



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:** April 2024

## TR010064 M60/M62/M66 Simister Island Interchange Project 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 is a non-statutory checklist for the Planning Inspectorate to complete. Completion or self-assessment by the Applicant does not hold weight at the Acceptance stage. Unless specified, all references to the Planning Inspectorate are made in relation to functions being carried out on behalf of the Secretary of State for 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
		<b>02 April 2024</b>	<b>30 April 2024</b>	<b>30 April 2024</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 3.1)</b> includes development falling within the categories in s14 of the PA2008. The development is for the construction and alteration of a highway and satisfies section 22 of the PA2008; including subsection (1)(a) and subsection (1)(b).</p> <p>This is consistent with the summary of Proposed Development provided in <b>section 4</b> of the <b>Application Form (Doc 1.3)</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 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 02 July 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 15 February 2023.  A copy of the notification letter is provided at <b>Appendix C</b> of the <b>Consultation Report (Doc 5.1)</b> .
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 4 responded to the Planning Inspectorate's invitation to make an Adequacy of Consultation Representation (AoCR) dated 03 April 2024.  All 4 responding authorities confirmed in their AoCR that either the Applicant had complied with its duties under s42, s47 and s48 of the

<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>PA2008 and/ or that their authority had no comments/ objections to make. These local authorities were:</p> <ul style="list-style-type: none"> <li>• Bury Metropolitan Borough Council (<b>B</b> authority)</li> <li>• Blackburn with Darwen Borough Council (<b>A</b> authority)</li> <li>• Rochdale Borough Council (<b>A</b> authority)</li> <li>• Salford District Council (<b>A</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://www.planninginspectorate.gov.uk">Documents   M60/M62/M66 Simister Island (planninginspectorate.gov.uk)</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 13 February 2023 (and again 21 February 2024 following the identification of an errors with the letter of 13 February 2024) at <b>Appendix K</b> of the <b>Consultation Report (Doc 5.1)</b>.</p> <p>A sample of the letter sent to s42(1)(a) consultees is provided at <b>Appendix M</b> of the <b>Consultation Report (Doc 5.1)</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 were not consulted by the Applicant under s42:</p> <ul style="list-style-type: none"> <li>• NHS Greater Manchester Integrated Care Board</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>• Homes and Communities Agency (On a precautionary basis, the proposed development is likely to affect their functions as statutory undertakers - included in schedule 1)</li> <li>• CNG Services Ltd (On a precautionary basis)</li> <li>• Mua Gas Limited (On a precautionary basis)</li> <li>• Mua Electricity Limited (On a precautionary basis)</li> <li>• Squire Energy Limited (On a precautionary basis)</li> <li>• National Gas (On a precautionary basis)</li> <li>• Aidien Ltd (On a precautionary basis)</li> <li>• Independent Distribution Connection Specialists Ltd (On a precautionary basis)</li> <li>• National Grid Electricity System Operation Limited (On a precautionary basis)</li> </ul> <p>The Applicant's <b>Consultation Report (Doc 5.1)</b> does not explain why the bodies identified above have not 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 are not listed in the <b>Book of Reference (Doc 4.3)</b>.</p> <p>Given the individual circumstances of this case, and taking a precautionary approach to ensure that all persons potentially affected by, or potentially likely to have an interest in, the application are given the opportunity to participate fully in the examination of the application, the Planning Inspectorate suggests that the Applicant may wish to include the above bodies amongst those on whom they serve notice of the</p>
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		accepted application under s56(2)(a) of the PA2008; unless there is a specific justification why this is not necessary.
7	Section 42(1)(aa) the Marine Management Organisation <sup>6</sup> ?	N/A
8	Section 42(1)(b) each local authority within s43 <sup>7</sup> ?	<p><b>Yes</b></p> <p><b>Paragraph 4.3.2 and Table 4-3 of the Consultation Report (Doc 5.1)</b> lists the relevant local authorities that were identified and consulted under s43 and s42(1)(b) between 15 February 2023 and 28 March 2023.</p> <p>The host 'B' authority was consulted:</p> <ul style="list-style-type: none"> <li>• Bury Metropolitan Borough Council</li> </ul> <p>The host 'C' authority was consulted:</p> <ul style="list-style-type: none"> <li>• n/a</li> </ul> <p>The boundary 'A' authorities were consulted:</p> <ul style="list-style-type: none"> <li>• Bolton Council</li> <li>• Rochdale Borough Council</li> <li>• Salford City Council</li> <li>• Manchester City Council</li> <li>• Blackburn with Darwen Borough Council</li> <li>• Rossendale Borough Council</li> </ul>

<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

		<p>The boundary 'D' authorities were consulted:</p> <ul style="list-style-type: none"> <li>Lancashire County Council</li> </ul> <p>A sample of the letter sent to s42(1)(b) relevant authorities is provided at <b>Appendix M</b> of the <b>Consultation Report (Doc 5.1)</b></p>
9	Section 42(1)(c) the Greater London Authority (if in Greater London area)?	<b>N/A</b>
10	Section 42(1)(d) each person in one or more of s44 categories <sup>8</sup> ?	<p><b>Yes</b></p> <p><b>Paragraph 4.3.7</b> of the <b>Consultation Report (Doc 5.1)</b> states that all persons identified under s42(1)(d) were consulted on <b>13 February 2023</b> by post. (The Applicant identified an error in the issue of the letters, so a replacement letter was sent on <b>21 February 2023</b> – <b>Paragraph 4.3.13</b> of the <b>Consultation Report (Doc 5.1)</b>)</p> <p><b>Paragraphs 4.3.4 to 4.3.13</b> of the <b>Consultation Report (Doc 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 3.1)</b>. The full methodology undertaken by the Applicant is provided Chapter 5 of the <b>Statement of Reasons (Doc 4.1)</b> as stated in the <b>Consultation Report (Doc 5.1)</b>.</p> <p>The persons consulted under s42(1)(d) are listed at <b>Annex K</b> of the <b>Consultation Report (Doc 5.1)</b>.</p> <p>A sample of the letter is provided at <b>Appendix M</b> of the <b>Consultation Report (Doc 5.1)</b>.</p>
<b>Section 45: Timetable for s42 consultation</b>		

<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.

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>Annex M</b> of the <b>Consultation Report (Doc 5.1)</b>.</p> <p>The sample letter dated <b>13 February 2023</b> confirmed that consultation commenced on <b>15 February 2023</b> and closed on <b>28 March 2023</b>, 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 <b>13 February 2023</b>, which was before the beginning of s42 consultation.</p> <p>A copy of the s46 notification letter is provided at <b>Appendix N</b> of the <b>Consultation Report (Doc 5.1)</b> and a copy of s46 notification acknowledgement letter from the Planning Inspectorate is provided at <b>Annex N</b> of the <b>Consultation Report (Doc 5.1)</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 H</b> of the <b>Consultation Report (Doc 5.1)</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 days beginning with the day after the day that 'B' and, where applicable, 'C' authorities received the consultation documents?	<p><b>Yes</b></p> <p>The Applicant sent the draft SoCC to <b>Bury Metropolitan Borough Council</b> ('B Authority') on <b>8 July 2021</b> and set a deadline of <b>5 August 2021</b> for responses; providing more than the required minimum time for responses to be received.</p> <p>The Applicant sent an updated draft SoCC to <b>Bury Metropolitan Borough Council</b> ('B Authority') on 18 November 2021 due to the</p>



		<p>change in consultation dates, dates of events, and some minor changes to the consultation area based on updates to the scheme. A copy of this draft SoCC can be found in <b>Annex E</b> of the <b>Consultation Report (Doc 5.1)</b>.</p> <p>A further copy of the updated SoCC was sent to <b>Bury Metropolitan Borough Council</b> ('B Authority') on <b>1 March 2022</b>, on the <b>10 March 2022</b>, the Applicant recalled this document due to the Scheme pause while the design was reviewed further. A copy of this draft SoCC can be found in <b>Annex F</b> of the <b>Consultation Report (Doc 5.1)</b>.</p> <p>The final draft SoCC was sent via email to <b>Bury Metropolitan Borough Council</b> on <b>15 December 2022</b> with a response requested by <b>12 January 2023</b> allowing a total of 28 days to respond. On <b>11 January 2023</b>, <b>Bury Metropolitan Borough Council</b> confirmed they had no comments to make on the draft SoCC. A copy can be found in <b>Annex G</b> of the <b>Consultation Report (Doc 5.1)</b>.</p>
15	Has the Applicant had regard to any responses received when preparing the SoCC?	<p><b>Yes</b></p> <p><b>Section 4.2.11</b> of the <b>Consultation Report (Doc 5.1)</b> provides a summary of the consultation responses from <b>Bury Metropolitan Borough Council</b> 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>• Inclusion of a hard shoulder in the Scheme design</li> <li>• Extension of the Scheme boundary due to changes in land requirements for environmental mitigation and thus extension of the consultation area.</li> </ul>

		<ul style="list-style-type: none"> <li>• Reduced number of telephone consultation events due to the relaxation of COVID – 19 restrictions.</li> <li>• Reduced number of telephone consultation events due to the relaxation of COVID – 19 restrictions.</li> <li>• Amended venues for the public information events.</li> <li>• Amended consultation dates.</li> </ul> <p>After the final draft was sent to <b>Bury Metropolitan Borough Council 15 December 2023</b> no further comments were received, resulting in <b>Annex H Final Statement of Community Consultation of the Consultation Report (Doc 5.1)</b>.</p> <p>The Planning Inspectorate is satisfied that the Applicant had regard to the responses received when preparing the SoCC.</p>
16	<p>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>	<p><b>Yes</b></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"> <li>• Bury Library Manchester Road, Bury, BL9 0DG</li> <li>• Prestwich Library, Longfield Centre, Prestwich, Manchester, M25 1AY</li> <li>• Radcliffe Library, Stand Lane, Radcliffe, Manchester, M26 1WR</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>• The Times: 15/02/2023</li> <li>• The London Gazette: 15/02/2023</li> <li>• The Bury Times: 02/02/2023 and 09/02/2023</li> </ul>

		<ul style="list-style-type: none"> <li>• Jewish Telegraph: 03/02/2023 and 10/02/23</li> </ul> <p>The published SoCC notice, provided at <b>Appendix I</b> of the <b>Consultation Report (Doc 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 O</b> of the <b>Consultation Report (Doc 5.1)</b>.</p>
17	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><b>Yes</b></p> <p><b>Paragraphs 3.6 to 3.7</b> of the final SoCC at <b>Appendix H</b> of the <b>Consultation Report (Doc 5.1)</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	Has the Applicant carried out the consultation in accordance with the SoCC?	<p><b>Yes</b></p> <p><b>Paragraphs 4.1 to 4.5.17</b> of the <b>Consultation Report (Doc 5.1)</b> set out how the community consultation was carried out in line with the final SoCC.</p> <p><b>Table 4-6</b> of the <b>Consultation Report (Doc 5.1)</b> sets out how the Applicant has complied with the commitments set out in the final SoCC.</p> <p><b>Annex A, H, L, and O</b> of the <b>Consultation Report (Doc 5.1)</b> provide evidence that the commitments within the final SoCC have been carried out.</p>
<b>Section 48: Duty to publicise the proposed application</b>		

<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

19	Did the Applicant publicise the proposed application in the prescribed manner set out in Regulation 4(2) of the (as amended) APFP Regulations 2009?	<p><b>Yes</b></p> <p><b>Paragraphs 4.6.1 to 4.6.3 of the Consultation Report (Doc 5.1)</b> states:</p> <p>“Section 48 of the 2008 Act requires the Applicant to publicise the proposed application in the prescribed manner, in national and local newspapers as set out in the APFP Regulations. The names of the newspapers used to publicise the proposed application are set out in Table 4-7 below....”</p> <p><b>Table 4-7 of the Consultation Report (Doc 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 J of the Consultation Report (Doc 5.1)</b>.</p> <p>Clippings of the published notices set out below are provided at <b>Appendix O of the Consultation Report (Doc 5.1)</b>:</p>	
<b>Newspaper(s)</b> <span style="float: right;"><b>Date</b></span>			
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"> <li>• The Bury Times</li> <li>• Jewish Telegraph</li> </ul>	2 and 9 February 2023  3 and 10 February 2023
b)	once in a national newspaper;	<ul style="list-style-type: none"> <li>• The Times</li> </ul>	15 February 2023
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>	15 February 2023
d)	where the proposed application relates to offshore development –	<ul style="list-style-type: none"> <li>• N/A</li> </ul>	N/A

	(i) once in Lloyds List; and (ii) once in an appropriate fishing trade journal?		
20	Did the s48 notice include the required information set out in Regulation 4(3) of the (as amended) APFP Regulations 2009?	<b>Yes</b> The published s48 notice, supplied at <b>Appendix J</b> of the <b>Consultation Report (Doc 5.1)</b> , contains the required information as set out below:	
	<b>Information</b>	<b>Paragraph</b>	<b>Information</b>
a)	the name and address of the Applicant.	1	b)
c)	a statement as to whether the application is EIA development	4	d)
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: <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>	7 and 8 and bullet point 9	f)
			a statement that the Applicant intends to make an application for development consent to the Secretary of State
			a summary of the main proposals, specifying the location or route of the Proposed Development
			the latest date on which those documents, plans and maps will be available for inspection
			1
			2 and 3
			5, although no official end date as the documents remained accessible.

g)	whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge	9	h) details of how to respond to the publicity	10 and 11 and bullet points 12-14
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	11		
21	Are there any observations in respect of the s48 notice provided above?		<b>No</b>	
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 <sup>10</sup> ?		<p><b>Yes</b></p> <p>A copy of the s48 notice was sent to the EIA consultation bodies <b>15 February 2023</b> as part of the s42 consultation, as confirmed in <b>paragraph 4.3.7 to 4.3.8</b> of the <b>Consultation Report (Doc 5.1)</b>.</p> <p>A sample of the s42 consultation letter provided at <b>Annex M</b> of the <b>Consultation Report (Doc 5.1)</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>Chapter 5 and Appendix Q</b> of the <b>Consultation Report (Doc 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</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

		particular response has not led to a change in the application, it is sufficiently clear that regard was had to it
<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> ?	<b>Paragraph 6.1.1 and Table 6-1</b> of the <b>Consultation Report (Doc 5.1)</b> states that 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	<b>Summary: Section 55(3)(e)</b>	The Applicant has complied with Chapter 2 of Part 5 (pre-application procedure) of the PA2008.
<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 1.3)</b> explains why the development falls within the remit of the Planning Inspectorate.  <b>Section 5</b> of the <b>Application Form (Doc 1.3)</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 2.1)</b> has been provided.
27	Is it accompanied by a Consultation Report?	<b>Yes</b>

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

		The application is accompanied by a <b>Consultation Report (Doc 5.1)</b> and <b>Consultation Report Appendices (Doc 5.2)</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>	<b>Yes</b>			
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:			
<b>Information                          Document                          Information                          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 (ES) Chapters 1 to 16 (Doc 6.1)</b> <b>ES Figures (Doc 6.2)</b> <b>ES Appendices (Doc 6.3)</b> <b>ES Non-Technical Summary (Doc 6.4)</b> <b>Environmental Scoping Report (Doc 6.6)</b> <b>Scoping Opinion (Doc 6.7)</b>	b)	The draft Development Consent Order (DCO)	<b>Draft Development Consent Order (Doc 3.1)</b>
	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>
c)	An Explanatory Memorandum explaining the purpose and effect of	<b>Explanatory Memorandum (Doc 3.2)</b>	d)	Where applicable, a Book of Reference	<b>Book of Reference (Doc 4.3)</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



	provisions in the draft DCO				
	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>ES Appendix 13.6 – Flood Risk Assessment Report (Doc 6.3)</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>Statement of Statutory Nuisance (Doc 6.8)</b> – this addresses dust emissions (Section 3.2), artificial light (Section 3.3) and noise (Section 3.4).
	Is this of a satisfactory standard?	<b>Yes</b>		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)	<b>Statement of Reasons (Doc 4.1)</b> <b>Funding Statement (Doc 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 proposed to exercise powers of Compulsory Acquisition or any rights to use land;	<b>Land Plan (Doc 2.3)</b>

			(iii) any land in relation to which it is proposed to extinguish easements, servitudes and other private rights; and  (iv) any special category land and replacement land	
	Is this of a satisfactory standard?	<b>Yes</b>	Is this of a satisfactory standard?	<b>Yes</b> (with minor discrepancies as noted in Box 30)
j)	A Works Plan showing, in relation to existing features:-  (i) the proposed location or (for a linear scheme) the proposed route and alignment of the 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	<b>Works Plan (Doc 2.4)</b>	k) 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	<b>Streets, Rights of Way and Access Plans (Doc 2.5)</b> <b>Traffic Regulations Measures Plans (Doc 2.6)</b> <b>Classification of Roads Plans (Doc 2.7)</b>

	Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)		Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)
l)	<p>Where applicable, a plan with accompanying information identifying:-</p> <p>(i) any statutory or non-statutory sites or features of nature conservation eg sites of geological or landscape importance;</p> <p>(ii) habitats of protected species, important habitats or other diversity features; and</p> <p>(iii) water bodies in a river basin management plan, together with an assessment of any effects on such sites, features, habitats or bodies likely to be caused by the Proposed Development</p>	<p>(i) <b>ES Figure 7.3 – Key Landscape Designations and Features (Doc 6.2)</b></p> <p><b>Figure 7.4: Local Landscape and Townscape Character Areas (Doc 6.2)</b></p> <p><b>ES Figure 8.1 – Designated Sites and Affected Road Network (Doc 6.2)</b></p> <p>The assessment of effects on such sites is provided in:</p> <p><b>ES Chapter 7 – Landscape and Visual (Doc 6.1)</b></p> <p><b>ES Chapter 8 – Biodiversity (Doc 6.1)</b></p> <p><b>ES Appendix 8.13 – Habitats Regulations Assessment Report (Doc 6.3)</b></p> <p>(ii) <b>ES Figure 8.2 – Ancient Woodland and Priority Habitats (Doc 6.2)</b></p> <p><b>ES Figure 8.3 – UK Habitats Map (Doc 6.2)</b></p>	m)	<p>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</p>	<p><b>ES Figure 6.1 – Archaeological Assets (Doc 6.2)</b></p> <p><b>ES Figure 6.2 – Built Heritage Assets (Doc 6.2)</b></p> <p><b>ES Figure 6.3 – Historic Landscapes (Doc 6.2)</b></p> <p>The assessment of effects is provided in:</p> <p><b>ES Chapter 6: Cultural Heritage (Doc 6.1)</b></p> <p><b>ES Appendix 6.1 – Cultural Heritage Desk-Based Assessment (Doc 6.3)</b></p>

	<p>The assessment of effects on such sites is provided in:</p> <p><b>ES Chapter 8 – Biodiversity (Doc 6.1)</b></p> <p><b>ES Appendices 8.1 to 8.15 (Doc 6.3)</b></p> <p>(iii) <b>ES Figure 13.1 – Surface Water Receptors (Doc 6.2)</b></p> <p><b>ES Figure 13.4 – Superficial Aquifers and Groundwater Receptors and Features (Doc 6.2)</b></p> <p><b>ES Figure 13.6 – Flood Zones (Doc 6.2)</b></p> <p>The assessment of effects on such sites is provided in:</p> <p><b>ES Chapter 13 – Road Drainage and the Water Environment (Doc 6.1)</b></p> <p>(iv) <b>ES Appendix 13.1 – Water Framework Directive Compliance Assessment Report (Doc 6.3)</b></p>				
	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	<b>Crown Land Plan (Doc 2.10)</b>	o)	Any other plans, drawings and sections	<b>Location Plan (Doc 2.1)</b>

	information identifying any Crown land		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>General Arrangement Plans (Doc 2.2)</b> <b>Important Hedgerow Plans (Doc 2.9)</b>
	Is this of a satisfactory standard?	<b>Yes</b>	Are they of a satisfactory standard?	<b>Yes</b>
p)	Any of the documents prescribed by Regulation 6 of the APFP Regulations:	<b>Engineering Section Drawings (Doc 2.8)</b> <b>General Arrangement Plans (Doc 2.10)</b>  <b>Figure 13.2 Outfall Locations of the Environmental Statement Figures (Doc 2.2)</b>  <b>Appendix 13.7 Drainage Strategy Report of the Environmental Statement Appendices (Doc 6.3)</b>	q) Any other documents considered necessary to support the application	<b>Cover Letter and S55 Checklist (Doc 1.1)</b> <b>Introduction to the Application (Doc 1.2)</b> <b>Application Form (Doc 1.3)</b> <b>Validation Report (Doc 3.4)</b> <b>First Iteration Environmental Management Plan Appendices (Docs 6.5)</b> <b>The Case for the Scheme (Doc 7.1)</b> <b>National Policy Statement for National Networks Accordance Tables (Doc 7.2)</b>

				<b>Draft National Policy Statement for National Networks Accordance Tables (Doc 7.3)</b> <b>Transport Assessment (Doc 7.4)</b> <b>Outline Traffic Management Plan (Doc 7.5)</b> <b>Scheme Design Report (Doc 7.6)</b> <b>Equality Impact Assessment (Doc 7.7)</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>Land Plan (Doc 2.3)</b> <ul style="list-style-type: none"> <li>• General – Plan does not have many road names/ railway locations etc, making it difficult to identify the location against what is stated in the BoR.</li> <li>• General – Description on the key for (land to be used temporarily and rights to be acquired permanently) is not described as such in the BoR – described as (Permanent acquisition of new rights)</li> <li>• General – Some plots are so small it is difficult to see boundary lines and shading, for example Plots 1/1j, 2/4e</li> </ul> <b>Work Plans (Doc 2.4)</b> <ul style="list-style-type: none"> <li>• Limits of Deviation - limits of deviation of 0.50 metres upwards and downwards defined - laterally not defined in metres but described as 'to the extent of the limits of deviation shown on those plans'.</li> <li>• Land not included within the Order Limits is not shaded as on the key and on other plans such as in the Traffic Regulations Plans</li> </ul> <b>Rights of Way and Access Plans (Doc 2.5)</b> <ul style="list-style-type: none"> <li>• Sheet 2 of 5 a public road to be stopped marked as Scheme Maintenance Accesses but doesn't show green hatching</li> </ul> <b>ES Chapter 8 (Document 6.1)</b>				

	<ul style="list-style-type: none"> <li>ES Chapter 8, paragraph 8.4.6 states that species specific and habitat surveys were carried out between February 2021 and May 2023. ES Appendix 8.1: UK Habitat Classification Report, paragraph 2.3.3 states that field surveys were undertaken by suitably experienced ecologists between 5 and 12 April 2021 and that additional surveys of some of the land that was not accessible in April 2021 were undertaken on 16 and 17 February 2022 and again on 20 May 2023. From this statement it is unclear whether the 2023 update survey was applied to the whole site or just the areas not previously accessible. Given that most of the species specific surveys rely on this habitat survey update as a baseline update, clarification is required as to the coverage of the 2022/23 habitat surveys and whether they cover the whole site.</li> </ul>	
31	<p>Is the application accompanied by a report identifying any European site(s) to which Regulation 48 of The Conservation (Natural Habitats, &amp;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)?<sup>14</sup></p>	<p><b>Yes</b></p> <p>A Habitat Regulations Assessment (HRA) Report is provided at <b>Appendix 8.13</b> of the <b>Environmental Statement (Doc 6.3)</b>.</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>
32	<p>If requested by the Planning Inspectorate, two paper copies of the application form and other supporting documents and plans<sup>15</sup></p>	<p><b>No hard copies requested.</b></p>
33	<p>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?</p>	<p><b>Yes</b></p> <p>The Planning Inspectorate is satisfied that the Applicant has demonstrated regard to the guidance principles.</p>

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

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

34	<b>Summary - s55(3)(f) and s55(5A)</b>	<p>The Planning Inspectorate concludes that the application (including accompaniments) has been prepared to a standard that it considers satisfactory.</p> <p>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:  <a href="https://infrastructure.planninginspectorate.gov.uk/document/TR010064-000274">https://infrastructure.planninginspectorate.gov.uk/document/TR010064-000274</a></p>
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**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 <sup>16</sup> ?	The fee was received on 25 March 2024; before the application was made.
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Role	Electronic signature	Date
Case Manager	<i>Bart Bartkowiak</i>	30 April 2024
Acceptance Inspector	<i>Luke Regan</i>	30 April 2024

<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



