



## Meeting note

<b>File reference</b>	EN060001
<b>Status</b>	<b>Final</b>
<b>Author</b>	Karl-Jonas Johansson
<b>Date</b>	10 July 2013
<b>Meeting with</b>	RWE npower
<b>Venue</b>	Teleconference
<b>Attendees</b>	<b>The Planning Inspectorate</b> Oliver Blower (Case Manager) Karl-Jonas Johansson (Case Officer)
	<b>Applicant</b> Helen Burley (RWE npower) Hugh Morris (RWE npower)
<b>Meeting objectives</b>	Application Pre-submission Teleconference
<b>Circulation</b>	All attendees

### Introductions

The Planning Inspectorate advised that a meeting note would be taken and published on our website in accordance with our openness policy and s51 of the Planning Act 2008 as amended (PA2008).

The Planning Inspectorate and the Applicant introduced their respective teams and roles.

### Submission date

The Applicant advised that it intends to submit the application to the Planning Inspectorate in the week commencing Monday 29 July 2013. It was agreed that the developer would give the Planning Inspectorate at least one working day's notice of the exact delivery date to enable the Planning Inspectorate to prepare for the arrival of the application. The Planning Inspectorate informed the developer that the application should arrive between the hours of 9am and 5pm. In practice, an application received after 5pm would be treated as if it had been received the following day.

### Application fees

The Applicant confirmed that it will send the acceptance stage fee by post today, in the form of three cheques totalling £4,500. The Applicant confirmed that the cheques

will be accompanied by a covering letter which would clearly explain what the fee relates to.

The Planning Inspectorate confirmed to the Applicant that it would send an email confirming receipt of the fees.

### **Organisation of Application**

The Planning Inspectorate advised the Applicant to consult Advice Note 6 before submitting the application.

The Planning Inspectorate noted that the Applicant had already provided the GIS Shape-file in the required format in advance of submission.

The Applicant confirmed to the Planning Inspectorate that it would submit 3 hard copies and that the different sets would be clearly labelled. In addition to this 6 electronic copies would be provided including an unlocked copy for internal use. The Planning Inspectorate explained that, should the application be accepted, and should the Examining Authority comprise of a panel of 3 or 5 Examining Inspectors, additional copies of the application documents would be requested.

The Planning Inspectorate advised that the Applicant ensure that it includes any relevant attachments to key correspondence which form part of the application.

The Planning Inspectorate informed the Applicant of the possibility that, during acceptance, a request may be made for all statutory consultation correspondence received during the pre-application stage. Such correspondence would be required in hard and electronic copy but would not be published. It would be helpful if the responses were categorised into s42, s47 and s48 responses and in chronological order.

The Planning Inspectorate advised that it was important to provide evidence, as appendices or in the body of a document, to support the Applicant's claims in regards to complying with its statutory duties. For example, the Planning Inspectorate would expect a copy of the s46 notification in an appendix to the consultation report.

The Planning Inspectorate advised that the Applicant may find it helpful to refer to the s55 checklist in preparing the application for submission. The Applicant proposed to send to the Planning Inspectorate its version of the s55 checklist, separately from the application, as a signposting document. The Planning Inspectorate advised that this would be useful, but that the completion of the s55 checklist by the Applicant should not be seen as a guarantee that the application will be accepted. The s55 checklist can be found in Appendix 2 to Advice Note 6 on the Planning Inspectorate website.

The Planning Inspectorate advised the Applicant to use the correct naming convention in the electronic index, and that the index should be sent to the Planning Inspectorate as an excel file. Further information on naming conventions can be found in the annex to Advice Note 6 on the Planning Inspectorate website.

The Planning Inspectorate requested that the hard copy application use section dividers to enable easy signposting of documents.

The Applicant enquired whether it needed to refer to superseded guidance in the consultation report when showing how it has had regard to guidance under s50 of the PA2008. The Planning Inspectorate advised that the Applicant should refer to the

latest relevant DCLG guidance, in addition to guidance that was extant at the relevant time, taking into consideration any transitional arrangements.

## **AOB**

The Planning Inspectorate recommended that the Applicant systematically review all previous s51 advice given, and reminded the Applicant that after the application has been submitted there is very little scope to make changes.

The Planning Inspectorate informed the Applicant that during the acceptance period we would normally only be in contact if we request consultation responses and to inform the applicant of our acceptance decision.

The Applicant enquired as to the process immediately after acceptance. The Planning Inspectorate informed the Applicant that, should the application be accepted, the Applicant would need to publicise acceptance of the application under s56 of the PA2008, and confirmed that there is no statutory deadline as to when to do this.

The Planning Inspectorate informed the Applicant that it is for them to choose the deadline to register as an interested party and submit a relevant representation. However, the deadline must not be earlier than the end of the period of 28 days that begins with the day after the day on which the person receives the notice (s56(5) of the PA2008).

The Applicant must send a certificate under s58 PA2008, certifying that they have complied with s56 of the PA2008 within ten working days after the close of the relevant representation period (regulation 10(2) of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009). In addition to the s58 Certificate, the Applicant will need to provide certificates of compliance in regards to s59 of the PA2008 (if the development involves compulsory acquisition), and Regulation 13 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (if the development is EIA development).

The Applicant enquired as to when any Preliminary Meeting (PM) would likely to be held. The Planning Inspectorate advised that any PM would normally be held 6 weeks to 2 months from receipt of the relevant representations, in accordance with DCLG Guidance for the examination of applications for development consent. However, the Applicant was informed that the exact date of the PM will ultimately be at the discretion of the Examining Authority.

The Planning Inspectorate advised that it would normally liaise with the Applicant to arrange the PM venue.

The Planning Inspectorate advised that, after the submission of the application, the relevant local authorities would be requested to provide their comments on the adequacy of the Applicant's consultation. The Planning Inspectorate would normally use this opportunity to remind local authorities that, as part of the Examination, should the application be accepted, they will be invited to produce a Local Impact Report (LIR). The deadline for the LIR will be set by the ExA in the Rule 8 letter produced after the PM (paragraph 54, Guidance for the examination of applications for development consent).

The Planning Inspectorate advised that the Applicant contact all A, B, C and D local authorities that it formally consulted, especially each relevant local authority who did not respond to the statutory consultation. It was explained that this approach was advisable, given that local authorities may not have kept a record of the consultation, and therefore may respond in their adequacy of consultation response that they were not consulted when they were. For the same reason, it would be beneficial to provide the Planning Inspectorate with a list of the local authority contacts used during consultation, and for the Applicant to provide evidence of having consulted all Local Authorities with the application documentation. Should the Applicant find that one or more local authorities dispute that they were consulted, the Applicant should seek immediate advice from the Planning Inspectorate prior to submission.

The Planning Inspectorate explained that there is usually an unaccompanied site visit before the PM and that further site visits (accompanied and/or unaccompanied) would normally take place during the examination. The Applicant explained that if the Willington plant needed to be accessed as part of a site visit, a 48-72 hour notice needed to be given to the site manager.

**Specific decisions / follow up required?**

- The Applicant to send the Planning Inspectorate the electronic index, the document summary and its s55 checklist
- The Applicant to notify the Planning Inspectorate of the exact submission date at least one working day before submission.
- The Planning Inspectorate to provide the Applicant with written confirmation of receipt of the application fee.