



The Planning Inspectorate
Yr Arolygiaeth Gynllunio

Section 55

Acceptance of Applications Checklist

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

Version: May 2024

Tillbridge Solar Project Section 55 Acceptance of Applications Checklist

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

DISCLAIMER: This Checklist 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
		10 April 2024	8 May 2024	8 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 Development Consent Order (Application Document Reference (Doc 3.1)) includes development falling within the categories in s14 of the PA2008. The development is for the construction of a Generating Station and satisfies section 15 of the PA2008; including subsection 1 and subsection 2. The Applicant states that the Generating Station is intended to have a Generation Capacity of more than 50 MW.</p> <p>This is consistent with the summary provided in section 4 of the Application Form (Doc 1.1) 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 Development Consent Order (Doc 3.1) includes development for which development consent is required.
Section 55(3)(e): The Applicant in relation to the application made has complied with Chapter 2 of Part 5 (pre-application procedure)		
4	In accordance with the EIA Regulations ³ , did the Applicant (prior to carrying out consultation in accordance with s42) either (a) request the Planning Inspectorate adopt a Screening Opinion in respect of the development to which the application relates, or (b) notify the Planning Inspectorate in writing that it proposed to provide an Environmental Statement in respect of that development?	Yes On 24 May 2023 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 30 May 2024. A copy of the notification letter is provided at Appendix F-1 of the Consultation Report (Doc 5.1) .
5	Have any Adequacy of Consultation Representations ⁴ been received from 'A', 'B', 'C' and 'D' local authorities; and if so,	Yes

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>do they confirm that the Applicant has complied with the duties under s42, s47 and s48?</p>	<p>There are 22 host and neighbouring authorities, of which 12 responded to the Planning Inspectorate’s invitation to make an Adequacy of Consultation Representation (AoCR) dated 11 April 2024.</p> <p>All 12 responding authorities confirmed in their AoCR that either the Applicant had complied with its duties under s42, s47 and s48 of the PA2008 and/ or that their authority had no comments/ objections to make. These local authorities were:</p> <ul style="list-style-type: none"> • Bolsover District Council (A authority) • City of Lincoln Council (A authority) • Newark and Sherwood District Council (A authority) • North Kesteven District Council (A authority) • Nottinghamshire County Council (C authority) • Cambridgeshire County Council (D authority) • North East Lincolnshire Council (A & D authority) • Mansfield District Council (A authority) • North Lincolnshire Council (A & D authority) • Lincolnshire County Council (C authority) • Rutland County Council (D authority) • Bassetlaw District Council (B authority) <p>All AoCRs received have been carefully considered and are available to view on the National Infrastructure Planning website: https://infrastructure.planninginspectorate.gov.uk/projects/EN010142</p>
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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 26 May 2023 at Appendix E-4 of the Consultation Report (Doc 5.1).</p> <p>A sample of the letter sent to s42(1)(a) consultees is provided at Appendix E-3 of the Consultation Report (Doc 5.1).</p> <p>The Planning Inspectorate has identified the following parties based on a precautionary interpretation of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the APFP Regulations) that were not consulted by the Applicant under s42:</p> <ul style="list-style-type: none"> - CNG Services Ltd - Mua Gas Limited - EDF West Burton Power Station - Aidien Ltd - Squire Energy Metering Ltd <p>The Applicant's Consultation Report (Doc 5.1) does not explain why the bodies identified above have not been consulted. However, it is noted that the licences held by these bodies cover Great Britain or various smaller areas and the operational areas of each are not clear from information in the public domain.</p> <p>None of the bodies listed above have been identified by the Applicant as having an interest in the Order lands and are not listed in the Book of Reference (Doc 4.3).</p>
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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 ?	<p>Yes</p> <p>Paragraph 8.2.4 of the Consultation Report (Doc 5.1) states the Marine Management Organisation was consulted due to the Order limits inclusion of the river Trent.</p>
8	Section 42(1)(b) each local authority within s43 ⁷ ?	<p>Yes</p> <p>Table 8-1 of the Consultation Report (Doc 5.1) lists the relevant local authorities that were identified and consulted under s43 and s42(1)(b) on 26 May 2023.</p> <p>The host 'B' authority was consulted:</p> <ul style="list-style-type: none"> • West Lindsey District Council • Bassetlaw District Council <p>The host 'C' authority was consulted:</p> <ul style="list-style-type: none"> • Nottinghamshire County Council • Lincolnshire County Council <p>The boundary 'A' authorities were consulted:</p> <ul style="list-style-type: none"> • North Kesteven District Council • Lincoln City Council • Newark and Sherwood District Council • Mansfield District Council • Bolsover District Council • East Lindsey District Council

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

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

		<p>The boundary 'A & D' authorities were consulted:</p> <ul style="list-style-type: none"> • North East Lincolnshire Council • North Lincolnshire Council • Rotherham Metropolitan Borough Council • Doncaster Metropolitan Borough Council <p>The boundary 'D' authorities were consulted:</p> <ul style="list-style-type: none"> • Rutland County Council • North Northamptonshire Council • Nottingham City Council • Peterborough City Council • Cambridgeshire County Council • Norfolk County Council • Derbyshire County Council • Leicestershire County Council <p>A sample of the letter sent to s42(1)(b) relevant authorities is provided at Appendix E-3.3 of the Consultation Report (Doc 5.1).</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 8.7.5 of the Consultation Report (Doc 5.1) states that all persons identified under s42(1)(d) were consulted on 26 May 2023.</p> <p>Paragraphs 8.7.1 to 8.7.10 of the Consultation Report (Doc 5.1) summarise how the Applicant made diligent inquiry to seek to identify and consult persons with an interest in lands affected by the Draft DCO (Doc 3.1). The full methodology undertaken by the Applicant is provided in Appendix E-4 of the Consultation Report (Doc 5.1).</p> <p>The persons consulted under s42(1)(d) are listed at Appendix E of the Consultation Report (Doc 5.1).</p> <p>A sample of the letter is provided at Appendix E-3.4 of the Consultation Report (Doc 5.1).</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 notified by the Applicant 28 days or more starting with the day after receipt of the consultation documents?	<p>Yes</p> <p>A sample of the letter sent to s42 consultees is provided at Appendix E-3 of the Consultation Report (Doc 5.2 Appendix E).</p> <p>The sample letter dated 26 May 2023 confirmed that consultation commenced on 30 May 2023 and closed on 11 July 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	<p>Yes</p> <p>The Applicant gave notice under s46 on 24 May 2023, which was before the beginning of s42 consultation.</p>

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

	sent to the s42 consultees? Was this done on or before commencing consultation under s42?	A copy of the s46 notification letter is provided at Appendix F-1 of the Consultation Report (Doc 5.2 Appendix F) and a copy of s46 notification acknowledgement letter from the Planning Inspectorate is provided at Appendix F-2 of the Consultation Report (Doc 5.1 Appendix F) .
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?	Yes A copy of the final SoCC is provided at Appendix B-7 of the Consultation Report (Doc 5.1) .
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?	Yes Paragraph 6.3 of the Consultation Report (Doc 5.1) states that the Applicant sent the draft SoCC to West Lindsey District Council ('B' Authority), Bassetlaw District Council ('B' Authority), Nottinghamshire County Council ('C' Authority) and Lincolnshire County Council ('C' authority) on 13 February 2023 and set a deadline of 14 March 2023 for responses; providing more than the required minimum time for responses to be received.
15	Has the Applicant had regard to any responses received when preparing the SoCC?	Yes Table 6-1 and Table 6-2 of the Consultation Report (Doc 5.1) provides a summary of the consultation responses from Bassetlaw District Council, Lincolnshire County Council and West Lindsey District Council in respect of the draft SoCC and demonstrate how the Applicant had regard to their content. Examples of changes from the draft SoCC to the final SoCC include: <ul style="list-style-type: none"> • Additional communities of North Leverton, South Leverton and Treswell added to the Preliminary Consultation Zone and an additional event nearer to the local communities in Bassetlaw added

		<ul style="list-style-type: none"> • Statutory consultation period delayed by 3 weeks to allow time for induction and training for new Councillors following a local election immediately prior to the originally proposed date • Illustrative example of the scheme developed and included in consultation materials <p>The Planning Inspectorate is satisfied that the Applicant had regard to the responses received when preparing the SoCC.</p>
16	<p>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>	<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"> • West Lindsey Country Council offices, Guildhall Marshall’s Yard, Gainsborough • Lincoln Central Library, Free School Lane, Lincoln • Gainsborough Library, Gainsborough Cobden Street, Gainsborough • Saxilby Library, St Andrews Centre, Saxilby • Retford Library, Churchgate, Retford <p>A notice stating when and where the final SoCC could be inspected was published in:</p> <ul style="list-style-type: none"> • Gainsborough Standard – 25 May 2023 • Lincolnshire Echo – 25 May 2023 • Retford Times – 25 May 2023 <p>The published SoCC notice, provided at Appendix B-7 of the Consultation Report (Doc 5.1) states where and when the final SoCC was available to inspect.</p> <p>Clippings of the published advertisements are provided at Appendix B-8 of the Consultation Report (Doc 5.1).</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>Paragraphs 4.3.1 to 4.3.7 of the final SoCC at Appendix B-7 of the Consultation Report (Doc 5.2 Appendix B) sets out that the development is EIA development and sets out how the Applicant intended to publicise and consult on the Preliminary Environmental Information.</p>
18	Has the Applicant carried out the consultation in accordance with the SoCC?	<p>Yes</p> <p>Section 7.2 of the Consultation Report (Doc 5.1) set out how the community consultation was carried out in line with the final SoCC.</p> <p>Table 6-7 of the Consultation Report (Doc 5.1) sets out how the Applicant has complied with the commitments set out in the final SoCC.</p> <p>Appendices B (6 – 11) and C (1 – 23) of the Consultation Report (Doc 5.1) 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 9.4.1 of the Consultation Report (Doc 5.1) states:</p> <p>“The Applicant published its s48 notice as set out in the PA 2008 (Ref 4) and the APFP Regulations (Ref 5). The notice contained the required information including a deadline for comments on the proposals which coincided with other statutory dates given.”</p> <p>Table 9.1 of the Consultation Report (Doc 5.1) 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-1 of the Consultation Report (Doc 5.2 Appendix D).</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

		Clippings of the published notices set out below are provided at Appendix D-2 of the Consultation Report (Doc 5.2 Appendix D) :		
		Newspaper(s)	Date	
a)	for at least two successive weeks in one or more local newspapers circulating in the vicinity in which the Proposed Development would be situated;	<ul style="list-style-type: none"> Lincolnshire Echo Retford Times Gainsborough Standard 	25 May 2023 and 1 June 2023 (all papers)	
b)	once in a national newspaper;	<ul style="list-style-type: none"> The Guardian 	25 May 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 	25 May 2023	
d)	where the proposed application relates to offshore development – (i) once in Lloyds List; and (ii) once in an appropriate fishing trade journal?	N/A	N/A	
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-1 of the Consultation Report (Doc 5.2 Appendix D) , 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	5	d)	a summary of the main proposals, specifying the location or route of the Proposed Development	2				
	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. 		7 & 11	f)	the latest date on which those documents, plans and maps will be available for inspection	7		
		g)		whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge		12 -14	h)	details of how to respond to the publicity	15 - 16
				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		15	
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 9.2.4 of the Consultation Report (Doc 5.1).</p> <p>A sample of the s42 consultation letter provided at Appendix E-3 of the Consultation Report (Doc 5.2 Appendix E) 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 10.4 of the Consultation Report (Doc 5.1) 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</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 13 of the Consultation Report (Doc 5.1) 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 1.4) explains why the development falls within the remit of the Planning Inspectorate.</p> <p>Section 5 of the Application Form (Doc 1.4) 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 2.1) 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 5.1) and Consultation Report Appendices (Doc 5.2).</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>Yes</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>	
<p>Information Document</p>		<p>Information Document</p>	

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

a)	Where applicable, the Environmental Statement required under the EIA Regulations ¹³ and any scoping or screening opinions or directions	Environmental Statement (Doc 6.1) Environmental Statement Non-Technical Summary (Doc 6.4) Environmental Statement Scoping Opinion Appendix 1-2 (Doc 6.2) The Applicant did not seek a screening opinion.	b)	The draft Development Consent Order (DCO)	Draft Development Consent Order (Doc 3.1)
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)
c)	An Explanatory Memorandum explaining the purpose and effect of provisions in the draft DCO	Draft Explanatory Memorandum (Doc 3.2)	d)	Where applicable, a Book of Reference	Book of Reference (Doc 4.3)
	Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)		Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)
e) C D	A copy of any Flood Risk Assessment	Environmental Statement Appendix 10-3 Flood Risk Assessment (Doc 6.2)	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	Statutory Nuisance Statement (Doc 7.7) – This addresses the condition of the site (Section 4.1), air emissions (Section 4.2), artificial light (Section 4.3) and noise and vibration (Section 4.4). Measures intended to mitigate impacts associated with these

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

			Applicant proposes to mitigate or limit them	matters are also considered within these sections. These are secured through the Construction, Operation and Decommissioning Environmental Management Plans.
	Is this of a satisfactory standard?	Yes	Is this of a satisfactory standard?	Yes
h)	A Statement of Reasons and a Funding Statement (where the application involves any Compulsory Acquisition)	Statement of Reasons (Doc 4.1) Funding Statement (4.2)	i) A Land Plan identifying:- (i) the land required for, or affected by, the Proposed Development; (ii) where applicable, any land over which it is proposed to exercise powers of Compulsory Acquisition or any rights to use land; (iii) any land in relation to which it is proposed to extinguish easements, servitudes and other private rights; and	Land and Crown Land Plan (Doc 2.2)

			(iv) any special category land and replacement land	
	Is this of a satisfactory standard?	Yes	Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)
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 deviation provided for in the draft DCO	Works Plan (Doc ref 2.3)	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	Streets, Rights of Way and Access Plans (Doc 2.4)
	Is this of a satisfactory standard?	Yes	Is this of a satisfactory standard?	Yes
l)	Where applicable, a plan with accompanying	(i) Environmental Constraints Plan (Doc 6.3, Fig 2-2)	m) Where applicable, a plan with accompanying information identifying	Environmental Constraints Plan (Doc 6.3, Fig 2.2)

<p>information identifying:-</p> <p>(i) any statutory or non-statutory sites or features of nature conservation eg sites of geological or 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>a. Statutory Sites of Nature Conservation (Doc 6.3, Fig 9-1)</p> <p>b. Non-Statutory Sites of Nature Conservation (Doc 6.3, Fig 9-2)</p> <p>An assessment of effects on statutory and non-statutory sites of sensitive species is outlined in Table 9-14 of ES Chapter 9 – Ecology and Nature Conservation (Doc 6.1).</p> <p>(ii) Phase 1 Habitat Plan (Doc 6.3, Fig 9-3)</p> <p>An assessment of effects on habitats and species is provided in Table 9-15 of ES Chapter 9 - Ecology and Nature Conservation (Doc 6.1). This is supported by the following appendices (Doc 6.2):</p> <p>Appendix 9-2 - Aquatic Ecology Baseline Report</p> <p>Appendix 9-3 - Baseline Report for Flora (including hedgerows)</p> <p>Appendix 9-4 - Baseline Report for Terrestrial invertebrates</p> <p>Appendix 9-5 - Baseline Report for Great Crested Newt</p>	<p>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</p>	<p>Designated Heritage Assets (Doc 6.3, Fig 8-1)</p> <p>High Value Heritage Assets within 3-5km of the Principal Site (Doc 6.3, Fig 8-2)</p> <p>Non-designated Heritage Assets (Doc 6.3, Fig 8-3)</p> <p>Archaeological Events (Doc 6.3, Fig 8-4)</p> <p>Historic Landscape Characterisations (Doc 6.3, Fig 8-5)</p> <p>Historically Sensitive Archaeological Sites (Soc 6.3, Fig 8-7)</p> <p>An assessment of effects on designated and non-designated heritage assets and features is provided in Section 8.9 of ES Chapter 8 – Cultural Heritage (Doc. 6.1). This is also supported by the following appendices (Doc 6.2);</p> <p>Appendix 8.2 – Cultural Heritage Desk Based Assessment</p> <p>Appendix 8.3 (1-4) – Gazeteer of Cultural Heritage assets</p> <p>Appendix 8.4 – Air photo and LIDAR mapping and Interpretation</p> <p>Appendix 8.5 (1) – Principal Site Geophysical Survey Report</p>
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	<p>Appendix 9-6 - Baseline Report for Reptiles and amphibians</p> <p>Appendix 9-7 - Baseline Report for Breeding birds</p> <p>Appendix 9-8 - Baseline Report for Non-breeding birds</p> <p>Appendix 9-9 - Baseline Report for Bats</p> <p>Appendix 9-10 - Baseline Report for Riparian mammals</p> <p>Appendix 9-11 - Baseline Report for Badger (Confidential)</p> <p>(iii) Watercourses, Flood zones and Internal Drainage Boards (Doc 6.3, Fig 10-5)</p> <p>(iv) An assessment of effects on water bodies is provided in Section 10.8 of ES Chapter 10 – Water Environment (Doc 6.1).</p>		<p>Appendix 8.5 (2) – CRC Geophysical Survey Report</p> <p>Appendix 8.6 – Archaeological Evaluation Report</p> <p>Appendix 8.7 – Geoarchaeological borehole survey and deposit modelling</p> <p>Appendix 8.8 – Heritage Field Number Comparison</p>		
	Is this of a satisfactory standard?	Yes (with minor comments, noted in Box 30 below)	Is this of a satisfactory standard?	Yes (with minor comments, noted in Box 30 below)	
n)	Where applicable, a plan with any accompanying information identifying any Crown land	Land and Crown Land Plan (Doc 2.2)	o)	Any other plans, drawings and sections necessary to describe the development consent proposal showing details of design, external appearance, and the	Illustrative sections, layouts and images etc not provided as separate documents but included in: Environmental Statement Chapter 3 (Doc 6.1)

			preferred layout of buildings, structures, drainage, surface water management, means of vehicular and pedestrian access, any car parking and landscaping	Design and Access Statement (Doc 7.3)
	Is this of a satisfactory standard?	Yes	Are they of a satisfactory standard?	Yes
p)	Any of the documents prescribed by Regulation 6 of the APFP Regulations:	Grid Connection Statement (Doc 7.5)	q) Any other documents considered necessary to support the application	Covering Letter (Doc 1.1) Guide to the Application (Doc 1.2) Consents and Agreements Position Statement (Doc 3.3) Statement of Need (Doc 7.1) Planning Statement (Doc 7.2) Design and Access Statement (Doc 7.3) Outline Design Principles Statement (Doc 7.4) Report on Interrelationship with other NSIPs (Doc 7.6) Statutory Nuisance Statement (Doc 7.7) Framework Construction Environmental Management Plan (Doc 7.8)

					<p>Framework Operational Environmental Management Plan (Doc 7.9)</p> <p>Framework Decommissioning Environmental Management Plan (Doc 7.10)</p> <p>Framework Construction Traffic Management Plan (Doc 7.11)</p> <p>Framework Soil Management Plan (Doc 7.12)</p> <p>Framework Battery Safety Management Plan (Doc 7.13)</p> <p>Biodiversity Net Gain Report (Doc 7.14)</p> <p>Equality Impact Assessment (Doc 7.15)</p> <p>Framework Public Right of Way Management Plan (Doc 7.16)</p> <p>Framework Landscape Ecological Management Plan (Doc 7.17)</p> <p>Framework Skills, Supply Chain and Employment Plan (Doc 7.18)</p>
	Are they of a satisfactory standard?	Yes		Are they of a satisfactory standard?	Yes (with minor comments, noted in Box 30 below)
30	Are there any observations in respect of the documents provided at Box 29 (a) to (q) above?				

Draft Development Consent Order (Doc 3.1)

Schedule 13 Certified Documents and Plans – The Inspectorate has noted some minor errors and inconsistencies and advises a review of all references.

Further detail provided in s51 advice.

Explanatory Memorandum (Doc 3.2)

The Applicant is asked to ensure references to precedents are updated to reflect any currently unmade DCOs which may have since proceeded to decision (e.g. Mallard Pass, Gate Burton).

Works Plans (Doc 2.3)

Work Nos. 2 and 6 – These Works cover large areas and would be better understood if separated out on the Works Plans.

Further detail provided in s51 advice.

There are some minor discrepancies between page cut/continuation lines – each set seems to be internally consistent but slight variance between the two sets as to where the cuts fall.

Land Plans (Doc. 2.2)

Land not in the Order Limits is highlighted yellow where it is surrounded by order land for clarity. Whilst this doesn't change the meaning of what is proposed it may cause confusion for the public, therefore the Applicant should consider whether this land should be uncoloured/white.

If these plots remain yellow: The Applicant is to ensure that the parcels of yellow coloured land match with those on the Works Plans.

Further detail provided in s51 advice.

There are some minor discrepancies between page cut/continuation lines – each set seems to be internally consistent but slight variance between the two sets as to where the cuts fall.

Framework Landscape and Ecological Management Plan (LEMP) (Doc 7.17)

Appendix A of the LEMP contains the Indicative Landscape Management Plan. This is a large document spread across 1 of 3 to 3 of 3 of the LEMP. This is likely to be a plan which is frequently referred to in the Examination and as such it would be useful to have it as a standalone document.

Minor labelling and typographic errors in the Environmental Statement (Docs 6.1 to 6.3)

ES Figure 12-10: Local Landscape Character Areas – Figure number is inconsistent (12 – 11).

ES Figure 2-2 (Doc 6.3) (also in the **Non-Technical Summary**). The Environmental Constraints Plan figure lacks labels to identify the sites. The colour scheme obscures background mapping and makes it difficult to distinguish Ancient Woodland from Grade 3 agricultural land.

ES Figures 4-2 and 4-3 (Doc 6.3) are difficult to read due to the colours and shading used.

Approximately 7 of the 35 viewpoints illustrated in **ES Figures 12-13 Q-CC (Doc 6.3)** are slightly blurred or photographs are unclear.

ES Appendices 8-5-1 and 8-5-2 (Doc 6.2) contain a black line across the pages obscuring some of the text.

ES Appendix 9-5 (Doc 6.2) redacts field numbers.

ES Figures 16-3 and 16-8 (Doc 6.3) are missing road names / numbers.

ES Figures 12-4a to 12-4h: Zones of Theoretical Visibility – the full ZTV is not shown.

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

<https://infrastructure.planninginspectorate.gov.uk/document/EN010142-000410>

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	<p>Yes</p> <p>A Habitat Regulations Assessment (HRA) Report is provided at Appendix 9.2 of the Environmental Statement (Doc ref 6.2) has been provided.</p> <p>The HRA Report identifies relevant European sites and the likely effects on those sites. It is considered that the information provided in the report is adequate for acceptance.</p> <p>Note: The Examining Authority will be able to ask questions during the Examination. This may result in additional information being required to inform the HRA Report and the competent authority. Depending upon the type and availability of information</p>
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	for the site if required by Regulation 48(1)? ¹⁴	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 Chapter 3.1.1 of the Covering Letter (Doc 1.1) and Chapter 6.6 of the Consultation Report (Doc ref 5.1) explains how the Applicant has had regard to statutory guidance on the form of the application. The Planning Inspectorate is satisfied that the Applicant has demonstrated regard to the guidance principles.
34	Summary - s55(3)(f) and s55(5A)	The Planning Inspectorate concludes that the application (including accompaniments) has been prepared to a standard that it considers satisfactory. In respect of the discrepancies identified in Box 30 of this checklist, to help facilitate an efficient and effective examination of the application s51 advice has been provided to the Applicant in conjunction with the decision to accept the application. That advice is published on the National Infrastructure Planning website, here: https://infrastructure.planninginspectorate.gov.uk/document/EN010142-000410
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 13 March 2024 with a further fee paid by the Applicant on 22 March 2024 due to the increase in fees commencing on 1 April 2024.; before the application was made.
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Role	Electronic signature	Date
Case Manager	<i>Robert Cook</i>	08 May 2024
Acceptance Inspector	<i>Susan Hunt</i>	08 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

