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Temple Quay House
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Bristol, BS1 6PN

Customer
Services: 0303 444 5000
e-mail: Templetohighercarblake@infrastructure.gsi.gov.uk

All interested parties

Your Ref:

Our Ref: TR010014

Date: 4 June 2014

Dear Sir/Madam

The Planning Act 2008 (as amended) – Section 89 and the Infrastructure Planning (Examination Procedure) Rules 2010 – Rule 9

Application by Cornwall Council for an Order granting Development Consent for the A30 Temple to Higher Carblake Improvement

Notification of procedural decision about how the application is to be examined

Please find attached a letter from the Examining Authority (ExA) responding to a request from Mr Ian Lamond of Stephens Scown LLP, representative of Mr Bruce Robertson and Trago Mills Ltd, in relation to the examination of the application by Cornwall Council.

The letter from Mr Lamond was accepted by the ExA to be read in conjunction with the examination on 30 May 2014. As the ExA's response comprises a procedural decision under section 89 of the Planning Act 2008 (as amended), all interested parties must be informed of it.

If you have any questions about the above or attached correspondence, please do not hesitate to contact me using the contact information provided below.

Yours faithfully,

Richard Price

Richard Price
Case Manager
Tel. 0303 444 5654

Annexes:

A ExA's procedural decision about how the application is to be examined

Advice may be given about applying for an order granting development consent or making representations about an application (or a proposed application). This communication does not however constitute legal advice upon which you can rely and you should obtain your own legal advice and professional advice as required.

A record of the advice which is provided will be recorded on the Planning Inspectorate website together with the name of the person or organisation who asked for the advice. The privacy of any other personal information will be protected in accordance with our Information Charter which you should view before sending information to the Planning Inspectorate.

ExA's procedural decision about how the application is to be examined



The Planning Inspectorate

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Mr Ian Lamond
Stephens Scown LLP
By email

Your Ref:

Our Ref: TR010014

Date: 4 June 2014

Dear Mr Lamond

The Planning Act 2008 (as amended) – Section 89 and the Infrastructure Planning (Examination Procedure) Rules 2010 – Rule 9

Application by Cornwall Council for an Order granting Development Consent for the A30 Temple to Higher Carblake Improvement

Procedural decision about how the application is to be examined

Thank you for your letter dated 29 May 2014, submitted on behalf of your clients Mr Bruce Robertson and Trago Mills Ltd. Your submission has been accepted to be read in conjunction with the examination and this response comprises a procedural decision under s89 of the Planning Act 2008 (as amended) (the PA2008). All interested parties have been have therefore been informed of it.

By way of background and to provide context to other interested parties, your letter included a request for the date at present reserved for any further hearings which might be required (21 July 2014) to accommodate an issue specific hearing in connection with a link road at Higher Carblake. For the avoidance of doubt, that letter is available to view on the A30 Temple to Higher Carblake Improvement project webpage, here:

<http://infrastructure.planningportal.gov.uk/document/2521398>

I would initially reemphasise part of the advice issued to you by my colleague, Mr Price (Case Manager), on 1 May 2014. The process for examining nationally significant infrastructure projects under the PA2008 is frontloaded and primarily inquisitorial. Moreover, the examination of applications is a principally written process. It is for the Examining Authority to make decisions on the need for issue specific hearings and the issues upon which any such hearings should be focused.

You will be aware from the letter notifying interested parties and others of the dates,

times, and places of forthcoming examination events that Issue Specific Hearing 4 (ISH4) scheduled for 25 June 2014 includes an item on 'potential access to adjoining land'. Similarly, at Compulsory Acquisition 2 (CAH2) there is explicit accommodation made for 'Submissions of and responses to affected persons appearing at the hearing'. You imply in your letter that the Technical Note to be produced by CORMAC Solutions Ltd is unlikely to emerge in time for you to make appropriate preparations for either of these hearings and this is regrettable. But I remain to be persuaded that the matters implied in relation to the link road at Higher Carblake are not capable of being pursued in writing.

In summary, on the basis of the evidence provided to date I do not deem your request for an issue specific hearing to be held on 21 July 2014 in relation to a link road at Higher Carblake appropriate or necessary and the timetable will not be updated to reflect its inclusion in the examination.

Yours sincerely

Alan T Gray

**Alan T Gray MRICS DipTP MRTPI & Accredited Mediator
Examining Authority**

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