



AQUIND Limited

AQUIND INTERCONNECTOR

Section 55 Checklist

The Planning Act 2008

The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 – Regulation 5(2)(q)

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AQUIND Limited

AQUIND INTERCONNECTOR

Section 55 Checklist

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1. INTRODUCTION

1.1. BACKGROUND

- 1.1.1.1. This document relates to an application (the 'Application') for development consent made by AQUIND Limited (the 'Applicant') for the Proposed Development as described in Chapter 3 (Description of the Proposed Development) (document reference 6.1.3) of the Environmental Statement ('ES') submitted with the Application.
- 1.1.1.2. The Application is made to the Secretary of State ('SoS') for Business, Energy and Industrial Strategy ('BEIS') under Section 37 of the Planning Act 2008 (as amended) (the 'PA 2008').

1.2. SECTION 55 OF THE PLANNING ACT 2008 (AS AMENDED)

- 1.2.1.1. Section 55 of the PA 2008 sets out the circumstances under which the SoS may accept an application for development consent. Following acceptance, an application will be subject to an examination pursuant to Sections 86 to 102B of the PA 2008.
- 1.2.1.2. The 'Section 55 Checklist' is a document being prepared by the Planning Inspectorate ('PINS') on behalf of the SoS upon submission of an application. Completion of the Checklist by an applicant is not a requirement under Regulation 5 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the 'APFP Regulations'), nor does the submission of the completed Checklist by the applicant hold any weight at the acceptance stage.
- 1.2.1.3. However, the Applicant considers that the submission of a 'draft' Section 55 Checklist can assist PINS at the acceptance stage with the compliance check by signposting to relevant submission documents or parts within submission documents. Therefore, the Applicant has decided to complete the Section 55 Checklist for the Application.

2. SECTION 55 CHECKLIST



The Planning Inspectorate
Yr Arolygiaeth Gynllunio

Section 55

Acceptance of Applications Checklist

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

Version: October 2019

Section 55 Acceptance of Applications Checklist

Section 55 of the Planning Act 2008 can be viewed at [legislation.gov.uk](http://www.legislation.gov.uk), here:

<http://www.legislation.gov.uk/ukpga/2008/29/section/55>

DISCLAIMER: This Checklist is for information only and is not a formal application document. It 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 Housing, Communities and Local Government.**

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
		14 November 2019	12 December 2019	
Section 55(3)(a) and s55(3)(c): It is an application for an order granting development consent				
2	Is the development a Nationally Significant Infrastructure Project ¹ (NSIP) (or does it form part of an NSIP); and does the application state on the face of it that it is an application for a Development Consent Order ² (DCO) under the Planning Act 2008 (the PA2008), or equivalent words? Does the application specify the development to which it relates (i.e. which category or categories in ss14 to 30 does the Proposed Development fall)?	<p>Yes. The Proposed Development is that part of AQUIND Interconnector (the 'Project') that constitutes an NSIP under the PA 2008, as set out in Schedule [1] of the draft DCO (document reference 3.1). Electricity Interconnectors are not listed in Sections 14 to 30 of the PA 2008 and are therefore not by default classified as NSIPs. However, under Section 35(1) of the PA 2008, "[t]he Secretary of State may give a direction for development to be treated as development for which development consent is required". This is subject to the provisions of Sections 35 and 35ZA.</p> <p>On 19 June 2018, AQUIND Limited ('the Applicant') submitted a request for a direction pursuant to Section 35 to the Secretary of State for Business, Energy and Industrial</p>		

¹ NSIP is defined generally in s14 with the detailed thresholds for each of the specified categories being set out in ss15 to 30

² Development consent is required for development to the extent that the development is or forms part of an NSIP (s31 of the PA2008)

	<p>If the development does not fall within the categories in ss14 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>Strategy ('SoS') for the Proposed Development to be treated as development for which development consent is required, i.e. an NSIP.</p> <p>On 30 July 2018, the SoS directed that "<i>the proposed Development, together with any development associated with it, is to be treated as development for which development consent is required</i>". The Section 35 direction is appended to the Planning Statement (document reference 5.4) at Appendix 3 (document reference 5.4.3).</p> <p>The Application Form (document reference 1.4) confirms in Section 4 that the Application is to be treated as an application for development for which development consent is required.</p>
3	<p>Summary: Section 55(3)(a) and s55(3)(c)</p>	<p>Sufficient evidence has been provided to confirm that this is an application for a for NSIP requiring development consent pursuant to Section 35(1) of the PA 2008.</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 the EIA Regulations³, 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, the Applicant notified the Planning Inspectorate that it would be providing an Environmental Statement ('ES') with the Application pursuant to Regulation 8(1)(b) of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the 'EIA Regulations'). The notification was included in the covering letter accompanying the Scoping Report submitted to the Planning Inspectorate on 29 October 2018. The notification (and request for a Scoping Opinion) was made before the start of statutory consultation under Section 42 of the PA 2008, which commenced on 27 February 2019 and ended on 29 April 2019, with further targeted consultation having been carried out between 3 September 2019 and 3 October 2019. See the Consultation Report (document reference 5.1) for further detail. The Scoping Report is appended to the ES at Appendix 6.3.5.2. A Scoping Opinion was received on 7 December 2018 and is appended to the ES at Appendix 6.3.5.3.</p>

³ Regulation 8 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (2017 EIA Regulations), or where Regulation 37 of the 2017 EIA Regulations applies, Regulation 6 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (2009 EIA Regulations)

5	<p>Have any Adequacy of Consultation Representations⁴ 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>The Consultation Report (document reference 5.1) sets out how the Applicant complied with its duties under Sections 42, 47 and 48 of the PA 2008.</p> <p>The list of A, B, C and D authorities in respect of the Application is contained in Section 11 of the Consultation Report.</p> <p>The host authorities (B) of the Proposed Development are:</p> <ul style="list-style-type: none"> - Winchester City Council ('WCC'); - East Hampshire District Council ('EHDC'); - Havant Borough Council ('HBC'); - Portsmouth City Council ('PCC'). <p>Hampshire County Council ('HCC') is the relevant C host authority.</p> <p>The A authorities are:</p> <ul style="list-style-type: none"> - South Downs National Park Authority ('SDNPA'); - Gosport Borough Council; - Hart District Council; - Test Valley Borough Council; - Waverley District Council; - West Berkshire District Council; - Wokingham Borough Council; - Basingstoke and Deane Borough Council; - Chichester District Council; - Eastleigh Borough Council; - Fareham Borough Council. <p>The D authorities are:</p>
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⁴ Section 55(4) of the PA2008 provides that the Planning Inspectorate must have regard to the Consultation Report, and any Adequacy of Consultation Representations received

		<ul style="list-style-type: none"> - SDNPA; - Southampton City Council; - Bracknell Forest Borough Council; - Surrey County Council; - West Sussex County Council; - Wiltshire Council; - Dorset County Council.
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Section 42: Duty to consult

Did the Applicant consult the applicable persons set out in s42 of the PA2008 about the proposed application?

6	Section 42(1)(a) persons prescribed ⁵ ?	<p>Yes. The prescribed consultees under Section 42(1)(a) of the PA 2008 were consulted, see Section 11 of the Consultation Report for more detail.</p> <p>Appendix 5.1.4B of the Consultation Report contains a complete list of the relevant consultees prescribed in Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the 'APFP Regulations').</p> <p>Letters including electronic copies of the Consultation Documents were sent on 25 February 2019, with the Section 42 consultation carried out between 27 February and 29 April 2019 (and additional targeted consultation as stated in Section 4 above). A sample letter is provided at Appendix 5.1.4G of the Consultation Report.</p>
7	Section 42(1)(aa) the Marine Management Organisation ⁶ ?	<p>Yes, the Marine Management Organisation was consulted, with the consultation letter dated 25 February 2019. See Section 11 (Responses from Section 42(1)(aa) Marine Management Organisation) of the Consultation Report for more detail. A copy of the letter is provided at Appendix 5.1.4G of the Consultation Report.</p>
8	Section 42(1)(b) each local authority within s43 ⁷ ?	<p>Yes, the Applicant has consulted each local authority within Section 43. A sample letter</p>

⁵ Statutory consultees set out in Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (APFP Regulations)

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

is provided at Appendix 5.1.4G of the Consultation Report. A summary of the responses is contained in Section 11 (Responses from Section 42(1)(b) Local Authorities) of the Consultation Report. The relevant authorities are as follows:

- WCC – B
- EHDC – B
- HBC – B
- PCC – B
- HCC – C
- Basingstoke and Deane Borough Council – A
- Bracknell Forest Borough Council – D
- Chichester District Council – A
- Dorset County Council – D
- Eastleigh Borough Council – A
- Fareham Borough Council – A
- Gosport Borough Council – A
- Hart District Council – A
- Southampton City Council – D
- SDNPA – A and D
- Surrey County Council – D
- Test Valley Borough Council – A
- Waverley District Council – A
- West Berkshire Council – A
- West Sussex County Council – D

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

		<ul style="list-style-type: none"> - Wiltshire Council – D - Wokingham Borough Council – A
9	Section 42(1)(c) the Greater London Authority (if in Greater London area)?	N/A – the Proposed Development is not in the Greater London area.
10	Section 42(1)(d) each person in one or more of s44 categories ⁸ ?	Persons within Category 1, 2 or 3 of Section 44 of the PA 2008 were consulted during the statutory consultation period (27 February 2019 – 29 April 2019 as well as targeted consultation between 3 September 2019 and 3 October 2019). A sample letter is provided at Appendix 5.1.4G of the Consultation Report. See Section 11 (Responses from Section 42(1)(d) Land Interests) of the Consultation Report for details of the responses received.
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 notified the Section 42 consultees of the deadline for receipt of consultation responses. The deadline was 29 April 2019, i.e. more than 28 after receipt of the Consultation Documents (the statutory consultation commenced on 27 February 2019). The additional targeted consultation carried out between 3 September 2019 and 3 October 2019 also gave those parties that were consulted more than 28 days to respond.</p> <p>It is clear from the Consultation Report and its appendices that the Section 42 consultation has been carried out in accordance with the PA 2008.</p>
Section 46: Duty to notify the Planning Inspectorate of proposed application		
12	Did the Applicant supply information to notify the Planning Inspectorate of the proposed application; and if so, was the information supplied to the Planning Inspectorate on or before the date it was sent to the s42 consultees? Was this done on or	Yes, the Applicant supplied information to notify the Planning Inspectorate of the proposed Application in a letter dated 25 February 2019. This letter was sent pursuant to Section 46 of the PA 2008. Details of the Section 46 notification are contained in Section 11 of the Consultation Report. A copy of the Section 46 letter is appended to the Consultation Report at Appendix 5.1.4D.

⁸ Category 1: owner, lessee, tenant or occupier of land; Category 2: person interested in the land or has power to sell and convey the land or to release the land; Category 3: persons who would or might be entitled to make a relevant claim. There is no requirement on the Planning Inspectorate to check the accuracy of the list(s) provided or whether the Applicant has made diligent inquiry

	before commencing consultation under s42?	<p>The Section 46 letter contained:</p> <ul style="list-style-type: none"> - A copy of the Section 48 Notice, which sets out details of the proposals and information about consultation; - Red line plan (A3), showing the land within which the current proposals for AQUIND Interconnector are located; - A USB memory stick containing an electronic copy of the consultation documents which comprise the following: <ul style="list-style-type: none"> o Consultation Document, providing a detailed explanation of the proposals and the key issues to be considered during the consultation; o Preliminary Environmental Information Report ("PEIR") and Technical Appendices; o Non-Technical Summary of the PEIR; o Red line plans; o A consultation newsletter, which provided further information about the proposals and details of how the consultation documents could be viewed and consultation responses provided; o Section 48 Notice; and o A copy of the feedback form on which responses to the consultation could be provided.
Section 47: Duty to consult local community		
13	Did the Applicant prepare a Statement of Community Consultation (SoCC) on how it intended to consult people living in the vicinity of the land?	Yes, the Applicant prepared a SoCC on how it intended to consult people living in the vicinity of the land. Section 12 (Statement of Community Consultation) of the Consultation Report contains further detail. The SoCC was published in accordance with the terms of the PA 2008 and a copy is attached at Appendix 5.1.40 of the Consultation Report.
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	<p>Yes. Section 12 of the Consultation Report contain details of the consultation on the content of the SoCC.</p> <p>The Applicant met with senior planning officers from HCC (C authority), PCC, HBC,</p>

	(where applicable) 'C' authorities received the consultation documents?	<p>EHDC, WCC (B authorities) and SDNPA on 13 August 2018, to provide them with an overview of the PA 2008 regime including the statutory consultation requirements. Following this meeting, the Applicant undertook informal consultation on the draft SoCC from 28 August 2018, inviting all relevant Local Planning Authorities ('LPAs') as well as the Marine Management Organisation to provide their comments. A table summarising all comments made during this period, together with the Applicant's response to these, is contained in Appendices 5.1.4J and 45.1.4K of the Consultation Report.</p> <p>Following the informal consultation, the Applicant made a number of alterations to the draft SoCC. At a subsequent meeting on 11 December 2018 with the relevant LPAs, the Applicant outlined the alterations made to the SoCC following the informal consultation process.</p> <p>The Applicant then undertook formal consultation on its revised draft SoCC with HCC, PCC, HBC, EHDC and WCC between 12 December 2018 and 9 January 2019, giving 28 days to respond. A copy of the draft SoCC issued for formal consultation can be found in Appendix 5.1.4L of the Consultation Report.</p>
15	Has the Applicant had regard to any responses received when preparing the SoCC?	<p>Yes, the Applicant had regard to the responses received when preparing the SoCC, which is confirmed in paragraph 1.1.5 of the final published SoCC.</p> <p>The Consultation Report explains in more detail how the Applicant had regard to the responses received.</p>
16	Has the SoCC been made available for inspection in a way that is reasonably convenient for people living in the vicinity of the land; 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. The SoCC was published on 27 February 2019 and made available for inspection at 10 deposit locations:</p> <ul style="list-style-type: none"> - Beddow Library, Milton Road, Milton, Portsmouth, PO4 8PR - Waterlooville Library, The Precinct, Waterlooville, PO7 7DT - Horndean Library, 12 Fiveheads Road, Horndean, Waterlooville, PO8 9NW - Portsmouth City Council, Civic Offices, Guildhall Walk, Portsmouth, PO1 2AL - Havant Borough Council, Public Service Plaza, Civic Centre, Road, Havant, PO9 2AX - Winchester City Council, City Offices, Colebrook Street, Winchester, SO23 9LJ

		<ul style="list-style-type: none"> - Hampshire County Council, The Castle, Winchester, SO23, 8UJ - Central Library, Portsmouth City Council, Guildhall Square, Portsmouth, PO1 2DX - Cosham Library, Spur Road, Cosham, Portsmouth, PO6 3EB - Petersfield Library, 27 The Square, Petersfield, GU32 3HH <p>The SoCC was available for inspection between 27 February 2019 and 29 April 2019. It was also made available online at https://aquindconsultation.co.uk/consultation-materials/</p> <p>The SoCC Notice pursuant to Section 47 of the PA 2008 was published in the following newspapers in the vicinity of the Site:</p> <ul style="list-style-type: none"> - Portsmouth News on 27 February 2019; - Hampshire Chronicle on 28 February 2019; and - Horndean Post on 27 February 2019. <p>The SoCC Notice stated where and when the SoCC was available for inspection.</p> <p>A copy of the final SoCC is provided at Appendix 5.1.4O of the Consultation Report and a copy of the SoCC Notice at Appendix 5.1.4A.</p>
17	Does the SoCC set out whether the development is EIA development ⁹ ; and does it set out how the Applicant intends to publicise and consult on the Preliminary Environmental Information?	<p>Yes, the SoCC confirms in paragraph 4.1.1 that the Applicant has decided to undertake an Environmental Impact Assessment ('EIA') and to submit an ES with the Application. The ES has the document reference numbers 6.1 to 6.4.</p> <p>The SoCC states in paragraph 4.1.4 that the Preliminary Environmental Information would be presented in a Preliminary Environmental Information Report ('PEIR') and a Non-Technical Summary as part of the Consultation Documents. The SoCC confirmed that the local community's views on the information within the PEIR would be sought as part of the formal (statutory) consultation. The PEIR and Non-Technical Summary were made available to all consultees from 27 February 2019 online at https://aquindconsultation.co.uk/consultation-materials/ and were made available in hard copy at the following deposit locations:</p>

⁹ Regulation 12 of the 2017 EIA Regulations, or where Regulation 37 of the 2017 EIA Regulations applies, Regulation 10 of the 2009 EIA Regulations

- Beddow Library, Milton Road, Milton, Portsmouth, PO4 8PR
- Waterlooville Library, The Precinct, Waterlooville, PO7 7DT
- Horndean Library, 12 Fiveheads Road, Horndean, Waterlooville, PO8 9NW
- Portsmouth City Council, Civic Offices, Guildhall Walk, Portsmouth, PO1 2AL
- Havant Borough Council, Public Service Plaza, Civic Centre, Road, Havant, PO9 2AX
- Winchester City Council, City Offices, Colebrook Street, Winchester, SO23 9LJ
- Hampshire County Council, The Castle, Winchester, SO23, 8UJ
- Central Library, Portsmouth City Council, Guildhall Square, Portsmouth, PO1 2DX
- Cosham Library, Spur Road, Cosham, Portsmouth, PO6 3EB
- Petersfield Library, 27 The Square, Petersfield, GU32 3HH

The Consultation Documents including the PEIR and Non-Technical Summary were also available to be viewed at public exhibition events:

- 07/03/2019 Broad Oak Sports & Social Club, Airport Service Road, Portsmouth, PO3 5PB 16:00 – 20:00
- 08/03/2019 Eastney Community Centre, Bransbury Park, Bransbury Road, Eastney, Portsmouth, PO4 9SU 16:00 – 20:00 1
- 4/03/2019 Jubilee Hall, Crouch Lane, Horndean, Hampshire, PO8 9SU 16:00 – 20:00
- 16/03/2019 The Drayton Centre, 238 Havant Road, Drayton, Portsmouth, PO6 1PA 10:00 – 14:00
- 21/03/2019 Waterlooville Community Centre, 10 Maurepas Way, Waterlooville, Hampshire, PO7 7AY 16:00 – 20:00
- 22/03/2019 Acorn Community Centre, 3 The Kestrels, Wecock Farm, Waterlooville, Hampshire, PO8 9UX 16:00 – 20:00
- 23/03/2019 Deverall Hall, 84 London Road, Purbrook, Waterlooville, PO7 5JU 10:00 – 14:00

		<ul style="list-style-type: none"> - 30/03/2019 Milton Village Community Hall, 182 Milton Road, Southsea, Hampshire, PO4 8PR 11:30 – 15:30 - 05/04/2019 Denmead War Memorial Hall, Hambledon Road, Denmead PO7 6PW 16:00 – 20:00 				
18	Has the Applicant carried out the consultation in accordance with the SoCC?	Yes, the Applicant has carried out the consultation in accordance with the SoCC. Section 14.2 of the Consultation Report sets out the scope of the consultation as set out in the SoCC.				
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 APFP Regulations?	<p>Yes, the Applicant publicised the proposed Application in a Section 48 notice in accordance with Regulation 4(2) of the APFP Regulations in the following newspapers:</p> <ul style="list-style-type: none"> - The Guardian (27 February 2019) - Portsmouth News (27 February 2019 and 6 March 2019) - Horndean Post (27 February 2019 and 6 March 2019) - Lloyd's List (27 February 2019) - Fishing News (28 February 2019) - Hampshire Chronicle (28 February 2019 and 6 March 2019) - London Gazette (27 February 2019) <p>The Consultation Report explains how the notice complies with the prescribed manners set out in Regulation 4(2). A copy of the Section 48 notice can be found in Appendix 5.1.4A of the Consultation Report.</p>				
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;	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Portsmouth News</td> <td style="width: 50%;">27 February 2019 and 6 March 2019</td> </tr> <tr> <td>Horndean Post</td> <td>27 February 2019 and 6 March</td> </tr> </table>	Portsmouth News	27 February 2019 and 6 March 2019	Horndean Post	27 February 2019 and 6 March
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Horndean Post	27 February 2019 and 6 March					

		Hampshire Chronicle	2019 28 February 2019 and 6 March 2019
b)	once in a national newspaper;	The Guardian	27 February 2019
c)	once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and	London Gazette	27 February 2019
d)	where the proposed application relates to offshore development – (i) once in Lloyds List; and (ii) once in an appropriate fishing trade journal?	Lloyd's List Fishing News	27 February 2019 28 February 2019
20	Did the s48 notice include the required information set out in Regulation 4(3) of APFP Regulations?	(a) Yes, the Section 48 Notice which is provided at Appendix 5.1.4A of the Consultation Report contains the required information as set out below.	

Information		Paragraph	Information		Paragraph
a)	the name and address of the Applicant.	1	b)	a statement that the Applicant intends to make an application for development consent to the Secretary of State	1
c)	a statement as to whether the application is EIA development	3	d)	a summary of the main proposals, specifying the location or route of the Proposed Development	2
e)	a statement that the documents, plans and maps showing the nature and location of the Proposed Development are available for inspection free of charge at the places (including at least one address in the vicinity of the Proposed Development) and times set out in the notice	5	f)	the latest date on which those documents, plans and maps will be available for inspection	5

g)	whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge	7	h)	details of how to respond to the publicity	8
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	9			
21	Are there any observations in respect of the s48 notice provided above?				
	No				
22	Has a copy of the s48 notice been sent to the EIA consultation bodies and to any person notified to the Applicant in accordance with the EIA Regulations ¹⁰ ?	A copy of the Section 48 notice was sent to the EIA consultation bodies as part of the Section 42 consultation, as confirmed in the Consultation Report. A sample letter is provided at Appendix 5.1.4G of the Consultation Report.			
s49: Duty to take account of responses to consultation and publicity					
23	Has the Applicant had regard to any relevant responses to the s42, s47 and s48 consultation?	Yes. The Applicant has had regard to all responses received pursuant to the statutory consultation under Sections 42, 47 and 48 of the PA2008. Chapter 17 of the Consultation Report sets out how the Applicant had regard to the consultation responses including whether or not responses led to changes to the application.			
Guidance about pre-application procedure					
24	To what extent has the Applicant had regard to statutory guidance 'Planning Act 2008: Guidance on the pre-application process' ¹¹ ?	Section 4.6 of the Consultation Report sets out how the Applicant has had regard to statutory guidance.			
25	Summary: Section 55(3)(e)	In accordance with Section 55(3)(e) of the PA2008, the Applicant has, in relation to the proposed application that has become the Application, complied with Chapter 2 of Part 5 of the PA2008.			

¹⁰ Regulation 13 of the 2017 EIA Regulations, or where Regulation 37 of the 2017 EIA Regulations applies, Regulation 11 of the 2009 EIA Regulations

¹¹ The Planning Inspectorate must have regard to the extent to which the Applicant has had regard to guidance issued under s50

s55(3)(f) and s55(5A): The application (including accompaniments) achieves a satisfactory standard having regard to the extent to which it complies with section 37(3) (form and contents of application) and with any standards set under section 37(5) and follows any applicable guidance under section 37(4)

26	Is it made in the prescribed form as set out in Schedule 2 of the APFP Regulations, and does it include: <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>The Application Form (document reference 1.4) is the prescribed form as contained in Schedule 2 of the APFP Regulations.</p> <p>The Application Form includes in Section 4 a statement which explains why the Proposed Development falls within the remit of the Planning Inspectorate.</p> <p>Section 6 of the Application Form describes the location and Onshore and Offshore Cable Corridor of the Proposed Development including reference to appropriate plans. It also provides a start, middle and end grid reference.</p>									
27	Is it accompanied by a Consultation Report?	In accordance with Section 37(3)(c) of the PA2008, the Application is accompanied by a Consultation Report (document reference 5.1 and Appendices 5.1.1A to 5.1.7J).									
28	Where a plan comprises three or more separate sheets, has a key plan been provided showing the relationship between the different sheets? ¹²	Yes. Key Plans are included for the Land Plans (document reference 2.2), Crown Land Plans (document reference 2.3), Works Plans (document reference 2.4), Access and Rights of Way Plans (document reference 2.5), and Hedgerow and Tree Preservation Order Plans (document reference 2.12).									
29	Is it accompanied by the documents and information set out in APFP Regulation 5(2)?	Yes, the Application is accompanied by the documents and information set out in Regulation 5(2) of the APFP Regulations as listed below.									
<table border="1"> <thead> <tr> <th>Information</th> <th>Document</th> </tr> </thead> <tbody> <tr> <td>a) Where applicable, the Environmental Statement required under the EIA Regulations¹³ and any scoping or screening</td> <td>Document references: 6.1 Main Report 6.2 Figures 6.3 Technical Appendices (including</td> </tr> </tbody> </table>		Information	Document	a) Where applicable, the Environmental Statement required under the EIA Regulations ¹³ and any scoping or screening	Document references: 6.1 Main Report 6.2 Figures 6.3 Technical Appendices (including	<table border="1"> <thead> <tr> <th>Information</th> <th>Document</th> </tr> </thead> <tbody> <tr> <td>b) The draft Development Consent Order (DCO)</td> <td>Document reference 3.1</td> </tr> </tbody> </table>		Information	Document	b) The draft Development Consent Order (DCO)	Document reference 3.1
Information	Document										
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Information	Document										
b) The draft Development Consent Order (DCO)	Document reference 3.1										

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

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

c)	opinions or directions	Appendix 6.3.15.3 EIA Scoping Opinion) 6.4 Non-Technical Summary	d)		
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?	Yes
	An Explanatory Memorandum explaining the purpose and effect of provisions in the draft DCO	Document reference 3.2		Where applicable, a Book of Reference (where the application involves any Compulsory Acquisition)	Document reference 4.3
e)	Is this of a satisfactory standard?	Yes	f)	Is this of a satisfactory standard?	Yes
	A copy of any Flood Risk Assessment	Document reference 6.3.20.4		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	Document reference 5.3.
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?	Yes
h)	A Statement of Reasons and a Funding Statement (where the application involves any Compulsory Acquisition)	Document references 4.1 (Statement of Reasons) and 4.2 (Funding Statement)	i)	A Land Plan identifying:- (i) the land required for, or affected by, the Proposed Development; (ii) where applicable, any land over which it is	Document reference 2.2

			<p>proposed to exercise powers of Compulsory Acquisition or any rights to use land;</p> <p>(iii) any land in relation to which it is proposed to extinguish easements, servitudes and other private rights; and</p> <p>(iv) any special category land and replacement land</p>		
	Is this of a satisfactory standard?	Yes	Is this of a satisfactory standard?	Yes	
j)	<p>A Works Plan showing, in relation to existing features:-</p> <p>(i) the proposed location or (for a linear scheme) the proposed route and alignment of the development and works; and</p> <p>(ii) the limits within which the development and works may be carried out and any limits of deviation provided for in the draft DCO</p>	Document reference 2.4	k)	<p>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</p>	Document reference 2.5

	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?	Yes
l)	Where applicable, a plan with accompanying information identifying:- (i) any statutory/ non-statutory sites or features of nature conservation eg sites of geological/ landscape importance; (ii) habitats of protected species, important habitats or other diversity features; and (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	Document references 6.1 ES Volume 1 Main Report and 6.2 ES Volume 2 Figures – see Application Form (document reference 1.4) for further details of relevant Chapters and Figures; and 2.12 Hedgerow and Tree Preservation Order Plans	m)	Where applicable, a plan with accompanying information identifying any statutory/ 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	Document references 6.1 ES Volume 1 Main Report and 6.2 ES Volume 2 Figures; – see Application Form (document reference 1.4) for further details of relevant Chapters and Figures)
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?	Yes
n)	Where applicable, a plan with any accompanying information identifying any Crown land	Document reference 2.3	o)	Any other plans, drawings and sections necessary to describe the development consent proposal showing details of design, external	Document references 2.1 Site Location Plan; 2.6 Converter Station and Telecommunications Buildings Parameter Plans; 2.7 Indicative Converter Station Area Layout Plans; 2.8 Indicative

			appearance, and the preferred layout of buildings/ structures, drainage, surface water management, means of vehicular and pedestrian access, any car parking and landscaping	Converter Station Elevations; 2.9 Indicative Telecommunications Buildings Elevations and Floor Plans; 2.10 Indicative Optical Regeneration Station(s) Elevations and Floor Plans; 2.11 Optical Regeneration Station(s) Parameter Plan
	Is this of a satisfactory standard?	Yes	Are they of a satisfactory standard?	Yes
p)	Any of the documents prescribed by Regulation 6 of the APFP Regulations:	N/A	q) Any other documents considered necessary to support the application	See Electronic Application Index (document reference 1.6) for full list.
	Are they of a satisfactory standard?	N/A	Are they of a satisfactory standard?	Yes
30	Are there any observations in respect of the documents provided at Box 29 (a) to (q) above?			
	No			
31	Is the application accompanied by a report identifying any European site(s) to which Regulation 48 of The Conservation (Natural Habitats, &c.) Regulations 1994 applies; or any Ramsar site(s), which may be affected by the Proposed Development, together with sufficient information that will enable the Secretary of State to make an appropriate assessment of the implications for the site if required by Regulation 48(1)? ¹⁴	Yes, an HRA Report has been provided (document references 6.8.1 – 6.8.3). The HRA Report covers: Stage 1 – Screening, undertaken in accordance with the European Court of Justice case in People Over Wind and Sweetman v Coillte Teoranta (Case 323/17). Stage 1 Screening concludes that Likely Significant Effects cannot be ruled out, and therefore a Stage 2 Appropriate Assessment needs to be carried out; and Stage 2 – The assessment carried out concludes that there would be no adverse Effect on the integrity of European sites.		

¹⁴ Regulation 5(2)(g) of the APFP Regulations

32	If requested by the Planning Inspectorate, two paper copies of the application form and other supporting documents and plans ¹⁵	No, the Applicant has agreed with PINS in advance of the submission of the Application that no paper copies of the Application Form and other supporting documents will be submitted at the submission stage. Should hard copies of any documents be requested subsequently, the Applicant will provide these as and when required.
33	Has the Applicant had regard to statutory guidance 'Planning Act 2008: Application form guidance', and has this regard led to the application being prepared to a standard that the Planning Inspectorate considers satisfactory?	Yes, the Applicant had regard to statutory guidance 'Planning Act 2008: Application form guidance' in preparing the Application.
34	Summary - s55(3)(f) and s55(5A)	The submitted Application is of a satisfactory standard in accordance with Section 55(3)(f), having regard to Section 55(5A), of the PA 2008.
Fees to accompany an application		
35	Was the fee paid at the same time that the application was made ¹⁶ ?	The fee of £7,106.00 was paid on 22 October 2019 (payment reference 45055LD008O7).

Role	Electronic signature	Date
Case Manager		
Acceptance Inspector		

¹⁵ Regulation 5(2)(r) of the APFP Regulations

¹⁶ The Planning Inspectorate must charge the Applicant a fee in respect of the decision by the Planning Inspectorate under section 55 of the PA2008. If the Applicant fails to pay the fee, the Planning Inspectorate need not consider the application until payment is received. The fee must be paid at the same time that the application is made

