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Mr Chris Skinner, Solicitor  
Norfolk County Council

Your Ref:

Our Ref: TR010015

Date: 26 February 2014

Sent by email.

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Dear Mr Skinner

## **Norwich Northern Distributor Road (NDR)**

### **Planning Act 2008 as amended ('PA2008')**

Thank you for your telephone call on Wednesday 19 February 2014 regarding the Norwich NDR application.

We understand the applicant is currently giving notice of the application to prescribed persons specified under section 56 of PA2008. This includes a 28 day notice period under subsection 56(2) (5) of the deadline for receipt of relevant representations by the Secretary of State.

You have informed us that some postal notices have been returned to Norfolk County Council as undelivered because certain recipients have moved or have passed away.

For information, the deadline advertised on our website for receipt of relevant representations cannot be extended: this is to ensure that all persons are provided with the same opportunity and length of time to respond. The electronic relevant representation form will close on our website at 11:59pm on 23 March 2014 and no electronic or paper relevant representation forms received after that deadline will be accepted.

However, should you intend to give notice to newly identified persons pursuant to section 56 and in so doing, extend the deadline for making a relevant representation so that such persons are not prejudiced by having been given a shorter notice period, please inform us of this as soon as possible. We ask that under these exceptional circumstances, you provide us with a list of the names and addresses of those recipients that have been afforded an extended deadline. The Planning Inspectorate will then supply a paper copy of the relevant representation form on request from those persons identified on your list and the Planning Inspectorate will accept valid relevant representations submitted within the extended deadline.

In considering an extension to the relevant representation period for such persons, Norfolk County Council will need to judge any implications to certifying compliance with section 56 under section 58(2) of PA2008 and Regulation 10 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (APFP). Regulation 10(2) specifies receipt by the Secretary of State within the period of 10 working days immediately following the deadline set under regulation 9(4), of (a) the certificate of compliance in the form prescribed in Schedule 3 of the APFP and (b) where an application includes a request to authorise compulsory acquisition of land or of an interest or right over land, a notice of persons interest in the land to which that request relates, in the form set out in Schedule 4 of the APFP. Please note that the deadline for submission of the certificates is generated by the publicity notice and not the notice posted to relevant persons.

I hope this advice has proven useful. Please contact the case team should you need to discuss the matter further.

Yours sincerely,

*Jolyon Wootton*

Jolyon Wootton  
**Case Officer**

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.