

Springwell Solar Farm

Section 55 Checklist

EN010149/APP/1.4
November 2024
Springwell Energyfarm Ltd

APFP Regulation 5(2)(q)
Planning Act 2008
Infrastructure Planning
(Applications: Prescribed Forms
and Procedure) Regulations 2009





The Planning Inspectorate
Yr Arolygiaeth Gynllunio

Section 55

Acceptance of Applications Checklist

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

Version: October 2024

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
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? Does the application specify the development to	<p>Yes.</p> <p>Springwell Solar Farm (the Proposed Development) is a Nationally Significant Infrastructure Project (NSIP) under Sections 14(1)(a) and 15(1) and (2) of the Planning Act 2008 (PA 2008), as it consists of a solar PV array electricity generating facility, which will have a capacity exceeding 50 megawatts (MW). The Proposed Development is set out in Schedule 1 of the Draft Development Consent Order (DCO) [EN010149/APP/3.1].</p> <p>Confirmation as to why the Planning Inspectorate should receive the Application is set out in Section 4 of the Application Form [EN010149/APP/1.3] and explained further at</p>		

	<p>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>	<p>paragraphs 1.1.3 and 1.1.5 of the Explanatory Memorandum [EN010149/APP/3.2] to the Draft Development Consent Order (DCO). The Application Cover Letter [EN010149/APP/1.1] clearly states that this application (the Application) is for a development consent order under the PA 2008.</p> <p>A non-technical description of the Proposed Development is included in the Non-Technical Summary of the ES [EN010149/APP/6.5]. A more detailed technical description of the Proposed Development is included in Chapter 3: Proposed Development Description of the Environmental Statement (ES) [EN010149/APP/6.1].</p>
3	<p>Summary: Section 55(3)(a) and s55(3)(c)</p>	
<p>Section 55(3)(e): The Applicant in relation to the application made has complied with Chapter 2 of Part 5 (pre-application procedure)</p>		
4	<p>In accordance with 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>Yes. A request for Scoping Opinion was submitted to the Planning Inspectorate in accordance with Regulation 10(1) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) on 21 March 2023. The Scoping Report is provided at Appendix 5.1: Scoping Report of the Environmental Statement (ES) [EN010149/APP/6.3]. The Scoping Opinion was received from the Planning Inspectorate on 2 May 2023 and is provided at Appendix 5.2: Scoping Opinion of the ES [EN010149/APP/6.3].</p> <p>On 5 January 2024, the Applicant notified the Planning Inspectorate, in accordance with Regulation 8(1)(b) of the EIA Regulations, that they proposed to provide an ES in respect of the Proposed Development. The notification was given to the Planning Inspectorate before statutory consultation commenced on 11 January 2024 pursuant to Section 42 of the PA 2008.</p> <p>A copy of the notification letter is provided at Appendix G-1.1 of the Consultation Report [EN010149/APP/5.2]</p>
5	<p>Have any Adequacy of Consultation Representations been received from 'A', 'B', 'C'</p>	<p><u>Adequacy of Consultation Milestone</u></p>

	<p>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>The Applicant reviewed updated advice on the 'Pre-application stage for National Significant Infrastructure Projects' published in April 2024, following the completion of Phase One and Phase Two consultations. The updated guidance included the requirement for an early adequacy of consultation milestone ("AoCM").</p> <p>While it is understood that the AoCM is expected to apply to projects that have not yet commenced formal consultation, the Applicant acknowledged the value in engagement with host authorities on some elements of the AoCM prior to submitting the Application.</p> <p>Pre-submission engagement for the AoCM focused on agreeing engagement undertaken with host authorities up to August 2024 and confirming that the Applicant had complied with its commitments set out in the SoCC - including how feedback from host authorities helped to shape the SoCC.</p> <p>The Applicant wrote to the host authorities on 10 September 2024 setting out the Applicant's proposed approach to engagement on the AoCM, ahead of a meeting on 12 September 2024. Following the meeting, the Applicant shared a draft of Appendix D-4: Compliance with the SoCC of the Consultation Report [EN010149/APP/5.2] with the host authorities on 13 September 2024.</p> <p>The Applicant received letters from the host authorities on 26 and 27 September 2024 confirming that, based on the documents provided and engagement undertaken to date, consultation undertaken on the Proposed Development was adequate and met the commitments set out in the SoCC.</p> <p>The letter to the host authorities, and copies of the letters received from the host authorities confirming engagement is included at Appendix B-3 of the Consultation Report [EN010149/APP/5.2].</p>
<p>Section 42: Duty to consult</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?</p>	<p>Yes. The Applicant has provided a list of persons consulted under section 42(1)(a) on 11 January 2024 at Appendix E-1 of the Consultation Report [EN010149/APP/5.2].</p>

	<p>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>This list of persons consulted was produced using Schedule 1 of APFP Regulations, as well as individuals who were identified specifically by the Secretary of State within the Scoping Opinion. Details of how the Applicant identified and consulted with prescribed consultees where their statutory function was relevant to the Proposed Development during Phase Two Consultation is included in Chapter 5 of the Consultation Report [EN010149/APP/5.1]. It should be noted that Phase Two Consultation was completed prior to 30 April 2024, and therefore the Applicant consulted the prescribed consultees as listed within the APFP Regulations 2009 before recent amendments. However, a review of the updated list of statutory bodies in Schedule 1 of the APFP Regulations was conducted.</p> <p>Acknowledging that the relevant Planning Inspectorate advice has since been updated in September 2024, the Applicant had regard to the applicable advice at the time of consultation which was “PINS Advice Note Three: EIA Notification”.</p> <p>The following information was provided to the consultees under section 42(1)(a):</p> <ul style="list-style-type: none"> • Section 42 cover letter (see Appendix F-1.1 of the Consultation Report [EN010149/APP/5.2]); • Copy of section 48 notice (see Appendix F-1.7 of the Consultation Report [EN010149/APP/5.2]); and <p>A link to the Springwell Solar Farm project website, which contained all Phase Two Consultation materials, including the PEIR, the updated layout of the Proposed Development, consultation booklet, exhibition banners, consultation leaflet and questionnaire (see Appendix G-3 of the Consultation Report [EN010149/APP/5.2]).</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>	<p>Not applicable. The Marine Management Organisation (MMO) was not consulted as the Proposed Development does not involve offshore development or development within tidal waters. The MMO is not a relevant consultee in respect of the Proposed Development.</p>

8	<p>Section 42(1)(b) each local authority within s43?</p> <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>Yes. Table 5-1 of the Consultation Report [EN010149/APP/5.1] lists the relevant local authorities that were consulted under section 43 and section 42(1)(b) of the PA 2008.</p> <p>The 'A' authorities consulted were:</p> <ul style="list-style-type: none"> • Boston Borough Council • City of Lincoln Council • East Lindsey District Council • Newark and Sherwood District Council • South Holland District Council • South Kesteven District Council • West Lindsey District Council <p>The 'B' authority consulted was:</p> <ul style="list-style-type: none"> • North Kesteven District Council <p>The 'C' authority consulted was:</p> <ul style="list-style-type: none"> • Lincolnshire County Council <p>The 'D' authorities consulted were:</p> <ul style="list-style-type: none"> • Cambridgeshire County Council • Leicestershire County Council • Norfolk County Council • North East Lincolnshire Council • North Lincolnshire Council • North Northamptonshire Council • Nottinghamshire County Council
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		<ul style="list-style-type: none"> • Peterborough City Council • Rutland County Council <p>The following information was provided to the above consultees under Section 42(1)(b):</p> <ul style="list-style-type: none"> • Section 42 cover letter (see Appendix F-1.2 of the Consultation Report [EN010149/APP/5.2]); • Copy of section 48 notice (see Appendix F-1.7 of the Consultation Report [EN010149/APP/5.2]); and • A link to the Springwell Solar Farm project website, which contained all Phase Two Consultation materials, including the PEIR, the updated layout of the Proposed Development, consultation booklet, exhibition banners, consultation leaflet and questionnaire (see Appendix G-3 of the Consultation Report [EN010149/APP/5.2]).
9	Section 42(1)(c) the Greater London Authority (if in Greater London area)?	Not applicable. The Proposed Development is not located within or in an adjacent authority to the Greater London Authority, therefore, Greater London Authority is not a relevant consultee in respect of the Proposed Development.
10	Section 42(1)(d) each person in one or more of s44 categories? 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>Yes.</p> <p>As explained in section 5.4 of the Consultation Report [EN010149/APP/5.1], in line with section 42(1)(d) of the PA 2008, the Applicant consulted with landowners, lessees, tenants or occupiers (Category 1 persons, s44(1)); those with an interest in the land or certain powers with respect to the land (Category 2 persons, s44(2)); and those who the Applicant considered would or might be entitled to make a relevant claim (Category 3 persons, s44(4)).</p> <p>Landowners, lessees, tenants, or occupiers (Category 1 persons, per s 44(1)) were identified via a diligent inquiry process covering research methods, title information, land interest questionnaire, and internet-based research. Further details on the methodology of this diligent inquiry process is provided in paragraph 5.4.8 of the Consultation Report [EN010149/APP/5.1]. Individuals who have certain powers or an interest in the relevant land, requests for information and collaboration with the wider</p>

		<p>project team to identify any interests not identified through the land referencing process.</p> <p>A full list of persons falling within section 44 of the PA 2008 is included in the Book of Reference submitted with the Application [EN010149/APP/4.3].</p> <p>All relevant interests with the potential to make a claim under Section 152(3) of the PA 2008 because they hold the benefit of a restrictive right or covenant over land within the Order Limits, have been included within the Book of Reference [EN010149/APP/4.3] as the Category 2 and Category 3 persons.</p> <p>The Applicant wrote by recorded delivery to consultees identified under s42(1)(d) of the PA 2008 on 11 January 2024 setting out the background to the Proposed Development, the Applicant's intention to submit a DCO application, the fact that the Applicant had identified them as a consultee under section 42(1)(d) of the PA 2008, the documents being provided as part of the consultation, and how to respond to the consultation. An example of the letter sent to consultees is included in Appendices F-1.3 – 1.5. of the Consultation Report [EN010149/APP/5.2].</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. The Applicant wrote formally to all consultees identified under section 42 of the PA 2008 to notify them of the consultation. Each of the letters issued to the section 42 consultees clearly stated a deadline for the receipt of consultation responses.</p> <p>Each of the letters were issued on 11 January 2024 and provided a deadline for comments no later than 11.59pm on 22 February 2024 (42 days), therefore allowing in excess of 28 days to provide comments. Sample letters can be found at Appendix F-1 of the Consultation Report [EN010149/APP/5.2].</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	<p>Yes. Prior to commencing section 42 consultation, the Applicant notified the Secretary of State of its intention to submit an application for development consent under section 46.</p>

	before the date it was sent to the s42 consultees? Was this done on or before commencing consultation under s42?	<p>The letter was sent to the Planning Inspectorate electronically on 5 January 2024, prior to section 42 consultation beginning on 11 January 2024. A copy of the letter can be found in Appendix G-1.1 of the Consultation Report [EN010149/APP/5.2].</p> <p>A response, acknowledging receipt of this notification, was received from the Planning Inspectorate on 8 January 2024 and can be found in Appendix G-1.2 of the Consultation Report [EN010149/APP/5.2].</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. As prescribed by section 47(1) of the PA 2008, the Applicant prepared a Statement of Community Consultation (SoCC) setting out how it proposed to consult people living in the vicinity of the Site boundary.</p> <p>A copy of the final published SoCC can be found in Appendix D-1 of the Consultation Report [EN010149/APP/5.2].</p>
14	Were 'B' and (where relevant) 'C' authorities consulted about the content of the SoCC; and if so, was the deadline for receipt of responses 28 days beginning with the day after the day that 'B' and, where applicable, 'C' authorities received the consultation documents?	<p>Yes. In accordance with section 47(2) of the PA 2008, the draft SoCC was sent to the relevant local authorities on 15 September 2023. The deadline for receipt of responses was 13 October 2023 (30 days), in excess of the statutory minimum 28-day response period. Prior to this, the Applicant consulted informally on the contents of the draft SoCC between April – August 2023.</p> <p>A copy of the letters sent to the relevant authorities can be found in Appendix C-3.1 of the Consultation Report [EN010149/APP/5.2].</p> <p>Appendix C-2 and C-4 of the Consultation Report [EN010149/APP/5.2] set out the comments received on the draft SoCC from the respective local authorities.</p>
15	Has the Applicant had regard to any responses received when preparing the SoCC?	<p>Yes. The Applicant had regard to all responses received from relevant local authorities consulted when preparing the SoCC, as set out in Appendix C-2 and C-4 of the Consultation Report [EN010149/APP/5.2].</p> <p>Key changes made in response to feedback included:</p>

		<ul style="list-style-type: none"> Revising the boundary of the inner zone to follow a 2km buffer around the proposed Site boundary, extending in some areas to consider the wider effects of the Proposed Development. Changing the location of a deposit point from Waddington Bar Library to The Venue, Navenby. Adding an additional public event at The Venue, Navenby. <p>Moving four public events forward to week two of the consultation.</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. As stated in section 4.8 of the Consultation Report [EN010149/APP/5.1] the SoCC was made publicly available for inspection in a way that was reasonably convenient for people living in the vicinity of the land. Following the SoCC being published on 11 December 2023, the Applicant made it available for the public to view, print and download via the Springwell Solar Farm project website (see Appendix D-3 of the Consultation Report [EN010149/APP/5.2]). Printed copies of the SoCC were available to inspect at two deposit points close to the proposed Site boundary (see section 4.8 of the Consultation Report [EN010149/APP/5.1]).</p> <p>A notice was published in the Lincolnshire Echo on 14 December 2023 under section 47 of the PA 2008, which circulates within the vicinity of the land, which states where and when the SoCC could be inspected. A copy of this notice can be found within Appendix D-2 of the Consultation Report [EN010149/APP/5.2].</p>
17	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>Yes. section 1.2 of the SoCC stated that the development is EIA development and sets out how the Applicant intended to publicise and consult on preliminary environmental information. A copy of the final SoCC is provided in Appendix D-1 of the Consultation Report [EN010149/APP/5.2].</p>
18	Has the Applicant carried out the consultation in accordance with the SoCC?	<p>Yes. The Applicant has listed the requirements of the SoCC, and how it carried out the consultation in accordance with each requirement in Appendix D-4 of the Consultation Report [EN010149/APP/5.2]. Details of activity carried out as part of the consultation can be found in Chapter 5 of the Consultation Report [EN010149/APP/5.1].</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?	Yes. A Section 48 Notice for the Proposed Development was published in the Lincolnshire Echo, The Guardian and London Gazette. A copy of the section 48 notice as published in the newspapers is provided at Appendix I-1 of the Consultation Report [EN010149/APP/5.2] .	
		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;	Lincolnshire Echo	11 January 2024 and 18 January 2024
b)	once in a national newspaper;	The Guardian	11 January 2024
c)	once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and	London Gazette No land in Scotland is affected by the Proposed Development, and there was therefore no requirement to publish in the Edinburgh Gazette.	11 January 2024
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 – the Proposed Development does not relate to offshore development.	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 Applicant included the required information within the section 48 notice. This can be found within Appendix I-1 of the Consultation Report [EN010149/APP/5.2] .	

Information		Paragraph	Information		Paragraph
a)	the name and address of the Applicant.	Yes. See Paragraph 1 of the section 48 notice (beginning: <i>"Notice is hereby given..."</i>):	b)	a statement that the Applicant intends to make an application for development consent to the Secretary of State	Yes. See Paragraph 1 of the section 48 notice (beginning: <i>"Notice is hereby given..."</i>).
c)	a statement as to whether the application is EIA development	Yes. Paragraph 4 of the section 48 Notice (beginning: <i>"The Proposed Development is an Environmental Impact Assessment..."</i>).	d)	a summary of the main proposals, specifying the location or route of the Proposed Development	Yes. Paragraph 3 of the Section 48 Notice (beginning: <i>"The DCO would, amongst other things, authorise..."</i>).
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 	Yes. The notice states this at Paragraph 6 (beginning: <i>"Consultation on the proposals will</i>	f)	the latest date on which those documents, plans and maps will be available for inspection	Yes. The notice states at paragraph 6 that <i>"These will be available online free of charge from 11 January 2024 to 22</i>

g)	<ul style="list-style-type: none"> 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. 	<i>take place from...”).</i>	h)		<i>February 2024”.</i>
	whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge	Yes. The notice states this at Paragraph 9 (beginning: <i>“The Applicant will provide USBs...”</i>).		details of how to respond to the publicity	Yes. The Notice notes this at paragraph 10 (beginning: <i>“Any person may comment on the proposals...”</i>)
	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	Yes. The notice states this at paragraph 11 (beginning: <i>Responses must be received...”</i>).			
21	Are there any observations in respect of the s48 notice provided above?				

22	<p>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 Regulation 13 of the EIA Regulations?</p>	<p>Yes. A copy of the section 48 notice was sent to the EIA consultation bodies, as defined in Regulation 3 of the EIA Regulations, as part of the section 42 consultation. A sample version of the section 42 consultation letter is provided at Appendix F-1 of the Consultation Report [EN010149/APP/5.2] and confirms a copy of the Section 48 notice was enclosed as part of the letter to section 42 consultees (Appendix F-1.7 of the Consultation Report [EN010149/APP/5.2]).</p> <p>The applicant did not receive notification of additional consultees under Regulation 11(1)(c) of the EIA Regulations.</p>
<p>s49: Duty to take account of responses to consultation and publicity</p>		
23	<p>Has the Applicant had regard to any relevant responses to the s42, s47 and s48 consultation?</p>	<p>Yes. All relevant responses received to the consultation under sections 42, 47 and 48 of the PA 2008 have been considered by the Applicant, with responses being discussed in Chapter 6 of the Consultation Report [EN010149/APP/5.1].</p> <p>Appendix J-1 and Appendix J-2 of the Consultation Report [EN010149/APP/5.2] set out a summary of responses received under section 42 and section 47 of the PA 2008 (by topic area) and regard had by the Applicant. None of the consultation responses specified that they had submitted under section 48 of the PA 2008.</p>
<p>S50(3) Regard to guidance about pre-application procedure</p>		
24	<p>To what extent has the Applicant had regard to statutory guidance ‘Planning Act 2008: Pre-application stage for Nationally Significant Infrastructure Projects’?</p> <p>The Planning Inspectorate must have regard to the extent to which the Applicant has had regard to guidance issued under s50.</p>	<p>The Applicant conducted its consultation when the former s.50 guidance “Planning Act 2008: Guidance on the pre-application process” was in force. The Applicant is aware that updated statutory guidance, the “Planning Act 2008: Pre-application stage for Nationally Significant infrastructure Projects,” was issued in April 2024 under s.50.</p> <p>Appendix M-1 and M-2 of the Consultation Report [EN010149/AA/5.2] set out how the Applicant carried out its consultation under the previous s.50 guidance, but also how it has since reviewed the updated s.50 guidance and complied with its requirements as well.</p> <p>Acknowledging that the government’s guidance “Introduction to National Infrastructure Planning Guidance” (April 2024) includes transitional arrangements to provide for where guidance is revised and applicants have (among other stages) commenced their</p>

		<p>statutory pre-application consultation, the guidance confirms that “<i>It is not the intention for revisions to guidance to compromise the preparation or progress of applications which are already well underway.</i>” The Applicant considers its approach to having regard to the s50 guidance is demonstrated to be satisfactory and thorough.</p> <p>In addition, in preparing the Application, the Applicant has also had full regard to the following guidance published in April 2024 which relates to the preparation of an application:</p> <ul style="list-style-type: none"> • “Planning Act 2008: Content of a Development Consent Order required for Nationally Significant Infrastructure Projects,” particularly when preparing the draft Development Consent Order [EN010149/APP/3.1] ; • “Planning Act 2008: Guidance related to procedures for the compulsory acquisition of land,” particularly when carrying out pre-application consultation and in preparing the Statement of Reasons [EN010149/APP/4.1] and Book of Reference [EN010149/APP/4.3]; and • “Introduction to National Infrastructure Planning Guidance,” which gives a clear understanding of the framework of the relationship between National Infrastructure Planning Guidance and the Planning Inspectorate’s Advice. <p>Although not pre-application guidance, for completeness, the Applicant has also had regard to relevant updated Planning Inspectorate advice:</p> <ul style="list-style-type: none"> • ‘Nationally Significant Infrastructure Projects: 2024 Pre-application Prospectus’, published 16 May 2024; and • ‘Nationally Significant Infrastructure Projects: Advice on the Preparation and Submission of Application Documents’, published 8 August 2024.
25	Summary: Section 55(3)(e)	
<p>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)</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"> • 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. The application is made in the prescribed form as set out in Schedule 2 of the APFP Regulations.</p> <p>The Application Cover Letter [EN010149/APP/1.1] provides a brief statement as to why the Proposed Development falls within the remit of the Planning Inspectorate, as well as Section 4 of the Application Form [EN010149/APP/1.3] and the Explanatory Memorandum [EN010149/APP/3.2].</p> <p>Section 5 of the Application Form [EN010149/APP/1.3] provides a brief non-technical description of the Proposed Development and Section 6 provides the location of the Site.</p> <p>A Location, Order Limits and Grid Coordinates Plan [EN010149/APP/2.1] has been provided to show the location of the Proposed Development.</p>
27	Is it accompanied by a Consultation Report?	<p>Yes. The Application is accompanied by a Consultation Report [EN010149/APP/5.1] and the Appendices, from Appendix A to Appendix M, to the Consultation Report [EN010149/APP/5.2].</p>
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?	<p>Yes. Several plans comprise of three or more separate sheets. These are as follows:</p> <ul style="list-style-type: none"> • Location, Order Limits and Grid Coordinates Plan [EN010149/APP/2.1]. • Land Plans [EN010149/APP/2.2]. • Works Plans [EN010149/APP/2.3]. • Streets, Rights of Way and Access Plans [EN010149/APP/2.4]. • Illustrative Layout Plans and Sections [EN010149/APP/2.5]. • Traffic Regulations Plans [EN010149/APP/2.6]. • Crown Land Plans [EN010149/APP/2.7].
29	Is it accompanied by the documents and information set out in APFP Regulation 5(2)?	<p>Yes. The documents and information required by the APFP Regulation 5(2) are set out as listed below. The Guide to the Application [EN010149/APP/1.2] and the</p>

		Electronic Application Index [EN010149/APP/1.5] list the documents submitted and accompanying APFP Regulation references.	
Information		Document	
a)	Where applicable, the Environmental Statement required under the EIA Regulations and any scoping or screening opinions or directions	b) Yes. The Application is accompanied by an Environmental Statement comprising the following: <ul style="list-style-type: none"> • Environmental Statement – Volume 1 – Main Report [EN010149/AP P/6.1]. • Environmental Statement – Volume 2 – Figures [EN010149/APP/ 6.2]. • Environmental Statement – Volume 3 – Appendices [EN010149/APP/ 6.3]. • Environmental Statement – Non-technical Summary 	The draft Development Consent Order (DCO) Yes. The Application includes a Draft Development Consent Order [EN010149/APP/3.1] .

		[EN010149/APP/6.5]. The Environmental Statement is based on the Scoping Report provided in Appendix 5.1 of the ES [EN010149/APP/6.3] and the Scoping Opinion provided in Appendix 5.2 of the ES [EN010149/APP/6.3].			
	Is this of a satisfactory standard?			Is this of a satisfactory standard?	
c)	An Explanatory Memorandum explaining the purpose and effect of provisions in the draft DCO	Yes. The Application includes an Explanatory Memorandum [EN010149/APP/3.2]. This explains the purpose and effect of the provisions of the Draft Development Consent Order [EN010149/APP/3.1].	d)	Where applicable, a Book of Reference	Yes. The Application includes a Book of Reference [EN010149/APP/4.3]. This meets DCLG's Planning Act 2008: guidance related to procedures for the compulsory acquisition of land.
	Is this of a satisfactory standard?			Is this of a satisfactory standard?	
e)	A copy of any Flood Risk Assessment	Yes. The Application includes a Flood Risk	f)	A statement whether the proposal engages one or more of the matters	Yes. A Statutory Nuisance Statement [EN010149/APP/7.5] is provided as part of the Application.

h)		Assessment [EN010149/APP/7.16].	i)	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	
	Is this of a satisfactory standard?			Is this of a satisfactory standard?	
	A Statement of Reasons and a Funding Statement (where the application involves any Compulsory Acquisition)	Yes. The Application includes a Statement of Reasons [EN010149/APP/4.1]. In addition, a Funding Statement is also provided [EN010149/APP/4.2].		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	Yes. The Application includes the Land Plans [EN010149/APP/2.2] showing the land required/affected by the Proposed Development. These are in accordance with Regulation 5(2)(i) of the APFP Regulations. Plots and descriptions listed within the Book of Reference [EN010149/APP/4.3] are consistent with the plots shown on the Land Plans.

			other private rights; and	
			(iv) any special category land and replacement land	
	Is this of a satisfactory standard?		Is this of a satisfactory standard?	
j)	A Works Plan showing, in relation to existing features:- (i) the proposed location or (for a linear scheme) the proposed route and alignment of the development and works; and (ii) the limits within which the development and works may be carried out and any limits of deviation provided for in the draft DCO	The Application includes Works Plans [EN010149/APP/2.3]. The Works Plans accord with APFP Regulation 5(2)(j), and show the proposed location of the development and the limits within which the works are proposed to be carried out.	k) Where applicable, a plan identifying any new or altered means of access, stopping up of streets or roads or any diversions, extinguishments or creation of rights of way or public rights of navigation	Yes. The Application includes Streets, Rights of Way and Access Plans [EN010149/APP/2.4]. These are in accordance with Regulations 5(2)(k) & (o) of the APFP Regulations.
	Is this of a satisfactory standard?		Is this of a satisfactory standard?	

l)	<p>Where applicable, a plan with accompanying information identifying:-</p> <ul style="list-style-type: none"> (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 (iii) water bodies in a river basin management plan, <p>together with an assessment of any effects on such sites, features, habitats or bodies likely to be caused by the Proposed Development</p>	<p>Yes.</p> <p>A Statutory and Non-Statutory Nature Conservation Designations Plan is shown in Volume 2, Figure 2.1: Environmental Considerations of the ES EN010149/APP/6.2.</p> <p>In regard to site of geological importance, it is confirmed that there are no RIGS located within the Order Limits. A Non-Statutory Landscape Sites plan is provided at Volume 2, Figure 10.1: Landscape Study Area Context Designations of the ES [EN010149/APP/6.2].</p> <p>The habitats of protected species, important habitats or other diversity features are shown in Volume 2, Figure 2.1 Environmental Considerations of the ES [EN010149/APP/6.2].</p>	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>Yes.</p> <p>Plans identifying any statutory and non-statutory sites of historic interest can be found in Volume 2, Figure 2.1: Environmental Considerations, Volume 2, Figure 9.2: Heritage Assets within the Order Limits, and Volume 2, Figure 9.3: Heritage Assets within the Study Area of the ES [EN010149/APP/6.2]</p> <p>Further assessments of the effects have been presented within Chapter 9: Cultural Heritage of the ES [EN010149/APP/6.1].</p>
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	<p>In terms of water bodies in a river basin management plan, are demonstrated further within Volume 2, Figure 15.1: Watercourses of the ES [EN010149/APP/6.2].</p> <p>A Habitats Regulation Assessment is provided at as a standalone document under HRA No Significant Effects Report (NSER) [EN010149/APP/7.17].</p> <p>Supporting assessments are presented in Environmental Statement Chapter 7: Biodiversity [EN010149/APP/6.1]. Additional supporting assessments are presented in Environmental Statement Chapter 15: Water [EN010149/APP/6.1].</p>			
Is this of a satisfactory standard?			Is this of a satisfactory standard?	

n)	Where applicable, a plan with any accompanying information identifying any Crown land	Yes. The Application includes Crown Land Plans [EN010149/APP/2.7].	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	Yes. The DCO is accompanied by the following plans and drawings which are provided under Regulation 5(2)(o) of the APFP Regulations: <ul style="list-style-type: none"> • Location, Order Limits and Grid Coordinate Plan [EN010149/APP/2.1]. • Illustrative Layout Plans and Sections [EN010149/APP/2.5]. • Traffic Regulations Plans [EN010149/APP/2.6].
	Is this of a satisfactory standard?			Are they of a satisfactory standard?	
p)	Any of the documents prescribed by Regulation 6 of the APFP Regulations:	Yes. The Application includes a Grid Connection Statement [EN010149/APP/7.6].	q)	Any other documents considered necessary to support the application	The following documents have been included in support of the Application: <ul style="list-style-type: none"> • Outline Construction Environmental Management Plan [EN010149/APP/7.7]. • Outline Construction Traffic Management Plan [EN010149/APP/7.8]. • Outline Landscape and Ecology Management Plan [EN010149/APP/7.9].

					<ul style="list-style-type: none"> • Outline Operational Environmental Management Plan [EN010149/APP/7.10]. • Outline Soil Management Plan [EN010149/APP/7.11]. • Outline Public Rights of Way and Permissive Path Management Plan [EN010149/APP/7.12]. • Outline Decommissioning Environmental Management Plan [EN010149/APP/7.13]. • Outline Battery Safety Management Plan [EN010149/APP/7.14]. • Outline Written Scheme of Investigation [EN010149/APP/7.15]. • Equality Impact Assessment [EN010149/APP/7.18]. • BESS Plume Assessment [EN010149/APP/7.19]. • Outline Skills and Employment Plan [EN010149/APP/7.20].
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	Are they of a satisfactory standard?			Are they of a satisfactory standard?	
30	Are there any observations in respect of the documents provided at Box 29 (a) to (q) above?				
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 enable the Secretary of State to make an appropriate assessment of the implications for the site if required by Regulation 48(1)?	<p>Yes. A Habitats Regulation Assessment is provided at as a stand-alone document in Part 7 of the Application [EN010149/APP/7.17].</p> <p>The HRA Report identifies relevant European sites and the likely effect on those sites. The HRA Report provides sufficient information for the Secretary of State to undertake an appropriate assessment to determine whether the Proposed Development would have an adverse effect on the integrity of any European site.</p> <p>The HRA concludes that there will be no likely adverse effects on the integrity of any European sites as a result of the Proposed Development.</p>			
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?	The Planning Inspectorate wrote to the Applicant and confirmed that no hard copies of the Application are required at the point of the submission. The applicant has not been advised that any documents are required in hard copy.			
33	Has the Applicant had regard to statutory guidance 'Planning Act 2008: Application form guidance'?	The Applicant has had regard to the DCLG guidance 'Planning Act 2008: Application form guidance' when preparing the Application. The Applicant considered that the Application has been prepared to the standards that the SoS considers satisfactory.			
34	Summary - s55(3)(f) and s55(5A)				

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>	<p>The fee payment of £8,796.00 was made on 12th November 2024 by a BACS transfer, in advance of the Application submission. This was confirmed as received by the Planning Inspectorate on 18th November 2024.</p>
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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> <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</p>	<p>The fee payment of £8,796.00 was made on 12th November 2024 by a BACS transfer, in advance of the Application submission. This was confirmed as received by the Planning Inspectorate on 18th November 2024.</p>
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must be paid at the same time that the application is made	
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Role	Electronic signature	Date
Case Manager		
Acceptance Inspector		

