (AoCR) following their abolition by the provisions of The Cumbria (Structural Changes) Order 2022 and the consultation of their successor authorities. These authorities located within the ceremonial county of Cumbria were succeeded by Cumberland Council, and Westmoreland and Furness Council, who were consulted.</p> <p>* The Isle of Man Government / Reiltys Ellan Vannin as the government of the Crown Dependency of the Isle of Man is not a Local Authority within the scope of s43 (3) of the Planning Act 2008.</p> <p>All AoCRs received have been carefully considered and are available to view on the National Infrastructure Planning website: https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010136/documents?category-Developer%27s+Application=Adequacy+of+Consultation+Representation&date-from-day=&date-from-month=&date-from-year=&date-to-day=&date-to-month=&date-to-year=&searchTerm=&itemsPerPage=25</p>
Section 42: Duty to consult		
Did the Applicant consult the applicable persons set out in s42 of the PA2008 about the proposed application?		
6	Section 42(1)(a) persons prescribed ⁵ ?	<p>Yes</p> <p>The Applicant has provided a list of persons consulted under s42(1)(a) on 19 April 2023 at Appendix D.16. of the Consultation Report (Doc E3.3).</p> <p>A sample of the email sent to s42(1)(a) consultees is provided at Appendix D.12. of the Consultation Report (Doc E3.3).</p>

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

7	Section 42(1)(aa) the Marine Management Organisation ⁶ ?	Yes
8	Section 42(1)(b) each local authority within s43 ⁷ ?	<p>N/A</p> <p>The Order Limits for the Proposed Development are in the Irish Sea and are entirely offshore. Therefore, no local authorities under s42(1)(b) within the definition set out in s43 of the PA2008 have been identified as being host or neighbouring authorities. However, on a precautionary basis the Applicant has identified 13 authorities as non-statutory authorities that they should consult as Local Authorities. Table 5.12 of the Consultation Report (Doc E3) lists the relevant local authorities that were identified and consulted under s43 and s42(1)(b) on 19 April 2024.</p> <p>The following authorities were consulted:</p> <ul style="list-style-type: none"> • Blackpool Council • Chorley Council • Cumberland Council * • Douglas City Council * • Flyde Council • Isle of Man Government / Reiltys Ellan Vannin • Lake District National Park Authority • Lancashire County Council • Preston City Council • Sefton Metropolitan Borough Council

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

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

		<ul style="list-style-type: none"> • South Ribble Borough Council • Westmorland and Furness Council * • Wyre Council <p>* Cumberland Council is the successor to Cumbria County Council (part), Copeland Borough Council with respect to this application.</p> <p>* Douglas City Council was previously known as Douglas Borough Council, and this is reflected in Table 5.12 of the Consultation Report (Doc E3).</p> <p>* Westmoreland and Furness Council is the successor to Cumbria County Council (part), Barrow-in-Furness Borough Council and South Lakeland District Council with respect to this application.</p> <p>A sample of the email sent to these authorities is provided at Appendix D.12 of the Consultation Report (Doc E3.3).</p>
9	Section 42(1)(c) the Greater London Authority (if in Greater London area)?	N/A
10	Section 42(1)(d) each person in one or more of s44 categories ⁸ ?	<p>Yes</p> <p>Paragraph 5.3.6.1 of the Consultation Report (Doc E3) states that all persons identified under s42(1)(d) were consulted on 19 April 2023.</p> <p>A sample of the email is provided at Appendix D.12.2 of the Consultation Report (Doc E3.3).</p>
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	Yes

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.

	notified by the Applicant 28 days or more starting with the day after receipt of the consultation documents?	<p>A sample of the email sent to s42 consultees is provided at Appendix D.12.2 of the Consultation Report (Doc E3).</p> <p>The sample email dated 19 April 2023 confirmed that consultation commenced on 19 April 2023 and closed on 4 June 2023, providing more than the required minimum time for receipt of responses.</p>
Section 46: Duty to notify the Planning Inspectorate of proposed application		
12	Did the Applicant supply information to notify the Planning Inspectorate of the proposed application; and if so, was the information supplied to the Planning Inspectorate on or before the date it was sent to the s42 consultees? Was this done on or before commencing consultation under s42?	<p>Yes</p> <p>The Applicant gave notice under s46 on 19 April 2023, which was at or before the beginning of s42 consultation.</p> <p>A copy of an Email delivery report to the then Secretary of State for Energy Security and Net Zero is provided at Appendix D.20.1 of the Consultation Report (Doc E3.3) and a copy of s46 notification acknowledgement letter from the Planning Inspectorate is provided at Appendix D.20.2 of the Consultation Report (Doc E3.3). A copy of the s46 notification letter from the Applicant is available on the project page of the National Infrastructure Planning Website.</p>
Section 47: Duty to consult local community		
13	Did the Applicant prepare a Statement of Community Consultation (SoCC) on how it intended to consult people living in the vicinity of the land?	<p>Yes</p> <p>The Applicant prepared a Statement of Community Consultation (SoCC) despite Morgan Offshore Wind Project being entirely at sea and therefore in their view is not subject to the requirements of both s42 and s47 of the 2008 Act. Therefore, the Inspectorate has reviewed compliance with s47 in boxes 13 – 18, as it would, if these requirements applied to this development.</p> <p>A copy of the final SoCC is provided at Appendix D.1 of the Consultation Report (Doc E3.3).</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	<p>Yes</p> <p>The Applicant sent the first draft SoCC to:</p>

<p>responses 28 days beginning with the day after the day that 'B' and, where applicable, 'C' authorities received the consultation documents?</p>	<ul style="list-style-type: none"> • Barrow-in-Furness Borough Council * • Blackpool Council • Copeland Borough Council * • Cumbria County Council * • Douglas City Council (formerly known as Douglas Borough Council) • Fylde Council • Isle of Man Government / Reilrys Ellan Vannin - Territorial Seas Committee (TSC) • Lake District National Park Authority • Lancashire County Council • Preston City Council • South Lakeland District Council • South Ribble Borough Council • Wyre Council <p>This was sent on 15 February 2023 and set a deadline of 14 March 2023 for responses.</p> <p>The second draft SoCC Consultation period was undertaken between 9 March 2023 and 6 April 2023. The second consultation included the same list of bodies that were consulted as part of the first consultation.</p> <p>* It should be noted that The Cumbria (Structural Changes) Order 2022 took effect during the second s47 Consultation period on 1 April 2023 with respect to Barrow-in-Furness Borough Council, Copeland Borough Council and Cumbria County Council.</p>
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15	Has the Applicant had regard to any responses received when preparing the SoCC?	<p>Yes</p> <p>Appendix D.24 of the Consultation Report (Doc E3.3) provides a summary of the consultation responses from Territorial Seas Committee of the Isle of Man Government and Westmorland and Furness Council in respect of the draft SoCC and demonstrates how the Applicant had regard to their content. Westmorland and Furness Council is the successor authority to Barrow-in-Furness Borough Council and part of Cumbria County Council by virtue of The Cumbria (Structural Changes) Order 2022.</p> <p>Examples of changes from the draft SoCC to the final SoCC include:</p> <ul style="list-style-type: none"> • A full list of consultation and events was published in the final SoCC following on from the request for clarification as to when events were proposed to take place • Five pop up events were held as part of the consultation following feedback to suggest that informal consultation activities would be welcomed • The ‘Where we will consult’ map was updated in the final SoCC to highlight venues and deposit locations. <p>The Planning Inspectorate is satisfied that the Applicant had regard to the responses received when preparing the SoCC.</p>
16	Has the SoCC been made available for inspection on a website maintained by or on behalf of the Applicant; and has a notice been published in a newspaper circulating in the vicinity of the land which states where and when the SoCC can be inspected?	<p>Yes</p> <p>The final SoCC was made available at the following locations, which is reasonably convenient having regard to the location of the Proposed Development:</p> <ul style="list-style-type: none"> • Henry Bloom Noble Library, Douglas • Ramsey Town Library, Ramsey • Abbots Vale Community Centre, Barrow-in-Furness • Barrow-in-Furness Library • Southport Library

		<ul style="list-style-type: none"> • Penwortham Town Council and Community Centre, Penwortham • Egremont Community Centre, Wallasey • Preston City Council, Town Hall, Preston <p>A notice stating when and where the final SoCC could be inspected was published in:</p> <ul style="list-style-type: none"> • Fishing News, 12 April 2023 • Lloyds List, 12 April 2023 • London Gazette, 12 April 2023 • The Guardian, 12 April 2023 • Barrow Mail, 12 & 19 April 2023 • Blackpool Gazette, 12 & 19 April 2023 • Lancashire Post, 12 & 19 April 2023 • Isle of Man Courier, 14 & 21 April 2023 <p>The published SoCC notice, provided at Appendix D.3 of the Consultation Report (Doc E3.3) states where and when the final SoCC was available to inspect.</p> <p>Clippings of the published advertisements are provided at Appendix D.3 of the Consultation Report (Doc E3.3).</p>
17	Does the SoCC set out whether the development is EIA development ⁹ ; and does it set out how the Applicant intends to publicise and consult on the Preliminary Environmental Information?	<p>Yes</p> <p>Section 4 of the final SoCC at Appendix D.1 of the Consultation Report (Doc E3.3) sets out that the development is EIA development and sets out how the Applicant intended to publicise and consult on the Preliminary Environmental Information.</p>

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

18	Has the Applicant carried out the consultation in accordance with the SoCC?	<p>Yes</p> <p>Paragraphs 5.2.21.1 to 5.2.21.5 of the Consultation Report (Doc E3) set out how the community consultation was carried out in line with the final SoCC.</p> <p>Table 5.11 of the Consultation Report (Doc E3) sets out how the Applicant has complied with the commitments set out in the final SoCC.</p> <p>Appendices D.3, D.5, D.6, D.7, D.8, D.9, D.10, D.11, D.15 and D.24 of the Consultation Report (Doc E3.3) provide evidence that the commitments within the final SoCC have been carried out.</p>						
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 (as amended) APFP Regulations 2009?	<p>Yes</p> <p>Paragraph 5.2.9.1 of the Consultation Report (Doc E3) states:</p> <p>“In accordance with section 47 and section 48 of the 2008 Act, a series of formal notices (the statutory notices) were placed in local, national and sector-specific media. The titles used and publication dates were as presented in Table 5.3 below:”</p> <p>Table 5.3 of the Consultation Report (Doc E3) displays the newspapers and dates of s48 publicity as set out below.</p> <p>A copy of the s48 notice is provided at Appendix D.21.1 of the Consultation Report (Doc E3.3).</p> <p>Clippings of the published notices set out below are provided at Appendix D.21.2 of the Consultation Report (Doc E3.3):</p>						
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 5%;"></th> <th style="width: 35%; text-align: center;">Newspaper(s)</th> <th style="width: 60%; text-align: center;">Date</th> </tr> </thead> <tbody> <tr> <td style="vertical-align: top;">a)</td> <td style="vertical-align: top;">for at least two successive weeks in one or more local newspapers circulating in the</td> <td style="vertical-align: top;"> <ul style="list-style-type: none"> • Blackpool Gazette </td> </tr> </tbody> </table>				Newspaper(s)	Date	a)	for at least two successive weeks in one or more local newspapers circulating in the	<ul style="list-style-type: none"> • Blackpool Gazette
	Newspaper(s)	Date						
a)	for at least two successive weeks in one or more local newspapers circulating in the	<ul style="list-style-type: none"> • Blackpool Gazette 						

	vicinity in which the Proposed Development would be situated;	<ul style="list-style-type: none"> • Barrow Mail • Lancashire Post • Isle of Man Courier 	12 & 19 April 2023 12 & 19 April 2023 14 & 21 April 2023	
b)	once in a national newspaper;	<ul style="list-style-type: none"> • The Guardian 	12 April 2023	
c)	once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and	<ul style="list-style-type: none"> • London Gazette 	12 April 2023	
d)	where the proposed application relates to offshore development – (i) once in Lloyds List; and (ii) once in an appropriate fishing trade journal?	<ul style="list-style-type: none"> • Lloyds List • Fishing News 	12 April 2023 12 April 2023	
20	Did the s48 notice include the required information set out in Regulation 4(3) of the (as amended) APFP Regulations 2009?	Yes The published s48 notice, supplied at Appendix D.21.1 of the Consultation Report (Doc E3.3) , contains the required information as set out below:		
	Information	Paragraph	Information	Paragraph
a)	the name and address of the Applicant.	1	b) a statement that the Applicant intends to make an application for development consent to the Secretary of State	1

c)	a statement as to whether the application is EIA development	6	d)	a summary of the main proposals, specifying the location or route of the Proposed Development	3, 4 and 5								
	e)	a statement that the documents, plans and maps were available on a website maintained by or on behalf of the Applicant. The statement must include: <ul style="list-style-type: none"> the nature and location of the Proposed Development The address of the website The place on the website A telephone number which can be used to contact the Applicant for enquiries in relation to the documents, plans and maps. 		3, 8 and 9	f)	the latest date on which those documents, plans and maps will be available for inspection	10						
								g)	whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge	9	h)	details of how to respond to the publicity	11, 12, 13, 14 and 15
									i)	a deadline for receipt of those responses by the Applicant, being not less than 28 days following the date when the notice is last published			
21	Are there any observations in respect of the s48 notice provided above?												
	No												

22	Has a copy of the s48 notice been sent to the EIA consultation bodies and to any person notified to the Applicant in accordance with the EIA Regulations ¹⁰ ?	<p>Yes</p> <p>A copy of the s48 notice was sent to the EIA consultation bodies as part of the s42 consultation, as confirmed in paragraph 5.6.2.5 of the Consultation Report (Doc E3).</p> <p>A sample of the s42 consultation letter provided at Appendix D.12.2 of the Consultation Report (Doc E3.3) confirms a copy of the s48 notice was enclosed.</p>
s49: Duty to take account of responses to consultation and publicity		
23	Has the Applicant had regard to any relevant responses to the s42, s47 and s48 consultation?	<p>Yes</p> <p>Section 5 of the Consultation Report (Doc E3) sets out how the Applicant had regard to the consultation responses received; including whether or not responses led to changes to the application.</p> <p>The actions informed by the consultation responses appear to be reflected in the final form of the application as submitted. Where a particular response has not led to a change in the application, it is sufficiently clear that regard was had to it.</p>
Guidance about pre-application procedure		
24	To what extent has the Applicant had regard to statutory guidance 'Planning Act 2008: Guidance on the pre-application process' ¹¹ ?	<p>Paragraph 3.2.1.8 of the Consultation Report (Doc E3) states that the Applicant has taken into consideration all relevant statutory and other guidance.</p> <p>Having reviewed the application, the Planning Inspectorate is satisfied that the Applicant has identified and had regard to the relevant statutory guidance.</p>
25	Summary: Section 55(3)(e)	The Applicant has complied with Chapter 2 of Part 5 (pre-application procedure) of the PA2008.

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

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

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

26	<p>Is it made in the prescribed form as set out in Schedule 2 of the APFP Regulations, and does it include:</p> <ul style="list-style-type: none"> • a brief statement which explains why it falls within the remit of the Planning Inspectorate; and • a brief statement that clearly identifies the location of the application site, or the route if it is a linear scheme? 	<p>Yes</p> <p>Section 4 of the Application Form (Doc A3) explains why the development falls within the remit of the Planning Inspectorate.</p> <p>Section 5 of the Application Form (Doc A3) provides a brief non-technical description of the site and section 6 provides the location of the Proposed Development.</p> <p>A Location Plan (Doc B1) has been provided.</p>
27	<p>Is it accompanied by a Consultation Report?</p>	<p>Yes</p> <p>The application is accompanied by a Consultation Report (Doc E3), Consultation Report Appendices – Part 1 (Doc E3.1), Consultation Report Appendices – Part 2 (Doc E3.2) and Consultation Report Appendices – Part 3 (Doc E3.3).</p>
28	<p>Where a plan comprises three or more separate sheets, has a key plan been provided showing the relationship between the different sheets?¹²</p>	<p>N/A</p>
29	<p>Is it accompanied by the documents and information set out in APFP Regulation 5(2)?</p>	<p>The documents and information required by APFP Regulation 5(2) are set out in the documents and locations within the application as listed below:</p>

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

Information		Document	Information		Document
a)	Where applicable, the Environmental Statement required under the EIA Regulations ¹³ and any scoping or screening opinions or directions	Environmental Statement (ES): <ul style="list-style-type: none"> • Volume 1 – Introductory Chapters (Doc F1.1 to F1.5); • Volume 2 – Offshore Chapters (Docs F2.1 to F2.15); • Volume 3 – Introductory Annexes (Docs F3.3.1 to F3.5.2); and • Volume 4 – Offshore Annexes (Docs F4.1.1 to F4.14.1). 	b)	The draft Development Consent Order (DCO)	Draft Development Consent Order (Doc C1)
	Is this of a satisfactory standard?	Yes (with minor discrepancy as noted in section 51 advice issued alongside Acceptance decision)		Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in section 51 advice issued alongside Acceptance decision)
c)	An Explanatory Memorandum explaining the purpose and effect of provisions in the draft DCO	Explanatory Memorandum (Doc C2)	d)	Where applicable, a Book of Reference	The Applicant did not provide a Book of Reference but provided an explanation of their rationale why this was not required in the Application Letter (Doc A1) .

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

	Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in section 51 advice issued alongside Acceptance decision)		Is this of a satisfactory standard?	N/A
e)	A copy of any Flood Risk Assessment	The Proposed Development is located wholly within the offshore marine environment. A flood risk assessment is not applicable.	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	Statutory Nuisance Statement (Doc J4). The Applicant considers that none of the matters specified in Section 79(1) of the Environmental Protection Act 1990 (statutory nuisances) are engaged by the Proposed Development. The Proposed Development is located wholly within the offshore marine environment and does not include export cables to shore or any onshore development, which will be the subject of a separate application.
	Is this of a satisfactory standard?	N/A		Is this of a satisfactory standard?	Yes
h)	A Statement of Reasons and a Funding Statement (where the application involves any Compulsory Acquisition)	The Applicant did not provide a Statement of Reasons and a Funding Statement but provided an explanation of their rationale why this was not required in Application Letter (Doc A1)	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	Land Plan (Doc B8)

			<p>exercise powers of Compulsory Acquisition or any rights to use land;</p> <p>(iii) any land in relation to which it is proposed to extinguish easements, servitudes and other private rights; and</p> <p>(iv) any special category land and replacement land</p>		
	Is this of a satisfactory standard?	N/A	Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in section 51 advice issued alongside Acceptance decision)	
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</p>	Works Plan (Doc B3)	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>	N/A

	development and works may be carried out and any limits of deviation provided for in the draft DCO			
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?
				Yes (with minor discrepancies as noted in section 51 advice issued alongside Acceptance decision)
l)	Where applicable, a plan with accompanying information identifying:- (i) any statutory or non-statutory sites or features of nature conservation eg sites of geological or landscape importance; (ii) habitats of protected species, important habitats or other diversity features; and	(i) Statutory and Non-Statutory Nature Conservation Sites Relevant to the Application (Doc B6). (ii) HRA Stage 2 ISAA Parts 1-3 (Doc E1.1, E1.2, and E1.3); Statutory and Non-Statutory Nature Conservation Sites Relevant to the Application (Doc B6); ES Vol. 2, Chapter 2, Figure 2.5 (Doc F2.2); and ES Vol. 2, Chapter 4, Figure 4.4 (Doc F2.4). An assessment of effects on (i) and (ii) is provided in: ES Vol. 2, Chapter 1: Physical processes (Doc F2.1);	m)	Where applicable, a plan with accompanying information identifying any statutory or non-statutory sites or features of the historic environment, (eg scheduled monuments, World Heritage sites, listed buildings, archaeological sites and registered battlefields) together with an assessment of any effects on such sites, features or structures likely to be caused by the Proposed Development
				Offshore Historic Environment Plan (Doc B7). An assessment of effects is provided in: ES Vol. 2, Chapter 8: Marine archaeology and cultural heritage (Doc F2.8).

<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>ES Vol. 2, Chapter 2: Benthic subtidal ecology (Doc F2.2); ES Vol. 2, Chapter 3: Fish and shellfish ecology (Doc F2.3); ES Vol. 2, Chapter 4: Marine mammals (Doc F2.4); ES Vol. 2, Chapter 5: Offshore ornithology (Doc F2.5); ES Vol. 2, Chapter 10: Seascape, landscape and visual resources (Doc F2.10); and ES Vol.2, Chapter 15: Inter-related effects (Doc F2.15).</p> <p>(iii) The Proposed Development is located wholly within the offshore marine environment. Documents for water bodies in a river basin management plan are not applicable.</p>			
<p>Is this of a satisfactory standard?</p>	<p>Yes</p>		<p>Is this of a satisfactory standard?</p>	<p>Yes</p>
<p>n) Where applicable, a plan with any accompanying information identifying any Crown land</p>	<p>The Applicant did not provide a Crown Land Plan but provided an explanation of their rationale why this was not required in Application Letter (Doc A1)</p>	<p>o)</p>	<p>Any other plans, drawings and sections necessary to describe the development consent proposal</p>	<p>Indicative extent of marine licences (Doc B4): and Indicative extent of consents – cross section (Doc B5).</p>

			showing details of design, external appearance, and the preferred layout of buildings, structures, drainage, surface water management, means of vehicular and pedestrian access, any car parking and landscaping	
	Is this of a satisfactory standard?	N/A	Are they of a satisfactory standard?	Yes
p)	Any of the documents prescribed by Regulation 6 of the APFP Regulations:	Grid connection and cable detail statement (Doc J3); and Safety zone statement (Doc J5)	q) Any other documents considered necessary to support the application	Application Letter (Doc A1); Application Form (Doc A3); Application Guide (Doc A4); Technical Engagement Plan (Doc E4); Technical engagement plan appendices Part 1 (Appendix A) (Doc E4.1); Technical engagement plan appendices Part 2 (Appendix B) (Doc E4.2); Technical engagement plan appendices Part 3 (Appendix C) (Doc E4.3);

					<p>Technical engagement plan appendices Part 4 (Appendix D) (Doc E4.4);</p> <p>Technical engagement plan appendices Part 4 (Appendix E to L) (Doc E4.5);</p> <p>Other consents or licences required (Doc J1);</p> <p>Planning Statement (Doc J2);</p> <p>Mitigation and monitoring schedule (Doc J6);</p> <p>Relationship of plans secured in the Development Consent Order (Doc J7);</p> <p>Outline employment and skills plan (Doc J8);</p> <p>Outline offshore operations and maintenance plan (Doc J9);</p> <p>Outline fisheries liaison and coexistence plan (Doc J10);</p> <p>Outline offshore in principle monitoring plan (Doc J11);</p> <p>Morgan Array Area site characterisation report (Doc J12);</p> <p>Outline underwater sound management strategy (Doc J13);</p>
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				<p>Outline offshore written scheme of investigation for archaeology (Doc J14);</p> <p>Measures to minimise disturbance to marine mammals and rafting birds from transiting vessels (Doc J15);</p> <p>Outline Vessel Traffic Management Plan Offshore (Doc J16); and</p> <p>Outline marine mammal mitigation protocol (Doc J17).</p>	
	Are they of a satisfactory standard?	Yes		Are they of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)
30	Are there any observations in respect of the documents provided at Box 29 (a) to (q) above?				
	<p>Application Form (Doc A3)</p> <p>The Inspectorate has identified that the Application Form (Doc A3) submitted contains a grid reference/set of coordinates which is either incorrect or in an unspecified coordinate system. However, this did not impede the identification of the location of the scheme due to the plans forming part of the application.</p> <p>Section 51 advice has been issued to the Applicant in respect of the above matter: https://infrastructure.planninginspectorate.gov.uk/document/EN010136-000223</p>				
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	Yes	<p>A Habitats Regulations Assessment (HRA) Report has been provided (Docs E1.1; E1.2; E1.3; E1.4 and E1.5).</p> <p>The HRA Report identifies relevant European sites and the likely effects on those sites. It is considered that the information provided in the report is adequate for acceptance.</p>		

	assessment of the implications for the site if required by Regulation 48(1)? ¹⁴	Note: The Examining Authority will be able to ask questions during the Examination. This may result in additional information being required to inform the HRA Report and the competent authority. Depending upon the type and availability of information required it may not be possible to obtain this during the statutory timetable of the Examination.
32	If requested by the Planning Inspectorate, two paper copies of the application form and other supporting documents and plans ¹⁵	No hard copies requested.
33	Has the Applicant had regard to statutory guidance 'Planning Act 2008: Application form guidance', and has this regard led to the application being prepared to a standard that the Planning Inspectorate considers satisfactory?	Yes Section 3 of the Consultation Report (Doc E3) explains how the Applicant has had regard to statutory guidance on the form of the application. Although it is not explicitly stated they had regard to the Planning Act 2008: Application form guidance but Section 3 of the Consultation Report (Doc E3) provides an overview of relevant guidance considered at the Pre-Application stage of the process. The Planning Inspectorate is satisfied that the Applicant has demonstrated regard to the guidance principles.
34	Summary - s55(3)(f) and s55(5A)	The Planning Inspectorate concludes that the application (including accompaniments) has been prepared to a standard that it considers satisfactory.

The Infrastructure Planning (Fees) Regulations 2010 (as amended)

Fees to accompany an application

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

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

35	Was the fee paid at the same time that the application was made ¹⁶ ?	The fee was received on 16 April 2024; before the application was made.
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Role	Electronic signature	Date
Case Manager	<i>Simon Raywood</i>	17 May 2024
Acceptance Inspector	<i>Janine Laver</i>	17 May 2024

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

