

The Infrastructure Planning (Compulsory Acquisition) Regulations 2010

EN010109 Sheringham and Dudgeon Extension Project proposed provision for the compulsory acquisition of additional land

Regulation 6(1)			
Within 28 days (starting the day after receipt) the Secretary of State must decide whether or not to accept the proposed provision as part of the application.	Date received	28-day due date	Date of decision
	11 April 2023	9 May 2023	17 April 2023
Regulation 6(2)	Planning Inspectorate Comments		
Regulation 4 - Prescribed procedure for compulsory acquisition of land			
Regulations 5 to 19 prescribe the procedure for the purposes of the condition in subsection (4) of section 123 (land to which authorisation of compulsory acquisition can relate) and apply where—			
(a) it is proposed to include in an order granting development consent a provision authorising the compulsory acquisition of additional land;	<p>On 11 April 2023 the Applicant submitted their formal change request (CR) application to extend the Order Limits immediately south of the A47 where the cable corridor passes through the proposed Food Enterprise Park Phase 2 site (“the FEP Phase 2 site”).</p> <p>This CR includes a request for a material amendment to the submitted Application under Regulation 5 of the Compulsory Acquisition (CA) Regulations. This will require additional new plots of land which the Applicant states would be subject to Temporary Possession only. These additional plots are identified as 28-023, 28-024, 28-025, 28-026 and 28-027.</p> <p>Other amendments to land affected by CA as stated in the Applicant’s CR Cover Letter (AS-045) are as follows:</p>		

	<ul style="list-style-type: none"> • <i>Plots 28-002, 28-009 and 28-010 would reduce in size as a result of a slight narrowing of the Order Limits to the northern part of the FEP Phase 2 site crossing the A47;</i> • <i>Plots 28-011, 28-014, 28-015 and 28-016 would increase in size as a result of the widening of the Order Limits through the FEP Phase 2 site and crossing Church Lane;</i> • <i>Plots 28-012 and 29-013 would be “no longer used” as a result of removing the new temporary access road that was proposed to the FEP Phase 2 site;</i> • <i>Plot 28-018 would reduce in size, as the area subject to temporary possession only would reduce to allow for the trenchless crossing under Church Lane;</i> • <i>Plot 28-019 would increase in size, as a result of the increase in the area subject to acquisition of rights to allow for the trenchless crossing under Church Lane</i>
(b) a person with an interest in the additional land does not consent to the inclusion of the provision	No reference included to this. Additional plots included in CR application subject to TP only
Summary – Regulation 4	The CR Application includes potential CA of additional land, as well as obtaining new plots, although this would be via TP not CA. There is no reference to any person with an interest in the additional land not consenting to inclusion of the provision.
Regulation 5 - Proposed Provision	
The applicant must send to the Secretary of State details of the proposed provision which must—	
(a) be in the form of a book of reference or, where a book of reference has been submitted to the Secretary of State, a supplement to that book;	The Applicant made a submission pursuant to Section 123(4) of the Planning Act 2008 and Regulation 5 of the Infrastructure Planning

	(Compulsory Acquisition) Regulations 2010. That submission included: <ul style="list-style-type: none"> • A Book of Reference (AS-058 (clean) and AS-059 (tracked changes)).
(b) be accompanied by— (i) land plan identifying the land required as additional land, or affected by the proposed provision; and (ii) a statement of reasons as to why the additional land is required and a statement to indicate how an order that contains the authorisation of the compulsory acquisition of the additional land is proposed to be funded.	The Applicant made a submission pursuant to Section 123(4) of the Planning Act 2008 and Regulation 5 of the Infrastructure Planning (Compulsory Acquisition) Regulations 2010. The statement accompanying that submission included: <ul style="list-style-type: none"> • A Land Plan (AS-048) identifying the land required as additional land; • a statement of reasons as to why rights over the Additional Land are required to be acquired in connection the Proposed Development (AS-061 (clean) and AS-062 (tracked change)); and • an Addendum to the Funding Statement (AS-060)
Summary – Regulation 5	Book of Reference, Land Plans identifying the land required as additional land or affected by the proposed provision and an Addendum to the Funding Statement have been provided.

Case Manager

Louise Harraway

Louise Harraway

Signed

Date:

17 April 2023

**Lead member of the
Examining Authority**

Menaka Sahai



Signed

Date:

17 April 2023
