



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

## HyNet Carbon Dioxide Pipeline 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. (CM)	Date received in full	28-day due date	Date of decision
		<b>3 October 2022</b>	<b>31 October 2022</b>	<b>31 October 2022</b>
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 <sup>1</sup> (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 <sup>2</sup> (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><b>Yes</b></p> <p>The Proposed Development set out in <b>Schedule 1</b> of the <b>Draft DCO (Doc D.3.1)</b> includes development falling within the categories in s14 of the PA2008. The development is for the construction of a Other Pipeline and satisfies section 21 of the PA2008; including subsection 1 and subsection 2.</p> <p>This is consistent with the summary provided in <b>section 4</b> of the <b>Application Form (Doc D.1.4)</b> which states that the application is for an NSIP.</p>		

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

<sup>2</sup> 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	<b>Summary: Section 55(3)(a) and s55(3)(c)</b>	The Planning Inspectorate is satisfied that the <b>Draft DCO (Doc D.3.1)</b> includes development for which development consent is required.
<b>Section 55(3)(e): The Applicant in relation to the application made has complied with Chapter 2 of Part 5 (pre-application procedure)</b>		
4	In accordance with the EIA Regulations <sup>3</sup> , 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?	<b>Yes</b> On 1 June 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 9 February 2022.  A copy of the notification letter has not been provided as part of the application.
5	Have any Adequacy of Consultation Representations <sup>4</sup> 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?	<b>Yes</b> There are 10 host and neighbouring authorities, of which three responded to the Planning Inspectorate's invitation to make an Adequacy of Consultation Representation (AoCR) dated 3 October 2022.  All three responding authorities confirmed in their AoCR that either the Applicant had complied with its duties under s42, s47 and s48 of the PA2008

<sup>3</sup> 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)

<sup>4</sup> 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>and/ or that their authority had no comments/ objections to make. These local authorities were:</p> <ul style="list-style-type: none"> <li>• Cheshire East Council ('A' authority)</li> <li>• Cheshire West and Chester Borough Council ('B' authority)</li> <li>• Flintshire County Council ('B' authority)</li> </ul> <p>All AoCRs received have been carefully considered and are available to view on the National Infrastructure Planning website:  <a href="https://infrastructure.planninginspectorate.gov.uk/projects/north-west/hynet-carbon-dioxide-pipeline/">https://infrastructure.planninginspectorate.gov.uk/projects/north-west/hynet-carbon-dioxide-pipeline/</a></p>
<p><b>Section 42: Duty to consult</b></p>		
<p>Did the Applicant consult the applicable persons set out in s42 of the PA2008 about the proposed application?</p>		
6	<p>Section 42(1)(a) persons prescribed<sup>5</sup>?</p>	<p><b>Yes</b></p> <p>The Applicant has provided a list of persons consulted under s42(1)(a) on 7 February 2022 at <b>Appendix E1</b> of the <b>Consultation Report (Doc D.5.1.5)</b>.</p> <p>A sample of the letter sent to s42(1)(a) consultees is provided at <b>Appendix F1</b> of the <b>Consultation Report (Doc D.5.1.6)</b>.</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"> <li>• The NHS Cheshire and Merseyside Integrated Care Board</li> <li>• The Equality and Human Rights Commission</li> <li>• The Marine Management Organisation</li> </ul>

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

		<ul style="list-style-type: none"> <li>• The Disabled Persons Transport Advisory Committee</li> <li>• Office of Road and Rail</li> <li>• OFGEM</li> <li>• OFWAT</li> <li>• North Wales Local Resilience Forum</li> <li>• Association of Inland Navigation Authorities (AINA)</li> <li>• Northern Gas Networks Limited</li> <li>• Scotland Gas Networks Plc</li> <li>• Southern Gas Networks Plc</li> <li>• Wales and West Utilities Ltd</li> <li>• Halaxton Gas Networks Limited</li> <li>• Leep Gas Networks Limited</li> <li>• Last Mile Gas Limited</li> <li>• Squire Energy Limited</li> <li>• Eclipse Power Network Limited</li> <li>• Indigo Power Limited</li> <li>• Mua Electricity Limited</li> <li>• Optimal Power Networks Limited</li> <li>• Utility Assets Limited</li> <li>• Vattenfall Networks Limited</li> <li>• Electricity North West Limited</li> <li>• National Grid Electricity System Operator Limited</li> </ul>
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		<ul style="list-style-type: none"> <li>• EirGrid Interconnector Designated Activity Company</li> </ul> <p>The Applicant's <b>Consultation Report (Doc D.5.1)</b> does not explain why the bodies identified above do not appear to have been consulted. However, it is noted that the licences held by some of 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 are not listed in the <b>Book of Reference (Doc D.4.3)</b>.</p> <p>Section 51 advice has been issued to the Applicant in respect of the above matter:  <a href="https://infrastructure.planninginspectorate.gov.uk/document/EN070007-000928">https://infrastructure.planninginspectorate.gov.uk/document/EN070007-000928</a></p>
7	Section 42(1)(aa) the Marine Management Organisation <sup>6</sup> ?	<b>Not Applicable</b>
8	Section 42(1)(b) each local authority within s43 <sup>7</sup> ?	<p><b>Yes</b></p> <p><b>Table 6.1</b> of the <b>Consultation Report (Doc D.5.1)</b> lists the relevant local authorities that were identified and consulted under s43 and s42(1)(b) on 7 February 2022.</p> <p>The host 'B' authorities consulted:</p> <ul style="list-style-type: none"> <li>• Cheshire West and Chester Council</li> <li>• Flintshire County Council</li> </ul> <p>The boundary 'A' authorities consulted:</p>

<sup>6</sup> 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

<sup>7</sup> 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"> <li>• Halton Borough Council</li> <li>• Warrington Borough Council</li> <li>• Cheshire East Council</li> <li>• Shropshire Council</li> <li>• Wrexham County Borough Council</li> <li>• Wirral Metropolitan Borough Council</li> <li>• Liverpool City Council</li> <li>• Denbighshire County Council</li> </ul> <p>A sample of the letter sent to s42(1)(b) relevant authorities is provided at <b>Appendix F1</b> of the <b>Consultation Report (Doc D.5.1.6)</b>.</p>
9	Section 42(1)(c) the Greater London Authority (if in Greater London area)?	<b>Not Applicable</b>
10	Section 42(1)(d) each person in one or more of s44 categories <sup>8</sup> ?	<p><b>Yes</b></p> <p>Table 3.4 of the <b>Consultation Report (Doc D.5.1)</b> states that all persons identified under s42(1)(d) were consulted on 7 February 2022.</p> <p><b>Paragraphs 6.5.3 to 6.5.9</b> of the <b>Consultation Report (Doc D.5.1)</b> summarise how the Applicant made diligent inquiry to seek to identify and consult persons with an interest in lands affected by the <b>Draft DCO (Doc D.3.1)</b>. The full methodology undertaken by the Applicant is provided in <b>Appendix I1</b> of the <b>Consultation Report (Doc D.5.1.9)</b>.</p> <p>The persons consulted under s42(1)(d) are listed at <b>Appendix E3</b> of the <b>Consultation Report (Doc D.5.1)</b>.</p>

<sup>8</sup> 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.

		A sample of the letter is provided at <b>Appendix F4</b> of the <b>Consultation Report (Doc D.5.1.6)</b> .
<b>Section 45: Timetable for s42 consultation</b>		
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><b>Yes</b></p> <p>A sample of the letter sent to s42 consultees is provided at <b>Appendix F1</b> of the <b>Consultation Report (Doc D.5.1.6)</b>.</p> <p>The sample letter dated 9 February 2022 confirmed that consultation commenced on 9 February 2022 and closed on 22 March 2022, providing more than the required minimum time for receipt of responses.</p>
<b>Section 46: Duty to notify the Planning Inspectorate of proposed application</b>		
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 before commencing consultation under s42?	<p><b>Yes</b></p> <p>The Applicant gave notice under s46 on 7 February 2022, which was before the beginning of s42 consultation.</p> <p>A copy of the s46 notification letter is provided at <b>Appendix B1</b> of the <b>Consultation Report (Doc D.5.1.2)</b> and a copy of s46 notification acknowledgement letter from the Planning Inspectorate is provided at <b>Appendix B2</b> of the <b>Consultation Report (Doc D.5.1.2)</b>.</p>
<b>Section 47: Duty to consult local community</b>		
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?	<p><b>Yes</b></p> <p>A copy of the final SoCC is provided at <b>Appendix D1</b> of the <b>Consultation Report (Doc D.5.1.4)</b>.</p>
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	<p><b>Yes</b></p> <p>The Applicant sent the draft SoCC to Chester West and Chester Council ('B Authority') and Flintshire County Council ('B' authority) on 3 November 2021,</p>



	days beginning with the day after the day that 'B' and, where applicable, 'C' authorities received the consultation documents?	setting a deadline of 1 December 2021 for responses; providing the minimum required time for responses to be received.
15	Has the Applicant had regard to any responses received when preparing the SoCC?	<p><b>Yes</b></p> <p><b>Appendix D5</b> of the <b>Consultation Report (Doc D.5.1.4)</b> provides a summary of the consultation responses from Cheshire West and Chester and Flintshire County Council in respect of the draft SoCC and demonstrates how the Applicant had regard to their content.</p> <p>Examples of changes from the draft SoCC to the final SoCC include:</p> <ul style="list-style-type: none"> <li>• Cheshire West and Chester commented that Chester Business Improvement District and Sealand Road Business Improvement District, Avenue Services and Chester Residents Association Group are all consulted. The Applicant included these in the stakeholder list who were sent an email alerting them to the commencement of the consultation with the consultation brochure attached.</li> <li>• Flintshire County Council noted that it may be appropriate/helpful to provide a paragraph in the consenting process section explaining the role of the Local Planning Authority in the DCO consenting process. The Applicant included a page on the DCO planning in the consultation brochure (as well as a diagram).</li> <li>• Flintshire County Council recommended a list of groups to be considered during consultation, including relevant town and community councils within the Consultation Zone. The Applicant included these parties in the stakeholder list who were sent an email notification of the commencement of the consultation.</li> </ul> <p>The Planning Inspectorate is satisfied that the Applicant had regard to the responses received when preparing the SoCC.</p>
16	Has the SoCC been made available for inspection on a website maintained by or on	<b>Yes</b>

	<p>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>	<p>The final SoCC was made available on the project website <a href="http://www.hynethub.co.uk">www.hynethub.co.uk</a> and at the following locations, which is reasonably convenient having regard to the location of the Proposed Development:</p> <ul style="list-style-type: none"> <li>• Ellesmere Port Library</li> <li>• Flint Library</li> <li>• Prestatyn Library</li> <li>• Chester Library at Storyhouse</li> </ul> <p>A notice stating when and where the final SoCC could be inspected was published in:</p> <ul style="list-style-type: none"> <li>• Chester Standard– Thursday 3 February 2022</li> <li>• Daily Post – Friday 4 February 2022</li> </ul> <p>The published SoCC notice, provided at <b>Appendix H1 (Doc D.5.1.8)</b> of the <b>Consultation Report (Doc D.5.1)</b> states where and when the final SoCC was available to inspect.</p> <p>Clippings of the published advertisements are provided at <b>Appendix H1 (Doc D.5.1.8)</b> of the <b>Consultation Report (Doc D.5.1)</b>.</p>
17	<p>Does the SoCC set out whether the development is EIA development<sup>9</sup>; and does it set out how the Applicant intends to publicise and consult on the Preliminary Environmental Information?</p>	<p><b>Yes</b></p> <p><b>Paragraph 2.3.1</b> of the final SoCC at <b>Appendix D1</b> of the <b>Consultation Report (Doc D.5.1.4)</b> sets out that the development is EIA development and sets out how the Applicant intended to publicise and consult on the Preliminary Environmental Information.</p>
18	<p>Has the Applicant carried out the consultation in accordance with the SoCC?</p>	<p><b>Yes</b></p> <p><b>Paragraphs 5.1 to 5.3.2</b> of the <b>Consultation Report (Doc D.5.1.4)</b> set out how the community consultation was carried out in line with the final SoCC.</p>

<sup>9</sup> Regulation 12 of the 2017 EIA Regulations, or where Regulation 37 of the 2017 EIA Regulations applies, Regulation 10 of the 2009 EIA Regulations

		<p><b>Table 3.4</b> of the <b>Consultation Report (Doc D.5.1)</b> sets out how the Applicant has complied with the commitments set out in the final SoCC. Chapter 3 also provides further detail on how the Applicant complied with the SoCC.</p> <p><b>Appendices D3, D4 and D5</b> of the <b>Consultation Report (Doc D.5.1.4)</b> provide evidence that the commitments within the final SoCC have been carried out.</p>						
19	<p>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>	<p><b>Yes</b></p> <p><b>Table 3.4</b> of the <b>Consultation Report (Doc D.5.1)</b> states:</p> <p>A copy of the Section 48 notice is in <b>Appendix H2 (Doc 5.1.8)</b> which publicised the application in the prescribed manner.</p> <p><b>Table 3.6</b> of the <b>Consultation Report (Doc D.5.1)</b> displays the newspapers and dates of s48 publicity as set out below.</p> <p>A copy of the s48 notice is provided at <b>Appendix H</b> of the <b>Consultation Report (Doc D.5.1.8)</b>.</p> <p>Clippings of the published notices set out below are provided at <b>Appendix H2</b> of the <b>Consultation Report (Doc D.5.18)</b>:</p>						
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;"></th> <th style="width: 40%; text-align: center;">Newspaper(s)</th> <th style="width: 30%; text-align: center;">Date</th> </tr> </thead> <tbody> <tr> <td>a)</td> <td> <p>for at least two successive weeks in one or more local newspapers circulating in the vicinity in which the Proposed Development would be situated;</p> <ul style="list-style-type: none"> <li>• Chester Chronicle</li> <li>• The Leader Flintshire</li> </ul> </td> <td> <p>27 January 2022, 3 February 2022</p> <p>31 January 2022, 7 February 2022</p> </td> </tr> </tbody> </table>				Newspaper(s)	Date	a)	<p>for at least two successive weeks in one or more local newspapers circulating in the vicinity in which the Proposed Development would be situated;</p> <ul style="list-style-type: none"> <li>• Chester Chronicle</li> <li>• The Leader Flintshire</li> </ul>	<p>27 January 2022, 3 February 2022</p> <p>31 January 2022, 7 February 2022</p>
	Newspaper(s)	Date						
a)	<p>for at least two successive weeks in one or more local newspapers circulating in the vicinity in which the Proposed Development would be situated;</p> <ul style="list-style-type: none"> <li>• Chester Chronicle</li> <li>• The Leader Flintshire</li> </ul>	<p>27 January 2022, 3 February 2022</p> <p>31 January 2022, 7 February 2022</p>						

b)	once in a national newspaper;	<ul style="list-style-type: none"> <li>The Guardian</li> </ul>	31 January 2022		
c)	once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and	<ul style="list-style-type: none"> <li>The London Gazette</li> </ul>	31 January 2022		
d)	where the proposed application relates to offshore development – (i) once in Lloyds List; and (ii) once in an appropriate fishing trade journal?	<ul style="list-style-type: none"> <li>Not applicable</li> </ul>	Not applicable		
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 Notification of Applications etc.) (Amendment) Regulations 2020?	<p><b>Yes</b></p> <p>The published s48 notice, supplied at <b>Appendix H2</b> of the <b>Consultation Report (Doc D.5.1.8)</b>, contains the required information as set out below:</p>			
<b>Information</b>		<b>Paragraph</b>			
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	4
e)	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:	8	f)	the latest date on which those documents, plans and maps will be available for inspection	8

	<ul style="list-style-type: none"> <li>the nature and location of the Proposed Development</li> <li>The address of the website</li> <li>The place on the website</li> <li>A telephone number which can be used to contact the Applicant for enquiries in relation to the documents, plans and maps.</li> </ul>				
g)	whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge	8	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	15			
21	Are there any observations in respect of the s48 notice provided above?				
	<p><b>Yes</b></p> <p>Box 20(i)</p> <p>The date when the notice was last published was 7 February 2022. The deadline for receipt of responses is more than the required 28 days.</p>				
22	Has a copy of the s48 notice been sent to the EIA consultation bodies and to any person	<b>Yes</b>			

	notified to the Applicant in accordance with the EIA Regulations <sup>10</sup> ?	<p>A copy of the s48 notice was sent to the EIA consultation bodies as part of the s42 consultation, as confirmed in <b>paragraph 16</b> of the <b>Consultation Report (Doc D.5.1)</b>.</p> <p>A sample of the s42 consultation letter provided at <b>Appendix F</b> of the <b>Consultation Report (Doc D.5.1.6)</b> confirms a copy of the s48 notice was enclosed.</p>
<b>s49: Duty to take account of responses to consultation and publicity</b>		
23	Has the Applicant had regard to any relevant responses to the s42, s47 and s48 consultation?	<p><b>Yes</b></p> <p><b>Table 7.3</b> of the <b>Consultation Report (Doc D.5.1)</b> sets 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 not led to a change in the application, it is sufficiently clear that regard was had to it.</p>
<b>Guidance about pre-application procedure</b>		
24	To what extent has the Applicant had regard to statutory guidance 'Planning Act 2008: Guidance on the pre-application process' <sup>11</sup> ?	<p><b>Yes</b></p> <p><b>Paragraph 3.6.1</b> and <b>Table 3.5</b> of the <b>Consultation Report (Doc D.5.1)</b> states that the Applicant has taken into consideration all relevant statutory and other guidance.</p> <p>Having reviewed the application, the Planning Inspectorate is satisfied that the Applicant has identified and had regard to the relevant statutory guidance.</p> <p>To assist the Inspectorate in reaching this conclusion all responses to the Applicant's consultation under Part 5 of the PA2008 were requested under Regulation 5(5) of the APFP Regulations. The Inspectorate's request for these</p>

<sup>10</sup> Regulation 13 of the 2017 EIA Regulations, or where Regulation 37 of the 2017 EIA Regulations applies, Regulation 11 of the 2009 EIA Regulations

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

		responses was made on 7 October 2022 and the Applicant provided the responses on 11 October 2022.
25	<b>Summary: Section 55(3)(e)</b>	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 in this regard, available here: <a href="https://infrastructure.planninginspectorate.gov.uk/document/EN070007-000928">https://infrastructure.planninginspectorate.gov.uk/document/EN070007-000928</a>
<b>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)</b>		
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"> <li>a brief statement which explains why it falls within the remit of the Planning Inspectorate; and</li> <li>a brief statement that clearly identifies the location of the application site, or the route if it is a linear scheme?</li> </ul>	<b>Yes</b>  <b>Section 4</b> of the <b>Application Form (Doc D.1.4)</b> explains why the development falls within the remit of the Planning Inspectorate.  <b>Section 5</b> of the <b>Application Form (Doc D.1.4)</b> provides a brief non-technical description of the site and <b>section 6</b> provides the location of the Proposed Development.  A <b>Location Plan (Doc D.2.1)</b> has been provided.
27	Is it accompanied by a Consultation Report?	<b>Yes</b>  The application is accompanied by a <b>Consultation Report (Doc D.5.1)</b> and <b>Consultation Report Appendices (Doc D.5.1.1, D.5.1.2, D.5.1.3, D.5.1.4, D.5.1.5, D.5.1.6, D.5.1.7, D.5.1.8, D.5.1.9, D.5.1.10 and D.5.1.11)</b> .

28	Where a plan comprises three or more separate sheets, has a key plan been provided showing the relationship between the different sheets? <sup>12</sup>	<p><b>Yes</b></p> <p>A Key Plan has been provided but the extent to which it shows the relationship between the plans has been questioned on certain Plans.</p> <p>s51 advice has been provided to the Applicant in this regard, available here: <a href="https://infrastructure.planninginspectorate.gov.uk/document/EN070007-000928">https://infrastructure.planninginspectorate.gov.uk/document/EN070007-000928</a></p>																		
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:																		
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr style="background-color: #cccccc;"> <th style="width: 25%;"></th> <th style="width: 25%; text-align: center;"><b>Information</b></th> <th style="width: 25%; text-align: center;"><b>Document</b></th> <th style="width: 25%;"></th> <th style="width: 25%; text-align: center;"><b>Information</b></th> <th style="width: 25%; text-align: center;"><b>Document</b></th> </tr> </thead> <tbody> <tr> <td style="vertical-align: top;">a)</td> <td style="vertical-align: top;">Where applicable, the Environmental Statement required under the EIA Regulations<sup>13</sup> and any scoping or screening opinions or directions</td> <td style="vertical-align: top;"> <b>Environmental Statement – Nontechnical Summary (D.6.1)</b>  <b>Environmental Statement (D.6.2)</b>  <b>Environmental Statement Appendices (D.6.3)</b>  <b>Environmental Statement Additional Figures (D.6.4)</b>  <b>Environmental Statement Outline Drainage Strategy (D.6.5)</b> </td> <td style="vertical-align: top;">b)</td> <td style="vertical-align: top;">The draft Development Consent Order (DCO)</td> <td style="vertical-align: top;"><b>Draft Development Consent Order (Doc D.3.1)</b></td> </tr> <tr> <td></td> <td style="vertical-align: top;">Is this of a satisfactory standard?</td> <td style="vertical-align: top;"><b>Yes</b></td> <td></td> <td style="vertical-align: top;">Is this of a satisfactory standard?</td> <td style="vertical-align: top;"><b>Yes</b></td> </tr> </tbody> </table>				<b>Information</b>	<b>Document</b>		<b>Information</b>	<b>Document</b>	a)	Where applicable, the Environmental Statement required under the EIA Regulations <sup>13</sup> and any scoping or screening opinions or directions	<b>Environmental Statement – Nontechnical Summary (D.6.1)</b> <b>Environmental Statement (D.6.2)</b> <b>Environmental Statement Appendices (D.6.3)</b> <b>Environmental Statement Additional Figures (D.6.4)</b> <b>Environmental Statement Outline Drainage Strategy (D.6.5)</b>	b)	The draft Development Consent Order (DCO)	<b>Draft Development Consent Order (Doc D.3.1)</b>		Is this of a satisfactory standard?	<b>Yes</b>		Is this of a satisfactory standard?	<b>Yes</b>
	<b>Information</b>	<b>Document</b>		<b>Information</b>	<b>Document</b>															
a)	Where applicable, the Environmental Statement required under the EIA Regulations <sup>13</sup> and any scoping or screening opinions or directions	<b>Environmental Statement – Nontechnical Summary (D.6.1)</b> <b>Environmental Statement (D.6.2)</b> <b>Environmental Statement Appendices (D.6.3)</b> <b>Environmental Statement Additional Figures (D.6.4)</b> <b>Environmental Statement Outline Drainage Strategy (D.6.5)</b>	b)	The draft Development Consent Order (DCO)	<b>Draft Development Consent Order (Doc D.3.1)</b>															
	Is this of a satisfactory standard?	<b>Yes</b>		Is this of a satisfactory standard?	<b>Yes</b>															

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

<sup>13</sup> The 2017 EIA Regulations, or where Regulation 37 of the 2017 EIA Regulations applies, the 2009 EIA Regulations



c)	An Explanatory Memorandum explaining the purpose and effect of provisions in the draft DCO	<b>Explanatory Memorandum (Doc D.3.2)</b>	d)	Where applicable, a Book of Reference	<b>Book of Reference (Doc D.4.3)</b>
	Is this of a satisfactory standard?	<b>Yes</b>		Is this of a satisfactory standard?	<b>Yes</b>
e)	A copy of any Flood Risk Assessment	<b>Flood Risk Assessment (ES Appendix 18.4, D.6.3.18.4)</b> <b>Flood Consequences Assessment (ES Appendix 18.5, D.6.3.18.5)</b>	f)	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	<b>Statutory Nuisance Statement (Doc D.5.3)</b>
	Is this of a satisfactory standard?	<b>Yes</b> (with minor discrepancies as noted in s51 advice)		Is this of a satisfactory standard?	<b>Yes</b>
h)	A Statement of Reasons and a Funding Statement (where the application involves any Compulsory Acquisition) (CM)	<b>Statement of Reason (Doc D.4.1)</b> <b>Funding Statement (Doc D.4.2)</b>	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	<b>Land Plans (Doc D.2.2)</b>

			<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?	<b>Yes</b> (with minor discrepancies as noted in box 30)	Is this of a satisfactory standard?	<b>Yes</b> (with observations in s51 advice)
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</p>	<p><b>Works Plans Part 1 (Doc D.2.4)</b></p> <p><b>Works Plans Part 2 (Doc D.2.4)</b></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 or public rights of navigation</p> <p><b>Access and Rights of Way Plans Part 1 (Doc D.2.5)</b></p> <p><b>Access and Rights of Way Plans Part 2 (Doc D.2.5)</b></p>

	development and works may be carried out and any limits of deviation provided for in the draft DCO			
	Is this of a satisfactory standard?	<b>Yes</b> (with observations in s51 advice)		Is this of a satisfactory standard? <b>Yes</b> (with observations in s51 advice)
<b>l)</b>	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  (iii) water bodies in a river basin management plan, together with an assessment of any effects on such sites, features, habitats or	(i) <b>Annex A of ES Appendix 9.1 – Habitats and Designated Site Survey Report (Doc 6.3.9.1)</b>  <b>Figure 12.2 – Landscape Character Plan (D.6.4.12.2)</b>  (ii) <b>Annex A of ES Appendix 9.1 – Habitats and Designated Site Survey Report (Doc 6.3.9.1)</b>  <b>Individual species report in ES Appendices 9.2 – 9.10 (D.6.3.9.2 – D.6.3.9.10)</b>  (iii) <b>Figure 18.1 - Watercourses (D.6.4.18.1)</b>  An assessment of these features is included as follows:  <b>ES Chapter 9 Biodiversity (D.6.2.9)</b>	<b>m)</b>	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 the Proposed Development  <b>Designated Heritage Assets (Figure 8.1, D.6.4.8.1)</b>  <b>Designated Heritage Assets (Figure 8.2, D.6.4.8.2)</b>  An assessment of historic statutory and non statutory sites is provided in <b>ES Chapter 8 (D.6.2.8)</b>

	bodies likely to be caused by the Proposed Development	<b>ES Chapter 11 Land and Soils (D.6.2.11)</b> <b>ES Chapter 12 Landscape and Visual (D.6.2.12)</b> (iv) <b>ES Chapter 18 Water Resources and Flood Risk (D.6.2.18)</b>			
	Is this of a satisfactory standard?	<b>Yes</b>		Is this of a satisfactory standard?	<b>Yes</b>
n)	Where applicable, a plan with any accompanying information identifying any Crown land	<b>Crown Land Plan (Doc D.2.3)</b>	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	<b>Location Plan (Doc D.2.1)</b> <b>Block Valve Stations Location Plans (Doc D.2.7)</b> <b>Block Valve Stations Location Plans (Doc D.2.8)</b> <b>Block Valve Stations Location Plans (Doc D.2.9)</b> <b>Above Ground Installations Location Plans (Doc D.2.10)</b> <b>Above Ground Installations Location Plans (Doc D.2.11)</b> <b>Above Ground Installations Location Plans (Doc D.2.12)</b> <b>Special Category Land Plans (Doc D.2.6)</b>

	Is this of a satisfactory standard?	<b>Yes</b>		Are they of a satisfactory standard?	<b>Yes</b> (with observations in s51 advice)
p)	Any of the documents prescribed by Regulation 6 of the APFP Regulations:	<b>Application Form (Doc 1.4)</b>	q)	Any other documents considered necessary to support the application	<b>Special Category Land Plans (Doc D.2.6)</b> <b>Application Cover Letter (Doc D.1.1)</b> <b>Application Guide (Doc D.1.2)</b> <b>Application Document Tracker (Doc D.1.3)</b> <b>Section 55 Checklist (Doc D.1.5)</b> <b>PINS Electronic Application Index (Doc D.1.6)</b> <b>Glossary (Doc D.1.7)</b> <b>Outline Construction Environmental Management Plan (Doc D.6.5.4)</b> <b>Outline Construction Traffic Management Plan (Doc D.6.5.3)</b> <b>Planning Statement (Doc D.5.4)</b> <b>Needs Case for DCO Proposed Development (Doc D.5.5)</b> <b>Register of Environmental Actions and Commitments (REAC) (Doc D.6.5.1)</b> <b>Outline Archaeological Written Scheme of Investigation</b>

				<b>D.6.5.12 Biodiversity Net Gain Part 1 to 6 (Doc D.6.5.2)</b> <b>Outline Landscape and Ecological Management Plan (Doc D.6.5.10)</b> <b>Welsh Language Statement (Doc D.5.6)</b> <b>Schedule of Negotiations with Land Interests (Doc D.4.1.1)</b>	
	Are they of a satisfactory standard?	<b>Yes</b>		Are they of a satisfactory standard?	<b>Yes</b>
30	Are there any observations in respect of the documents provided at Box 29 (a) to (q) above?				
	<b>Statement of Reason (Doc D.4.1)</b> The Statement refers to Annexes A and B. However, these do not appear to have been provided. <b>Schedule of Negotiations with Land Interests (Doc D.4.1.1)</b> There appears to be a referencing inconsistency with the Schedule; the Application Form (box 23) refers to it as D.5.1.6.				
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	<b>Yes</b> A Habitat Regulations Assessment (HRA) – Information to Inform an Appropriate Assessment has been provided ( <b>Doc D.6.5.6</b> ). 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. 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			

	implications for the site if required by Regulation 48(1)? <sup>14</sup>	availability of information required it may not be possible to obtain this during the statutory timetable of the Examination.
32	If requested by the Planning Inspectorate, two paper copies of the application form and other supporting documents and plans <sup>15</sup>	<b>No hard copies requested</b>
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?	<b>Yes</b> The Planning Inspectorate is satisfied that the Applicant has demonstrated regard to the guidance principles.
34	<b>Summary - s55(3)(f) and s55(5A)</b>	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 within the checklist, s51 advice has been provided to the Applicant to help facilitate an efficient and effective examination of the application. That advice is published on the National Infrastructure Planning website, here: <a href="https://infrastructure.planninginspectorate.gov.uk/document/EN070007-000928">https://infrastructure.planninginspectorate.gov.uk/document/EN070007-000928</a>
<b>The Infrastructure Planning (Fees) Regulations 2010 (as amended)</b>		
<b>Fees to accompany an application</b>		

<sup>14</sup> Regulation 5(2)(g) of the APFP Regulations

<sup>15</sup> Regulation 5(2)(r) of the APFP Regulations

35	Was the fee paid at the same time that the application was made <sup>16</sup> ?	The fee was received on 27 September 2022, before the application was made.
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Role	Electronic signature	Date
Case Manager	<i>Karl-Jonas Johansson</i>	31 October 2022
Acceptance Inspector	<i>Christopher Butler</i>	31 October 2022

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<sup>16</sup> 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