



The Planning Inspectorate

3/18 Eagle Wing
Temple Quay House
2 The Square
Bristol, BS1 6PN

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

Hon. Simon Wright MP
Constituency Office
2 Douro Place
Norwich
Norfolk
NR2 4BG

Your Ref: MGH/Cpre001/2/05Feb14

Our Ref: TR0100015

Date: 14 February 2014

Dear Mr Wright,

Norwich Northern Distributor Road (NDR) consultation

Planning Act 2008 as amended ('PA2008')

Thank you for your letter dated 5 February 2014, received on 11 February 2014, to Sir Michael Pitt. I am replying in the absence of the Chief Executive.

As you are aware, the Secretary of State has accepted the Norwich Northern Distributor Road application for examination in accordance with s55 of the PA2008 ("s55"). In reaching this decision, the Secretary of State has:

- in respect of s55(3)(e) of the PA2008, had regard to the matters set out in s55(4) of the PA2008, and concluded that the applicant has complied with Chapter 2 of Part 5 of the PA2008; and
- in respect of s55(3)(f) of the PA2008, had regard to the extent to which those matters set out in s55(5A) of the PA2008 have either been complied with or followed, and concluded that the application (including accompaniments) is of a satisfactory standard.

Following concerns raised by the three local groups identified in your letter, the Planning Inspectorate requested from the applicant all consultation responses received. We were disappointed to discover that the three submissions from the local groups were not available. The applicant claims that they have no record of these consultation responses having been received. The local groups, CPRE Norwich, the Norwich Green Party and Stop Norwich Urbanisation, on the other hand have provided the Planning Inspectorate with copies of their original consultation submissions and automated e-mail receipts from the Council.

The missing submissions were a matter of considerable concern to the Inspectorate and subject to careful consideration during the acceptance process. However, in the case of two of the submissions we had already received copies of these from another

council as part of their submission.

The provision of submissions by the local group during the acceptance period enabled the Inspectorate to compare the issues that they raised with those addressed in the consultation report received under s37(3)(c) of the PA2008. We consider that although it appears that the missing three responses were not specifically considered by the applicant, nevertheless the points that those groups raised in their submissions had also been raised by other consultees. As a result, these issues were covered in the consultation report with reference to the Environmental Statement.

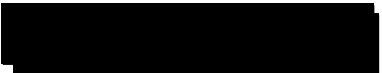
We, therefore, determined that the applicant had complied with the acceptance tests in having regard to the issues raised. It is considered that any omission of submissions to the applicant has not resulted in prejudice to the consideration of these issues at the acceptance stage.

Furthermore, the three local groups' interests will not be prejudiced at the examination stage as they can participate fully in the examination by lodging a 'relevant representation' from today, 14 February 2014. They have already been advised of this. As Interested parties in the examination, the groups will be able to make written and, where appropriate, oral submissions on the merits of the scheme. The Examining Authority will conduct a fair, open and impartial examination in which all issues that are important and relevant will be explored. They will then write a report and recommendation for the Secretary of State for Transport who will take the final decision.

I have written to the applicant expressing my concern that some consultation responses appear to have been inadvertently omitted and indicated that the applicant will need to ensure their document management is thoroughly effective during the future examination period. However, from the commencement of Relevant Representation period submissions will be received direct by the Planning Inspectorate.

I trust this response explains the acceptance and examination process and how the local groups can participate and make their concerns about this proposal known to the Examining Authority.

Yours sincerely


Mark Southgate
Director of Major Applications and Plans

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.