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Ken Guest
National Grid

Your Ref:

By email

Our Ref: EN020017

Date: 11 February 2016

Dear Mr Guest

Planning Act 2008 (as amended) – Section 51

Application by National Grid for an Order Granting Development Consent for the Richborough Connection Project

Advice following issue of decision to accept the application for examination

On 11 February 2016 the Secretary of State decided that the application for the proposed Richborough Connection project has satisfied the acceptance tests under section 55 of the Planning Act 2008 (PA2008). The Planning Inspectorate's acceptance checklist has been published on our website today.

In undertaking checks at the acceptance stage, the Planning Inspectorate did note some observations in relation to the application. This letter comprises advice to the applicant provided under section 51 of the PA2008. The applicant should pay attention to its content, and consider how appropriate action might be taken in response.

Section 42(1)(d)

In order to establish whether all persons with an interest in land had been consulted under section 42(1)(d), the Planning Inspectorate compared the information provided in the Book of Reference with: the evidence of consultation as set out in the Consultation Report and Appendices; the applicant's information provided to the Planning Inspectorate following the request for the consultation responses under Regulation 5(5) of the APFP Regulations; and the information provided in the applicant's letter dated 27 January 2016.

From the information provided and the Planning Inspectorate's analysis, there appear to be five land interests for which no evidence can be found of the applicant corresponding with. It is important that persons with an interest in land, or who might be entitled to make a 'relevant claim', are able to participate in the process. To ensure this occurs we strongly advise that a full audit of the Book of Reference is carried out

prior to the notification of the deadline for the submission of relevant representations under section 56 of PA2008, in order that there can be certainty that all relevant persons (including those within section 56(2)(d)) have been notified and are afforded the opportunity to submit a relevant representation.

Book of Reference

It is noted in the section 55 checklist (part 3.3(d)) that there are some parties listed (against plots) in Part 3 of the Book of Reference that are not listed against the same plots in Part 1. Further guidance on this issue can be found in DCLG's *Planning Act 2008 Guidance on associated development applications for major infrastructure projects* (Annex D). The applicant is advised to carry out a full check of the Book of Reference to ensure all information provided is correct.

Land Plans and Schedule of Plot Numbers for Land Plans

As detailed in the section 55 checklist (part 3.3(i)), there are some minor inconsistencies between the plot numbering on the land plans, the schedule of plot numbers, and the Book of Reference. The applicant is advised to check these documents to ensure consistency between the relevant Parts.

With regard to the issues identified above, it would be helpful and assist the examination process if any other information, clarification documents or amendments made to the application documents were submitted to the Planning Inspectorate no later than 5 working days before the Preliminary Meeting.

If you have any questions about the content of this letter, please do not hesitate to contact me using the details provided.

Yours sincerely

Chris White

Chris White
Case Manager

Advice may be given about applying for an order granting development consent or making representations about an application (or a proposed application). This communication does not however constitute legal advice upon which you can rely and you should obtain your own legal advice and professional advice as required.

A record of the advice which is provided will be recorded on the National Infrastructure Planning website together with the name of the person or organisation who asked for the advice. The privacy of any other personal information will be protected in accordance with our Information Charter which you should view before sending information to the Planning Inspectorate.