



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: August 2022

Yorkshire GREEN Section 55 Acceptance of Applications Checklist

Section 55 of the Planning Act 2008 can be viewed at legislation.gov.uk, here: <http://www.legislation.gov.uk/ukpga/2008/29/section/55>

DISCLAIMER: This Checklist 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 Department for Levelling Up, Housing and Communities.

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
		15 November 2022	13 December 2022	8 December 2022
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	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 Sections (s)14 to 30 does the Proposed Development fall)?	<p>Yes</p> <p>The Proposed Development set out in Schedule 1 of the Draft DCO (Doc 3.1) includes development falling within the categories in s14 of the PA2008. The development is for the construction of a new overhead electricity transmission connections in England, and satisfies section 14(1)(b), s16(1)(a) and s16(2) and s16(3) of the PA2008.</p> <p>This is consistent with the summary provided in section 4 of the Application Form (Doc 1.2) which states that the application is for an NSIP.</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)

	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?	
3	Summary: Section 55(3)(a) and s55(3)(c)	The Planning Inspectorate is satisfied that the Draft DCO (Doc 3.1) includes development for which development consent is required.
Section 55(3)(e): The Applicant in relation to the application made has complied with Chapter 2 of Part 5 (pre-application procedure)		
4	In accordance with the EIA Regulations ³ , 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?	Yes On 17 March 2021 the Applicant notified the Planning Inspectorate in accordance with Regulation 8(1)(b) of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 of its intention to provide an Environmental Statement (ES) in respect of the Proposed Development. The notification was received before the start of statutory consultation on 28 October 2021. A copy of the notification letter is provided at Appendix T of the Consultation Report Appendices (Doc 6.2, Part 3) .
5	Have any Adequacy of Consultation Representations ⁴ 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?	Yes There are 24 host and neighbouring authorities, of which 11 responded to the Planning Inspectorate's invitation to make an Adequacy of Consultation Representation (AoCR) dated 16 November 2022. All 11 responding authorities confirmed in their AoCR that either the Applicant had complied with its duties under s42, s47 and s48 of the PA2008 and/ or that

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)

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

		<p>their authority had no comments/ objections to make. These local authorities were:</p> <ul style="list-style-type: none"> • East Riding of Yorkshire Council ('A' authority) • Wakefield Metropolitan District Council ('A' authority) • Ryedale District Council ('A' authority) • Kirklees Council ('A' authority) • Leeds City Council ('B' authority) • Harrogate Borough Council ('B' authority) • City of York Council ('B' authority) • Selby District Council ('B' authority) • North Yorkshire County Council ('C' authority) • Redcar and Cleveland Borough Council ('D' authority) • Durham County Council ('D' authority) <p>All AoCRs received have been carefully considered and are available to view on the National Infrastructure Planning website: https://infrastructure.planninginspectorate.gov.uk/projects/yorkshire-and-the-humber/yorkshire-green/?ipcsection=docs&stage=2&filter1=Adequacy+of+Consultation+Representation</p>
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 ?	Yes

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

	<p>The Applicant has provided a list of persons consulted under s42(1)(a) on 28 October 2021 at Appendix D of the Consultation Report Appendices (Doc 6.2, Part 1).</p> <p>A sample of the letter sent to s42(1)(a) consultees is provided at Appendix D of the Consultation Report Appendices (Doc 6.2, Part 1).</p> <p>The Planning Inspectorate has identified the following parties based on a precautionary interpretation of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the APFP Regulations) that do not appear to have been consulted by the Applicant under s42:</p> <ul style="list-style-type: none">• Wales and West Utilities Limited• Leep Gas Networks Limited• Mua Electricity Limited• Optimal Power Networks Limited• National Grid Electricity System Operator Limited <p>The Applicant's Consultation Report (Doc 6.1) does not explain why the bodies identified above do not appear to have been consulted. However, it is noted that the licences held by these bodies cover Great Britain or various smaller areas and the operational areas of each are not clear from information in the public domain.</p> <p>None of the bodies listed above have been identified by the Applicant as having an interest in the Order lands and none are listed in the Book of Reference (Doc 4.3).</p> <p>Section 51 advice has been issued to the Applicant in respect of the above matter: http://infrastructure.planninginspectorate.gov.uk/document/EN020024-000326</p>
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7	Section 42(1)(aa) the Marine Management Organisation ⁶ ?	Not Applicable
8	Section 42(1)(b) each local authority within s43 ⁷ ?	<p>Yes</p> <p>Paragraphs 6.2.9 to 6.2.12 of the Consultation Report (Doc 6.1) list the relevant local authorities that were identified and consulted under s43 and s42(1)(b) on 28 October 2021.</p> <p>The host 'B' authorities were consulted:</p> <ul style="list-style-type: none"> • Selby District Council • Harrogate Borough Council • Hambleton District Council • Leeds City Council • City of York Council <p>The host 'C' authority was consulted:</p> <ul style="list-style-type: none"> • North Yorkshire County Council <p>The boundary 'A' authorities were consulted:</p> <ul style="list-style-type: none"> • Craven District Council • Richmondshire District Council • Ryedale District Council • Scarborough Borough Council • Wakefield Metropolitan District Council

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

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"> • City of Bradford Metropolitan District Council • Doncaster Metropolitan Borough Council • Kirklees Council • East Riding of Yorkshire Council <p>The boundary 'D' authorities were consulted:</p> <ul style="list-style-type: none"> • Yorkshire Dales National Park Authority • Redcar and Cleveland Borough Council • North York Moors National Park Authority • Darlington Borough Council • Middlesbrough Council • Stockton-on-Tees Borough Council • Durham County Council • Lancashire County Council • Cumbria County Council <p>A sample of the letter sent to s42(1)(b) relevant authorities is provided at Appendix E of the Consultation Report Appendices (Doc 6.2, Part 1).</p>
9	Section 42(1)(c) the Greater London Authority (if in Greater London area)?	Not Applicable
10	Section 42(1)(d) each person in one or more of s44 categories ⁸ ?	<p>Yes</p> <p>Paragraph 6.3.26 of the Consultation Report (Doc 6.1) states that all persons identified under s42(1)(d) before the start of the statutory consultation were consulted on 28 October 2021. A sample of the letter dated 28 October 2021 is</p>

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.

		<p>provided at Appendix G of the Consultation Report Appendices (Doc 6.2, Part 1).</p> <p>Paragraph 6.3.31 of the Consultation Report (Doc 6.1) explains that 285 additional persons were identified under s42(1)(d) and were consulted on 10 and 11 November 2021.</p> <p>Paragraphs 6.3.32 to 6.3.39 of the Consultation Report (Doc 6.1) explain that it was identified that most of the letters sent on 10 and 11 November 2021 had been sent in error and that insufficient time had been given for receipt of consultation responses. Further letters were sent out to rectify the errors as follows:</p> <ul style="list-style-type: none"> • Letter 1 was sent on 1 December 2021 to 38 persons to extend the consultation period. A sample of Letter 1 dated 1 December 2021 is provided at Appendix H1 of the Consultation Report Appendices (Doc 6.2, Part 1); • Letter 2 was sent on 3 December 2021 to 197 persons to advise that the land in which they have an interest had been scoped out of the project. A sample of Letter 2 dated 3 December 2021 is provided at Appendix H2 of the Consultation Report Appendices (Doc 6.2, Part 1); • Letter 3a was sent on 8 December 2021 to two persons with updated contact details and to extend the consultation period. A sample of Letter 3a dated 8 December 2021 is provided at Appendix H3 of the Consultation Report Appendices (Doc 6.2, Part 1); • Letter 3b was sent on 9 and 14 December 2021 to three persons to extend the consultation period. A sample of Letter 3b dated 9 and 14 December 2021 is provided at Appendix H4 of the Consultation Report Appendices (Doc 6.2, Part 1); • Letter 3c was sent on 10 and 15 December 2021 to representatives, trustees or copy addresses of eight persons already identified and consulted on 28 October 2021. A sample of Letter 3c dated 10 December 2021 is provided at Appendix H5 of the Consultation Report Appendices (Doc 6.2, Part 1). A sample of the letter dated 15 December 2021 has not been provided;
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		<ul style="list-style-type: none"> • Letter 3d was sent on 14 December 2021 to 20 persons who had been sent a letter on 10 November 2021 in error. A sample of Letter 3d dated 14 December 2021 is provided at Appendix H6 of the Consultation Report Appendices (Doc 6.2, Part 1). <p>Paragraph 6.3.43 of the Consultation Report (Doc 6.1) explains that a letter was sent on 21 December 2021 to a newly identified land interest. A copy of the letter is provided at Appendix I of the Consultation Report Appendices (Doc 6.2, Part 1).</p> <p>Paragraph 6.3.49 of the Consultation Report (Doc 6.1) explains that letters were sent on 14 March 2022 to 59 newly identified persons with an interest in land. A sample of the letter is provided at Appendix I of the Consultation Report Appendices (Doc 6.2, Part 1).</p> <p>Paragraph 6.3.51 of the Consultation Report (Doc 6.1) explains that letters were sent on 22 April 2022 to two newly identified land interests. A sample of the letter is provided at Appendix I of the Consultation Report Appendices (Doc 6.2, Part 1).</p> <p>Paragraph 6.3.53 of the Consultation Report (Doc 6.1) explains that letters were sent on 3 August 2022 to 18 newly identified land interests. A sample of the letter is provided at Appendix I of the Consultation Report Appendices (Doc 6.2, Part 1).</p> <p>Paragraphs 6.3.17 to 6.3.25 of the Consultation Report (Doc 6.1) summarise how the Applicant made diligent inquiry to seek to identify and consult persons with an interest in land affected by the Draft DCO (Doc 3.1). The full methodology undertaken by the Applicant is provided at Appendix C of the Statement of Reasons (Doc 4.1).</p> <p>The persons consulted under s42(1)(d) are listed at Appendix D of the Consultation Report Appendices (Doc 6.2, Part 1).</p> <p>Hard-to-reach groups engagement</p>
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Paragraph 6.10.7 to 6.10.10 of the **Consultation Report (Doc 6.1)** explains that a group of travellers occupies land within the vicinity of the Order Limits (plots E7-34 and E7-40 at the junction of the A1 and A63). It sets out the steps taken to notify the owners and occupiers of the land about the Proposed Development and to consult them. The Applicant's due diligence (**Paragraph 6.10.10** of the **Consultation Report (Doc 6.1)**) indicates that the occupiers of the land are the landowners.

Table 6.5 of the **Consultation Report (Doc 6.1)** summarises how the Applicant sought to engage with the owners / occupiers of the land, and **Table 6.1** of the **Consultation Report (Doc 6.1)** confirms that the Applicant initiated engagement prior to the commencement of the Statutory Consultation on the 28 October 2021. **Appendix D** of the **Consultation Report Appendices (Doc 6.2, Part 1)** lists the Persons with an Interest in the Land that were consulted on the 28 October 2021, which appears to include the details of the owners/occupiers of the traveller site.

Paragraph 6.10.7 of the **Consultation Report (Doc 6.1)** appears to have an error in which it is stated that the Applicant became aware of the traveller's site during the Statutory Consultation period, suggesting that the owners/occupiers were not included in the Statutory Consultation of 28 October 2021. However, the evidence set out in **Table 6.5** of the **Consultation Report (Doc 6.1)** and corroborated in **Appendix D** of the **Consultation Report Appendices (Doc 6.2, Part 1)** appears to confirm that the owners/occupiers of the traveller site have been duly consulted.

To conclude the Planning Inspectorate is satisfied, based on the information provided above, that the Applicant has complied with s42(1)(d) of the Planning Act 2008.

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</p> <p>A sample of the letter sent to s42 consultees is provided at Appendix G of the Consultation Report Appendices (Doc 6.2, Part 1).</p> <p>The sample letter dated 28 October 2021 confirmed that consultation commenced on 28 October 2021 and closed on 9 December 2021, providing more than the required minimum time for receipt of responses.</p> <p>The following further letters were sent:</p> <ul style="list-style-type: none"> • 1 December 2021. This advised responses could be submitted up until 12 January 2022, providing more than the required time for receipt of responses. A sample of the letter is provided at Appendix H1 of the Consultation Report Appendices (Doc 6.2, Part 1); • 8 December 2021. This advised responses could be submitted up until 17 January 2022, providing more than the required time for receipt of responses. A sample of the letter is provided at Appendix H3 of the Consultation Report Appendices (Doc 6.2, Part 1); • 9 December 2021. This advised responses could be submitted up until 17 January 2022, providing more than the required time for receipt of responses. A sample of the letter is provided at Appendix H4 of the Consultation Report Appendices (Doc 6.2, Part 1); • 14 December 2021. This advised responses could be submitted up until 21 January 2022, providing more than the required time for receipt of responses. A sample of the letter is provided at Appendix H4 of the Consultation Report Appendices (Doc 6.2, Part 1);
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</p> <p>The Applicant gave notice under s46 on 26 October 2021, which was before the beginning of s42 consultation.</p>

	before the date it was sent to the s42 consultees? Was this done on or before commencing consultation under s42?	A copy of the s46 notification letter is provided at Appendix L1 of the Consultation Report Appendices (Doc 6.2, Part 1) and a copy of the s46 notification acknowledgement letter from the Planning Inspectorate is provided at Appendix L2 of the Consultation Report Appendices (Doc 6.2, Part 1) .
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 A copy of the final SoCC is provided at Appendix B4 of the Consultation Report Appendices (Doc 6.2, Part 1) .
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?	Yes The Applicant sent the draft SoCC to Hambleton District Council, Harrogate Borough Council, Leeds City Council, Selby District Council and City of York Council ('B Authorities') and North Yorkshire County Council ('C Authority') on 12 August 2021 and set a deadline of 10 September 2021 for responses, providing more than the required minimum time for responses to be received.
15	Has the Applicant had regard to any responses received when preparing the SoCC?	Yes Table 5.1 of the Consultation Report (Doc 6.1) and Appendix B3 of the Consultation Report Appendices (Doc 6.2, Part 1) provide a summary of the consultation responses from Harrogate Borough Council, Leeds City Council, Selby District Council and North Yorkshire County Council in respect of the draft SoCC and demonstrate how the Applicant had regard to their content. Examples of changes from the draft SoCC to the final SoCC include: <ul style="list-style-type: none"> • Inclusion of dates and times of the consultation events; • Finish times of three of the consultation events extended to 19.30; • Clarity added on efforts to engage with hard-to-reach groups and other stakeholders.

		The Planning Inspectorate is satisfied that the Applicant had regard to the responses received when preparing the SoCC.
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</p> <p>The final SoCC was made available at the following locations, which is reasonably convenient having regard to the location of the Proposed Development:</p> <ul style="list-style-type: none"> • Poppleton Library • Sherburn & Villages Community Library • Tadcaster Library • Clifton Explore Library • York Explore Library and Archive • Harrogate Library • Selby Library • Knaresborough Library • Wetherby Library and Tourist Information • Castleford Forum Library & Museum • Airedale Library • Pontefract Library • Snaith Library <p>A notice stating when and where the final SoCC could be inspected was published in:</p> <ul style="list-style-type: none"> • Yorkshire Post on 20 October 2021

		<p>The published SoCC notice, provided at Appendix M of the Consultation Report Appendices (Doc 6.2, Part 1) states where and when the final SoCC was available to inspect.</p> <p>A clipping of the published advertisement is provided at Appendix M of the Consultation Report Appendices (Doc 6.2, Part 1).</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</p> <p>Paragraph 3.2.4 of the final SoCC at Appendix B4 of the Consultation Report Appendices (Doc 6.2, Part 1) states that the development is EIA development and sets out how the Applicant intended to publicise and consult on the Preliminary Environmental Information.</p>
18	Has the Applicant carried out the consultation in accordance with the SoCC?	<p>Yes</p> <p>Paragraph 6.6.3 of the Consultation Report (Doc 6.1) states that the community consultation was carried out in line with the final SoCC.</p> <p>Table 6.1 of the Consultation Report (Doc 6.1) sets out how the Applicant has complied with the commitments set out in the final SoCC.</p> <p>Appendices C, O, P, Q, R and S of the Consultation Report Appendices (Doc 6.2, Part 1, 2 and 3) provide evidence that the commitments within the final SoCC have been carried out.</p> <p>Although the Planning Inspectorate is satisfied that the Applicant has carried out the consultation in line with the final SoCC, the following observation has been noted with regard to certain commitments:</p> <ul style="list-style-type: none"> • The statutory consultation did not run for six weeks for all consultees, however all had more than the statutory minimum period (28 days) to respond.
<p>Section 48: Duty to publicise the proposed application</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

19	Did the Applicant publicise the proposed application in the prescribed manner set out in Regulation 4(2) of the APFP Regulations which may encompass changes made by The Infrastructure Planning (Publication and Notification of Applications etc.) (Amendment) Regulations 2020?	<p>Yes</p> <p>Table 6.2 of the Consultation Report (Doc 6.1) displays the newspapers and dates of s48 publicity as set out below.</p> <p>A copy of the s48 notice is provided at Appendix O8 of the Consultation Report Appendices (Doc 6.2, Part 2).</p> <p>Clippings of the published notices set out below are provided at Appendix N of the Consultation Report Appendices (Doc 6.2, Part 1).</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;	<ul style="list-style-type: none"> • Yorkshire Post 	20 October 2021 and 27 October 2021
b)	once in a national newspaper;	<ul style="list-style-type: none"> • The Guardian 	27 October 2021
c)	once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and	<ul style="list-style-type: none"> • London Gazette 	27 October 2021
d)	where the proposed application relates to offshore development – (i) once in Lloyds List; and (ii) once in an appropriate fishing trade journal?	N/A	N/A
20	Did the s48 notice include the required information set out in Regulation 4(3) of APFP Regulations, which may encompass changes made by The Infrastructure Planning (Publication and	<p>Yes</p> <p>The published s48 notice, supplied at Appendix N of the Consultation Report Appendices (Doc 6.2, Part 1), contains the required information as set out below.</p>	

Notification of Applications etc.) (Amendment) Regulations 2020?					
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	6	d)	a summary of the main proposals, specifying the location or route of the Proposed Development	2
e)	<p>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:</p> <ul style="list-style-type: none"> • the nature and location of the Proposed Development • The address of the website • 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. 	7 and 18	f)	the latest date on which those documents, plans and maps will be available for inspection	8

g)	whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge	11	h) details of how to respond to the publicity	13
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	16		
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 ?	<p>Yes</p> <p>A copy of the s48 notice was sent to the EIA consultation bodies as part of the s42 consultation, as confirmed in paragraph 10.3.1 of the Consultation Report (Doc 6.1).</p> <p>A sample of the s42 consultation letter provided at Appendix E of the Consultation Report (Doc 6.1) confirms that a copy of the s48 notice was enclosed.</p>		
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?	<p>Yes</p> <p>Paragraphs 7.5.4 to 7.5.15 and Tables 7.3 to 7.8 of the Consultation Report (Doc 6.1) set out how the Applicant had regard to the consultation responses received; including whether or not responses led to changes to the application.</p> <p>The actions informed by the consultation responses appear to be reflected in the final form of the application as submitted. Where a particular response has</p>		

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

		not led to a change in the application, it is sufficiently clear that regard was had to it.
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 ?	Table 3.4 of the Consultation Report (Doc 6.1) sets out how the Applicant has taken into consideration all relevant statutory and other guidance. Having reviewed the application, the Planning Inspectorate is satisfied that the Applicant has identified and had regard to the relevant statutory guidance.
25	Summary: Section 55(3)(e)	The Applicant has complied with Chapter 2 of Part 5 (pre-application procedure) of the PA2008. In respect of the minor consultation discrepancies identified, s51 advice has been provided to the Applicant how in this regard, available here: http://infrastructure.planninginspectorate.gov.uk/document/EN020024-000326
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? 	Yes Section 4 of the Application Form (Doc 1.2) explains why the development falls within the remit of the Planning Inspectorate. Section 5 of the Application Form (Doc 1.2) provides a brief non-technical description of the site and section 6 provides the location of the Proposed Development. A Location Plan (Doc 2.1) has been provided.

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

27	Is it accompanied by a Consultation Report?	Yes The application is accompanied by a Consultation Report (Doc 6.1) and Consultation Report Appendices (Doc 6.2, Part 1 - 3) .
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
29	Is it accompanied by the documents and information set out in APFP Regulation 5(2)?	The documents and information required by APFP Regulation 5(2) are set out in the documents and locations within the application as listed below.

Information		Document	Information		Document
a)	Where applicable, the Environmental Statement required under the EIA Regulations ¹³ and any scoping or screening opinions or directions	Environmental Statement (ES) Non Technical Summary (Doc 5.1) ES Chapters 1 to 18 (Doc 5.2.1 - 5.2.18) ES Appendices (Doc 5.3.1A to 5.3.18A) ES Figures (Doc 5.4.1 to 5.4.18)	b)	The draft Development Consent Order (DCO)	Draft Development Consent Order (Doc 3.1)
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?	Yes
c)	An Explanatory Memorandum explaining the purpose and effect of	Explanatory Memorandum (Doc 3.2)	d)	Where applicable, a Book of Reference	Book of Reference (Doc 4.3)

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

	provisions in the draft DCO			
	Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in box 30)		Is this of a satisfactory standard? Yes
e)	A copy of any Flood Risk Assessment	ES Chapter 9 Appendix 9D Flood Risk Assessment (Doc 5.3.9D)	f)	<p>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</p> <p>Statement of Statutory Nuisance (Doc 6.5) has been provided, which considers the matters set out in section 79(1) of the Environmental Protection Act 1990.</p> <p>It draws on assessments carried out as part of the ES (Doc 5.2), in particular, Chapter 6 Landscape and Visual Impact for artificial lighting (Doc 5.2.6), Chapter 13 Air Quality (Doc 5.2.13) and Chapter 14 Noise and Vibration Document (Doc 5.2.14).</p> <p>The Applicant concludes that with implementation of the mitigation measures described in the document and relevant chapters of the ES there would be no effects giving rise to statutory nuisance.</p>
	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	Statement of Reasons (Doc 4.1) Funding Statement (Doc 4.2)	i)	<p>A Land Plan identifying:-</p> <p>(i) the land required for, or affected by,</p> <p>(i) Land Plan Section A (Doc 2.5.1)</p> <p>(ii) Land Plan Section B (Doc 2.5.2)</p>

	involves any Compulsory Acquisition)		<p>the Proposed Development;</p> <p>(ii) where applicable, any land over which it is 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>	<p>(iii) Land Plan Section C (Doc 2.5.3)</p> <p>(iv) Land Plan Section D (Doc 2.5.4)</p> <p>(v) Land Plan Section E (Doc 2.5.5)</p> <p>(vi) Land Plan Section F (Doc 2.5.6)</p>
	Is this of a satisfactory standard?	Yes	Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)
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</p>	<p>(i) Works Plan Section A (Do 2.6.1)</p> <p>(ii) Works Plan Section B (Do 2.6.2)</p> <p>(iii) Works Plan Section C (Doc 2.6.3)</p> <p>(iv) Works Plan Section D (Doc 2.6.4)</p>	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</p> <p>(i) Access, Rights of Way and Public Rights of Navigation Plan Section A (Doc 2.7.1)</p> <p>(ii) Access, Rights of Way and Public Rights of Navigation Plan Section B (Doc 2.7.2)</p>

	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	(v) Works Plan Section E (Doc 2.6.5) (vi) Works Plan Section F (Doc 2.6.6)		or public rights of navigation	(iii) Access, Rights of Way and Public Rights of Navigation Plan Section C (Doc 2.7.3) (iv) Access, Rights of Way and Public Rights of Navigation Plan Section D (Doc 2.7.4) (v) Access, Rights of Way and Public Rights of Navigation Plan Section E (Doc 2.7.5) (vi) Access, Rights of Way and Public Rights of Navigation Plan Section F (Doc 2.7.6)
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)
l)	Where applicable, a plan with accompanying information identifying:- (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	(i) Statutory or Non-Statutory Sites or Features of Nature Conservation Plan Sections A – F (Doc 2.8.1 to 2.8.6). Assessment provided in ES Chapter 8 Biodiversity (Doc 5.2.8). (ii) and (iii) Habitats of Protected Species, Important Habitats or Other Diversity Features and Water Bodies Plan Sections A – F (Doc 2.9.1 – 2.9.6). Assessments provided in:	m)	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	Statutory or Non-Statutory Sites or Features of the Historic Environment Plan Sections A – F (Documents 2.10.1 to 2.10.6). (i) Assessment provided in ES Chapter 7 Historic Environment (Document 5.2.6).

	<p>ES Chapter 8 Biodiversity (Doc 5.2.8).</p> <p>ES Chapter 9 Hydrology (Doc 5.2.9).</p> <p>ES Chapter 10 Geology and Hydrogeology (Doc 5.2.10).</p> <p>ES Appendix 10D Hydrogeology Water Framework Directive (WFD) Assessment (Doc 5.3.10D).</p>		the Proposed Development	
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	Crown and Special Category Land Plan (Doc 2.13)	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	<ul style="list-style-type: none"> (i) Overall Location Plan (Doc 2.1) (ii) Master Key to Section Identification Plan (Doc 2.2) (iii) Trees and Hedgerows Potentially Affected Plan (Docs 2.11.1-2.11.6) (iv) Traffic Regulation Order Plans (Docs 2.12.1-2.12.6) (v) Design Drawings (Volume 2, Doc 2.15) (vi) Construction Plans (Doc 2.16)
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:	The Project does not fall within any of the categories of development laid out in Regulation 6 of the APFP Regulations. This is confirmed in section 22 on the Application Form (Doc 1.2) .	q)	Any other documents considered necessary to support the application	<ul style="list-style-type: none"> (i) Land Affected Plan Section A (Doc 2.4.1) (ii) Land Affected Plan Section B (Doc 2.4.2) (iii) Land Affected Plan Section C (Doc 2.4.3) (iv) Land Affected Plan Section D (Doc 2.4.4) (v) Land Affected Plan Section E (Doc 2.4.5) (vi) Land Affected Plan Section F (Doc 2.4.6) (vii) Application Cover Letter and Section 55 Checklist (Doc 1.1) (viii) Navigation Document and Application Guide (Doc 1.3) (ix) Glossary (Doc 1.4) (x) Plan Guidance Document (Doc 2.3) (xi) Electric and Magnetic Fields Report (Doc 6.3) (xii) Planning Statement (Doc 7.1) (xiii) Design and Access Statement (Doc 7.2) (xiv) Details of Other Consents and Licences (Doc 7.3) (xv) Updated Need Case (Doc 7.4) (xvi) Strategic Proposal 2019 (Doc 7.5)
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	Are they of a satisfactory standard?	Yes		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?				
<p>Explanatory Memorandum (Doc 3.2)</p> <ul style="list-style-type: none"> - Schedule 5 in the EM is listed as “Benefit of the Order Rules”, however Schedule 5 in the dDCO is listed as “Transfer of Benefit Rules”. <p>Land Plans (Doc 2.5.1 – 2.5.6)</p> <ul style="list-style-type: none"> - Some of the plans are lacking identifiers, mostly on roads/lanes (e.g., Plainville Lane in B1 and Shipton Road B2) - Some areas of the Land Plans are muddled through labelling of identifiers. <p>Access, Rights of Way and Public Rights of Navigation Plans (Docs 2.7.1 – 2.7.6)</p> <ul style="list-style-type: none"> - AP20 and AP21 are listed in Schedule 7 as being on sheet F4, but they are on sheet E4. - AP22 and AP26 are listed in Schedule 7 as being on sheet F3, but they are on sheet E3. <p>Section 51 advice has been issued to the Applicant in respect of the above matters: http://infrastructure.planninginspectorate.gov.uk/document/EN020024-000326</p>					
31	<p>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</p>	<p>Yes</p> <p>A No Significant Effects Report (Habitats Regulations Assessment Screening) (NSER) Report has been provided (Doc 6.4).</p> <p>The HRA Report identifies relevant European sites and the likely effects on those sites. It is considered that the information provided in the report is adequate for acceptance.</p> <p>Note: The Examining Authority will be able to ask questions during the Examination. This may result in additional information being required to inform the HRA Report and the competent authority. Depending upon the type and availability of information required it may not be possible to obtain this during the statutory timetable of the Examination.</p>			

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 hard copies requested
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 Planning Inspectorate is satisfied that the Applicant has demonstrated regard to the guidance principles.
34	Summary - s55(3)(f) and s55(5A)	The Planning Inspectorate concludes that the application (including accompaniments) has been prepared to a standard that it considers satisfactory. In respect of the discrepancies identified in Box 30 of this checklist, to help facilitate an efficient and effective examination of the application, s51 advice has been provided to the Applicant in conjunction with the decision to accept the application. That advice is published on the National Infrastructure Planning website, here: http://infrastructure.planninginspectorate.gov.uk/document/EN020024-000326
The Infrastructure Planning (Fees) Regulations 2010 (as amended)		
Fees to accompany an application		
35	Was the fee paid at the same time that the application was made ¹⁶ ?	The fee was received on 09 November 2022; before the application was made.

Role	Electronic signature	Date
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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

Case Manager	<i>Paige Hanlon</i>	8 December 2022
Acceptance Inspector	<i>Jessica Powis</i>	8 December 2022