

The Planning Act 2008

Section 55 Acceptance of Applications*

(Appendix 3 of [advice note six: Preparation and submission of application documents](#))

(1) The following provisions of this section apply where the Secretary of State receives an application that purports to be an application for an order granting development consent.

(2) The Secretary of State must, by the end of the period of 28 days beginning with the day after the day on which the Secretary of State receives the application, decide whether or not to accept the application.

(3) The Secretary of State may accept the application only if the Secretary of State concludes -

- (a) that it is an application for an order granting development consent,
- (b) deleted
- (c) that development consent is required for any of the development to which the application relates,
- (d) deleted
- (e) that the applicant has, in relation to a proposed application that has become the application, complied with Chapter 2 of Part 5 (pre-application procedure), and
- (f) that the application (including accompaniments) is of a standard that the Secretary of State considers satisfactory.

(4) The Secretary of State, when deciding whether the Secretary of State may reach the conclusion in subsection (3)(e), must have regard to -

- (a) the consultation report received under section 37(3)(c),
- (b) any adequacy of consultation representation received by the Secretary of State from a local authority consultee, and
- (c) the extent to which the applicant has had regard to any guidance issued under section 50.

(5) In subsection (4) -

“local authority consultee” means -

- (a) a local authority consulted under section 42(1)(b) about a proposed application that has become the application, or
- (b) the Greater London Authority if consulted under section 42(1)(c) about that proposed application;

“adequacy of consultation representation” means a representation about whether the applicant complied, in relation to that proposed application, with the applicant’s duties under sections 42, 47 and 48.

(5A) The Secretary of State when deciding whether the Secretary of State may reach the conclusion in subsection (3)(f) must have regard to the extent to which –

- a) the application complies with the requirements in section 37(3) (form and contents of application) and any standards set under section 37(5) and
- b) any applicable guidance given under section 37(4) has been followed in relation to the application.

(6) If the Secretary of State accepts the application, the Secretary of State must notify the applicant of the acceptance.

(7) If the Secretary of State is of the view that the application cannot be accepted, the Secretary of State must -

- (a) notify that view to the applicant, and
- (b) notify the applicant of the Secretary of State’s reasons for that view.

(8) If in response the applicant modifies (or further modifies) the application, subsections (2) to (7) then apply in relation to the application as modified.

* Section 55 of the Planning Act 2008 as amended by the Localism Act 2011

DISCLAIMER - This is for information only and is not a formal application document. It is a non-statutory checklist for the Planning Inspectorate (National Infrastructure Directorate) to complete. Completion or self assessment by the applicant does not hold weight at the acceptance stage.

NB: See DCLG Application Form Guidance for guidance on how the application form should be completed and what should be included with

Section 55 Acceptance of Applications

Section 55 Application Checklist¹

Section 55(2) Acceptance of Applications				
1	Within 28 days (starting day after receipt) the Secretary of State must decide whether or not to accept the application.	Date received	28 day due date	Date of decision
		3 August 2018	31 August 2018	24 August 2018
Section 55(3) – the Secretary of State may <u>only</u> accept an application if the Secretary of State concludes that:-		Planning Inspectorate Comments		
s55(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 ² (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 ³ (DCO) under the Planning Act 2008 (the PA2008), or equivalent words? Does the application specify the development to which it relates (i.e. which category or categories in ss14-30 does the application scheme fall)? If the development does not fall within the categories in	<p>Yes</p> <p>The proposed development set out in Schedule 1 of the draft DCO (dDCO) Document 3.1 is a Nationally Significant Infrastructure Project (NSIP), which is a development falling within the categories in s14 and s26 of the PA2008.</p> <p>This is consistent with the summary provided in the Application Form (Document 1.1) in Box 4 which concludes that the application is for an NSIP.</p>		

¹ References in this document to the Secretary of State include references (where applicable) to the Planning Inspectorate Major Applications and Plans Directorate which carries out functions related to consenting nationally significant infrastructure projects on behalf of the Secretary of State

² NSIP is defined generally in s14 with the detailed thresholds for each of the specified categories being set out in ss15-30

³ Development consent is required for development to the extent that the development is or forms part of an NSIP (s31 of the PA2008)

	ss14-30, 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 – s55(3)(a) and s55(3)(c)	Box numbers 4 and 5 of the Application Form (Document 1.1) confirm that the applicant has demonstrated that the application as submitted is an application for an order granting development consent under the PA2008.
s55(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 ⁴ , did the applicant (prior to carrying out consultation in accordance with s42) either (a) request the Secretary of State to adopt a screening opinion in respect of the development to which the application relates, or (b) notify the Secretary of State in writing that it proposed to provide an environmental statement in respect of that development?	(a) No , the Applicant did not request a screening opinion in respect of the development. (b) Yes , the Applicant notified the Secretary of State on 14 September 2016 under Regulation 6(1)(b) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 that they intended to provide an environmental statement.
5	Have any adequacy of consultation representations ⁵ been received from “A”, “B”, “C” and “D” authorities; and if so do they confirm that the applicant has complied with the duties under s42, s47 and s48?	There are 19 host and neighbouring authorities, of which 9 provided Adequacy of Consultation Representations (AoCR) confirming either that the Applicant had complied with their duties under s42, s47 and s48 of the PA2008 and/or that they had “no comments”, these were: Host Authorities • South Staffordshire Council

⁴ Regulation 8 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (2017 EIA Regulations), or Regulation 6 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (2009 EIA Regulations) (where Regulation 37 of the 2017 EIA Regulations applies).

⁵ S55(4) of the PA2008 provides that the Secretary of State must have regard to the consultation report, and any adequacy of consultation representations received

- Staffordshire County Council

Neighbouring Authorities

- Cannock Chase District Council
- City of Wolverhampton Council
- Derbyshire County Council
- Peak District National Park Authority
- Stafford Borough Council
- Walsall Council
- Birmingham City Council

Responses were invited but were not received from the following authorities:

Neighbouring Authorities

- Wyre Forest District Council
- Bromsgrove District Council
- Shropshire Council
- Telford and Wrekin Council
- Dudley Metropolitan Borough Council
- Cheshire East District Council
- Stoke-on-Trent City Council
- Leicestershire County Council
- Warwickshire County Council

		<ul style="list-style-type: none"> • Worcestershire County Council <p>These AoCRs have been carefully considered and are available to view on the project page of the National Infrastructure Planning website.</p> <p>Walsall Council highlighted an issue in relation to measurements shown in the Applicant's Illustrative Masterplan and other unnamed documents. Please see the Walsall Council Adequacy of Consultation representation for details. The numbers which are shown on each indicative structure are not given in units of measurement.</p> <p>The Masterplan doesn't state that this numbering is for the purpose of measurement and the layout shown is for illustrative purposes only. The Works Plans, which show the location where works can be carried out, are of a satisfactory standard.</p> <p>Taking this in to account, the Inspectorate considers that the plans are of an acceptable standard.</p>
s42: Duty to Consult		
	Did the applicant consult the applicable persons set out in s42 of the PA2008 about the proposed application?	
6	s42(1)(a) persons prescribed ⁶ ?	<p>Yes</p> <p>The Applicant has provided a list of persons consulted under s42(1)(a) on 4 July 2017 at CR Appendices Part 1 - A-H (Document 5.1, Appendix C) (the s42 consultation letter appears at Appendix F).</p> <p>The Planning Inspectorate has identified the following parties based on a precautionary interpretation of the regulations that have not been consulted by the Applicant under s42:</p> <ul style="list-style-type: none"> • Energy Assets Networks Ltd • Energy Assets Power Networks Ltd

⁶ Statutory consultees set out in Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

		<ul style="list-style-type: none"> • Fulcrum Electricity Assets Ltd • Leep Electricity Networks Ltd • Murphy Power Distribution Ltd • Vattenfall Networks Ltd <p>The Applicant's Consultation Report (Document 5.1) does not give a clear explanation as to why the bodies identified above have not been consulted.</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 Inspectorate suggests that the Applicant may wish to include the above bodies amongst those on whom they serve notice of the accepted application under s56(2)(a) of PA2008 unless there is a specific justification why this is not necessary.</p> <p>S51 advice has been issued regarding this matter.</p>
7	s42(1)(aa) the Marine Management Organisation ⁷ ?	<i>Not applicable</i>
8	s42(1)(b) each local authority within s43 ⁸ ?	<p>Yes</p> <p>The Applicant has consulted each local authority within s43 as described in the Consultation Report (Document 5.1, paragraphs 6.3.8 – 6.3.15). All statutory consultees, with the exceptions described below, were written to on 4 July 2017 Consultation Report (Document 5.1, paragraph 6.4.1). These are:</p>

⁷ 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

⁸ Definition of “local authority” in s43(3): 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 where such an authority shares a boundary with a “C” authority

		<p>Host Authorities</p> <ul style="list-style-type: none">• South Staffordshire Council• Staffordshire County Council <p>Neighbouring Authorities</p> <ul style="list-style-type: none">• Stafford Borough Council• Cannock Chase District Council• Walsall Council• City of Wolverhampton Council• Dudley Metropolitan Borough Council• Bromsgrove District Council• Wyre Forest District Council• Shropshire Council• Telford and Wrekin Council• Leicestershire County Council• Derbyshire County Council• Cheshire East Council• Warwickshire County Council• Worcestershire County Council• Birmingham City Council• Peak District National Park Authority• Stoke-on-Trent City Council (see below)
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- South Staffordshire Council
- Staffordshire County Council

Neighbouring Authorities

- Stafford Borough Council
- Cannock Chase District Council
- Walsall Council
- City of Wolverhampton Council
- Dudley Metropolitan Borough Council
- Bromsgrove District Council
- Wyre Forest District Council
- Shropshire Council
- Telford and Wrekin Council
- Leicestershire County Council
- Derbyshire County Council
- Cheshire East Council
- Warwickshire County Council
- Worcestershire County Council
- Birmingham City Council
- Peak District National Park Authority
- Stoke-on-Trent City Council (see below)

		<p>The Applicant undertook a stage of informal consultation (stage 1), formal consultation (stage 2) and further informal consultation (Stage 2a).</p> <p>Appendix B of the Consultation Report sets out that Stoke-on-Trent City Council were consulted at stage 1, and paragraph 13.4.2 that they were consulted at stage 2a.</p> <p>The Consultation Report explains that Stoke-on-Trent City council were overlooked during the Applicant's stage 2 consultation and the steps taken to rectify this in paragraph 6.3.13 of Consultation Report Document 5.1.</p> <p>Stoke-on-Trent City Council did not formally respond or provide any feedback to the Applicant. The Applicant states that Stoke-on-Trent City Council was given more than the statutory minimum period of 28 days to provide any feedback (paragraph 6.3.13 of Consultation Report Document 5.1).</p> <p>We note the inclusion of the West Midlands Combined Authority on a precautionary basis.</p>
9	s42(1)(c) the Greater London Authority (if in Greater London area)?	N/A
10	s42(1)(d) each person in one or more of s44 categories ⁹ ?	<p>Yes</p> <p>Paragraph 6.3.16 of the Consultation Report Doc 5.1 describes s44 parties as 'Persons with an Interest in the Land' (PILs).</p> <p>The Applicant has stated in paragraph 6.3.17 of the Consultation Report Doc 5.1 that <i>'All PILs identified during land referencing were notified as part of section 42 consultation'</i> and in paragraph 6.4.1 <i>'All statutory consultees were written to on 4 July 2017, inviting comments on the Proposed Development under section 42 of the Act'</i>.</p> <p>The Book of Reference Doc 4.3 submitted as part of the application sets out the persons/bodies which fall within the categories defined in section 44.</p>

⁹ 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: person entitled to make a relevant claim. There is no requirement to check the accuracy of the list(s) or whether the applicant has made diligent inquiry

s45: 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>The letter dated 4 July 2017 was sent to s42 consultees and confirms a deadline of responses being 30 August 2017 which is more than 28 days after the date of the s42 notification letter (Document 5.1, Appendix F).</p>
s46: Duty to notify Secretary of State of proposed application		
12	Did the applicant supply information to notify the Secretary of State of the proposed application; and if so was the information supplied to the Secretary of State on or before the date it was sent to the s42 consultees? Was this done on or before commencing consultation under s42?	<p>Yes</p> <p>The Applicant gave notice under s46 on 4 July 2017, which was at the beginning of s42 consultation.</p> <p>A copy of the letter dated 4 July 2017 and consultation documents sent to the Secretary of State is included in Document 5.1, Appendix I.</p>
s47: 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?	<p>Yes</p> <p>The Applicant produced a Statement of Community Consultation (SoCC) on 21 June 2017 which is supplied with the application (Document 5.1, Appendix K).</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>Yes</p> <p>The Applicant sent the draft SoCC to South Staffordshire Council (‘B Authority’) and Staffordshire County Council on 10 May 2017 and set a deadline of 9 July 2017 for responses. (Document 5.1 Appendix J).</p>
15	Has the applicant had regard to any responses	<p>Yes</p>

	received when preparing the SoCC?	The Applicant has explained at Tables 6 and 7 of the Consultation Report (Document 5.1) how the responses that were received as a result of consultation on the SoCC have been taken into consideration. For example, the SoCC was amended to include a list of authorities consulted as requested by both local authorities.
16	Has the SoCC been made available for inspection in a way that is reasonably convenient for people living in the vicinity of the land; and has a notice been published in a newspaper circulating in the vicinity of the land which states where and when the SoCC can be inspected?	<p>Yes</p> <p>The SoCC was made available at the places listed in Table 8 of the Consultation Report (Document 5.1) which are reasonably convenient having regard to the location of the scheme. Notices stating when and where it could be inspected were published in:</p> <ul style="list-style-type: none"> • Birmingham Mail – 21 June 2017 • Express and Star – 21 June 2017 • Staffordshire Newsletter – 21 June 2017
17	Does the SoCC set out whether the development is EIA development ¹⁰ ; and does it set out how the applicant intends to publicise and consult on the preliminary environmental information?	<p>Yes</p> <p>The SoCC (Document 5.1 Appendix K) sets out at paragraph 3.4.2 that the scheme is EIA development and how the Applicant proposes to consult on the preliminary environmental information.</p>
18	Has the applicant carried out the consultation in accordance with the SoCC?	<p>Yes</p> <p>The Applicant has set out at Document 5.1 Appendix M the activities that have been carried out and how the commitments in the SoCC have been met. This is supported by the adequacy of consultation representations.</p>
s48: Duty to publicise the proposed application		

¹⁰ Regulation 12 of the 2017 EIA Regulations, or Regulation 10 of the 2009 EIA Regulations (where Regulation 37 of the 2017 EIA Regulations applies).

19	Did the applicant publicise the proposed application, under s48, in the prescribed manner set out in Regulation 4(2) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009?	<p>Yes</p> <p>The Applicant has described the newspapers and dates of s48 publicity in Table 10 of the Consultation Report (Document 5.1) as set out below:</p>	
<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> <p>once in a national newspaper;</p> <p>once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and</p> <p>where the proposed application relates to offshore development –</p> <p>(i) once in Lloyds List; and</p> <p>(ii) once in an appropriate fishing trade journal?</p>		Newspaper(s)	Date
		Birmingham Mail	5 July 2017 12 July 2017
		The Express and Star	5 July 2017 12 July 2017
		Staffordshire Newsletter	5 July 2017 12 July 2017
		The Times	5 July 2017
London Gazette	5 July 2017		
N/A	N/A		
20	Did the s48 notice include the required information set out in Regulation 4(3) of APFP Regulations?	<p>Yes</p> <p>The published s48 notice is supplied at Appendix G of Document 5.1 and contains the required information as set out below:</p>	

	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	2	d)	a summary of the main proposals, specifying the location or route of the proposed development	3
e)	a statement that the documents, plans and maps showing the nature and location of the proposed development are available for inspection free of charge at the places (including at least one address in the vicinity of the proposed development) and times set out in the notice	4	f)	the latest date on which those documents, plans and maps will be available for inspection	5
g)	whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge	5	h)	details of how to respond to the publicity	6
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	6			
21	Are there any observations in respect of the s48 notice provided above?				
	None				

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 ¹¹ ?	Yes The notice was sent to the EIA consultation bodies on 4 July 2017 as confirmed in paragraph 6.4.2 of the Consultation Report (Document 5.1) .
s49: Duty to take account of responses to consultation and publicity		
23	<i>Has the applicant had regard to any relevant responses to the s42, s47 and s48 consultation?</i>	Yes The Applicant has set out at Tables 11 and 14 of the Consultation Report (Document 5.1) the actions that have been taken having regard to the consultation responses received, in the form of a schedule of responses and the related actions. They have also described within those tables the consideration given to responses that did not lead to a change. The actions appear to be reflected in the final form of the application submitted, and where a response has 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 DCLG guidance 'The Planning Act 2008: Guidance on the pre-application process' ¹² ?	Paragraph 3.1.1 and Appendix A of the Consultation Report (Document 5.1) explain how the Applicant has had regard to DCLG guidance on the pre-application process. Having reviewed the application, it appears that the Applicant has identified and had regard to the relevant DCLG guidance.
25	Summary - s55(3)(e)	The Applicant has complied with Chapter 2 of Part 5 (pre-application procedure). Whilst there were some consultation discrepancies, s51 advice has been provided to the Applicant to remedy these.
s55(3)(f) and s55(5A) The application (including accompaniments) achieves a satisfactory standard having regard to the		

¹¹ Regulation 13 of the 2017 EIA Regulations, or Regulation 11 of the 2009 EIA Regulations (where Regulation 37 of the 2017 EIA Regulations applies).

¹² The Secretary of State must have regard to the extent to which the applicant has had regard to guidance issued under s50

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 Secretary of State; and a brief statement that clearly identifies the location of the application site, or the route if it is a linear scheme? 	<p>Yes</p> <p>Box 4 of the Application Form (Document 1.1) explains why the development falls within the remit of the Secretary of State.</p> <p>Box 5 of the Application Form provides a brief non-technical description of the site, whilst Box 6 provides the location of the proposal. A Location Plan (Order Limits and Parish Boundaries Plan, Document 2.4) has been provided.</p>	
27	Is it accompanied by a consultation report?	<p>Yes</p> <p>The application is accompanied by a Consultation Report (Document 5.1) and appendices.</p>	
28	Where a plan comprises three or more separate sheets has a key plan been provided showing the relationship between the different sheets? ¹³	<p>Yes</p>	
29	Is it accompanied by the documents and information set out in APFP Regulation 5(2)?	<p>Yes</p> <p>The documents and information required by APFP regulation 5(2) are set out in the documents and locations within the application as listed below:</p>	
Information		Document	
a)	Where applicable, the environmental	Environmental	b) The draft proposed order
			Document 3.1

¹³ Regulation 5(4) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

	statement required under the EIA Regulations ¹⁴ and any scoping or screening opinions or directions	Statement (Document 6.2) Non-Technical Summary (Document 6.3) Scoping Opinion – ES Appendix 2.2 (Document 6.2)			
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?	Yes
c)	An explanatory memorandum explaining the purpose and effect of provisions in the draft order	Document 3.2	d)	Where applicable, a book of reference (where the application involves any compulsory acquisition)	Document 4.3
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?	Yes
e)	A copy of any flood risk assessment	ES Appendix 16.1 (Document 6.2)	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	Appendix 9.2 (Document 6.2) The assessment of effects is contained within ES Chapter 9 (Document 6.2)

¹⁴ The 2017 EIA Regulations, or the 2009 EIA Regulations (where Regulation 37 of the 2017 EIA Regulations applies)

	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?	Yes
h)	A statement of reasons and a funding statement (where the application involves any compulsory acquisition)	Documents 4.1 and 4.2	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; (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	Document 2.1
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?	Yes 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 order	Document 2.2	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	Document 2.3

	Is this of a satisfactory standard?	Yes with minor discrepancies as noted in box 30		Is this of a satisfactory standard?	Yes
l)	<p>Where applicable, a plan with accompanying information identifying:-</p> <p>(i) any statutory/non-statutory sites or features of nature conservation e.g. sites of geological/ 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,</p> <p>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) Figure 2 (Document 5.3); ES Appendix 10.1, Annex 10.1.1 (Document 6.2) and Figure 12.3 (Document 6.2)</p> <p>ii) ES Appendix 10.1 – including Figures 10.1.002; 10.1.004; 10.1.005 (Doc 6.2).</p> <p>iii) ES Appendix 16.2 – Figure 3 (Document 6.2); ES Appendix 11.2 - Plan 5b (Document 6.2).</p> <p>The assessments of effects on (i) and (ii) are contained within ES Chapters 10, 11 and 12 (Document 6.2). The assessment of effects on (iii) is contained within ES Appendix 16.2</p>	m)	<p>Where applicable, a plan with accompanying information identifying any statutory/non-statutory sites or features of the historic environment, (e.g. 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>Appendix 9.2 (Document 6.2)</p> <p>The assessment of effects is contained within ES Chapter 9 (Document 6.2)</p>

		(Document 6.2).		
	Is this of a satisfactory standard?	Yes, within minor discrepancies noted in Box 30		Is this of a satisfactory standard?
				Yes
n)	Where applicable, a plan with any accompanying information identifying any Crown land	N/A	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
				Document 2.4 (Order Limits and Parish Boundaries Plan) Document 2.5 (Parameter Plan – Development Zones) Document 2.6 (Parameter Plan - Floor Levels & Height) Document 2.7 (Parameter Plan – Green Infrastructure) Document 2.8 (Illustrative Masterplan) Document 2.9 (Highway General Arrangement Plans) Document 2.10 (Future Highway Maintenance Plans)

				<p>Document 2.11 (Traffic Regulation Plans)</p> <p>Document 2.12 (Speed Limit Plans)</p> <p>Document 2.13 (Highway Classification Plans)</p> <p>Document 2.14 (Illustrative Arrangement of Rail Alignment)</p> <p>Document 2.15 (Illustrative Rail Terminal Layout)</p> <p>Document 2.16 (Rail Sections Cross Sections Rail Alignment)</p> <p>Document 2.17 (Bridge Plans Proposed Road Bridge Location)</p> <p>Document 2.18 (Bridge Plans Proposed Bridge Sections)</p> <p>Document 2.19</p>
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				(Ease of Use A3 Plan Bundle)
	Is this of a satisfactory standard?	N/A		Are they of a satisfactory standard?
				Yes with minor discrepancies as noted in box 30
p)	Any of the documents prescribed by Regulation 6 of the APFP Regulations:	N/A	q)	Any other documents considered necessary to support the application.
				Document 7.1A (Planning Statement) Document 7.1B (Statement of Economic Benefits) Document 7.2 (Alternative Sites Assessment) Document 7.3 (Rail Operations Report) Document 7.4 (Market Assessment) Document 7.5 (Design and Access Statement) Document 7.6 (Mitigation Route Map) Document 7.7 (Draft Obligations)

				Document 7.8 (Existing Highways Orders)
	Are they of a satisfactory standard?	N/A		Are they of a satisfactory standard?
				Yes
30	Are there any observations in respect of the documents provided above?			
	<p>i) Document 2.1 (Land plans) do not have drawing numbers.</p> <p>j) Document 2.2 (Works Plans) do not have drawing numbers.</p> <p>l) ES Chapter 10 (Document 6.2) states at paragraph 10.102 that the designated sites considered in the ecological assessment are shown on Figure 10.001 of the ES, but the Inspectorate has been unable to locate this figure. ES Appendix 10.1 (in Annex 10.1.1) (Doc 6.2) illustrates the locations of nature conservation sites within 2km of the application site, although this is not labelled to denote which type of designation applies (e.g. Site of Special Scientific Interest (SSSI); Local Wildlife Site). There are two SSSIs outside of the 2km study area for nationally designated sites which are not shown on a plan and would presumably be identified on Figure 10.001. However, an assessment has been provided in ES Chapter 10 (Document 6.2) which concludes there would be no likely significant effects on these SSSIs.</p> <p>o) Document 2.9H is marked as a draft.</p>			
31	Is the application accompanied by a report identifying any European site(s) to which regulation 48 of the Conservation (Natural Habitats, &c.) Regulations 1994 applies; or any Ramsar site(s), which may be affected by the proposed development, together with sufficient information that will enable the Secretary of State to make an appropriate assessment of the implications for the site if required by regulation 48(1)? ¹⁵	<p>Yes</p> <p>A Habitats Regulations Assessment Report is provided in both Doc 5.3 and Appendix 10.3 Doc 6.2. These documents appear to be identical.</p> <p>The 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</p>		

¹⁵ Regulation 5(2)(g) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

		examination.
32	If requested by the Secretary of State, two paper copies of the application form and other supporting documents and plans ¹⁶	Yes One paper copy of the application was requested and supplied.
33	Has the applicant had regard to DCLG guidance 'Planning Act 2008: Application form guidance', and has this regard led to the application being prepared to a standard that the Secretary of State considers satisfactory?	The application appears to be in general conformity with the guidance.
34	Summary - s55(3)(f) and s55(5A)	The application has been prepared to a standard that the Secretary of State considers satisfactory.
The Infrastructure Planning (Fees) Regulations 2010 (SI106)		
Fees to accompany an application		
35	Was the fee paid at the same time that the application was made ¹⁷ ?	The Application Fee was received before submission of the application on 24 July 2017

Electronic Signature	Name	Date
Case Leader	<i>Robert Ranger</i>	24/08/2018
Acceptance Inspector	<i>Rynd Smith</i>	24/08/2018

¹⁶ Regulation 5(2)(r) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

¹⁷ The Secretary of State must charge the applicant a fee in respect of the decision by the Secretary of State under section 55. If the applicant fails to pay the fee, the Secretary of State need not consider the application until payment is received by the Secretary of State. The fee must be paid at the same time that the application is made.

