



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: October 2019

Section 55 Acceptance of Applications Checklist

Section 55 of the Planning Act 2008 can be viewed at [legislation.gov.uk](http://www.legislation.gov.uk), here:

<http://www.legislation.gov.uk/ukpga/2008/29/section/55>

DISCLAIMER: This Checklist is for information only and is not a formal application document. It 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 Housing, Communities and Local Government.**

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
Section 55(3) – the Planning Inspectorate may only accept an application if it concludes that:			Planning Inspectorate comments	
Section 55(3)(a) and s55(3)(c): It is an application for an order granting development consent				
2	Is the development a Nationally Significant Infrastructure Project ¹ (NSIP) (or does it form part of an NSIP); and does the application state on the face of it that it is an application for a Development Consent Order ² (DCO) under the Planning Act 2008 (the PA2008), or equivalent words? Does the application specify the development to which it relates (i.e. which	<p>Yes.</p> <p>The Application Cover Letter (Application Document Ref. 1.1) states:</p> <p><i>“We enclose an application (the ‘Application’) submitted on behalf of Net Zero Teesside Power Limited and Net Zero North Sea Storage Limited (the ‘Applicants’) for a Development Consent Order (a ‘DCO’), that has been submitted to the Secretary of State (the ‘SoS’) for Business, Energy and Industrial Strategy, under Section 37 of ‘The Planning Act 2008’ (the ‘PA 2008’) in respect of the Net Zero Teesside Project.</i></p>		

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

² Development consent is required for development to the extent that the development is or forms part of an NSIP (s31 of the PA2008)

	<p>category or categories in ss14 to 30 does the Proposed Development fall)?</p> <p>If the development does not fall within the categories in ss14 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?</p>	<p><i>The Applicants are seeking development consent for the construction, operation and maintenance of the Net Zero Teesside Project ('NZZ'), including associated development (together the 'Proposed Development') on land at and in the vicinity of the former Redcar Steel Works site, Redcar and in Stockton-on-Tees, on Teesside (the 'Site'). The former Steel Works site, along with other land required for the Proposed Development, lies within the boundary of the land controlled by the South Tees Development Corporation ('STDC'), which is now known as 'Teesworks'.</i></p> <p><i>A DCO is required for the Proposed Development as it falls within the definition and thresholds for a 'Nationally Significant Infrastructure Project' (a 'NSIP') under Sections 14(1)(a) and 15 of the PA 2008, associated development under Section 115(1)(b) and by direction under Sections 35(1) and 35ZA of the same Act. The DCO, if made by the SoS, would be known as the 'Net Zero Teesside Order' (the 'Order')."</i></p>
3	<p>Summary: Section 55(3)(a) and s55(3)(c)</p>	
<p>Section 55(3)(e): The Applicant in relation to the application made has complied with Chapter 2 of Part 5 (pre-application procedure)</p>		
4	<p>In accordance with the EIA Regulations³, 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?</p>	<p>The Applicants notified the SoS under the 2017 EIA Regulations – Regulation 8(1)(b) 'Notification of Intention to Provide an Environmental Statement' and Regulation 10(1) 'Request for a Scoping Opinion' on 19 February 2019. The Section 42 consultation commenced on 7 July 2020.</p>

³ Regulation 8 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (2017 EIA Regulations), or where Regulation 37 of the 2017 EIA Regulations applies, Regulation 6 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (2009 EIA Regulations)

5	Have any Adequacy of Consultation Representations ⁴ been received from 'A', 'B', 'C' and 'D' local authorities; and if so, do they confirm that the Applicant has complied with the duties under s42, s47 and s48?	
Section 42: Duty to consult		
Did the Applicant consult the applicable persons set out in s42 of the PA2008 about the proposed application?		
6	Section 42(1)(a) persons prescribed ⁵ ?	Yes – persons as prescribed were consulted by letter. A table of the persons is provided within the Consultation Report (Document Ref. 5.1) at Appendix 6.1. Letters were sent by Royal Mail on 7 July 2020 as part of Section 42 Consultation. Each letter was accompanied by a USB drive containing the consultation documents and stated a deadline for the receipt of consultation responses
7	Section 42(1)(aa) the Marine Management Organisation ⁶ ?	The Marine Management Organisation ('MMO') was consulted. A letter was sent by Royal Mail on 7 July 2020 as part of Section 42 Consultation. The letter was accompanied by a USB drive containing the consultation documents and stated a deadline for the receipt of consultation responses.
8	Section 42(1)(b) each local authority within s43 ⁷ ?	Yes – each local authority within Section 43 was consulted by letter sent by Royal Mail on 7 July 2020. The letter was accompanied by a USB drive containing the consultation documents and stated a deadline for the receipt of consultation responses. The local authorities consulted were Stockton-on-Tees Borough Council, Redcar and Cleveland Borough Council, Middlesbrough Council, Hambleton District Council,

⁴ Section 55(4) of the PA2008 provides that the Planning Inspectorate must have regard to the Consultation Report, and any Adequacy of Consultation Representations received

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

⁶ In any case where the Proposed Development would affect, or would be likely to affect, any of the areas specified in s42(2) of the PA2008

⁷ Definition of 'local authority' in s43(3) of the PA2008: The 'B' authority where the application land is in the authority's area; the 'A' authority where any part of the boundary of A's area is also a part of the boundary of B's area; the 'C' authority (upper tier) where the application land is in that authority's area; the 'D' authority (upper tier) where such an authority shares a boundary with a 'C' authority

		Scarborough Borough Council, North York Moors National Park Authority, North Yorkshire County Council, Durham County Council, Darlington Borough Council and Hartlepool Borough Council.
9	Section 42(1)(c) the Greater London Authority (if in Greater London area)?	The Greater London Authority was not consulted as the Proposed Development site does not involve land within Greater London.
10	Section 42(1)(d) each person in one or more of s44 categories ⁸ ?	<p>Yes – Section 44 persons were consulted by letter sent by Royal Mail on 7 July 2020 accompanied by a USB drive containing the consultation documents and stating a deadline for the receipt of consultation responses.</p> <p>Where the Applicants were unable to establish the owner of land or an interest in it, site notices were erected on or close to the land in question and these were checked and maintained during the consultation period.</p> <p>During the consultation period, a further 12 Section 44 parties were identified through land referencing activities, additional letters and information leaflets were issued on 11 August via Royal Mail First class post using the same deadline for comment of 18 September.</p> <p>An additional 100 letters were sent (via Royal Mail First class post) to Section 44 parties associated with the South Gare Fisherman’s Association on 20 August 2020, in this instance an extended deadline for comment was allowed until 25 September 2020 (which ensured the parties were provided with a 30-day consultation period).</p>
Section 45: Timetable for s42 consultation		
11	Did the Applicant notify s42 consultees of the deadline for receipt of consultation responses; and if so was the deadline notified by the Applicant 28 days or more starting with the day after receipt of the consultation documents?	<p>Yes – each of the letters issued to the Section 42 Consultees clearly stated a deadline for the receipt of consultation responses.</p> <p>Section 42 Consultation</p>

⁸ Category 1: owner, lessee, tenant or occupier of land; Category 2: person interested in the land or has power to sell and convey the land or to release the land; Category 3: persons who would or might be entitled to make a relevant claim. There is no requirement on the Planning Inspectorate to check the accuracy of the list(s) provided or whether the Applicant has made diligent inquiry

Each of the letters was issued on the 7 July 2020 and provided a deadline for comments of no later than 18 September 2020, therefore allowing in excess of 28 days to provide comments.

All letters sent on 11 August 2020 set the same deadline for comments of 18 September 2020, thereby ensuring a deadline for comment in excess of 28 days before the deadline without any need for extension.

All letters issued on 20 August stated an extended deadline for comment of 25 September to ensure at least 28 days were given to recipients for comment.

Further information regarding the Section 42 Consultation can be found in Section 10 of the Consultation Report (DCO Document 5.1).

Section 42 Update Consultation

Each of the letters was issued on the 8 December 2020 and provided a deadline for comments of no later than 25 January 2021.

Further Section 42 Consultation

Letters were sent to a limited number of Section 42 consultees identified through legal reviews and further land referencing. Details of dates letters were sent and deadlines for comments are show in the table below.

Letters Issued	Deadline Stated
12 February 2021	16 March 2021
17 February 2021	22 March 2021
26 March 2021	3 May 2021

Targeted Section 42 Consultation

A limited number of letters were issued to Section 42 consultees with land interests. Letters were issued on 26 March 2021 with a deadline for comments of 3 May 2021.

		Further information on additional Section 42 consultations held can be found in Section 14 of the Consultation Report (DCO Document Ref. 5.1).
Section 46: Duty to notify the Planning Inspectorate of proposed application		
12	Did the Applicant supply information to notify the Planning Inspectorate of the proposed application; and if so, was the information supplied to the Planning Inspectorate on or before the date it was sent to the s42 consultees? Was this done on or before commencing consultation under s42?	<p>Yes – the Applicants notified the SoS of the Application before the start of the Section 42 Consultation by email on 6 July 2020. The email contained a secure file transfer link to the consultation documents that were issued to the Section 42 consultees. The letters were then sent to the Section 42 Consultees on 7 July 2020.</p> <p>For the Section 42 Update Consultation, the Applicants notified PINS on 3 December 2020, following which letters were issued to Section 42 consultees on 8 December 2020. For the Further Section 42 Consultation, the Applicants notified PINS on 25 March 2021, following which letters were then issued on 26 March 2021. For further information please refer to Section 11 and 14 of the Consultation Report (DCO Document Ref. 5.1).</p>
Section 47: Duty to consult local community		
13	Did the Applicant prepare a Statement of Community Consultation (SoCC) on how it intended to consult people living in the vicinity of the land?	<p>Yes – a draft SoCC was produced.</p> <p>The SoCC set out a number of proposed consultation methods including the following; setting up a Project Website, sending out a detailed information leaflet, writing to local political representatives, sending out press releases, publishing notices in newspapers, placing posters in the local areas, hosting a virtual consultation event/room (via the Project Website), hosting a number of webinars, providing a manned freephone service, providing consultation materials free of charge document loan and electronic tablet loan services if requested.</p> <p>Due to the COVID-19 restrictions, no physical exhibition events were proposed - this was noted in the SoCC as something the Applicants were unable to provide, but would keep under review during the consultation period.</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	Yes – both RCBC and STBC were consulted on the content of the draft SoCC on 4 May 2020 (statutory consultation) and were requested to provide response by 1 June 2020. The formal responses were received from STBC on 29 May 2020 and from RCBC on 1 June 2020.

	(where applicable) 'C' authorities received the consultation documents?	The draft SoCC was issued by email.
15	Has the Applicant had regard to any responses received when preparing the SoCC?	<p>Yes – comments were received from RCBC. The Applicants had regard to these in preparing and finalising the SoCC.</p> <p>A response was also received from STBC confirming that they had no comments to make on the SoCC.</p> <p>The comments raised by RCBC and STBC are set out in Table 8.1 of the Consultation Report (Document Ref. 5.1).</p>
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 – the SoCC Notice was published in the Teesside Gazette on 26 June 2020. The SoCC Notice provided information regarding an inspection location within the vicinity of the land where the SoCC could be viewed by appointment. The notice also stated that hard copies of the SoCC or a USB device containing the SoCC could be requested free of the charge by email or telephone. The SoCC was also available to view on the Project Website and was issued to all addresses within the vicinity of the Site (or 'Inner Consultation Zone') via a letter drop at the start of the Stage 2 Consultation. For further information please refer to Section 8 and 10 of the Consultation Report (DCO Document Ref. 5.1)</p>
17	Does the SoCC set out whether the development is EIA development ⁹ ; and does it set out how the Applicant intends to publicise and consult on the Preliminary Environmental Information?	<p>Yes – the SoCC confirms that the Proposed Development is EIA development.</p> <p>The SoCC confirmed that a Preliminary Environmental Information Report would be prepared for the consultation and how this would be publicised and made available (including the ability to download the information via the Project Website). The SoCC also provided information on how requests could be made for a loan of the hard copy version or an electronic tablet containing the document could be made free of the charge).</p>

⁹ Regulation 12 of the 2017 EIA Regulations, or where Regulation 37 of the 2017 EIA Regulations applies, Regulation 10 of the 2009 EIA Regulations

18	Has the Applicant carried out the consultation in accordance with the SoCC?	<p>Yes – the commitments set out in the SoCC have been fulfilled as set out in Table 12.1 of the Consultation Report (Document Ref. 5.1) and summarised as follows:</p> <p>The consultation activities and methods set out in the SoCC at Section 3.0 have taken place.</p> <p>Press releases were issued to national, regional and local media and news distributors/ outlets. The press release provided information on the Proposed Development and raised awareness of the consultation.</p> <p>The Applicants undertook radio adverts and interviews within the consultation area to publicise the proposals. The Applicants also used social media forums and pages to raise further awareness for the consultation.</p> <p>An Information Leaflet was sent to all residents and businesses within the Inner Consultation Zone advising them of the consultation period, how to access the online virtual exhibition, the dates and times of the virtual webinars, freephone number, how consultation materials can be accessed and the deadline for submitting comments. Local political representatives, including local MPs, district councillors and parish and town councils were also contacted via email with the same information.</p> <p>The Applicants published notices in local newspapers proposed in the SoCC (the Northern Echo, Teesside Gazette and Darlington and Stockton Times) circulating within and beyond the Consultation Zone advertising the Section 47 local community consultation and public exhibitions. Posters were erected on notice boards in accessible areas in the inner and outer consultation zone, providing information on the consultation.</p> <p>The Applicants hosted webinars and provided details of how and when to access them on the Project Website.</p> <p>The Applicants hosted an online virtual consultation portal which simulated the typical information found at a physical consultation event, the event included information boards and an online feedback form.</p> <p>No physical exhibition events were held due to COVID-19 restrictions - this was noted in the SoCC as something the Applicants were unable to provide, but would keep under review during the consultation period.</p>
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		<p>Provision of hard copy documents at one inspection location (by appointment only) was achieved despite COVID-19, details of the inspection location and how to make an appointment were provided in the published SoCC Notice and the published Section 48 Notice.</p> <p>A manned freephone number was operated over the consultation period.</p> <p>The Project Website was updated ahead of community consultations on both the home page and the dedicated consultation page. All consultation materials (including the PEIR) could be accessed and downloaded via the website.</p> <p>A Feedback Form was made available during the consultation for people to use to submit comments and feedback. The Feedback Form was incorporated within the Information Leaflet send out to the Inner Consultation Zone and was also available to complete during the virtual consultation events and also on the Project Website. In addition, people were able to request hard copies of the Feedback Form by email, post or telephone.</p> <p>The comments and feedback received during consultation have been carefully recorded and taken into account by the Applicants in developing the Proposed Development.</p> <p>The Applicants offered to provide copies of consultation materials and documents in either hard copy or electronic form (via tablets) by request free of charge. No requests were received.</p>
<p>Section 48: Duty to publicise the proposed application</p>		
19	<p>Did the Applicant publicise the proposed application in the prescribed manner set out in Regulation 4(2) of the APFP Regulations?</p>	<p>Yes – a Section 48 Notice was published for two successive weeks in local papers circulating within the vicinity of the Site, including the Teesside Gazette and Northern Echo on 9 July 2020 and 16 July 2020, the Darlington and Stockton Times (on 10 and 17 July 2020), once in a national newspaper (The Telegraph) on 9 July 2020, and the London Gazette on 9 July 2020.</p> <p>The Section 48 notice was also published in The Fishing News on 9 and 16 July 2020 and in The Lloyds List on 9 July 2020.</p>

		Newspaper(s)	Date
a)	for at least two successive weeks in one or more local newspapers circulating in the vicinity in which the Proposed Development would be situated;	Teesside Gazette, Northern Echo and the Darlington and Stockton Times	9 July 2020 and 16 July 2020 (Teesside Gazette and Northern Echo) 10 and 17 July 2020 (Darlington and Stockton Times)
b)	once in a national newspaper;	The Telegraph	9 July 2020
c)	once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and	The London Gazette	9 July 2020
d)	where the proposed application relates to offshore development – (i) once in Lloyds List; and (ii) once in an appropriate fishing trade journal?	The Lloyds List and The Fishing News	9 July 2020 (Lloyd's List) and 9 and 16 July (Fishing News)
20	Did the s48 notice include the required information set out in Regulation 4(3) of APFP Regulations?	Yes – all Section 48 Notices, which can be viewed at Appendix 13.1 of the Consultation Report (Document Ref. 5.1), included: the name and address of the Applicants; a statement that the Applicants intend to make an application for a DCO; a statement that the Proposed Development is EIA development or that an EIA is being undertaken; a summary of the Proposed Development, including its location; a statement that the consultation documents (including plans and maps showing the location of the Proposed Development) were available to inspect free of charge at a	

		<p>location within the vicinity of the Proposed Development, including the times that the documents could be inspected at these venues;</p> <p>the latest date on which the consultation documents could be inspected, which was on or after the last date for consultation responses;</p> <p>confirmation that requests for hard copies, electronic copies and USB copies of the consultation documents would be free of charge;</p> <p>details were provided of how to respond to the publicity. This included the Proposed Development website, email and freepost addresses and a telephone number;</p> <p>each notice stated a deadline for the receipt of responses, being in excess of 28 days and running from the date when the Section 48 notice was last published.</p>
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Information		Paragraph	Information		Paragraph
a)	the name and address of the Applicant.	<p>Yes.</p> <p>Paragraph 1 of the Section 48 Notice states:</p> <p><i>“Notice is hereby given that Net Zero Teesside Power Limited and Net Zero North Sea Storage Limited (the ‘Applicants’) whose registered offices are both Chertsey Road, Sunbury on Thames, Middlesex TW16 7BP”</i></p>	b)	a statement that the Applicant intends to make an application for development consent to the Secretary of State	<p>Yes</p> <p>Paragraph 1 of the Section 48 Notice states:</p> <p><i>“Notice is hereby given that Net Zero Teesside Power Limited and Net Zero North Sea Storage Limited (the ‘Applicants’), whose registered offices are both Chertsey Road, Sunbury on Thames, Middlesex TW16 7BP, are proposing to submit an application (the ‘Proposed Application’) to the Secretary of State (the ‘SoS’) for Business, Energy and Industrial Strategy for a Development Consent Order (‘DCO’) under Section 37 ‘Applications for</i></p>

					orders granting development consent' of the Planning Act 2008 (the 'PA 2008'), to ..."																		
c)	a statement as to whether the application is EIA development	<p>Yes.</p> <p>Paragraph 4 of the Section 48 Notice states:</p> <p><i>"The Applicants have notified the SoS in writing under Regulation 8(1)(b) of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the 'EIA Regulations') that they intend to provide an Environmental Statement ('ES') in respect of the Project. The Project is therefore 'EIA development' for the purposes of the EIA Regulations and an ES will form part of the Proposed Application."</i></p>	d)	a summary of the main proposals, specifying the location or route of the Proposed Development	<p>Yes.</p> <p>Paragraphs 2 to 3.4 of the Section 48 Notice:</p> <p><i>"2. The site for NZT (the 'Project Site') comprises of land at and in the vicinity of the former SSI steelworks site in Redcar and in Stockton-on-Tees on Teesside. The Project Site extends to 1,482 hectares in total. Grid references for the Project Site and its extremities are provided in the table below:</i></p> <table border="1" data-bbox="1467 651 1982 1273"> <thead> <tr> <th>Area of the Project Site</th> <th>X</th> <th>Y</th> </tr> </thead> <tbody> <tr> <td><i>Power, Capture and Compressor area (Centre)</i></td> <td>457001</td> <td>525270</td> </tr> <tr> <td><i>Boundary - Northernmost point</i></td> <td>457170</td> <td>528045</td> </tr> <tr> <td><i>Boundary - Westernmost point</i></td> <td>447638</td> <td>522406</td> </tr> <tr> <td><i>Boundary - Easternmost point</i></td> <td>458898</td> <td>521290</td> </tr> <tr> <td><i>Boundary - Southernmost point</i></td> <td>456338</td> <td>519077</td> </tr> </tbody> </table>	Area of the Project Site	X	Y	<i>Power, Capture and Compressor area (Centre)</i>	457001	525270	<i>Boundary - Northernmost point</i>	457170	528045	<i>Boundary - Westernmost point</i>	447638	522406	<i>Boundary - Easternmost point</i>	458898	521290	<i>Boundary - Southernmost point</i>	456338	519077
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				<p>3. NZT would be the UK's first commercial scale, full chain carbon capture, utilisation and storage project. The Proposed Application would, amongst other matters, seek a DCO for the construction, operation and maintenance of:</p> <p>3.1 a combined cycle gas turbine electricity generating station with an abated capacity of up to 2.1 gigawatts output (gross), including post-combustion carbon capture plant (all at the former SSI steelworks site in Redcar); cooling water, gas and electricity grid connections in and around Teesside; a carbon dioxide (CO₂) gathering network, including CO₂ pipeline connections from industrial facilities on Teesside to transport the captured CO₂ (including the connections under the tidal River Tees); a CO₂ gathering and compression station to receive the captured CO₂ from the gathering network and generating station (also at the former SSI steelworks site); and the first part (the landward side of Mean Low Water Mark) of a CO₂ transport/export pipeline for the onward transport of the captured CO₂ (the remainder of the transport pipeline and the offshore geological storage site beneath the North Sea are to be separately consented); and</p> <p>3.2 other associated development, including external lighting; fencing and boundary treatment; security measures; surface and foul water drainage systems; water, electricity, gas and other utilities connections; hard and soft landscaping; biodiversity mitigation and enhancement measures; temporary contractor facilities and construction laydown areas; vehicle access roads,</p>
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					<i>crossings, parking and pedestrian and cycle facilities and routes.”</i>
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	Yes Paragraphs 7, 8 and 9 of the Section 48 Notice provide details on how the documents, plans and maps showing the nature and location of the Proposed Development could be accessed both online and physically, including information on an inspection venue (and its opening hours) which could be visited by appointment through contacting the provided consultation freephone number or email address.	f)	the latest date on which those documents, plans and maps will be available for inspection	Yes. Paragraph 5 of the Section 48 Notice states: <i>“The PEI Report and other documents relating to the Project, including plans and maps showing the nature and location of the Project (the ‘Consultation Documents’), are available to download and view free of charge from the Project Website: https://www.netzeroteesside.co.uk/consultation/ until 18 September 2020.”</i>
g)	whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge	Yes. The Section 48 notice confirmed at paragraphs 7, 8 and 9 that copies of any of the documents, plans or maps could be viewed free of charge through any of the means provided.	h)	details of how to respond to the publicity	Yes. Paragraph 11 of the Section 48 Notice states: <i>“If you wish to respond to this notice or make comments or representations in respect of the Project, these should be sent to the Applicants. Please include your name and an address where any correspondence relating to the Project can be sent. Comments and</i>

				<p>representations may be submitted in the following ways:</p> <p>Email: consultation@netzeroteesside.co.uk</p> <p>Post: Freepost NET ZERO TEESSIDE PROJECT CONSULTATION</p> <p>Telephone: Freephone 0800 211 8185 - lines will be open 10am to 4pm Monday to Friday</p> <p>Website: https://www.netzeroteesside.co.uk/consultation/</p>
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	Yes. Paragraph 13 of the Section 48 Notice states: <i>“Please note that all comments and representations must be received by the Applicants no later than 11.59pm on 18 September 2020.”</i>		
21	Are there any observations in respect of the s48 notice provided above?			

22	Has a copy of the s48 notice been sent to the EIA consultation bodies and to any person notified to the Applicant in accordance with the EIA Regulations ¹⁰ ?	<p>Yes – a copy of the Section 48 Notice was sent to the EIA consultation bodies at the same time as the Section 42 letters. This is explained at Section 16 of the Consultation Report (Document Ref. 5.1)</p> <p>The Applicants have not been notified of any EIA Regulation 11(1)(c) bodies by PINS and therefore none were consulted.</p>
s49: Duty to take account of responses to consultation and publicity		
23	Has the Applicant had regard to any relevant responses to the s42, s47 and s48 consultation?	<p>Yes – all responses received to the consultation have been considered by the Applicants. This included the small number of late responses notwithstanding that Section 49 does not oblige the Applicants to take these into account.</p> <p>Regard to Section 49 ‘Duty to take account of responses to consultation and publicity’ is identified in Section 15 of the Consultation Report (Document Ref. 5.1).</p>
Guidance about pre-application procedure		
24	To what extent has the Applicant had regard to statutory guidance ‘Planning Act 2008: Guidance on the pre-application process’ ¹¹ ?	<p>Table 3.1 of the Consultation Report sets out the ‘Requirements for pre-application consultation & publicity’. The sections of the Consultation Report which follow demonstrate compliance with these requirements. Furthermore, the checklist in Table 3.2 sets out how the Applicant’s pre-application consultation and publicity has complied with the legislative requirements of the PA 2008 (and related regulation) relating to pre-application consultation.</p> <p>Section 3.4 of the Consultation Report lists the DCLG, Planning Inspectorate and other guidance that the Applicant has had regard to in formulating its consultation proposals and carrying out that consultation.</p>

¹⁰ Regulation 13 of the 2017 EIA Regulations, or where Regulation 37 of the 2017 EIA Regulations applies, Regulation 11 of the 2009 EIA Regulations

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

25	Summary: Section 55(3)(e)	
s55(3)(f) and s55(5A): The application (including accompaniments) achieves a satisfactory standard having regard to the extent to which it complies with section 37(3) (form and contents of application) and with any standards set under section 37(5) and follows any applicable guidance under section 37(4)		
26	<p>Is it made in the prescribed form as set out in Schedule 2 of the APFP Regulations, and does it include:</p> <ul style="list-style-type: none"> • a brief statement which explains why it falls within the remit of the Planning Inspectorate; and • a brief statement that clearly identifies the location of the application site, or the route if it is a linear scheme? 	<p>Yes (Document 1.3):</p> <p>Box 4 of the Application Form states:</p> <p><i>“The Proposed Development will be a full chain Carbon Capture, Usage and Storage (‘CCUS’) project comprising a number of elements, including a new gas-fired electricity generating station (with an electrical output of up to 860 megawatts) with post-combustion carbon capture plant; gas, electricity and water connections (for the electricity generating station); a CO2 pipeline network (a ‘gathering network’) for collecting CO2 from a cluster of local industries on Teesside; a CO2 compressor station and a CO2 export pipeline.</i></p> <p><i>Development consent is required for the Proposed Development as it falls within the definition and thresholds for a ‘Nationally Significant Infrastructure Project’ (a ‘NSIP’) under Sections 14(1)(a) and 15 (the electricity generating station and its carbon capture plant), associated development under Section 115(1)(b) of that Act (the gas, electricity and water connections) and by direction dated 17th January 2020 under Sections 35(1) and 35ZA for the “Specified Elements” (the CO2 compressor station, CO2 gathering network and CO2 export pipeline) of the Planning Act 2008.”</i></p> <p>And Box 6 of the Application Form states:</p> <p><i>“The Proposed Development Site (the ‘Site’) lies within the administrative boundaries of both Redcar and Cleveland Borough Council (‘RCBC’) and Stockton-on-Tees Borough Council (‘STBC’). It also partly lies within the boundary of the Teesworks area (this includes the former Redcar Steel Works Site) that is controlled by South Tees Development Corporation (‘STDC’). The STDC controlled land lies within the administrative area of RCBC.</i></p> <p><i>Most of the Site lies within the administrative area of RCBC, although parts of Site, including sections of the Gas Connection (for the supply of natural gas to the Low Carbon Electricity Generating Station) and the CO2 Gathering Network Corridor cross</i></p>

		<p><i>the River Tees into the administrative area of STBC. At this location the River Tees is tidal. In addition, there are parts of the Site which extend into South Gare, Coatham Dunes/Sands and the North Sea. Those parts of the Site include areas that are below Mean Low Water Springs and which are outside the jurisdiction of either local authority being part of the UK marine area.</i></p> <p><i>The Site extends to 462 hectares in area. It is relatively flat and low-lying and sits at a level of between sea level and 9 metres Above Ordnance Datum. The area surrounding the Site is largely characterised by industrial and commercial uses, although there are open areas of land to the north at South Gare and Coatham Dunes/Sands that are used for recreation and which are of nature conservation importance.</i></p> <p><i>A more detailed description of the Site and its surroundings is provided at Chapter 3 'Description of the Existing Environment' of the Environmental Statement (Document Ref. 6.2).</i></p> <p><i>The location of the Site is shown on the Site Location Plan (Document Ref. 4.1) and the land encompassed within its boundary is shown on the Land Plans (Document Ref. 4.2). The different Works Nos. are described at Schedule 1 of the draft DCO (Document Ref. 2.1) and their location and extent is shown on the Works Plans (Document Ref. 4.4)."</i></p>
27	Is it accompanied by a Consultation Report?	<p>Yes (Document Ref. 5.1).</p> <p>Table 2.4 of the Consultation Report (Document Ref. No. 5.1) sets out how the Applicant has complied with the advice relating to compiling and preparing consultation reports provided by Planning Inspectorate Advice Note 14.</p>
28	Where a plan comprises three or more separate sheets, has a key plan been provided showing the relationship between the different sheets? ¹²	<p>Yes, key plans have been provided each of the following plan documents:</p> <p>4.2 – Land Plans (Key Plan and Sheets (1-14))</p> <p>4.3 - Crown Land Plans (Key Plan and Sheets (1-14))</p>

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

		<p>4.4 - Works Plans (Key Plans and Sheets (1-24))</p> <p>4.5 - Access and Rights of Way Plans (Key Plan and Sheets (1-6))</p> <p>4.6 - Indicative Power Capture and Compression (PCC) Facility Plans (Key Plan and Sheets 1-4)</p> <p>4.7 - Indicative Gas Connection and Above Ground Installations Plans (Sheets 1-11 including Key Plan)</p> <p>4.8 - Indicative Electrical Connection Plans (Key Plan and Sheets 1-7)</p> <p>4.9 - Indicative Water Connection Plan</p> <p>4.11 - Indicative CO2 Gathering Network Plans (Key Plan and Sheets 1-12)</p> <p>4.12 - Indicative CO2 Export Pipeline Plans</p> <p>4.13 - Indicative Surface Water Drainage Plan</p> <p>4.14 - Deemed Marine Licence Coordinates Plans (Key Plan and Sheets 1-3)</p> <p>4.15 - Indicative Landscape and Biodiversity Plan</p>
29	Is it accompanied by the documents and information set out in APFP Regulation 5(2)?	
Information		Document
a)	Where applicable, the Environmental Statement required under the EIA Regulations ¹³ and any scoping or screening opinions or directions	<p>Yes.</p> <p>The Application is accompanied by an Environmental Statement ('ES') provided in four volumes as follows:</p> <ul style="list-style-type: none"> • ES Non-Technical Summary (Application Documents Ref. 6.1). • ES Volume I (Main Report) (Application Documents Ref. 6.2).
Information		Document
b)	The draft Development Consent Order (DCO)	<p>Yes.</p> <p>The Application includes a Draft Development Consent Order ('DCO') (Application Documents Ref: 2.1).</p> <p>The Draft DCO has been prepared in the SI template and validated and has had regard to the advice contained in PINS Advice Note 13 (2019) and 15 (2018). It is a complete draft, setting out all the</p>

¹³ The 2017 EIA Regulations, or where Regulation 37 of the 2017 EIA Regulations applies, the 2009 EIA Regulations

	<ul style="list-style-type: none"> • ES Volume II (Figures) (Application Documents Ref. 6.3). • ES Volume III (Appendices) (Application Documents Ref: 6.4) <p>A copy of the EIA Scoping Opinion issued by the SoS dated April 2019 is contained within ES Volume III Appendix 1B (Document Ref. 6.4.2).</p> <p>The ES complies with the requirements of Regulation 14, being based on the Scoping Opinion, containing the elements required in Regulation 14(2), and prepared by competent experts. It has also been prepared with regard to the advice contained in:</p> <ul style="list-style-type: none"> • Advice Note Three: EIA Notification and Consultation (PINS, 2017); • Advice Note Seven: Environmental Impact Assessment: Process, Preliminary Environmental Information and Environmental Statements (PINS, 2020); • Advice Note Nine: Rochdale Envelope (PINS, 2018); and • Advice Note Seventeen: Cumulative effects assessment relevant to nationally significant infrastructure projects (PINS, 2019). 		<p>necessary provisions required for the authorised development to proceed.</p> <p>A draft has also been reviewed by PINS and comments have been taken account of in preparing the submission draft.</p>
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	Is this of a satisfactory standard?			Is this of a satisfactory standard?	
c)	An Explanatory Memorandum explaining the purpose and effect of provisions in the draft DCO	<p>Yes.</p> <p>The Application includes an Explanatory Memorandum (Document Ref. 2.2).</p> <p>The Explanatory Memorandum explains the purpose and effect of each article of, and the Schedules to, the draft Order, as required by Regulation 5(2)(c) of the APFP Regulations. It also identifies and explains departures from the Infrastructure Planning (Model Provisions) (England and Wales) Order 2009. It justifies the inclusion of relevant articles and requirements, including setting out the legal power which enables the Secretary of State to include certain provisions. It has been prepared with regard to the advice in PINS Advice Note 13 (2019) and a previous draft of the Explanatory Memorandum has been reviewed by PINS.</p>	d)	Where applicable, a Book of Reference (where the application involves any Compulsory Acquisition)	<p>Yes.</p> <p>The Application includes a Book of Reference (Document Ref. 3.1).</p> <p>The Book of Reference follows the required statutory form, setting out the information required by Regulation 7 of the APFP Regulations in 5 Parts.</p>
	Is this of a satisfactory standard?			Is this of a satisfactory standard?	

e)	A copy of any Flood Risk Assessment	<p>Yes.</p> <p>The Application includes a Flood Risk Assessment (Document Ref. 6.4.8)</p> <p>As required by the Overarching National Policy Statement for Energy (EN-1), which details that projects of 1 hectare or greater in Flood Zone 1 in England should be accompanied by a FRA, the document provides a review of the Proposed Development design in light of the identified flood risks and identification of measures, where necessary, that would manage any residual flood risk to the Site to acceptable levels.</p>	f)	<p>A statement whether the proposal engages one or more of the matters set out in section 79(1) of the Environmental Protection Act 1990 (statutory nuisances) and if so how the Applicant proposes to mitigate or limit them</p>	<p>Yes.</p> <p>The Application includes a Statutory Nuisance Statement (Document Ref. 5.9).</p> <p>This describes the matters set out in section 79(1) EPA 1990 and how these are addressed in the Proposed Development and considers whether the Proposed Development could cause statutory nuisance. Through the embedded mitigation in place and the controls provided for it is demonstrated that the Proposed Development is unlikely to not give rise to any statutory nuisance under the EPA 1990 and, therefore, it is appropriate to include within the Development Consent Order provision for a defence against claims of statutory nuisance.</p>
Is this of a satisfactory standard?			Is this of a satisfactory standard?		
h)	A Statement of Reasons and a Funding Statement (where the application involves any Compulsory Acquisition)	<p>Yes.</p> <p>The Application includes a Statement of Reasons (Document Ref. 3.2) which sets out details regarding Compulsory Acquisition powers sought.</p>	i)	<p>A Land Plan identifying:</p> <ul style="list-style-type: none"> (i) the land required for, or affected by, the Proposed Development; (ii) where applicable, any land over which it is 	<p>Yes.</p> <p>The Application includes Land Plans (key plan and sheets 1-14) showing the land required for the Proposed Development (Document Ref. 4.2).</p>

		The Application also contains a Funding Statement (Document Ref. 3.3).		<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>	<p>The Land Plans shows the land required for the Proposed Development. The drawing uses clear colouring and labelling and is at an appropriate scale and has been prepared with regard to the advice in PINS Advice Note 6 (2019).</p> <p>Colouring on the Land Plan indicates the different categories of land powers which are sought in the Draft DCO, including the compulsory acquisition of land, compulsory acquisition of rights, and the temporary occupation of land.</p> <p>The Order land includes special category land (open space), which is also identified (by hatching) on the Land Plan.</p>
	Is this of a satisfactory standard?			Is this of a satisfactory standard?	
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 development and works may be carried out and any limits of</p>	<p>Yes.</p> <p>The Application includes a Works Plan (Key Plan and Sheets 1-24) showing the location and extent of the Proposed Development, including the limits of deviation within which it is proposed to be and the route and alignment of the linear elements (Document Ref: 4.4).</p>	k)	<p>Where applicable, a plan identifying any new or altered means of access, stopping up of streets or roads or any diversions, extinguishments or creation of rights of way or public rights of navigation</p>	<p>Yes.</p> <p>The Application includes Access and Rights of Way Plans (Key Plan and Sheets 1-6) showing any new or altered means of access, stopping up, diversions, extinguishments or creations of rights of way or public rights of way (Document Ref. 4.5).</p> <p>The Access and Rights of Way Plan shows the various access arrangements</p>

	deviation provided for in the draft DCO	The Works Plans show the area within which each Work may be carried out. The draft DCO provides that in respect of each numbered work, the limits of deviation are the outer limits of the corresponding numbered area shown on the Works Plans. The Works Plans use clear colouring and labelling and are at an appropriate scale. The Works Plans have been prepared with regard to the advice in PINS Advice Note 6 (2019).		in and around the Site, including new or altered means of access. The Access and Rights of Way Plan also identifies areas of access land where the rights of public access for the purposes of recreation may be temporarily suspended. No permanent public right of way diversions or stopping up is required. Public rights of way subject to temporary stopping up are shown on the Access and Rights of Way Plan and is described in the Draft DCO. The drawing uses clear colouring and labelling and is at an appropriate scale and has been prepared with regard to the advice in PINS Advice Note 6 (2019).
	Is this of a satisfactory standard?			Is this of a satisfactory standard?
i)	Where applicable, a plan with accompanying information identifying:- (i) any statutory/ non-statutory sites or features of nature conservation eg sites of geological/ landscape importance; (ii) habitats of protected species, important habitats or other diversity features; and	The Application includes: <ul style="list-style-type: none"> • ES, Volume I, Chapter 10: Geology and hydrology (Document Ref 6.2.10) • ES, Volume I, Chapter 12: Terrestrial Ecology and Nature Conservation (Document Ref 6.2.12) • ES, Volume I, Chapter 13: Aquatic Ecology (Document Ref 6.2.13) 	m)	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
				The application is accompanied by the ES, Volume I (Document Ref. No. 6.2), which contains includes assessments of any effects on sites or features of the historic environment in the following chapters: <ul style="list-style-type: none"> • Chapter 18 Archaeology and Cultural Heritage; and • Chapter 19: Marine Heritage The Application also includes the following Figures: <ul style="list-style-type: none"> • ES, Volume II, Figure 18.1: Location of designated heritage

	<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>	<ul style="list-style-type: none"> • ES, Volume I, Chapter 14: Marine Ecology and Nature Conservation (Document Ref 6.2.14) • ES, Volume I, Chapter 15: Ornithology (Document Ref 6.2.15) • ES Volume I, Chapter 17: Landscape and Visual Amenity (Document Ref. 6.2.17) • ES Volume I, Chapter 18: Archaeology and Cultural Heritage (Document Ref. 6.2.18) • ES Volume I, Chapter 19: Marine Heritage (Document Ref. 6.2.19) • ES Volume II Figures 1.1-24.3 (Document Ref. 6.3.1 – 6.3.97) 		<p>likely to be caused by the Proposed Development</p>	<p>assets within the 5km Study Area (Document Ref. 6.3.80).</p> <ul style="list-style-type: none"> • ES, Volume II, Figure 18.2: Location of non-designated heritage assets in the 1km Study Area (Document Ref. 6.3.81) • ES Volume II, Figure 18.3: Historic Landscape Character (Document Ref. 6.3.82) • ES Volume II, Figure 19.1: Location of Marine Heritage Assets within the 1km Study Area (Document Ref 6.3.83).
	<p>Is this of a satisfactory standard?</p>			<p>Is this of a satisfactory standard?</p>	
<p>n)</p>	<p>Where applicable, a plan with any accompanying information identifying any Crown land</p>	<p>Applicable – Crown Land Plans (key plan and sheets 1-14) are provided at Document Ref. 4.3, and accompanying information is in the Statement of Reasons (Document Ref. 3.2).</p>	<p>o)</p>	<p>Any other plans, drawings and sections necessary to describe the development consent proposal showing details of design, external appearance, and the</p>	<p>The Application includes:</p> <ul style="list-style-type: none"> • Location Plan (key plan and sheets 1-8) (Document Ref 4.1) • Indicative Power Capture and Compression (PCC) Facility Plans

			<p>preferred layout of buildings/ structures, drainage, surface water management, means of vehicular and pedestrian access, any car parking and landscaping</p>	<p>(Key Plan and Sheets 1-4) (Document Ref 4.6)</p> <ul style="list-style-type: none"> • Indicative Gas Connection and Above Ground Installations Plans (Key Plan and Sheets 1-11) (Document Ref 4.7) • Indicative Electrical Connection Plans (Key Plan and Sheets 1-7) (Document Ref 4.8) • Indicative Water Connection Plan (Document Ref 4.9) • Indicative HP Compressor Plans (Sheets 1-4 including Key Plan) (Document Ref 4.10) • Indicative CO2 Gathering Network Plans (Key Plan and Sheets 1-12) (Document Ref 4.11) • Indicative CO2 Export Pipeline Plans (Document Ref 4.12) • Indicative Surface Water Drainage Plan (Document Ref. 4.13) • Deemed Marine Licence Coordinates Plans (Key Plan and Sheets 1-3) (Document Ref. 4.14) • Proposed Development and Consented Development Boundary Comparison Plan (Document Ref 4.15)
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	Is this of a satisfactory standard?			Are they of a satisfactory standard?	
p)	Any of the documents prescribed by Regulation 6 of the APFP Regulations:	<p>Yes.</p> <p>The Application includes:</p> <ul style="list-style-type: none"> • An Electricity Grid Connection Statement (Document Ref: 5.5) as required by Regulation 6(1)(a)(i). • A Gas Connection and Pipelines Statement (Document Ref: 5.6) as required by Regulation 6(1)(a)(ii) and Regulation 6(4). 	q)	Any other documents considered necessary to support the application	<p>The following documents have been included in support of the application:</p> <ul style="list-style-type: none"> • Cover Letter (Document Ref 1.1). • Application Guide (Document Ref 1.2). • Application Form (Document Ref 1.3). • Notices for Statutory Publicity (Document Ref 1.4). • Signposting Document for the Planning Inspectorate (Document Ref. 1.5). • Book of Reference (3.1). • Need Statement (Document Ref. 5.2). • Planning Statement (Document Ref. 5.3). • Design and Access Statement (Document Ref. 5.4). • Carbon Capture Readiness Assessment (Document Ref. 5.7). • Combined Heat and Power Assessment (Document Ref. 5.8). • Other Consents and Licences (Document Ref 5.10).

				<ul style="list-style-type: none"> • Indicative Lighting Strategy (Document Ref. 5.11). • Indicative Landscape and Biodiversity Strategy (Document Ref. 5.12).
	Are they of a satisfactory standard?		Are they of a satisfactory standard?	
30	Are there any observations in respect of the documents provided at Box 29 (a) to (q) above?			
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)? ¹⁴	<p>Yes.</p> <p>The Application includes a Habitats Regulations Assessment ('HRA') Report (Document Ref. 5.13)</p>		
32	If requested by the Planning Inspectorate, two paper copies of the application form and other supporting documents and plans ¹⁵	Paper copies have not been requested. Electronic only submission has been agreed between PINS and the Applicants' agents, to comprise a secure fileshare site that has been trialled in advance.		
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	The Applicants have had regard to the statutory guidance 'Planning Act 2008: Application form guidance' when preparing the Application to be submitted to the Planning Inspectorate.		

¹⁴ Regulation 5(2)(g) of the APFP Regulations

¹⁵ Regulation 5(2)(r) of the APFP Regulations

	to a standard that the Planning Inspectorate considers satisfactory?	
34	Summary - s55(3)(f) and s55(5A)	
The Infrastructure Planning (Fees) Regulations 2010 (as amended)		
Fees to accompany an application		
35	Was the fee paid at the same time that the application was made ¹⁶ ?	The fee of £7,263 was made on 1 July 2021, in advance of the application submission. This was confirmed as received by PINS on 5 July 2021.

Role	Electronic signature	Date
Case Manager		
Acceptance Inspector		

¹⁶ The Planning Inspectorate must charge the Applicant a fee in respect of the decision by the Planning Inspectorate under section 55 of the PA2008. If the Applicant fails to pay the fee, the Planning Inspectorate need not consider the application until payment is received. The fee must be paid at the same time that the application is made

