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All Interested Parties

Your Ref:

Our Ref: TR010023

Date: 9 May 2019

Dear Sir/ Madam

Planning Act 2008 – Section 89

Application by Suffolk County Council for an Order Granting Development Consent for the Lake Lothing Third Crossing

Notification of Procedural Decision in respect of proposed changes to the application

The Applicant submitted a request to the Examining Authority (ExA) on 29 January 2019 [REP4-013] asking that a series of eight changes to the application be accepted on the basis of their 'non-material' status. The series of changes was amended in respect of 'Non-Material Change 2' (NMC2) in a subsequent letter from the Applicant dated 12 April 2019 [AS-020]. In summary, the eight proposed changes are:

NMC1 – new turning head on Canning Road;

NMC2 – revised parking provision in Riverside Road and Canning Road;

NMC3 – application of clearway status to the new crossing and its approach roads;

NMC4 – amendment to or clarification of limits of deviation for particular elements of the scheme;

NMC5 – addition of a new private means of access to Network Rail land;

NMC6 – addition of a new private means of access to the Nexen site;

NMC7 – addition of a new private means of access to the MotorLings site; and

NMC8 – addition of a T-junction arrangement on the new access road.

The ExA has now had the opportunity to consider and assess these changes.

No submissions have been made by Interested Parties to the effect that the changes proposed are 'material' in nature and the ExA does not consider that the proposed changes (which are relatively localised in their effect) amend the application as originally submitted to that extent that it would constitute a materially different



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scheme. All of the parties with an interest in the land affected have given their formal consent to the inclusion of 'additional land' (necessitated as a result of these changes) within the application [REP7-003, REP9-001]. This means that the procedures prescribed by The Infrastructure Planning (Compulsory Acquisition) Regulations 2010 (the CA Regulations) do not need to be followed. Furthermore, the Applicant has carried out an environmental appraisal of the proposed changes, considering the effects individually, cumulatively and collectively [REP7-003]. The ExA agrees with the findings of the Applicant's appraisal and is satisfied that on the basis of the information provided there are no new or different likely significant environmental effects as a result of the changes.

Consequently, and having regard to the fact that the CA Regulations are not engaged, the ExA considers that the proposed changes as sought by the Applicant in the document submitted on 29 January 2019 [REP4-013] and as amended in respect of NMC2 in their letter of 12 April 2019 [AS-020] do not, taken individually or collectively, constitute material changes to the application.

The proposed changes have been the subject of targeted non-statutory consultation carried out by the Applicant [REP7-003] and the ExA is satisfied that no further consultation is required, in the interests of fairness, to safeguard the interests of and/or inform those potentially impacted by the changes. After due consideration therefore, the ExA has decided to accept the changes to the application into the Examination.

The Applicant is now requested to submit to the Examination all consequential updates to the application documentation **as soon as possible**, and no later than **Deadline 10** in the Examination Timetable. The remainder Examination will then proceed in consideration of the changed application.

If you have any questions about the content of this letter, please contact the Case Team using the details in the header.

Yours faithfully

David Morgan

David Morgan
Lead Member of the Examining Authority

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