



Planning Inspectorate  
Arolygiaeth Gynllunio

# Section 55

## Acceptance of Applications Checklist

Appendix 3 of [Advice on the preparation and submission of application documents](#)

13 December 2024

## Botley West Solar Farm Section 55 Acceptance of Applications Checklist

Relevant sections of the Planning Act 2008 can be viewed at legislation.gov.uk, here: <http://www.legislation.gov.uk/ukpga/2008/>

All other secondary legislation referred to in this checklist is searchable, here: <https://www.legislation.gov.uk/>

**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 the Ministry of Housing, Communities and Local Government.

Section 55(2) Acceptance of Applications				
1	Within 28 days (starting day after receipt) the Planning Inspectorate must decide whether or not to accept the application for Examination.	Date received	28-day due date	Date of decision
		<b>15 November 2024</b>	<b>13 December 2024</b>	<b>13 December 2024</b>
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	In accordance with sections(s) 14 to 30 of the Planning Act 2008 (the PA2008), is the development a Nationally Significant Infrastructure Project (NSIP) (or does it form part of an NSIP); and does the application state on the face of it that, in accordance with s31 of the PA2008, it is an application for a Development Consent Order (DCO) under the PA2008, or equivalent words?	<p><b>Yes</b></p> <p>The Proposed Development set out in <b>Schedule 1</b> of the <b>Draft DCO (Doc 3.1)</b> 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 2.</p> <p>This is consistent with the summary provided in <b>Section 4</b> of the <b>Application Form (Doc 1.2)</b> which states that the application is for an NSIP.</p>		

	<p>Does the application specify the development to which it relates (i.e. which category or categories in s14 to 30 does the Proposed Development fall)?</p> <p>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?</p>	
3	<p><b>Summary: Section 55(3)(a) and s55(3)(c)</b></p>	<p>The Planning Inspectorate is satisfied that the <b>Draft DCO (Doc 3.1)</b> includes development for which development consent is required.</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 Regulation 8 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations), 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><b>Yes</b></p> <p>On 15 June 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 as part of its request for a Scoping Opinion to be provided.</p> <p>The Applicant also provided notice to the Planning Inspectorate that it would be providing an Environmental Statement in their letter providing notification of Statutory Consultation under s46 of the PA2008 dated 28 November 2023. The notification was received before the start of statutory consultation, which commenced on 30 November 2023.</p>

		A copy of the Scoping Report providing notification that an ES would accompany the Application is provided at <b>Appendix 4.1</b> of the <b>Environmental Statement (Doc 6.5)</b> .
5	<p>Have any Adequacy of Consultation Representations 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>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>	<p><b>Yes</b></p> <p>There are 17 host and neighbouring authorities, of which 10 responded to the Planning Inspectorate’s invitation to make an Adequacy of Consultation Representation (AoCR) dated 18 November 2024.</p> <p>All 10 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"> <li>• Stratford on Avon District Council (A authority)</li> <li>• Gloucestershire County Council (A and D authority) *</li> <li>• Warwickshire County Council (A and D authority)</li> <li>• West Berkshire Council (A and D authority)</li> <li>• Wiltshire Council (A and D authority) *</li> <li>• Cherwell District Council (B authority) *</li> <li>• Vale of White Horse District Council (B authority) *</li> <li>• West Oxfordshire District Council (B authority) *</li> <li>• Oxfordshire County Council (C authority) *</li> <li>• Reading Borough Council (D authority) *</li> </ul> <p>* Cherwell District Council – The Planning Inspectorate notes that Cherwell District Council has responded that it was satisfied that the legal requirements</p>

		<p>on the Applicant under s42, s47 and s48 of the PA2008 has been met but has appended a submission from the Stop Botley West Group in relation to the standard and approach taken to Consultation at the Pre-Application Stage. Cherwell District Council has also appended additional documentation in relation to the publication of Press Notices under s48 of the PA2008.</p> <p>* Vale of White Horse District Council – The Planning Inspectorate notes that Vale of White Horse District Council has responded that it was satisfied that the legal requirements on the Applicant under s42, s47 and s48 of the PA2008 has been met but has appended submissions from Cumnor Parish Council and the Stop Botley West Group in relation to the standard and approach taken to Consultation at the Pre-Application Stage.</p> <p>* West Oxfordshire District Council – The Planning Inspectorate notes that West Oxfordshire District Council has responded that it was satisfied that the legal requirements on the Applicant under s42, s47 (with qualifications) and s48 of the PA2008 has been met but has included additional comments on all matters and appended a submission from the Stop Botley West Group in relation to the standard and approach taken to Consultation at the Pre-Application Stage.</p> <p>* Oxfordshire County Council – The Planning Inspectorate notes that Oxfordshire County Council has responded that it was satisfied that the legal requirements on the Applicant under s42, s47 (with qualifications) and s48 of the PA2008 has been met but has appended additional documentation which has been considered.</p> <p>* Gloucestershire County Council, Reading Borough Council and Wiltshire Council confirmed that they had no comments to make on the Adequacy of Consultation for this application for development consent.</p> <p>The Planning Inspectorate has carefully considered the issues raised in the AoCRs received from the above authorities, as part of its full review of the</p>
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		<p>Applicant's Consultation Report (<b>Doc 5.1</b>) and Appendices (<b>Docs 5.1.1 through to 5.1.10</b>), and makes the following comments:</p> <ul style="list-style-type: none"> <li>• The Planning Inspectorate notes the concerns raised in West Oxfordshire District Council and Oxfordshire County Council AoCRs regarding the Applicant's compliance with the Gunning Principles. The Planning Inspectorate considers that the information made available for consultation was sufficient and that there was a reasonable prospect that the scheme was able to be understood by the wide variety of consultees at that point in time. The Planning Inspectorate considers that this is demonstrated in the application through the various rounds of consultation and evidence provided in the Consultation Report Appendices (<b>Docs 5.1.3, 5.1.9 and 5.1.10</b>).</li> <li>• The Planning Inspectorate notes the concerns raised by Cherwell District Council regarding notices. The Planning Inspectorate considers that the wording of the Statement of Community Consultation (SoCC) allowed flexibility. Therefore, the Inspectorate considers that the Applicant has complied with the requirement to publicise the proposed application in the prescribed manner set out in Regulation 4(2)(a) of the (as amended) APFP Regulations 2009 (see box 19a below) and in compliance with the commitments set out in the SoCC in this regard.</li> </ul> <p>All AoCRs received have been carefully considered and are available to view on the National Infrastructure Planning website: <a href="#">Documents   Botley West Solar Farm</a></p> <p>Additionally, the Planning Inspectorate received other submissions specifically on the adequacy of the Applicant's consultation from Parish Councils, Stop</p>
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		<p>Botley West and members of the public during the Pre-application and Acceptance stages. These have been published here:  <a href="https://infrastructure.planninginspectorate.gov.uk/document/EN010147-000611">https://infrastructure.planninginspectorate.gov.uk/document/EN010147-000611</a></p> <p>The Planning Inspectorate has considered all submitted representations, in relation to concerns bearing directly on adequacy of consultation. The Planning Inspectorate is satisfied that the Applicant has complied with its statutory obligations. To the extent that other matters have been raised in responses, the Planning Inspectorate is satisfied that these matters do not bear on an Acceptance decision and therefore do not affect the conclusion that the Applicant has complied with its statutory obligations. Parties are able to include such other matters within their submission of Relevant Representations during the Pre-Examination stage. They may also provide further comment on these matters by way of making Written Representations at the appropriate time during the Examination.</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>		
<p>6</p>	<p>Section 42(1)(a) persons prescribed?  The persons prescribed are the statutory consultees set out in Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the APFP Regulations).</p>	<p><b>Yes</b></p> <p>The Applicant has provided a list of persons consulted under s42(1)(a) on 30 November 2023 at <b>Appendix 5.1.6</b> of the <b>Consultation Report (Doc 5.1)</b>.</p> <p>A sample of the letter sent to s42(1)(a) consultees is provided at <b>Appendix 5.1.6</b> of the <b>Consultation Report (Doc 5.1)</b>.</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"> <li>• Steeple Barton Parish Council</li> <li>• CNG Services Limited</li> <li>• Advanced Electricity Networks Ltd</li> <li>• Aidien Ltd</li> <li>• Aurora Utilities Ltd</li> <li>• Green Generation Energy Networks Cymru Ltd</li> </ul> <p>The Applicant's <b>Consultation Report (Doc 5.1)</b> 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 <b>Book of Reference (Doc 4.3)</b>.</p> <p>Section 51 advice has been issued to the Applicant in respect of the above matter: <a href="https://infrastructure.planninginspectorate.gov.uk/document/EN010147-000610">https://infrastructure.planninginspectorate.gov.uk/document/EN010147-000610</a></p>
7	<p>Section 42(1)(aa) the Marine Management Organisation(MMO)?</p> <p>The MMO must be consulted 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.</p>	<b>N/A</b>
8	Section 42(1)(b) each local authority within s43?	<b>Yes</b>



<p>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>	<p><b>Table 8.1</b> of the <b>Consultation Report (Doc 5.1)</b> lists the relevant local authorities that were identified and consulted under s43 and s42(1)(b) on 29 November 2023</p> <p>The host 'B' authorities were consulted:</p> <ul style="list-style-type: none"> <li>• Cherwell District Council</li> <li>• Vale of White Horse District Council</li> <li>• West Oxfordshire District Council</li> </ul> <p>The host 'C' authority was consulted:</p> <ul style="list-style-type: none"> <li>• Oxfordshire County Council</li> </ul> <p>The boundary 'A' authorities were consulted:</p> <ul style="list-style-type: none"> <li>• Cotswold District Council</li> <li>• Oxford City Council</li> <li>• South Oxfordshire District Council</li> <li>• Stratford on Avon District Council</li> </ul> <p>The boundary 'D' authorities were consulted:</p> <ul style="list-style-type: none"> <li>• Reading Borough Council</li> <li>• Wokingham Borough Council</li> </ul> <p>The boundary 'A &amp; D' authorities were consulted:</p> <ul style="list-style-type: none"> <li>• Buckinghamshire Council</li> <li>• Gloucestershire County Council</li> <li>• Swindon Borough Council</li> <li>• Warwickshire County Council</li> </ul>
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		<ul style="list-style-type: none"> <li>• West Berkshire Council</li> <li>• West Northamptonshire Council</li> <li>• Wiltshire Council</li> </ul> <p>A sample of the letter sent to s42(1)(b) relevant authorities is provided at <b>Appendix 5.1.6</b> of the <b>Consultation Report (Doc 5.1)</b>.</p>
9	Section 42(1)(c) the Greater London Authority (if in Greater London area)?	<b>N/A</b>
10	<p>Section 42(1)(d) each person in one or more of s44 categories?</p> <p>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.</p>	<p><b>Yes</b></p> <p><b>Paragraph 8.6.3</b> of the <b>Consultation Report (Doc 5.1)</b> states that all persons identified under s42(1)(d) were consulted on 30 November 2023.</p> <p><b>Paragraphs 8.6.1 to 8.6.3</b> of the <b>Consultation Report (Doc 5.1)</b> summarise how the Applicant made diligent inquiry to seek to identify and consult persons with an interest in lands affected by the <b>Draft DCO (Doc 3.1)</b>. The full methodological process undertaken by the Applicant is provided in <b>Section 8</b> of the <b>Consultation Report (Doc 5.1)</b>.</p> <p>The persons consulted under s42(1)(d) are listed at <b>Appendix 5.1.6 of the Consultation Report (Doc 5.1)</b>.</p> <p>A sample of the letter is provided at <b>Appendix 5.1.7</b> of the <b>Consultation Report (Doc 5.1)</b>.</p>
<b>Section 45: Timetable for s42 consultation</b>		
11	Did the Applicant notify s42 consultees of the deadline for receipt of consultation responses; and if so was the deadline notified by the	<p><b>Yes</b></p> <p>A sample of the letter sent to s42 consultees is provided at <b>Appendix 5.1.6</b> of the <b>Consultation Report (Doc 5.1)</b></p>

	Applicant 28 days or more starting with the day after receipt of the consultation documents?	The sample letter dated 27 November 2023 confirmed that consultation commenced on 30 November 2023 and closed on 8 February 2024, providing more than the required minimum time for receipt of responses.
<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 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><b>Yes</b></p> <p>The Applicant gave notice under s46 on 28 November 2023 which was before the beginning of s42 consultation.</p> <p>A copy of the s46 notification letter is provided at <b>Appendix 5.1.6</b> of the <b>Consultation Report (Doc 5.1)</b> and a copy of s46 notification acknowledgement letter from the Planning Inspectorate is provided at <b>Appendix 5.1.6</b> of the <b>Consultation Report (Doc 5.1)</b></p>
<b>Section 47: Duty to consult local community</b>		
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><b>Yes</b></p> <p>A copy of the final SoCC is provided at <b>Appendix 5.1.4</b> of the <b>Consultation Report (Doc 5.1)</b>.</p>
14	Were 'B' and (where relevant) 'C' authorities consulted about the content of the SoCC; and if so, was the deadline for receipt of responses 28 days beginning with the day after the day that 'B' and, where applicable, 'C' authorities received the consultation documents?	<p><b>Yes</b></p> <p>The Applicant sent the draft SoCC to West Oxfordshire District Council, Cherwell District Council &amp; Vale of White Horse District Council ('B Authority's') and Oxfordshire County Council ('C' authority) on 14 July 2023 and set a deadline of 14 August 2023 for responses; providing more than the required minimum time for responses to be received.</p> <p>The Applicant has outlined in the <b>Consultation Report (Doc 5.1)</b> that they also provided an early draft SoCC for comments.</p>

15	Has the Applicant had regard to any responses received when preparing the SoCC?	<p><b>Yes</b></p> <p><b>Table 6.1, Table 6.2 and Table 6.3 of the Consultation Report (Doc 5.1)</b> provides a summary of the consultation responses from Vale of White Horse District Council, West Oxfordshire District Council and Cherwell District Council in respect of the early draft SoCC and demonstrates how the Applicant had regard to their content.</p> <p><b>Table 6.4, Table 6.5 and Table 6.6 of the Consultation Report (Doc 5.1)</b> provides a summary of the consultation responses from Vale of White Horse District Council, West Oxfordshire District Council and Cherwell District Council in respect of the draft SoCC and demonstrates how the Applicant had regard to their content.</p> <p>Examples of changes from the early working draft SoCC and draft SoCC to the final SoCC include:</p> <ul style="list-style-type: none"> <li>• The inclusion of Seacourt Hall, 3 Church way, Botley as a venue for consultation event as suggested by Vale of White Horse District Council.</li> <li>• The provision of a QR code for accessing consultation materials in response to feedback by Vale of White Horse District Council.</li> <li>• Adjusting the timing of some consultation events to allow for the working population, as suggested by West Oxfordshire District Council.</li> <li>• The inclusion of a consultation event at Begbrook Village Hall, following feedback from Cherwell District Council.</li> </ul> <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	<p><b>Yes</b></p>

	<p>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>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"> <li>• Woodstock Library</li> <li>• West Oxfordshire District Council</li> <li>• Kidlington Library</li> <li>• Botley Library</li> <li>• Eynsham Library</li> </ul> <p>A notice stating when and where the final SoCC could be inspected was published in:</p> <ul style="list-style-type: none"> <li>• Witney Gazette on 15 November 2023</li> <li>• Oxford Times on 16 November 2023</li> </ul> <p>The published SoCC notice, provided at <b>Appendix 5.1.4</b> of the <b>Consultation Report (Doc 5.1)</b> states where and when the final SoCC was available to inspect.</p> <p>Clippings of the published advertisements are provided at <b>Appendix 5.1.4</b> of the <b>Consultation Report (Doc 5.1)</b></p>
17	<p>In accordance with Regulation 12 of the EIA Regulations, does the SoCC set out whether the development is EIA development; and does it set out how the Applicant intends to publicise and consult on the Preliminary Environmental Information?</p>	<p><b>Yes</b></p> <p><b>Section 10</b> of the final SoCC at <b>Appendix 5.1.4</b> of the <b>Consultation Report (Doc 5.1)</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><b>Yes</b></p> <p><b>Table 6.7</b> of the <b>Consultation Report (Doc 5.1)</b> sets out how the Applicant has complied with the commitments set out in the final SoCC.</p> <p><b>Appendices 5.1.5, 5.1.6 and 5.1.7</b> of the <b>Consultation Report (Doc 5.1)</b> provide some evidence that the commitments within the final SoCC have been carried out.</p> <p>Although the Planning Inspectorate is satisfied that the Applicant has carried out the consultation in line with the final SoCC, the following observations have been noted with regards to certain commitments:</p> <ul style="list-style-type: none"> <li>• In <b>Table 6.7</b> of the <b>Consultation Report (Doc 5.1)</b> it states “The Applicant has placed adverts and notices in the publications listed in the SoCC.”. <b>Appendix 5.1.7</b> of the <b>Consultation Report (Doc 5.1)</b> provides evidence of publication for the Oxford Times and Witney Gazette for the statutory consultation. The Inspectorate notes that only these two publications have been presented in evidence. However, the Inspectorate is satisfied that the Applicant has complied with the requirement to publicise the proposed application in the prescribed manner set out in Regulation 4(2)(a) of the (as amended) APFP Regulations 2009 (see box 19a below) in line with the specific wording of the relevant commitment in the SoCC.</li> <li>• The Applicant carried out two rounds of targeted consultation following the statutory consultation. The Inspectorate notes that these rounds of consultation were targeted in subject/nature. Section 4 of the SoCC (<b>Doc 5.1.4</b>) stated that any further rounds of consultation would be undertaken in a manner that is consistent with the principles and methods set out in this SoCC <u>to the extent</u> they are relevant to the subsequent consultation. <b>Table 10.1</b> of the <b>Consultation Report (Doc 5.1)</b> demonstrates that the Applicant consulted with host authorities regarding their approach to further consultation and had regard to the views of those authorities. In light of this, the Inspectorate is satisfied that the Applicant has taken a</li> </ul>
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		proportionate approach to carrying out further rounds of consultation in line with the SoCC.
<b>Section 48: Duty to publicise the proposed application</b>		
19	Did the Applicant publicise the proposed application in the prescribed manner set out in Regulation 4(2) of the (as amended) APFP Regulations 2009?	<p><b>Yes</b></p> <p><b>Paragraph 7.8.1</b> of the <b>Consultation Report (Doc 5.1)</b> states:  <i>“Section 48 notices were placed in regional newspapers on successive weeks and in national newspapers, as listed in Table 9.1. A copy of the Section 48 notice is provided in Appendix 5.1.7: Section 48 Consultation Materials [EN010147/APP/5.1.7]”.</i></p> <p><b>Table 9.1</b> of the <b>Consultation Report (Doc 5.1)</b> displays the newspapers and dates of s48 publicity as set out below.</p> <p>A copy of the s48 notice is provided at <b>Appendix 5.1.7</b> of the <b>Consultation Report (Doc 5.1)</b>.</p> <p>Clippings of the published notices set out below are provided at <b>Appendix 5.1.7</b> of the <b>Consultation Report (Doc 5.1)</b>:</p>
<b>Newspaper(s)</b>		
<b>Date</b>		
a)	for at least two successive weeks in one or more local newspapers circulating in the vicinity in which the Proposed Development would be situated;	<ul style="list-style-type: none"> <li>• The Oxford Times</li> <li>• The Witney Gazette</li> </ul>
		<p>23 November 2023</p> <p>30 November 2023</p> <p>22 November 2023</p>

			29 November 2023	
b)	once in a national newspaper;	<ul style="list-style-type: none"> <li>The Guardian</li> </ul>	29 November 2023	
c)	once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and	<ul style="list-style-type: none"> <li>London Gazette</li> </ul>	27 November 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?	<b>Yes</b> The published s48 notice, supplied at <b>Appendix 5.1.7</b> of the <b>Consultation Report (Doc 5.1)</b> , contains the required information as set out below:		
<b>Information</b>		<b>Paragraph</b>		
a)	the name and address of the Applicant.	1	b)	
c)	a statement as to whether the application is EIA development	4	d)	
e)	a statement that the documents, plans and maps were available on a website	2, 3, 6	f)	
			a statement that the Applicant intends to make an application for development consent to the Secretary of State	1
			a summary of the main proposals, specifying the location or route of the Proposed Development	2
			the latest date on which those documents, plans and maps will be available for inspection	6



	<p>maintained by or on behalf of the Applicant. The statement must include:</p> <ul style="list-style-type: none"> <li>• The nature and location of the Proposed Development</li> <li>• The address of the website</li> <li>• The place on the website</li> <li>• A telephone number which can be used to contact the Applicant for enquiries in relation to the documents, plans and maps.</li> </ul>				
g)	whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge	12	h)	details of how to respond to the publicity	13 and 14
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	13			
21	Are there any observations in respect of the s48 notice provided above?				
	<p><b>Yes</b></p> <p>The Inspectorate notes that although the Applicant provides a link to the website that the documents are available for viewing, it is not explicitly stated where the documentation can be found on that website.</p>				
22	Has a copy of the s48 notice been sent to the EIA consultation bodies and to any person	<b>Yes</b>			

	notified to the Applicant in accordance with Regulation 13 of the EIA Regulations?	<p>A copy of the s48 notice was sent to the EIA consultation bodies as part of the s42 consultation, as confirmed in <b>Paragraph 5.3.1</b> of the <b>Consultation Report (Doc 5.1)</b>.</p> <p>A sample of the s42 consultation letter provided at <b>Appendix 5.1.6</b> of the <b>Consultation Report (Doc 5.1)</b> confirms a copy of the s48 notice was enclosed.</p>
<b>s49: Duty to take account of responses to consultation and publicity</b>		
23	Has the Applicant had regard to any relevant responses to the s42, s47 and s48 consultation?	<p><b>Yes</b></p> <p><b>Appendix 5.1.9 and Appendix 5.1.10 and Section 4 of Appendix 5.1.1</b> of the <b>Consultation Report (Doc 5.1)</b> 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> <p>Whilst noting the concerns raised by some local authorities in AoCRs about this matter, the Planning Inspectorate is satisfied overall that the Applicant has demonstrated a proportionate regard to responses in light of the significant number of examples provided at <b>Appendix 5.1.9 and Appendix 5.1.10 and Section 4 of Appendix 5.1.1</b> of the <b>Consultation Report (Doc 5.1)</b>.</p>
<b>S50(3) Regard to guidance about pre-application procedure</b>		
24	To what extent has the Applicant had regard to statutory guidance 'Planning Act 2008: Pre-application stage for Nationally Significant Infrastructure Projects'?	<p><b>Paragraph 2.2.1 and Appendix 5.1.1</b> of the <b>Consultation Report (Doc 5.1)</b> evidences that the Applicant has taken into consideration relevant statutory and other guidance.</p>

	The Planning Inspectorate must have regard to the extent to which the Applicant has had regard to guidance issued under s50.	<p>The Applicant submitted an Adequacy of Consultation Milestone (AoCM) statement on 11 October 2024. The Inspectorate issued advice on the statement on 18 October 2024. The submission of AoCM is a new requirement and due to the advanced stage of the application, the Inspectorate acknowledges this has impacted the Applicant’s ability to demonstrate full regard to this advice.</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	<b>Summary: Section 55(3)(e)</b>	<p>The Applicant has complied with Chapter 2 of Part 5 (pre-application procedure) of the PA2008.</p> <p>In respect of the minor consultation discrepancies identified, s51 advice has been provided to the Applicant in this regard, available here:  <a href="https://infrastructure.planninginspectorate.gov.uk/document/EN010147-000610">https://infrastructure.planninginspectorate.gov.uk/document/EN010147-000610</a></p>
<p><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></p>		
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"> <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>	<p><b>Yes</b></p> <p><b>Section 4</b> of the <b>Application Form (Doc 1.1)</b> explains why the development falls within the remit of the Planning Inspectorate.</p> <p><b>Section 5</b> of the <b>Application Form (Doc 1.1)</b> provides a brief non-technical description of the site and <b>section 6</b> provides the location of the Proposed Development.</p> <p>A document called <b>Site Location and Order Limits Overview Figure 1 (Doc 6.4)</b> has been provided although this is treated as a figure of the Environmental Statement rather than as a standalone Location Plan document. Please refer to Box 30.</p>

27	Is it accompanied by a Consultation Report?	<b>Yes</b> The application is accompanied by a <b>Consultation Report (Doc 5.1)</b> and <b>Consultation Report Appendices (Docs 5.1 - 5.2)</b> .					
28	In accordance with Regulation 5(4) of the APFP Regulations, where a plan comprises three or more separate sheets, has a key plan been provided showing the relationship between the different sheets?	<b>Yes</b> (with minor discrepancies as noted in Box 30).					
29	Is it accompanied by the documents and information set out in APFP Regulation 5(2)?	The documents and information required by APFP Regulation 5(2) are set out in the documents and locations within the application as listed below:					
<b>Information</b>		<b>Document</b>		<b>Information</b>		<b>Document</b>	
a)	Where applicable, the Environmental Statement required under the EIA Regulations and any scoping or screening opinions or directions	<b>Environmental Statement Contents and Glossary (Doc 6.1)</b> <b>Environmental Statement Non-Technical Summary (Doc 6.2)</b> <b>Environmental Statement Chapters 1 to 21 (Doc 6.3)</b> <b>Environmental Statement Figures 1.1 to 20.3 (Doc 6.4)</b>	b)	The draft Development Consent Order (DCO)	<b>Draft Development Consent Order (Doc 3.1)</b>		

		<b>Environmental Statement Appendices 1 to 20 including the Scoping Opinion provided at Appendix 4.2 (Doc 6.5)</b>			
	Is this of a satisfactory standard?	<b>Yes</b>		Is this of a satisfactory standard?	<b>Yes</b>
c)	An Explanatory Memorandum explaining the purpose and effect of provisions in the draft DCO	<b>Explanatory Memorandum (Doc 3.3)</b>	d)	Where applicable, a Book of Reference	<b>Book of Reference (Doc 4.3)</b>
	Is this of a satisfactory standard?	<b>Yes</b>		Is this of a satisfactory standard?	<b>Yes</b>
e)	A copy of any Flood Risk Assessment	<b>ES Appendix 10.1 Flood Risk Assessment (Doc 6.5)</b>	f)	A statement whether the proposal engages one or more of the matters set out in section 79(1) of the Environmental Protection Act 1990 (statutory nuisances) and if so how the Applicant proposes to mitigate or limit them	<b>Statement in Respect of Statutory Nuisance (Doc 3.4)</b> Impacts are assessed for the following: Section 2.2 – Air Quality Section 2.3 – Noise and Vibration Section 2.4 – Artificial Lighting Conclusions are set out in Section 3.

				Mitigation is referenced to relevant aspect chapters and management plans submitted as part of the Environmental Statement in each respective section.
	Is this of a satisfactory standard?	<b>Yes</b>		<b>Yes</b>
h)	A Statement of Reasons and a Funding Statement (where the application involves any Compulsory Acquisition)	<b>Statement of Reasons (Doc 4.1)</b> <b>Funding Statement (Doc 4.2)</b>	i)	<b>Land Plans (Doc 2.4)</b>
			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	

j)			k)	(iv) any special category land and replacement land	
	Is this of a satisfactory standard?	<b>Yes</b>		Is this of a satisfactory standard?	<b>Yes</b> (with minor discrepancies as noted in Box 30)
	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	<b>Works Plan (Doc 2.3)</b>		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	<b>Streets, Access and Rights of Way Plans (Doc 2.2)</b>
	Is this of a satisfactory standard?	<b>Yes</b> (with minor discrepancies as noted in Box 30)		Is this of a satisfactory standard?	<b>Yes</b> (with minor discrepancies as noted in Box 30)

l)	<p>Where applicable, a plan with accompanying information identifying:-</p> <ul style="list-style-type: none"> <li>(i) any statutory or non-statutory sites or features of nature conservation eg sites of geological or landscape importance;</li> <li>(ii) habitats of protected species, important habitats or other diversity features; and</li> <li>(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</li> </ul>	<ul style="list-style-type: none"> <li>(i) <b>Statutory and Non-Statutory Sites – Features of Nature Conservation Plan (Doc 2.6)</b> – this is assessed in ES Chapter 8 and ES Chapter 9</li> <li>(ii) <b>Habitats of Protected Species Plan (Doc 2.7)</b> – this is assessed in ES Chapter 9</li> <li>(iii) <b>Waterbodies in a River Basin Management Plan (Doc 2.8)</b> – this is assessed in ES Appendix r 10.7 Water Framework Directive Assessment and ES Chapter 10</li> </ul>	m)	<p>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</p>	<p><b>Statutory and Non-Statutory Features of Historic Environment Plan (Doc 2.9)</b></p> <p>An assessment of effects on the historic environment is provided in ES Chapter 7 the Historic Environment – this includes an assessment of both designated and non-designated heritage assets</p>
	Is this of a satisfactory standard?	<b>Yes</b>		Is this of a satisfactory standard?	<b>Yes</b>



n)	Where applicable, a plan with any accompanying information identifying any Crown land	<b>Crown Land Plans (Doc 2.5)</b>	o)	Any other plans, drawings and sections necessary to describe the development consent proposal showing details of design, external appearance, and the preferred layout of buildings, structures, drainage, surface water management, means of vehicular and pedestrian access, any car parking and landscaping	<b>Hedgerow Removal Plans (Doc 2.10)</b> <b>Traffic Regulation Measures Plans (Doc 2.11)</b>
	Is this of a satisfactory standard?	<b>Yes</b>		Are they of a satisfactory standard?	<b>Yes</b>
p)	Any of the documents prescribed by Regulation 6 of the APFP Regulations:	<b>Grid Connection Statement (Doc 3.5)</b>	q)	Any other documents considered necessary to support the application	<b>Application Cover Letter (Doc 1.1)</b> <b>Section 55 Checklist (Doc 1.1.1)</b> <b>Application Form (Doc 1.2)</b> <b>Guide to the Application (Doc 1.3)</b> <b>Planning Supporting Statement inc Green Belt Case (Doc 7.1)</b> <b>Operational Development Areas Plans (Doc 7.3.2)</b>

				<b>Landscape, Ecology &amp; Amenities Layer Plan (Doc 7.3.3)</b> <b>Temporary Facilities Plans (Doc 7.3.4)</b> <b>Site Compound plans and elevations (Doc 7.3.6)</b> <b>Crossing Schedules (Doc 7.3.9)</b> <b>Outline Code of Construction Practice (Doc 7.6.1)</b> <b>Outline Operational Management Plan (Doc 7.6.2)</b> <b>Outline Landscape and Ecology Management Plan (Doc 7.6.3)</b> <b>Outline Decommissioning Plan (Doc 7.6.4)</b> <b>Outline Written Scheme of Investigation (Doc 7.6.5)</b> <b>Outline Layout and Design Principles (Doc 7.7)</b>	
	Are they of a satisfactory standard?	<b>Yes</b> (with minor discrepancies as noted in Box 30)		Are they of a satisfactory standard?	<b>Yes</b> (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?				
	<b>General comments on plans:</b>				

The Inspectorate draws the Applicant's attention to the inconsistency of approach to key plans across the application documentation submitted.

Some plans are lacking the appropriate reference to the relevant Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the "APFP Regulation") and revision numbers, however the latter may not be applicable for first drafts.

There are some points of inconsistency between colour shading/patterns within plans and those displayed in legends. Where there is overlap, in some instances colours and patterns are not easily distinguished/differentiated.

Where multiple versions of the same site area are included to demonstrate optionality, this should be clearly explained for the benefit of the reviewer.

The Applicant should cross reference labelling to ensure consistency with other application documents.

#### **Site Location and Order Limits Overview Figure 1 (Doc 6.4, Figure 1.1).**

A separate Location Plan has not been provided but is included as a Figure within the Environmental Statement appendices.

#### **Land Plans (Doc 2.4)**

The description of land in the key is confusing and doesn't delineate clearly land that is to be permanently acquired and land that is to be temporarily used. In cases of overlap, a single colour with cross-hatching should be used for clarity (example, as shown on sheet 4).

The exclusion of land from the Order Limits is represented in both white and grey. The use of grey is confusing, as it gives impression that some additional designation applies.

The cut lines between sheets do not align properly. Some sheets reference continuation on two different sheets, (example sheet 7 and 9), making challenging to determine where the works begin or end.

Insets are not consistently used where they would be beneficial, for example for plots 3-19, 3-20 and 3-22.

**Operational Development Areas Plans (Doc 7.3.2), Landscape, Ecology & Amenities Layer Plan (Doc 7.3.3) and Temporary Facilities Plans (Doc 7.3.4)**

The scale of these plans are not consistently in line with APFP Regulation 5 (4A).

**Crown Land Plans (Doc 2.5)**

There is no separate schedule for crown land in the Development Consent Order.

**Section 55 Checklist (Doc 1.1.1)**

The Inspectorate draws the attention of the Applicant to the fact that this document contains omissions (for example the failure to reference the **Grid Connection Statement (Doc 3.5)** as a document required under APFP Regulation 5 (2) (p) and Regulation 6 (1) (a)) and includes documents which are not submitted as part of the application (for example some of those listed in Box 29 (q)). The **Application Cover Letter (Doc 1.1)** indicates these documents were not intended to be submitted. The Applicant is reminded that it is for the benefit of all parties to an examination, including the Applicant, that documents are consistent across the application and examination documentation and that suitable quality assurance processes are applied.

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

<https://infrastructure.planninginspectorate.gov.uk/document/EN010147-000610>

31	In accordance with Regulation 5(2)(g) of the APFP Regulations, 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	<p><b>Yes</b></p> <p>A Habitat Regulations Assessment (HRA) Report is provided at <b>Appendix 9.14</b> of the <b>Environmental Statement (Doc 6.5)</b>.</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>
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	enable the Secretary of State to make an appropriate assessment of the implications for the site if required by Regulation 48(1)?	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	In accordance with Regulation 5(2)(r) of the APFP Regulations, if requested by the Planning Inspectorate, have two paper copies of the application form and other supporting documents and plans been provided?	<b>No hard copies requested.</b>
33	Has the Applicant had regard to statutory guidance 'Planning Act 2008: Application form guidance'?	<p><b>Yes</b></p> <p>The <b>Application Covering Letter (Doc 1.1)</b> states that the Application has been made in the form required by and in accordance with the requirements of the Planning Act and has been made in accordance with guidance including the Planning Inspectorate's 'Advice on the preparation and submission of application documents' dated August 2024. The <b>Section 55 Checklist (Doc 1.1.1)</b> provided by the Applicant states in Box 33 that '<i>The Applicant has had regard to the statutory guidance contained within 'Planning Act 2008: Application form guidance' when preparing this application, as such it is of a standard considered satisfactory by the Secretary of State.</i>'</p> <p><b>The Application form (Doc 1.2)</b> demonstrates compliance with guidance and policy and how the Applicant has had regard to statutory guidance on the form of the application.</p> <p>The Planning Inspectorate is satisfied that the Applicant has demonstrated regard to the guidance principles.</p>
34	<b>Summary - s55(3)(f) and s55(5A)</b>	The Planning Inspectorate concludes that the application (including accompaniments) has been prepared to a standard that it considers satisfactory.

	<p>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:</p> <p><a href="https://infrastructure.planninginspectorate.gov.uk/document/EN010147-000610">https://infrastructure.planninginspectorate.gov.uk/document/EN010147-000610</a></p>
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**The Infrastructure Planning (Fees) Regulations 2010 (as amended)**

**Pre-application fee**

35	<p>Were all pre-application fees paid before the application was made?</p> <p>Pre-application services for which a fee can be charged is defined in Regulation 2A(8) and includes services listed within Schedule 1 of the Fees Regulations 2010. Fees for pre-application services apply to all proposed applications, from the inception meeting. These fees must be paid within 28 days of the invoice. If the Applicant fails to pay the fee within 28 days, the Planning Inspectorate will not provide the Applicant with any further pre-application services or take any further steps in relation to the proposed application.</p>	Not applicable
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**Fees to accompany an application**

36	<p>Was the fee paid at the same time that the application was made?</p>	The fee was received on 7 October 2024; before the application was made.
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<p>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</p>	
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<b>Role</b>	<b>Electronic signature</b>	<b>Date</b>
Case Manager	<i>Caroline Hopewell</i>	13 December 2024
Acceptance Inspector	<i>Mukhtar Shaiqhi</i>	13 December 2024