



The Planning Inspectorate

National Infrastructure Planning
Temple Quay House
2 The Square
Bristol, BS1 6PN

Customer 0303 444 5000
Services: A63castlestreet@PINS.gsi.gov.uk
e-mail:

All Interested Parties, Statutory Parties
and Other Persons

Your Ref:

Our Ref: TR010016

Date: 22 February 2019

Dear Sir/ Madam

Planning Act 2008 – Section 88 and The Infrastructure Planning (Examination Procedure) Rules 2010 – Rule 6

Application by Highways England for an Order granting Development Consent for the A63 Castle Street Improvement Scheme

Appointment of the Examining Authority

I write to you following my appointment by the Secretary of State as the Examining Authority (the ExA) to carry out an Examination of the above application. A copy of the appointment notice can be viewed at:

<https://infrastructure.planninginspectorate.gov.uk/document/TR010016-000272>

Invitation to the Preliminary Meeting

This letter is an invitation to the Preliminary Meeting to discuss the Examination procedure. It contains a number of important supporting annexes.

Date of meeting: 26 March 2019

Seating available from: 9.30am

Meeting begins: 10.00am

Venue: DoubleTree by Hilton Hull, 24 Ferensway,
Kingston upon Hull, HU2 8NH

Access and parking: Fully disabled accessible.

Note: Given the volume and frequency of letters the Planning Inspectorate needs to send to Interested Parties during an Examination, we aim to communicate with people by email wherever possible as electronic communication is more environmentally

<https://infrastructure.planninginspectorate.gov.uk>



friendly and cost effective for the Inspectorate as a government agency. If you have received a postcard but are able to receive communications by email, please confirm this with the Case Team, using the contact details at the top of this letter, as soon as possible.

Purpose of the Preliminary Meeting

The purpose of the Preliminary Meeting is to enable views to be put to me about the way in which the application is to be examined. At this stage I am looking at the procedure and not the merits of the application. The merits of the application will only be considered once the Examination starts, which is after the Preliminary Meeting has closed.

I wish to run a fair, efficient and effective meeting so that all relevant views can be heard. As such, I strongly encourage groups of individuals who have similar views on the procedure to choose one representative to speak for the group.

The agenda for the meeting is at **Annex A**. This has been set following my Initial Assessment of Principal Issues arising from my reading of the application documents and the Relevant Representations received. That assessment is set out in **Annex B**. As a result of the assessment I wish to hear at the meeting from the Applicant, Interested Parties, Statutory Parties and local authorities where they consider changes may be needed to the draft timetable set out in **Annex C**.

Up to date information about the project and the Examination can be obtained from: <https://infrastructure.planninginspectorate.gov.uk/projects/yorkshire-and-the-humber/a63-castle-street-improvement-hull/>

This is the address for the project webpage on the National Infrastructure Planning website, from which we will make copies of all Examination Documents available to the public. As the Examination process makes substantial use of electronic documents, it will be useful for you to become familiar with this resource.

Attendance at the Preliminary Meeting

If you wish to attend the Preliminary Meeting please contact the Case Team using the details set out at the top of this letter. Please confirm this **no later than 22 March 2019**.

It will help the management of the meeting and benefit everyone if you also:

- tell us whether you wish to speak at the meeting and on which agenda items, listing points you wish to make; and
- notify us of any special requirements you may have (eg disabled access, hearing loop etc).

The Preliminary Meeting provides a useful introduction to the Examination process. I will use it to make Procedural Decisions that will affect everyone participating in the Examination. The meeting provides you with an opportunity to have your say about procedural issues before these decisions are finalised. If you intend to play an active part in the Examination or you have questions about procedure it is useful to attend

the meeting. However, please note that you are not required to attend the Preliminary Meeting in order to participate in the Examination. If you are an Interested Party you will still be able to make a Written Representation and comment on the Written Representations made by other Interested Parties. You will also be able to participate in any hearings that are arranged. Should you no longer wish to be an Interested Party and do not wish to be involved in the Examination process, you can notify the Case Team of this in writing.

After the Preliminary Meeting

After the Preliminary Meeting you will be sent a letter setting out the timetable for the Examination. An audio recording and a note of the meeting will also be published on the project webpage on the National Infrastructure Planning website.

Interested Parties have the right to request an Open Floor Hearing and those persons affected by any request for Compulsory Acquisition or Temporary Possession of their land or rights may request a Compulsory Acquisition Hearing. Any other Issue Specific Hearings are held at the discretion of the ExA and will be arranged if I feel that consideration of oral representations would ensure an issue is adequately examined. My Examination will comprise of written submissions about the proposal and oral representations made at any hearings, in addition to consideration of the application documents, policy and legal positions, site inspections and any other matters I consider to be relevant and important.

All relevant and important matters will be taken into account when I make a recommendation to the Secretary of State for Transport, who will take the final decision in this case.

Notification of initial hearing

I have made a Procedural Decision to hold the following hearing:

- An **Open Floor Hearing** at 2.00pm on 26 March 2019 at DoubleTree by Hilton Hull, 24 Ferensway, Kingston upon Hull, HU2 8NH.

If you wish to make oral representations at any of this hearing please write, email or telephone the Case Team using the address and contact details at the top of this letter. We will need to receive the above notice **no later than 22 March 2019**

It will help the management of this hearing and benefit everyone if you also:

- tell us whether you wish to speak at the hearing and set out the issues about which you wish to make oral representations; and
- notify us of any special needs you may have (eg disabled access, hearing loop etc).

Other Procedural Decisions made by the Examining Authority

In addition to the hearings notified above, I have made some further Procedural Decisions which are set out in full at **Annex E**. These relate to the following matters:

- My acceptance of a number of additional submissions into the Examination;
- My request that the Applicant provides and subsequently updates a Status Report in relation to the land and rights which are affected by the proposals for compulsory acquisition;
- My request that Statements of Common Ground between the applicant and certain Interested Parties should be provided within a specified timescale.

Your status in the Examination

This letter has been sent to you because you (or the body you represent) fall within one of the categories in s88(3) of the Planning Act 2008.

If you have made a Relevant Representation, have a legal interest in the land affected by the application¹ or are a relevant local authority where the development is proposed within your boundary (reference numbers beginning with 2001, A63HULL, A63HULL-AFP and A63HULL-S57), you have a formal status as an Interested Party in the Examination.

Interested Parties will receive notifications from the Planning Inspectorate about the Examination throughout the process and may make written and oral submissions regarding the application.

If you are a Statutory Party² or a local authority bordering the local authority in which the development is proposed, but have not made a Relevant Representation (reference number beginning with A63HULL-SP), you will not automatically be an Interested Party. However, you may notify the ExA that you wish to be treated as an Interested Party at any point during the Examination.

If you are not an Interested Party or a Statutory Party, you have received this letter because you are invited to the Preliminary Meeting as an Other Person because it appears to us that the Examination could be informed by your participation. Other Persons have a reference number beginning with A63HULL-OP. If you are an Other Person you are not an Interested Party. I will write to you with my Procedural Decision following the Preliminary Meeting, but I will not write to you again in the course of the Examination unless it is to inform you that the Examination Timetable has changed or I have specific questions for you.

If you are unsure of your status in the Examination, please do not hesitate to contact the Case Team using the details at the top of this letter. More information regarding the formal status of Interested Parties is set out in the Planning Inspectorate's Advice Note 8 series, available here:

<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

Awards of costs

I also draw your attention to the possibility of the award of costs against Interested Parties who behave unreasonably. You should be aware of the relevant costs guidance

¹ Or have been identified by the Applicant as a person who might be entitled to make a relevant claim

² For the purposes of this letter, meaning a body specified in Schedule 1 of The Infrastructure Planning (Interested Parties and Miscellaneous Prescribed Provisions) Regulations 2015

'Awards of costs; examinations of applications for development consent orders' which applies to Nationally Significant Infrastructure Projects. This guidance is available at: <https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/guidance/>

Management of information

The Planning Inspectorate has a commitment to transparency. Therefore, all information submitted for this project (if accepted by the ExA) and a record of any advice which has been provided by the Planning Inspectorate, is published on our website.

<https://infrastructure.planninginspectorate.gov.uk/projects/yorkshire-and-the-humber/a63-castle-street-improvement-hull/>

All Examination Documents can also be viewed electronically at the locations listed in **Annex D**.

Please note that in the interest of facilitating an effective and fair Examination, we consider it necessary to publish some personal information. To find out how we handle your personal information, please view our [Privacy Notice](#).

I look forward to working with all parties in the examination of this application.

Yours faithfully

Peter Willows

Peter Willows
Examining Inspector

Annexes

- A** Agenda for the Preliminary Meeting
- B** Initial Assessment of Principal Issues
- C** Draft Examination Timetable
- D** Availability of Examination Documents
- E** Other Procedural Decisions made by the Examining Authority

This communication does not constitute legal advice.
Please view our [Privacy Notice](#) before sending information to the Planning Inspectorate.

<https://infrastructure.planninginspectorate.gov.uk>



Agenda for the Preliminary Meeting

Date: 26 March 2019

Registration open from: 9.30am

Meeting Start Time: 10.00am

Venue: DoubleTree by Hilton Hull, 24 Ferensway,
Kingston upon Hull, HU2 8NH

09.30am	Registration opens
Item 1 (10.00am)	Welcome and introductions
Item 2	The Examining Authority's (ExA's) remarks about the examination process
Item 3	Initial Assessment of Principal Issues – see Annex B
Item 4	Deadlines for submission of: <ul style="list-style-type: none"> • Written Representations • Local Impact Reports • Responses to the ExA's Written Questions • Statements of Common Ground • Notifications relating to hearings
Item 5	Hearings and Accompanied Site Inspection (ASI): <ul style="list-style-type: none"> • Date of ASI to application site and surrounding area • Date of Issue Specific Hearing on draft Development Consent Order • Dates reserved for Open Floor Hearing(s) • Time period reserved for Issue Specific Hearings • Time period reserved for Compulsory Acquisition Hearing
Item 6	Any remaining submissions regarding procedural matters not set out in the agenda that have been submitted to the Planning Inspectorate in advance of the Preliminary Meeting
Item 7	Any other matters
	Close of the Preliminary Meeting

Please note: Please register and be available from the start and throughout the meeting. The agenda is subject to change at the discretion of the ExA. The ExA will conclude the meeting as soon as all relevant contributions have been made. If there are any additional matters to be dealt with or submissions take a considerable amount of time the ExA may change the order of the agenda items and may introduce breaks in the proceedings.

A63 Castle Street, Hull: Principal Issues

This is the initial assessment of the principal issues arising from consideration by the Examining Authority (ExA) of the application documents and Relevant Representations received. It is not a comprehensive or exclusive list of all relevant matters; regard will be had to all important and relevant matters in reaching a recommendation after the Examination is concluded. The order in which the Principal Issues are identified should not be taken to imply an order of importance. It should be noted that a number of the Principal Issues set out below have an interrelationship and overlap and this will be reflected in the Examination.

1. Air Quality and Related Emissions

- Objectives and needs
- Operational effects of the development
- Effects during construction

2. Biodiversity

- Implications for European/international sites and their qualifying features.
- Implications for nationally and locally designated sites.
- Effects on specific fauna and flora species and their habitats (including European protected species).
- Opportunities for enhancement.

3. Compulsory Acquisition and Temporary Possession

- Whether the powers sought are justified and proportionate
- The adequacy and security of funding for compensation.
- Whether the proposals meet the requirements of the 2008 Act in all other respects.
- Implications for those affected by compulsory acquisition and/or temporary possession.

4. Draft Development Consent Order (dDCO)

- The structure of the dDCO.
- The appropriateness of proposed provisions.
- Relationships with other consents.
- Whether the draft DCO is satisfactory in all other respects

5. Historic Environment

- Effects on designated and non-designated heritage assets and their settings
- The proposed archaeological strategy

6. Social, Economic and Land-Use Effects

- The effect on local businesses during construction and after completion.
- Effects on surrounding communities and nearby residents during construction and after completion.
- Noise and vibration, both during construction and subsequent operation.
- Effects on public open space provision
- The effect on the function and enjoyment of Hull City Centre

7. Townscape and Visual Impact

- Effects during construction
- Effects of the completed scheme
- Trees and landscaping

8. Transportation and Traffic

- The case for and benefits of the scheme.
- The relationship with other projects
- Effects on traffic movement, the servicing of local businesses, car parking and the safety of users of the local road network, both during construction and on completion.
- Effects on pedestrians and whether the needs of disabled people would be satisfactorily addressed, both during construction and on completion.

9. Utility Infrastructure

- Effects on existing utility infrastructure and statutory undertakers

10. Water Environment

- Surface water and flood risk/public safety
- Groundwater and water courses
- The Deemed Marine License

Draft timetable for examination of the application

The Examining Authority (ExA) is under a duty to complete the examination of the application by the end of the period of six months beginning with the day after the close of the Preliminary Meeting.

My examination of the application primarily takes the form of the consideration of written submissions. The ExA will also consider any oral representations made at Hearings.

	Matter	Due date
1.	Preliminary Meeting	10.00am, 26 March 2019, DoubleTree by Hilton Hull, 24 Ferensway, Kingston upon Hull, HU2 8NH
2.	Open Floor Hearing	2.00pm 26 March 2019 DoubleTree by Hilton Hull, 24 Ferensway, Kingston upon Hull, HU2 8NH
3.	Issue by the ExA of: <ul style="list-style-type: none"> • Examination Timetable • The ExA's Written Questions 	As soon as practicable following the Preliminary Meeting
4.	<p>Deadline 1</p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> • comments on any updates to Application Documents submitted by the Applicant before or at the PM; • comments on Relevant Representations (RRs); • summaries of all RRs exceeding 1500 words; • Written Representations (WRs) by all Interested Parties (IPs); • summaries of all WRs exceeding 1500 words; • Statements of Common Ground (SoCG) requested by ExA – see Annex E; • response to any further information requested by the ExA for this deadline • post-hearing submissions including written submissions of oral cases • notification by Statutory Parties of their wish to be considered as an IP by the ExA; • notification of wish to speak at any subsequent Issue Specific Hearings (ISH); • notification of wish to speak at a 	Tuesday 23 April

	<p>Compulsory Acquisition Hearing (CAH);</p> <ul style="list-style-type: none"> • notification of wish to speak at an Open Floor Hearing (OFH); • provision of suggested locations and justifications for site inspections for consideration by the ExA; • notification of wish to attend an Accompanied Site Inspection (ASI); and • notification of wish to have future correspondence received electronically. 	
5.	<p>Deadline 2</p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> • comments on WRs; • comments on any SoCGs • Local Impact Reports (LIR) from any Local Authorities; • responses to ExA's Written Questions (ExQ1); • comments on any additional information/submissions received by Deadline 1 (D1); and • responses to any further information requested by the ExA for this deadline. 	Friday 10 May
6.	<p>Time period reserved for Hearings and accompanied site inspection, to include a Compulsory Acquisition Hearing and an Issue specific hearing on the Draft Development Consent Order</p>	w/c 03 June
7.	<p>Deadline 3</p> <ul style="list-style-type: none"> • post-hearing submissions including written submissions of oral cases; • comments on LIRs; • comments on responses to ExA's Written Questions (ExQ1); • revised/updated SoCGs (if any) • the Applicants revised dDCO; • comments on any additional information/submissions received by D2; and • responses to any further information requested by the ExA for this deadline. 	Monday 17 June
8.	<p>Deadline 4</p> <ul style="list-style-type: none"> • comments on the Applicant's revised dDCO; 	Monday 01 July

	<ul style="list-style-type: none"> • comments on any revised/updated SoCGs (if any); • comments on any additional information/submissions received by D3; and • responses to any further information requested by the ExA for this deadline. 	
9.	<p>Publication by ExA of:</p> <ul style="list-style-type: none"> • The ExA's Further Written Questions (if required) (ExQ2) • The ExA's schedule of proposed changes to the draft DCO (if required) • Report on the Implications for European Sites (RIES) (if required) 	Thursday 11 July
10.	Time period reserved for further Hearing(s) (if required)	w/c 15 July
11.	<p>Deadline 5</p> <ul style="list-style-type: none"> • post-hearing submissions including written submissions of oral cases; • any revised/ updated SoCGs • response to the ExA's Written Questions (ExQ2) (if required); • comments on the ExA's proposed changes to the draft DCO (if required) ; • comments on the ExA's RIES (if required); • comments on any additional information/ submissions received by D4 • responses to any further information requested by the ExA for this deadline. 	Monday 5 August
12.	<p>Deadline 6 Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> • comments on any revised/ updated SoCGs; • comments on responses to ExA's Written Questions (ExQ2) (if required); • the Applicant's Final Preferred DCO (if required); 	Tuesday 27 August

	<ul style="list-style-type: none"> • comments on any additional information/submissions received by D5; and • responses to any further information requested by the ExA for this deadline. 	
13.	<p>Deadline 7</p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> • comments on the Applicant's Final Preferred DCO; • comments on any additional information/submissions received by D6; and • responses to any further information requested by the ExA for this deadline. 	Tuesday 10 September
14.	The ExA is under a duty to complete the examination of the application by the end of the period of 6 months beginning with the day after the close of the Preliminary Meeting.	26 September 2019

Publication Dates

All information received will be published on the project website as soon as practicable after the deadline for submissions. An Examination Library will be kept up to date throughout the Examination and can be accessed via the project page. Each document will be afforded a unique reference. These references will be used by the ExA during the Examination.

<https://infrastructure.planninginspectorate.gov.uk/projects/yorkshire-and-the-humber/a63-castle-street-improvement-hull/>

Hearing Agendas

Please note that we will aim to publish a detailed draft agenda for each hearing on the project website at least five working days in advance of the hearing date; but the actual agenda on the day of each hearing may be subject to change at the discretion of the ExA.

Report on the Implications for European Sites (RIES)

Where the applicant has provided a No Significant Effects Report or a Habitats Regulations Assessment (HRA) Report with the DCO application, the ExA may decide to issue a RIES during the Examination. The RIES is a factual account of the information and evidence provided to the ExA on HRA matters during the Examination up to the date of the publication of the RIES, for the purposes of enabling the Secretary of State, as competent authority, to undertake its HRA. It is not the ExA's opinion on HRA matters. Comments on the RIES will be invited by the ExA and any received will be taken into account as part of the ExA's Recommendation to the relevant Secretary of State.

The Secretary of State may rely on the consultation on the RIES to meet its obligations under Regulation 61(3) of the Habitats Regulations and/ or Regulation 25 of the Offshore Marine Regulations.

Availability of Examination documents

All application documents including Relevant Representations and application documents are available on the National Infrastructure Planning website:

<https://infrastructure.planninginspectorate.gov.uk/projects/yorkshire-and-the-humber/a63-castle-street-improvement-hull/>

Documents can be viewed electronically at the following locations. Please note that you may need to bring a form of ID to use the computer at these locations.

Electronic Deposit Locations:

Library/ Address	Opening Hours
Hull Central Library , Albion Street, Hull, HU1 3TF	Monday 9.30am - 5pm Tuesday 9.30am - 5pm Wednesday 1 - 7.30pm Thursday 9.30am - 7.30pm Friday 9.30am - 1pm Saturday 10am - 4pm
Bransholme Library , Northpoint Shopping Centre, Good Hart Road, Bransholme, East Riding of Yorkshire, HU7 4EF	Monday 9.30am - 12.30pm 1.30pm - 5pm Tuesday 9.30am - 12.30pm 1.30pm - 5pm Wednesday Closed Thursday 9.30am - 12.30pm 1.30pm - 5pm Friday Closed Saturday 10am - 1pm Sunday Closed
Ings Library , Savoy Road, Hull, HU8 0TY	Monday 9.30am - 1pm Tuesday 2pm - 6pm Wednesday 9.30am - 1pm Thursday 2pm - 6pm Friday 9.30am - 1pm Saturday 10am - 1pm Sunday Closed
Gipsyville Library , 728-730 Hessle High Road, Hull, HU4 6JA	Monday 9am - 5pm Tuesday Closed Wednesday 10am - 6pm Thursday Closed Friday 9am - 5pm Saturday 10am - 1pm Sunday Closed
Black and White	Colour
B&W per sheet/side, A4 10p, A3 20p.	Colour per sheet/side, A4 50p, A3 75p.

Procedural decisions made by the Examining Authority (ExA)

The ExA has made the following procedural decisions under Section 89(3) of the PA2008:

1. Statements of Common Ground (SoCG)

In relation to some of the Principal Issues identified in **Annex B**, the ExA would be assisted by the preparation of SoCGs between the Applicant and certain Interested Parties. The draft timetable for the Examination therefore provides a deadline for submission of SoCGs.

The aim of a SoCG is to agree factual information and to inform the ExA and all other parties by identifying where there is agreement and where the differences lie at an early stage in the examination process. It should provide a focus and save time by identifying matters which are not in dispute or need not be the subject of further evidence. It can also usefully state where and why there may be disagreement about the interpretation and relevance of the information. The reasons for the differences and interpretation of the implications of a difference can then be expanded in the evidence. Unless otherwise stated or agreed, the SoCG should be agreed between the applicant and the other relevant interested party or parties, and submitted by the applicant.

The SoCGs are requested to be prepared by:

- A. **SoCG with the Environment Agency** to include:
 - Flood Risk and flood-related public safety
 - Drainage
 - Ground water

- B. **SoCG with Historic England** to include:
 - The main effects of the development on heritage assets (focussing on the key, significant impacts)
 - Any proposed mitigation measures
 - The approach to archaeology

- C. **SoCG with Natural England** to include:
 - Habitats, ecology and nature conservation, including issues related to:
 - Protected sites
 - Protected species
 - European sites and features relevant to Habitat Regulations Assessment (HRA)
 - The need for and means of securing mitigation actions and opportunities for enhancements

The SoCGs should cover the following topics where relevant:

- Methodology for Environmental Impact Assessment including assessment of cumulative effects

- Data collection methods
- Baseline data
- Data/ statistical analysis, approach to modelling and presentation of results (including forecast methodologies)
- Full expression of expert judgements and assumptions
- Identification and sensitivity of relevant features and quantification of potential impact
- Likely effects (direct and indirect) on special interest features of sites designated or notified for any nature conservation purpose
- Feasible and deliverable mitigation and method for securing such mitigation within the Development Consent Order

2. Open Floor Hearing

The following Open Floor Hearing will be held:

Time	Date	Place
2.00pm	26 March 2019	DoubleTree by Hilton Hull, 24 Ferensway, Kingston upon Hull, HU2 8NH

3. Representations and submissions

The ExA has made a Procedural Decision to accept a number of Additional Submissions into the Examination. These are available on the National Infrastructure Planning website and are listed in the Examination Library under 'Additional Submissions'.