

Date: November 2024



The Planning Inspectorate  
National Infrastructure Planning  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN

Dear Sir or Madam

## PLANNING ACT 2008 - APPLICATION FOR DEVELOPMENT CONSENT ORDER FOR XLINKS MORROCCO - UK POWER PROJECT

PINS APPLICATION REF: EN010146

On behalf of Xlinks 1 Limited (the 'Applicant'), I am pleased to enclose an application for a Development Consent Order ('DCO') (the 'Application') pursuant to Section 37 of the Planning Act 2008 ('PA 2008') in relation to Xlinks Morocco - UK Power Project ('the Proposed Development'). The remainder of the Proposed Development, outside of the UK EEZ, is known as the Project.

### Subject of the Application

The Applicant is seeking a DCO for the construction of two converter stations to the immediate west of the existing Alverdiscott 400 kV substation, with associated underground electricity cables to the Cornborough Range (Landfall), North Devon, and offshore cable infrastructure within the UK Exclusive Economic Zone (EEZ), alongside additional works to facilitate the Proposed Development.

In August 2023, the Applicant sought direction from the Secretary of State for Energy Security and Net Zero (the 'Secretary of State') under section 35 of the Planning Act 2008 to confirm that elements of the Proposed Development should be treated as development for which development consent under the Planning Act 2008 is required. A direction was duly made on 26 September 2023 confirming the Secretary of State's conclusion that the Proposed Development is nationally significant and therefore is development requiring development consent under the Planning Act 2008.

The location of the Proposed Development is shown on Environmental Statement (ES) Volume 1, Figure 1.1 (document ref. 6.1). The Proposed Development will be located within the Order Limits which is provided as the Location, Order Limits and Grid Coordinates Plan (document ref. 2.1). Land within the Order Limits is known as the 'Site'.

### Application Fee and Documentation Enclosed

A fee of £8,796.00 has been submitted by BACS transfer to the account of the Planning Inspectorate on 13th November 2024. The Planning Inspectorate confirmed on XXX that the fee had been received.

The Application is submitted via a Sharepoint system, which has been set up for the file transfer of the application documents. This was agreed with the Planning Inspectorate in the pre-submission meeting.

In accordance with the Nationally Significant Infrastructure Projects: Advice on the Preparation and Submission of Application Documents, a GIS shapefile showing the Order Limits for the Proposed Development was issued to the Planning Inspectorate via email on 5th November 2024.

## Application Formalities

This Application is made in the form required by Section 37(3)(b) of the PA 2008 and the application documents comply with the requirements in Section 37 of the PA 2008 and those set out in:

- The Infrastructure Planning (Applications, Prescribed Forms and Procedure) Regulations 2009 ('the APFP Regulations') (as amended);
- The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 ('the EIA Regulations') (as amended);
- Department for Levelling Up, Housing and Communities' Guidance 'Planning Act 2008: Pre-application stage for Nationally Significant Infrastructure Proposed Developments' (April 2024); and
- Nationally Significant Infrastructure Projects: Advice on the Preparation and Submission of Application Documents.

A Section 55 Checklist (document ref. 1.4) has been completed by the Application and has been included with the Application to assist with the Planning Inspectorate's compliance check of the Application.

The Proposed Development is an Environmental Impact Assessment (EIA) development and therefore the Application is accompanied by an ES (document ref. 6.1, 6.2, 6.3, 6.4 and 6.5) in accordance with the EIA regulations.

The Application will be published (with any necessary redactions and minus any confidential documents) on the Planning Inspectorate's webpage from the point of acceptance. The confidential documents are to include:

- Otter and Water Vole Survey (Volume 2, Appendix 1.6 of the ES (Document Ref. 6.2.1.6); and
- Badger Survey Report (Volume 2, Appendix 1.7 of the ES (document ref. 6.2.1.7).

## The Planning Inspectorate Updated Guidance

Over the course of the development of the Application, there have been a number of updates made to the regulations and guidance from the Planning Inspectorate. Below summarises how the Application has addressed these changes.

- As per the Nationally Significant Infrastructure Projects: Advice on the Preparation and Submission of Application Documents (October 2024) Annex A, the order of information submitted with a DCO has been re-organised. However, due to the timing of this change, the Application is following the original order of information due to the timeframes.
- We recognise that Statements of Common Ground should be submitted with the Application if available at this stage but the Applicant can confirm that there will be no submitted Statements of Common Ground. However, the Applicant can confirm that they are in the process of preparing and agreeing Statements of Common Ground with further statutory consultees, as set out in the planning statement, and these will be submitted during examination if accepted.
- Use of Artificial Intelligence - in accordance with recent PINS Guidance 'Use of artificial intelligence in casework evidence' (September 2024), [the Applicant confirms that no AI has been used either by it or its consultants in the preparation of this Application.]

## Proposed Development Description

A Non-Technical Summary of the Proposed Development is included within the ES at Volume 5 (document ref. 6.5). A more detailed description of the Proposed Development is included within ES Volume 1, Chapter 3 (document ref. 6.1).

## Habitat Regulation Assessment

The Application includes a Report to Inform Appropriate Assessment (RIAA) in Part 7 of the DCO Application, under document reference 7.16, as required by Regulation 5(2)(g) of APFP Regulations. The RIAA report has been drafted to provide the Secretary of State the information necessary to undertake an Appropriate Assessment (AA) as part of the determination process for the DCO as required by Regulation 63 of the Conservation of Habitats and Species Regulations 2017 and Regulation 28 of the Conservation of Offshore Marine Habitats Species Regulations 2017.

## Compulsory Acquisition

The land over which the Applicant is seeking powers of compulsory acquisition of land, rights and interests, restrictive covenants and powers of temporary possession in the draft DCO (document ref. 3.1) for the purposes of this Proposed Development is listed within the Book of Reference (document ref. 4.3) and shown on the Land Plans (document ref. 2.2). The Statement of Reasons (document ref.4.1) also provides details of the powers sought, as does the Schedule of Negotiations and Powers Sought (document ref. 4.4) which also provides the latest position on negotiations to date.

The Book of Reference (document ref. 4.3) has been prepared and is submitted in compliance with Regulation 5(2)(d) of the APFP Regulations. Please note that the Book of Reference contains personal data and therefore consideration will need to be given as to whether it is suitable for publication under the Data Protection Act 1998.

Details of the adequacy of funding is provided within the Funding Statement (document ref. 4.2). The Statement of Reasons and Funding Statement are submitted in compliance with Regulation 5(2)(h) of the APFP Regulations.

## Other Consents and Agreements

A summary of other consents and licenses likely to be required in addition to those being requested as part of the draft DCO are provided in the Other Consents and Agreements (document ref. 7.21). Within this document, the licenses required within the other jurisdictions of France, Spain, Portugal and Morocco are noted for the remainder of the cable to be placed outside of the UK EEZ, alongside the onshore elements within Morocco.

## Pre-Application Consultation

The Applicant has had careful regard to the pre-application consultation requirements of the PA 2008, the guidance on pre-application consultation, issued by the Ministry of Housing, Communities and Local Government and the Planning Inspectorate, and its pre-application discussions held with PINS, as required by Section 50(3) of the PA 2008.

As required by Section 37(3)(c) of the PA 2008, the Application is accompanied by a Consultation Report (document ref. 5.2) and supporting appendices (document ref. 5.2), which provides details of the Applicant's compliance with Sections 42, 46, 47, 48, and 49 of the PA 2008, the APFP Regulations, the EIA regulations and the relevant guidance.

## Other Matters

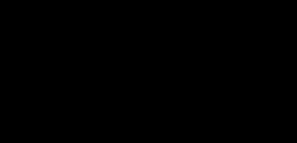
As required under Regulation 5(3) of the APFP Regulations, all plans, drawings or sections provided under Regulation 5(2) are no larger than A0 size, are drawn to an identified scale (not smaller than 1:2500) and, in the case of plans, show the direction of north. The exception to this is that some figures that accompany the Environmental Statement (document ref. 6.1) vary in scale due to the large size of the Proposed Development. Context would be lost for the plans provided in the Environmental Statement if they were to conform to the scale requirements required under Regulation 5(3).


In accordance with Regulation 5(5) of the APFP Regulations, the Applicant retains all responses to the consultation carried out under Part 5 of the PA 2008 and can make them available at the request of the Planning Inspectorate and/or the Secretary of State.

The Applicant will keep all application documents under review and will endeavour to provide updates (where it considers it necessary to do so) during the examination of the Application considering questions and comments received from the Examining Authority and Interested Parties.

We look forward to hearing from you in relation to a formal acceptance of this Application. If we can be of any assistance, please do not hesitate to contact us using the details provided below.

Yours faithfully,



Samantha JJones  
Chief Operating Officer  
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