

# **A19 Downhill Lane Junction Improvement**

**Scheme Number: TR010024**

## **1.2 Covering Letter and Schedule of Compliance with Section 55**

APFP Regulation 5(2)(q)

Planning Act 2008

Infrastructure Planning (Applications: Prescribed Forms and Procedure)

Regulations 2009

## Infrastructure Planning

### Planning Act 2008

### The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

# A19 DOWNHILL LANE JUNCTION IMPROVEMENT

## The A19 Downhill Lane Junction Improvement Development Consent Order 201[ ]

---

### COVERING LETTER AND SCHEDULE OF COMPLIANCE WITH SECTION 55

---

<b>Regulation Number:</b>	Regulation 5(2)(q)
<b>Planning Inspectorate Scheme Reference</b>	TR010024
<b>Application Document Reference</b>	TR010024/APP/1.2
<b>Author:</b>	A19 Project Team, Highways England & Jacobs

<b>Version</b>	<b>Date</b>	<b>Status of Version</b>
Rev 0	January 2019	Application Issue

Major Applications & Plans  
3/18 Eagle Wing  
The Planning Inspectorate  
Temple Quay House  
Temple Quay  
Bristol  
BS1 6PN

Dear Sir/Madam

## **Planning Act 2008**

### **Application for a Development Consent Order for the proposed A19 Downhill Lane Junction Improvement Scheme**

**Highways England**

**Application Reference: TR010024**

I am pleased to enclose an application on behalf of Highways England (the “Applicant”) under section 37 of the Planning Act 2008 (the “2008 Act”) for an order granting development consent for the A19 Downhill Lane Junction improvement (the “Scheme”).

## **1 Subject of the Application**

- 1.1 Development consent is required to the extent that the application includes development that is or forms part of a Nationally Significant Infrastructure Project (NSIP) pursuant to sections 14(1)(h) and 22(1)(b) of the 2008 Act.
- 1.2 Further detail concerning the Scheme’s qualification as a NSIP can be found in the prescribed form within the **Application Form (Application Document Reference: TR010024/APP/1.3)** and in the **Explanatory Memorandum (Application Document Reference: TR010024/APP/3.2)**.

## **2 Application fee and documentation enclosed**

- 2.1 A fee of £6,939 has been submitted by BACS transfer to the account of the Planning Inspectorate.
- 2.2 One paper copy and 6 electronic copies of the full application as listed in Annex A are provided as suggested in the Planning Inspectorate’s Advice Note Six along with a GIS shape file via email.
- 2.3 An **Application Document Tracker (Application Document Reference: TR010024/APP/1.4)** will be provided to show the current state of each document throughout the examination. In addition, an **Interrelationship with Testo’s Junction, A1 Birtley to Coalhouse Scheme and International Advanced Manufacturing Park (Application Document Reference: TR010024/APP/7.3)** is provided which details how the Scheme will interact with other developments within the area which include the International Advanced Manufacturing Park (IAMP) scheme, A19/A184 Testo’s Improvement scheme and the A1 Birtley to Coal House scheme.

- 2.4 A Schedule of Compliance with Section 55 accompanies this letter. This has been included to demonstrate how the application meets the tests for acceptance by the Planning Inspectorate and submitted to assist with the compliance check. A copy can be found in Annex B.

### 3 Application formalities

- 3.1 This Application is made in the form required by Section 37(3)(b) of the 2008 Act and the application documents comply with the requirements in Section 37 of the 2008 Act and those set out in:
- The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the APFP Regulations);
  - The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009;
  - The Department for Communities and Local Government's (DCLG) 'Planning Act 2008: Nationally significant infrastructure projects – Application form guidance' (June 2013); and
  - The Planning Inspectorate's 'Advice Note Six: Preparation and submission of application documents'.
- 3.2 The Scheme opted to submit under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 in order to remain consistent with the A19 Testo's scheme which is located 1km north of the Scheme and dependent on the Development Consent Order (DCO) being consented, will be in construction at the same time as Downhill Lane.
- 3.3 We request that the Planning Inspectorate publish the application documents on the Scheme project page of the National Infrastructure website from submission of the application. The exceptions to this are the Barn owl survey report which can be found in Appendix 9 of the **Environmental Statement Appendices (Application Document Reference: TR010024/APP/6.3, 9.1E and 9.1H; Document No. B0140300/OD/197, Jacobs 2017) and the Badger report (Document No B0140300/OD/192, Jacobs 2016)**. These are not to be included in the information that will be made available in the public domain due to sensitive information within the documents.

### 4 Description of the Scheme

- 4.1 A non-technical description of the Scheme is provided in the **Introduction to the Application (Application Document Reference: TR010024/APP/1.1)**. A more detailed and technical description is provided in the **Environmental Statement (Application Document Reference: TR010024/APP/6.1)**.

### 5 Consent flexibility – Rochdale Envelope

- 5.1 The Applicant has considered the National Policy Statement and the Planning Inspectorate's 'Advice Note Nine: Rochdale Envelope' together with pre-application advice provided by the Planning Inspectorate. It is our view that the inclusion of flexibility provided for in the draft Development Consent Order (DCO) is fundamental to whether the Scheme is deliverable.

5.2 An important element of the flexibility in the DCO is the permissible limits of deviation as authorised by Article 6 of the **Draft Development Consent Order (Application Document Reference: TR010024/APP/3.1)**. For example, the extents of features such as drainage attenuation ponds are shown as the maximum extents required for these features and they may, following detailed design, be smaller and set within the footprint shown. To accommodate such a possibility at detailed design, an assessed envelope with vertical limits of deviation of 0.5 metres and lateral limits of deviation as shown on the **Works Plans (Application Document Reference: TR010024/APP/2.4)** has been sought for the works in order to provide the necessary flexibility for the detailed design to allow for this.

5.3 The Environmental Impact Assessment (EIA) which was undertaken in support of the Scheme has considered and reflected the flexibility sought in the Draft DCO. The maximum design parameters referenced in the Draft DCO have been assessed in the **Environmental Statement (Application Document Reference: TR010024/APP/6.1)**.

## 6 Habitats Regulations Assessment

6.1 This Application includes a **Habitats Regulation Assessment (HRA) (Application Document Reference: TR010024/APP/6.10)** as required by Regulation 5(2)(g) of the APFP Regulations. This HRA Report identifies all relevant European sites and provides sufficient information for the competent authority to determine whether the Scheme is likely to have an adverse effect on the integrity of any European site.

6.2 The HRA was prepared in consultation with the Planning Inspectorate's 'Advice Note 10: Habitats Regulations Assessments'.

6.3 The Applicant has undertaken screening for the purposes of compliance with Regulation 5(2)(g) of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009. The combination of the localised nature of the works and construction of the Scheme, together with the large distance between European Sites and the Scheme provides a substantial buffer to any potential adverse or otherwise effects upon the qualifying features or the designated European Sites. As there are no protected sites within 2km, in line with Highways England policy, and the localised nature of the effects, the Applicant has concluded there are no likely significant effects on any European sites and their features. This is evidenced and further explained in the **Habitats Regulation Assessment (Application Document Reference: TR010024/APP/6.10)**.

## 7 Compulsory Acquisition

7.1 The Applicant is seeking compulsory acquisition and temporary possession powers to acquire land, rights over land and interests in land, and other related powers to support the delivery of the Scheme. Details on the powers sought and negotiations to date are provided in the **Book of Reference (Application Document Reference: TR010024/APP/4.3)** and the **Statement of Reasons (Application Document Reference: TR010024/APP/4.1)**.

7.2 Adequacy of the funding for compensation is provided in the **Funding Statement (Application Document Reference: TR010024/APP/4.2)**.

## 8 Other consents

- 8.1 Details of other consents and licences not forming part of the DCO which the Applicant (or others) may be seeking in relation to the construction and operation of the proposed Scheme and associated development, are set out in the **Consents and Agreements Position Statement (Application Document Reference: TR010024/APP/3.3)**.

## 9 Pre-application consultation

- 9.1 As required by section 37(3)(c) a **Consultation Report (Application Document Reference: TR010024/APP/5.1)** accompanies this application. The Consultation Report details compliance with sections 42, 47, 48 and 49 of the 2008 Act.

## 10 Pre-Application engagement with the Planning Inspectorate

- 10.1 No significant issues were raised by the inspectorate during pre-application engagement.

## 11 Other matters

- 11.1 Under Regulation 6(2) of the APFP Regulations, an application for highway development is required to include section drawings; these can be found as the **Engineering Drawings & Sections (Application Document Reference: TR010024/APP/2.6)**.
- 11.2 Under Regulation 5(3) of the APFP Regulations, any plans, drawings or sections shall be no larger than A0 size, shall be drawn to an identified scale (no smaller than 1:2500) and, in the case of plans, shall show the direction of north.
- 11.3 The only plans provided that have a smaller scale than 1:2500 are the **Location Plan (Application Document Reference: TR010024/APP/2.1)** which is drawn at 1:10,000 at A1 and the Scheme Layout Plan which is at 1:2000 at A1.
- 11.4 Under Regulation 5(2)(l) of the APFP Regulations, an applicant is required to provide a plan of certain nature conservation sites and an assessment of any effects on those sites and features likely to be caused by the proposed development. There is an equivalent requirement under Regulation 5(2)(m) in relation to certain historic sites and features. These plans are referenced as follows: **Assessment of Nature Conservation Effects** (including Plan with accompanying Nature Conservation Information) (**Application Document Reference: TR010024/APP/6.7**) and **Assessment of Historical Environmental Effects** (including Plan with accompanying Historic Environmental Information) (**Application Document Reference: TR010024/APP/6.8**). They are both provided in addition to the **Environmental Statement (Document reference: TR010024/APP/6.1)**. The figures and appendices that accompany these documents are provided in the **Environmental Statement Figures (Application Document Reference: TR010024/APP/6.2)** and **Environmental Statement Appendices (Application Document Reference: TR010024/APP/6.3)**

- 11.5 In accordance with Regulation 5(5) of the APFP Regulations, the Applicant retains all responses to the consultation carried out under Part 5 of the 2008 Act, and can make them available at the request of the Planning Inspectorate.
- 11.6 The Applicant will keep all application documents under review and will endeavour to provide updates (where it considers it necessary to do so) during the examination of the application considering questions and comments received from the Examining Authority and interested parties.

We look forward to hearing from you in relation to a formal acceptance of this Application. If we can be of any assistance, please do not hesitate to contact us using the details provided below.

Yours faithfully,



Thomas Howard

Senior Project Manager

Highways England

**Enclosures:**

**Annex A: Overview of the Application Documents**

**Table of Application Documents**

**Annex B: Section 55 Acceptance of Applications Checklist (completed by the Applicant)**

## ANNEX A

### Overview of the Application Documents

The reports, drawings and plans that make up the DCO application have been organised into 7 volumes as listed in the table below. The 7 volumes are explained in further detail in the **Introduction to the Application (Application Document Reference: TR010024/APP/1.1)**.

	VOLUME	CONTENT
1	Application Information	This document, the completed application form, an introduction to the application and the application tracker
2	Plans/ Drawings/ Sections	These include plans that illustrate the location of the Scheme, the proposed works, the land that will be acquired or used, and engineering details
3	Draft Development Consent Order and related documents	This is the document that sets out the legal powers that Highways England is seeking to enable it to build, operate and maintain the Scheme, together with a separate document, the Explanatory Memorandum, explaining the provisions of the Order; and the Consents and Agreements Position Statement which sets out the strategy for obtaining the consents and associated agreements needed to implement the proposed Scheme. The DCO validation report is produced to ensure the draft DCO conforms to the statutory instrument template issued by Government.
4	Compulsory Acquisition Information	Documents setting out in tabular form the land to be acquired or used, and reports justifying the seeking of compulsory acquisition powers over this land
5	Consultation Report and related documents	The Consultation Report and associated annexes relevant for the specific DCO.
6	Environmental Statement and related documents	An assessment of the likely significant effects (both positive and negative) of the Scheme on the environment and a description of mitigation measures proposed to reduce any negative impacts
7	Other Documents	Additional documents that support the DCO application; these are not legally required but provide useful information on the case for the Scheme

### Table of Application Documents

A list of documents within the application is set out below. If you require a copy of any of the application documents, or parts of them, please contact the A19 Downhill Lane Junction Improvement Project Team (contact details are provided in the **Introduction to the Application (Application Document Reference: TR010024/APP/1.1)**). A USB Pen containing these documents will be provided free of charge; a reasonable charge for printing and distribution of, hard copies will be made.

VOLUME	DOCUMENT REFERENCE	DOCUMENT TITLE	HARD COPY FOLDER NUMBER
<b>VOLUME 1: Application Information</b>	1.1	Introduction to the Application	Volume 1 Folder [1 of 1]
	1.2	Covering letter and Schedule of Compliance with Section 55	
	1.3	Application Form	
	1.4	Application Document Tracker	
<b>VOLUME 2: Plans / Drawings and Sections</b>	2.1	Location Plan	Volume 2 Folder [1 of 3] (A4 Prints) Volume 2
	2.2	Scheme Layout Plan	
	2.3	Land Plans	
	2.4	Works Plans	Folder [2 of 3] (A4 Prints) Volume 2
	2.5	Streets, Rights of Way and Access Plans	
	2.6	Engineering Drawings and Sections	
<b>VOLUME 3: Draft Development Consent Order and related documents</b>	3.1	Draft Development Consent Order	Volume 3 Folder [1 of 1]
	3.2	Explanatory Memorandum	
	3.3	Consents and Agreements position statement	
	3.4	DCO Validation Report	
<b>VOLUME 4: Compulsory Acquisition Information</b>	4.1	Statement of Reasons	Volume 4 Folder [1 of 1]
	4.2	Funding Statement	
	4.3	Book of Reference	
<b>VOLUME 5: Consultation Report and related documents</b>	5.1	Consultation Report	Volume 5 Folder [1 of 1]
	5.2	Consultation Report Appendices	
<b>VOLUME 6:</b>	6.1	Environmental Statement	Volume 6 Folder [1 of 5]
	6.2	Environmental Statement Figures	

<b>Environmental Statement</b>	6.3	Environmental Statement Appendices	(A3 Prints) Volume 6
	6.4	Environmental Statement Non-Technical Summary	Folder [2 of 5] (A3 Prints)
	6.5	Statement on Statutory Nuisances	Volume 6
	6.6	Flood Risk Assessment	Folder [3 of 5] (A3 Prints)
	6.7	Assessment of Nature Conservation (inc Plan)	Volume 6 Folder [4 of 5]
	6.8	Assessment of Historical Environmental Information (inc Plan)	(A3 Prints) Volume 6
	6.9	Scoping Opinion	Folder [5 of 5] (A3 Prints)
	6.10	Habitat Regulations Assessment	
<b>VOLUME 7: Other Documents</b>	7.1	Planning Statement and NNNPS Accordance table	Volume 7
	7.2	Outline Construction Environmental Management Plan (CEMP)	Folder [1 of 3] (A4 Prints)
	7.3	Interrelationship Between A19 Testos, Downhill Lane and IAMP Schemes	Volume 7 Folder [2 of 3] (A4 Prints)
	7.4	Transport Assessment Report	Volume 7
	7.5	Revised plans, drawings and sections for the A19/A184 Testo's Junction Alteration Scheme	Folder [3 of 3] (A3 Prints)

## **ANNEX B**

# The Planning Act 2008

## Section 55 Acceptance of Applications\*

(Appendix 3 of [advice note six: Preparation and submission of application documents](#))

- (1) The following provisions of this section apply where the Secretary of State receives an application that purports to be an application for an order granting development consent.
- (2) The Secretary of State must, by the end of the period of 28 days beginning with the day after the day on which the Secretary of State receives the application, decide whether or not to accept the application.
- (3) The Secretary of State may accept the application only if the Secretary of State concludes -
  - (a) that it is an application for an order granting development consent,
  - (b) deleted
  - (c) that development consent is required for any of the development to which the application relates,
  - (d) deleted
  - (e) that the applicant has, in relation to a proposed application that has become the application, complied with Chapter 2 of Part 5 (pre-application procedure), and
  - (f) that the application (including accompaniments) is of a standard that the Secretary of State considers satisfactory.
- (4) The Secretary of State, when deciding whether the Secretary of State may reach the conclusion in subsection (3)(e), must have regard to -
  - (a) the consultation report received under section 37(3)(c),
  - (b) any adequacy of consultation representation received by the Secretary of State from a local authority consultee, and
  - (c) the extent to which the applicant has had regard to any guidance issued under section 50.
- (5) In subsection (4) -

“local authority consultee” means -

  - (a) a local authority consulted under section 42(1)(b) about a proposed application that has become the application, or
  - (b) the Greater London Authority if consulted under section 42(1)(c) about that proposed application;

“adequacy of consultation representation” means a representation about whether the applicant complied, in relation to that proposed application, with the applicant’s duties under sections 42, 47 and 48.

- (5A) The Secretary of State when deciding whether the Secretary of State may reach the conclusion in subsection (3)(f) must have regard to the extent to which –
  - a) the application complies with the requirements in section 37(3) (form and contents of application) and any standards set under section 37(5) and
  - b) any applicable guidance given under section 37(4) has been followed in relation to the application.
- (6) If the Secretary of State accepts the application, the Secretary of State must notify the applicant of the acceptance.
- (7) If the Secretary of State is of the view that the application cannot be accepted, the Secretary of State must -
  - (a) notify that view to the applicant, and
  - (b) notify the applicant of the Secretary of State’s reasons for that view.
- (8) If in response the applicant modifies (or further modifies) the application, subsections (2) to (7) then apply in relation to the application as modified.

\* Section 55 of the Planning Act 2008 as amended by the Localism Act 2011

**DISCLAIMER** - This is for information only and is not a formal application document. It is a non-statutory checklist for the Planning Inspectorate (National Infrastructure) to complete. Completion or self-assessment by the applicant does not hold weight at the acceptance stage.

**NB: See DCLG Application Form Guidance for guidance on how the application form should be completed and what should be included with it.**

## Section 55 Acceptance of Applications

### A19 Downhill Lane Junction Improvement Section 55 Application Checklist<sup>1</sup>

Section 55(2) Acceptance of Applications				
1	Within 28 days (starting day after receipt) the Secretary of State must decide whether or not to accept the application.	Date received	28 day due date	Date of decision
		25 01 2019	22 02 2019	
Section 55(3) – the Secretary of State may <u>only</u> accept an application if the Secretary of State concludes that:-		Planning Inspectorate Comments		
<b>s55(3)(a) and s55(3)(c) It is an application for an order granting development consent</b>				
2	<p>Is the development a nationally significant infrastructure project<sup>2</sup> (NSIP) (or does it form part of an NSIP); and does the application state on the face of it that it is an application for a development consent order<sup>3</sup> (DCO) under the Planning Act 2008 (the PA2008), or equivalent words? Does the application specify the development to which it relates i.e. which category or categories in ss14-30 does the application scheme fall)?</p> <p>If the development does not fall within the categories in ss14-30, has a direction been given by the Secretary of State under s35 of the PA 2008 for the development to be treated as development for which development consent is required?</p>	<p>Yes, the proposed development set out in Schedule 1 of the Development Consent Order (<b>Application Document Reference: TR010024/APP/3.1</b>) is an alteration of a highway lying wholly within England for which Highways England Company Ltd, being a strategic highways authority, is the highway authority, which is a development falling within the categories in s14 of the PA 2008, with a size of 30.68 hectares (36.81 hectares is the area of development including the Testo's construction compound), which is greater than the threshold of 12.5 hectares in (22(4)(b)) of the PA2008.</p> <p>This is consistent with the summary provided in the Application Form (<b>Application Document Reference: TR010024/APP/1.3</b>) at Section 4 which concludes that the application is an NSIP.</p>		

<sup>1</sup> References in this document to the Secretary of State include references (where applicable) to the Planning Inspectorate Major Casework Directorate which carries out functions related to consenting nationally significant infrastructure projects on behalf of the Secretary of State

<sup>2</sup> NSIP is defined generally in s14 with the detailed thresholds for each of the specified categories being set out in ss15-30

<sup>3</sup> Development consent is required for development to the extent that the development is or forms part of an NSIP (s31 of the PA2008)

3	<b>Summary – s55(3)(a) and s55(3)(c)</b>	The Applicant has demonstrated that the application as submitted is an application for an order granting development consent under the PA2008.
<b>s55(3)(e) The applicant in relation to the application made has complied with Chapter 2 of Part 5 (pre-application procedure)</b>		
4	In accordance with the EIA Regulations <sup>4</sup> , did the applicant (prior to carrying out consultation in accordance with s42) either (a) request the Secretary of State to adopt a screening opinion in respect of the development to which the application relates, or (b) notify the Secretary of State in writing that it proposed to provide an environmental statement in respect of that development?	Yes, the Applicant notified the Secretary of State in writing on 12 May 2017 that it proposed to provide an environmental statement in respect of the development.
5	Have any adequacy of consultation representations <sup>5</sup> been received from “A”, “B”, “C” and “D” authorities; and if so do they confirm that the applicant has complied with the duties under s42, s47 and s48?	It is anticipated that following submission of the application for development consent the Planning Inspectorate will invite relevant local authorities to provide a statement relating to the adequacy of the consultation. This is as set out in the Planning Inspectorate’s Advice Note 14 (April 2012).

<sup>4</sup> Regulation 8 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (2017 EIA Regulations), or Regulation 6 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (2009 EIA Regulations) (where Regulation 37 of the 2017 EIA Regulations applies).

<sup>5</sup> S55(4) of the PA2008 provides that the Secretary of State must have regard to the consultation report, and any adequacy of consultation representations received

## s42: Duty to Consult

	Did the applicant consult the applicable persons set out in s42 of the PA2008 about the proposed application?	
6	s42(1)(a) persons prescribed <sup>6</sup> ?	Yes, the Applicant has provided a list of persons consulted under s42(1)(a) at Appendix I of the Consultation Report Appendices ( <b>Application Document Reference: TR010024/APP/5.2</b> ).
7	s42(1)(aa) the Marine Management Organisation <sup>7</sup> ?	Not applicable – the Marine Management Organisation is not a relevant consultee in respect of the Scheme.
8	s42(1)(b) each local authority within s43 <sup>8</sup> ?	<p>Yes, the Applicant has consulted each local authority within s43 via a letter which was sent on 25 August 2017 for the statutory consultation.</p> <p>The Consultation Report (<b>Application Document Reference: TR010024/APP/5.1</b>) and Consultation Report Appendices (<b>Application Document Reference: TR010024/APP/5.2</b>) refer to each consultation;</p> <p>(i) Chapter 4, section 4.5 and Chapter 5 section 5.1 refers to the statutory consultation which took place between 11 September to 22 October 2017, <b>Appendix C</b>,</p> <p>(ii) Section 7.2 – the first supplementary consultation which took place between 12 March to 10 April 2018, <b>Appendix N</b>, and</p> <p>(iii) Section 7.3 – the second supplementary consultation which took place between 30 July to 28 August 2018, <b>Appendix O</b>.</p> <p>(iv) Section 7.4 – the third supplementary consultation which took place between 21 November to 19 December 2018, <b>Appendix Q</b>.</p> <p>Each local authority is listed below:</p> <ul style="list-style-type: none"> <li>• “A” authorities: Gateshead Council, Newcastle City Council, North Tyneside Council. Country Durham was also included due to its regional significance and proximity to the junction, despite it not falling within the definition in section 43 of the 2008 Act.</li> <li>• “B” authorities: South Tyneside Council and Sunderland City Council</li> <li>• “C” authorities: n/a</li> <li>• “D” authorities: n/a</li> </ul>
9	s42(1)(c) the Greater London Authority (if in Greater London area)?	Not applicable – the Scheme does not fall within Greater London and as a result the Greater London Authority is not a relevant consultee in respect of the Scheme.

10	s42(1)(d) each person in one or more of s44 categories <sup>9</sup> ?	<p>Yes, the Applicant has consulted each person in one or more s44 categories:</p> <p>A Book of Reference (<b>Application Document Reference: TR010024/APP/4.3</b>) is provided as part of the DCO application; all consultees under s42(1)(d) are identified in the Book of Reference. The Consultation Report (<b>Application Document Reference: TR010024/APP/5.1</b>) refers to the Book of Reference within Sections 4.9.5 and 4.9.6.</p> <p>Section 2.1.3 confirms the 6 week period that Persons with interest in lands (PILS) were consulted on for the proposed DCO and section 4.9 details how PILs were identified and the information they were sent (section 4.9.6).</p> <p>Chapter 4 (Section 4.9) of the Consultation Report (<b>Application Document Reference: TR010024/APP/5.1</b>) sets out how the Applicant has undertaken diligent inquiry to identify those consultees defined by s44 of the Planning Act 2008 and the approach to statutory consultation, specifically sections 4.6.2,4.6.4 and 4.6.5 and sections 4.4 – 4.7 of the Statement of Reasons (<b>Application Document Reference: TR010024/APP/4.1</b>)</p>
<b>s45: Timetable for s42 Consultation</b>		
11	Did the applicant notify s42 consultees of the deadline for receipt of consultation responses; and if so was the deadline notified by the applicant 28 days or more starting with the day after receipt of the consultation documents?	<p>Yes, the letter sent to s42 consultees on 25 August 2017 (the letters were sent on 25 August 2017 with consultation commencing on 11 September) set a deadline of 22 October 2017, 47 days, after the date of the letter and 30 days after the start of consultation. Section 4.6.5 in the Consultation Report (<b>Application Document Reference: TR010024/APP/5.1</b>) describes this strategy. Sample letters are provided in Appendix C of the Consultation Report Appendices (<b>Application Document Reference: TR010024/APP/5.2</b>).</p>

<sup>6</sup> Statutory consultees set out in Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

<sup>7</sup> In any case where the proposed development would affect, or would be likely to affect, any of the areas specified in s42(2) of the PA2008

<sup>8</sup> Definition of “local authority” in s43(3): The “B” authority where the application land is in the authority’s area; the “A” authority where any part of the boundary of A’s area is also a part of the boundary of B’s area; the “C” authority (upper tier) where the application land is in that authority’s area; the “D” authority where such an authority shares a boundary with a “C” authority

<sup>9</sup> Category 1: owner, lessee, tenant or occupier of land; Category 2: person interested in the land or has power to sell and convey the land or to release the land; Category 3: person entitled to make a relevant claim. There is no requirement to check the accuracy of the list(s) or whether the applicant has made diligent inquiry

**s46: Duty to notify Secretary of State of proposed application**

12	Did the applicant supply information to notify the Secretary of State of the proposed application; and if so was the information supplied to the Secretary of State on or before the date it was sent to the s42 consultees? Was this done on or before commencing consultation under s42?	Yes, the Applicant gave notice under s46 on 8 September 2017 which was before the start of the s42 consultation on 11 September 2017. A copy of this notice is provided at <b>Appendix B</b> of the Consultation Report Appendices ( <b>Application Document Reference: TR010024/APP/5.2</b> ).
----	--	---

**s47: Duty to consult local community**

13	Did the applicant prepare a Statement of Community Consultation (SoCC) on how it intended to consult people living in the vicinity of the land?	Yes, the Applicant produced a draft SoCC which was issued to Local Authorities to review on 20 July 2017. The final SoCC was published on 4 September 2017. A copy of the published SoCC can be found at <b>Appendix D</b> of the Consultation Report Appendices ( <b>Application Document Reference: TR010024/APP/5.2</b> ). The Consultation Report ( <b>Application Document Reference: TR010024/APP/5.1</b> ) sets out details of the SOCC and the dates it was published in chapter 5.
14	Were “B” and (where relevant) “C” authorities consulted about the content of the SoCC; and if so was the deadline for receipt of responses 28 days beginning with the day after the day that “B” and (where applicable) “C” authorities received the consultation documents?	Yes, as set out in sections 1.5.2, 5.2.4 and 5.2.5 of the Consultation Report ( <b>Application Document Reference: TR010024/APP/5.1</b> ), the Applicant sent the draft SoCC to “B” authorities (South Tyneside Council and Sunderland City Council) on 20 July 2017 with a deadline of 17 August 2017 for responses thereby allowing 28 days as described in the Consultation Report ( <b>Application Document Reference: TR010024/APP/5.1</b> ). <b>Appendix D</b> of the Consultation Report includes copies of the correspondence sent to the Local Authorities.
15	Has the applicant had regard to any responses received when preparing the SoCC?	Not Applicable. Section 1.5.2 of the Consultation Report ( <b>Application Document Reference: TR010024/APP/5.1</b> ) confirms that there were no comments received from the Local Authorities.

16	<p>Has the SoCC been made available for inspection in a way that is reasonably convenient for people living in the vicinity of the land; and has a notice been published in a newspaper circulating in the vicinity of the land which states where and when the SoCC can be inspected?</p>	<p>Yes, the SoCC was made available at places, which are reasonably convenient having regard to the location of the Scheme. Details of the events and libraries at which the SoCC was available to view is found in <b>Appendix D</b> of the Consultation Report Appendices (<b>Application Document Reference: TR010024/APP/5.2</b>).</p> <p>Notices stating when and where the SoCC could be inspected were published in the following local newspapers (circulating in the vicinity of the Scheme) on 4 September 2017:</p> <ul style="list-style-type: none"> <li>• Newcastle Evening Chronicle;</li> <li>• Shields Gazette; and</li> <li>• Sunderland Echo.</li> </ul> <p>Copies of the newspaper notices are included in <b>Appendix E</b> of the Consultation Report Appendices (<b>Application Document Reference: TR010024/APP/5.2</b>)</p>
----	--	--

17	Does the SoCC set out whether the development is EIA development <sup>10</sup> ; and does it set out how the applicant intends to publicise and consult on the preliminary environmental information?	Yes, the SoCC sets out that the scheme is EIA development and how the Applicant proposes to consult on the preliminary environmental information. This can be found under the Environmental Impact Assessment section of the SoCC. a copy of which is provided at <b>Appendix D</b> of the Consultation Report Appendices ( <b>Application Document Reference: TR010024/APP/5.2</b> ).	
18	Has the applicant carried out the consultation in accordance with the SoCC?	Yes, the Applicant has set out in Chapter 5 (Sections 5.1 – 5.7) of the Consultation Report ( <b>Application Document Reference: TR010024/APP/5.1</b> ) the activities that have been carried out and how the commitments in the SoCC have been met.	
<b>s48: Duty to publicise the proposed application</b>			
19	Did the applicant publicise the proposed application, under s48, in the prescribed manner set out in Regulation 4(2) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009?	Yes, the Applicant describes the newspapers and dates of s48 publicity in Chapter 6 (Table 4) of the Consultation Report ( <b>Application Document Reference: TR010024/APP/5.1</b> ) and as set out below.  Copies of all newspaper notices are included in <b>Appendix E</b> of the Consultation Report Appendices ( <b>Application Document Reference: TR010024/APP/5.2</b> ).	
		<b>Newspaper(s)</b>	<b>Date</b>
	for at least two successive weeks in one or more local newspapers circulating in the vicinity in which the proposed development would be situated;	<ul style="list-style-type: none"> <li>Sunderland Echo</li> </ul>	2 September 2017 11 September 2017
		<ul style="list-style-type: none"> <li>Newcastle Evening Chronicle; and</li> <li>Shield Gazette</li> </ul>	4 September 2017 11 September 2017
	once in a national newspaper;	<ul style="list-style-type: none"> <li>The Guardian</li> </ul>	4 September 2017
	once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and	<ul style="list-style-type: none"> <li>The London Gazette.</li> </ul> <p>No land in Scotland is affected by the proposed scheme and therefore no notice was published in the Edinburgh Gazette.</p>	4 September 2017

<sup>10</sup> Regulation 12 of the 2017 EIA Regulations, or Regulation 10 of the 2009 EIA Regulations (where Regulation 37 of the 2017 EIA Regulations applies).

	where the proposed application relates to offshore development – (i) once in Lloyds List; and (ii) once in an appropriate fishing trade journal?	N/A – the proposed scheme does not relate to offshore development and was therefore not published in Lloyds list or a fishing trade journal.		N/A	
20	Did the s48 notice include the required information set out in Regulation 4(3) of APFP Regulations?	Yes. The s48 notice is supplied at <b>Appendix E</b> of the Consultation Report Appendices ( <b>Application Document Reference: TR010024/APP/5.2</b> ) and contains the required information as set out below.			
	<b>Information</b>	<b>Paragraph</b>		<b>Information</b>	<b>Paragraph</b>
a)	The name and address of the applicant.	Paragraph 1	b)	A statement that the applicant intends to make an application for development consent to the Secretary of State	Paragraph 1
c)	a statement as to whether the application is EIA development	Paragraph 4	d)	a summary of the main proposals, specifying the location or route of the proposed development	Paragraph 3
e)	a statement that the documents, plans and maps showing the nature and location of the proposed development are available for inspection free of charge at the places (including at least one address in the vicinity of the proposed development) and times set out in the notice	Paragraph 5	f)	the latest date on which those documents, plans and maps will be available for inspection	Paragraph 5
g)	whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge	Paragraph 7	h)	details of how to respond to the publicity	Paragraph 8
i)	a deadline for receipt of those responses by the applicant, being not less than 28 days following the date when the notice is last published	Paragraph 9			

21	Are there any observations in respect of the s48 notice provided above?	
	N/A	
22	Has a copy of the s48 notice been sent to the EIA consultation bodies and to any person notified to the applicant in accordance with the EIA Regulations <sup>11</sup> ?	Yes, the notice was sent to the EIA consultation bodies on 25th August 2017 (see Chapter 1, Section 1.5, Chapter 2, Table 2-1 and Chapter 4, section 4.6.2 of the Consultation Report <b>(Application Document Reference: TR010024/APP/5.1)</b> and <b>Appendix C</b> and <b>I</b> of the Consultation Report Appendices <b>(Application Document Reference: TR010024/APP/5.2)</b> .
<b>s49: Duty to take account of responses to consultation and publicity</b>		
23	Has the applicant had regard to any relevant responses to the s42, s47 and s48 consultation?	The Applicant has set out at Chapters 4 and 5 and Table 2-1 of the Consultation Report <b>(Application Document Reference: TR010024/APP/5.1)</b> and <b>Appendices F</b> and <b>P</b> to the Consultation Report Appendices <b>(Application Document Reference: TR010024/APP/5.2)</b> how we have had regard to the consultation responses received.
<b>Guidance about pre-application procedure</b>		
24	To what extent has the applicant had regard to DCLG guidance 'The Planning Act 2008: Guidance on the pre-application process' <sup>12</sup> ?	Table 2-1 of the Consultation Report (document reference: TR010024/APP/5.1) shows how the Applicant has had regard to DCLG guidance on the pre-application process and the Applicant's approach to consultation.

<sup>11</sup> Regulation 13 of the 2017 EIA Regulations, or Regulation 11 of the 2009 EIA Regulations (where Regulation 37 of the 2017 EIA Regulations applies).

<sup>12</sup> The Secretary of State must have regard to the extent to which the applicant has had regard to guidance issued under s50

25	<b>Summary - s55(3)(e)</b>	
<b>s55(3)(f) and s55(5A) The application (including accompaniments) achieves a satisfactory standard having regard to the extent to which it complies with section 37(3) (form and contents of application) and with any standards set under section 37(5) and follows any applicable guidance under section 37(4)</b>		
26	<p>Is it made in the prescribed form as set out in Schedule 2 of the APFP Regulations, and does it include:</p> <ul style="list-style-type: none"> <li>• a brief statement which explains why it falls within the remit of the Secretary of State; and</li> <li>• a brief statement that clearly identifies the location of the application site, or the route if it is a linear scheme?</li> </ul>	<p>Yes. The application is made in the prescribed form, and explains why it falls within the remit of the Secretary of State in Section 4 of the Application Form (<b>Application Document Reference: TR010024/APP/1.3</b>). Section 6 of the Application Form (<b>Application Document Reference: TR010024/APP/1.3</b>) provides a brief statement that describes the location of the proposed route and a more detailed description is provided in Chapter 2 of the Environmental Statement (<b>Application Document Reference: TR010024/APP/ 6.1</b>). The location of the proposed Scheme is shown on the Location Plan (<b>Application Document Reference: TR010024/APP/2.1</b>).</p>
27	Is it accompanied by a consultation report?	<p>Yes, a Consultation Report (<b>Application Document Reference: TR010024/APP/5.1</b>) and Consultation Report Appendices (<b>Application Document Reference: TR010024/APP/5.2</b>) accompany the application.</p>
28	Where a plan comprises three or more separate sheets has a key plan been provided showing the relationship between the different sheets? <sup>13</sup>	Yes
29	Is it accompanied by the documents and information set out in APFP Regulation 5(2)?	<p>Yes, the documents and information required by APFP regulation 5(2) are set out in the documents and locations within the application as listed below:</p>

Information		Document			
a)	Where applicable, the environmental statement required under the EIA Regulations <sup>14</sup> and any scoping or screening opinions or directions	<p>Yes. The application is accompanied by an Environmental Statement, Environmental Statement Figures, Environmental Statement Appendices and an Environmental Statement Non-Technical Summary  <b>(Application Document Reference: TR010024/APP/6.1 – 6.4).</b></p> <p>A copy of the Scoping Opinion <b>(Application Document Reference: TR010024/APP/6.9)</b> is also submitted with the application. A link to a copy of the Scoping Report is provided in Appendix 1.1 of the Environmental Statement Appendices <b>(Application Document Reference: TR010024/APP/6.3).</b></p>	b)	The draft proposed order	Yes. The application is accompanied by the draft Development Consent Order <b>(Application Document Reference: TR010024/APP/3.1)</b> in the validated statutory instrument template.
	Is this of a satisfactory standard?			Is this of a satisfactory standard?	

<sup>13</sup> Regulation 5(4) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

<sup>14</sup> The 2017 EIA Regulations, or the 2009 EIA Regulations (where Regulation 37 of the 2017 EIA Regulations applies)

c)	An explanatory memorandum explaining the purpose and effect of provisions in the draft order	Yes. The application is accompanied by the Explanatory Memorandum <b>(Application Document Reference: TR010024/APP/3.2)</b> to the draft Development Consent Order <b>(Application Document Reference: TR010024/APP/3.1)</b> .	d)	Where applicable, a book of reference (where the application involves any compulsory acquisition)	Yes. The application is accompanied by the Book of Reference <b>(Application Document Reference: TR010024/APP/4.3)</b> which meets the requirements of DCLG's Planning Act 2008: guidance related to procedures for the compulsory acquisition of land.
	Is this of a satisfactory standard?			Is this of a satisfactory standard?	
e)	A copy of any flood risk assessment	Yes. The application is accompanied by a Flood Risk Assessment <b>(Application Document Reference: TR010024/APP/6.6)</b>	f)	A statement whether the proposal engages one or more of the matters set out in section 79(1) of the Environmental Protection Act 1990 (statutory nuisances) and if so how the applicant proposes to mitigate or limit them	Yes. The application is accompanied by a Statement Relating to Statutory Nuisances <b>(Application Document Reference: TR010024/APP/6.5)</b> .
	Is this of a satisfactory standard?			Is this of a satisfactory standard?	
h)	A statement of reasons and a funding statement (where the application involves any compulsory acquisition)	Yes. The application is accompanied by a Statement of Reasons <b>(Application Document Reference: TR010024/APP/4.1)</b> and a Funding Statement <b>(Application Document Reference: TR010024/APP/4.2)</b> .	i)	A land plan identifying:- <ul style="list-style-type: none"> <li>(i) the land required for, or affected by, the proposed development;</li> <li>(ii) where applicable, any land over which it is proposed to exercise powers of compulsory acquisition or any rights to use land;</li> <li>(iii) any land in relation to which it is proposed to extinguish easements, servitudes and other private rights;</li> </ul>	Yes. Land Plans <b>(Application Document Reference: TR010024/APP/2.3)</b> are provided. The Land Plans consist of sheets 1 – 2; Land Plans – Regulation 5(2)(i), drawing references: TR010024/APP/2.3(A), TR010024/APP/2.3(B)  The Land Plans accord with Regulation 5(2)(i) of the Infrastructure Planning
	Is this of a satisfactory standard?			Is this of a satisfactory standard?	

			<p>and</p> <p>(iv) any special category land and replacement land</p>	<p>(Applications: Prescribed Forms and Procedure) Regulations 2009. The Land Plans identify:</p> <ul style="list-style-type: none"> <li>- all land that is required for or affected by the proposed Scheme;</li> <li>- any land over which it is proposed to exercise powers of compulsory acquisition or rights to use land; and</li> <li>- any land in relation to which it is proposed to extinguish easements, servitudes or other private rights.</li> </ul>
Is this of a satisfactory standard?			Is this of a satisfactory standard?	

j)	<p>A works plan showing, in relation to existing features:-</p> <p>(i) the proposed location or (for a linear scheme) the proposed route and alignment of the development and works; and</p> <p>(ii) the limits within which the development and works may be carried out and any limits of deviation provided for in the draft order</p>	<p>Yes. Works Plans <b>(Application Document Reference: TR010024/APP/2.4)</b> are provided in Volume 2 Plans, Drawings and Sections of the DCO application.</p> <p>The Works Plans consist of Sheets 1 – 2, Work plans – Regulations 5(2)(j), drawing references: TR010024/APP/2.4(A), TR010204/APP/2.4(B)</p> <p>The Works Plans accord with Regulation 5(2)(j) of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 and show the proposed route and alignment of the development and the limits within which the works are proposed to be carried out.</p>	k)	<p>Where applicable, a plan identifying any new or altered means of access, stopping up of streets or roads or any diversions, extinguishments or creation of rights of way or public rights of navigation</p>	<p>Yes. Streets, Rights of Way and Access Plans <b>(Application Document Reference: TR010024/APP/2.5)</b> are provided in Volume 2 Plans, Drawings and Sections of the DCO application. The Streets, Rights of Way and Access Plans consist of Sheets 1 – 2, Streets, Rights of Way and Access Plans – Regulation 5(2)(k), drawing references: TR010024/APP/2.5(A), TR010204/APP/2.5(B)</p> <p>The Streets, Rights of Way and Access Plans accord with Regulation 5(2)(k) of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009.</p>
	Is this of a satisfactory standard?			Is this of a satisfactory standard?	

l)	<p>Where applicable, a plan with accompanying information identifying:-</p> <p>(i) any statutory/non-statutory sites or features of nature conservation eg sites of geological/ landscape importance;</p> <p>(ii) habitats of protected species, important habitats or other diversity features; and</p> <p>(iii) water bodies in a river basin management plan,</p> <p>together with an assessment of any effects on such sites, features, habitats or bodies likely to be caused by the proposed development</p>	<p>Yes. The application is accompanied by an Assessment of Nature Conservation Effects (including Plan with accompanying Nature Conservation Information) <b>(Application Document Reference: TR010024/APP/6.7)</b> Chapters 9 and 10 of the ES <b>(Application Document Reference: TR010024/APP/6.1)</b> details how sites of nature conservation and important habitats have been identified. (L(i) and (ii)).</p> <p>Chapter 14 of the ES <b>(Application Document Reference: TR010024/APP/6.1)</b> details information identifying water bodies in a river basin management plan (l(iii))</p> <p>(i) and (ii) Chapters 8, 9 and 10 of the ES <b>(Application Document Reference: TR010024/APP/6.1)</b>. Figures 8.2 and 9.2 of the Environmental Statement Figures <b>(Application Document Reference: TR010024/APP/6.2)</b> appendix 8.3, 8.4 and 9.1A of the ES Appendices</p>	m)	<p>Where applicable, a plan with accompanying information identifying any statutory/non-statutory sites or features of the historic environment, (eg scheduled monuments, World Heritage sites, listed buildings, archaeological sites and registered battlefields) together with an assessment of any effects on such sites, features or structures likely to be caused by the proposed development</p>	<p>Yes. The application is accompanied by an Assessment of Historical Environmental Effects (including Plan with accompanying Historic Environmental Information) <b>(Application Document Reference: TR010024/APP/6.8)</b></p>
----	--	--	----	--	---

		<p>((Document Reference TR010024/APP/6.3)          (iii) Chapter 14 of the ES  <b>(Application Document Reference: TR010024/APP/6.1)</b>, figures 2.5, 2.6 of the ES figures  <b>(Application Document Reference: TR010024/APP/6.2)</b> and appendix 14.3 of the ES Appendices  <b>(Application Document Reference: TR010024/APP/6.3)</b>).</p>			
	Is this of a satisfactory standard?			Is this of a satisfactory standard?	

n)	Where applicable, a plan with any accompanying information identifying any Crown land	There is no Crown Land and this is therefore not applicable.	o)	Any other plans, drawings and sections necessary to describe the development consent proposal showing details of design, external appearance, and the preferred layout of buildings/structures, drainage, surface water management, means of vehicular and pedestrian access, any car parking and landscaping	Yes. The application is accompanied by a Location plan ( <b>Application Document Reference: TR010024/APP/2.1</b> ), a Scheme layout Plan ( <b>Application Document Reference: TR010024/APP/2.2</b> ) and Engineering Drawings and Sections ( <b>Application Document Reference: TR010024/APP/2.6</b> ). Further detail is provided under (p) below.
	Is this of a satisfactory standard?			Are they of a satisfactory standard?	
p)	Any of the documents prescribed by Regulation 6 of the APFP Regulations:	As the proposed scheme is highway related development, the application is required under Regulation 6(2) of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 to be accompanied by section drawings This information is provided in the Engineering Drawings and Sections	q)	Any other documents considered necessary to support the application.	The application comprises other documents considered necessary to support the application, as listed in Section 23 of the Application Form ( <b>Application Document Reference: TR010024/APP/1.3</b> );  Introduction to the

	<p><b>(Application Document Reference: TR010024/APP/2.6)</b> consisting of:</p> <p>Engineering Drawings – Highways General Arrangement - APFP Regulation 5(2)(o) = sheets 1-2, drawing references: TR010024/APP/2.6.1(A); TR010024/APP/2.6.1(B).</p> <p>Engineering Drawings – Highways Longitudinal Sections - APFP Regulation 5(2)(o) = Sheets1-3, drawing references: TR010024/APP/2.6.2(A); TR010024/APP/2.6.2(B); TR010024/APP/2.6.2(C).</p> <p>Engineering Drawings - Structures – South Junction Overbridge – APFP Regulation 5(2)(o), drawing reference: TR010024/APP/2.6.3(A).</p> <p>Engineering Drawings – Structures – Non-Motorised User Overbridge – APFP Regulation 5(2)(o), drawing reference: TR010024/APP/2.6.3(B)</p> <p>Engineering Drawings – Structures – Non-Motorised User Ramps - APFP Regulation 5(2)(o), drawing reference: TR010024/APP/2.6.3(C).</p> <p>Engineering Drawings – Drainage</p>		<p>Application Document Reference: <b>(Application Document Reference: TR010024/APP/ 1.1);</b></p> <p>Covering Letter and Schedule of Compliance with Section <b>(Application Document Reference: TR010024/APP/1.2);</b></p> <p>Planning Statement <b>(Application Document Reference: TR010024/APP/7.1);</b></p> <p>Outline Construction Environmental Management Plan <b>(Application Document Reference: TR010024/APP/7.2);</b></p> <p>Interrelationship with Testo's Junction and International Advanced Manufacturing Park <b>(Application Document Reference: TR010024/APP/7.3)</b> and Transport Assessment Report <b>(Application Document Reference: TR010024/APP/7.4)</b></p>
--	--	--	---

	<p>General Arrangement - APFP Regulation 5(2)(o), drawing reference: TR010024/APP/2.6.4.</p> <p>The Scheme layout plans (<b>Application Document Reference: TR010024/APP/2.2</b>), Streets, Rights of Way and Access Plans (<b>Application Document Reference: TR010024/APP/2.5</b>) and the Transport Assessment Report (<b>Application Document Reference: TR010024/APP/7.4</b>)</p>		
Are they of a satisfactory standard?		Are they of a satisfactory standard?	
30	Are there any observations in respect of the documents provided above?		
31	<p>Is the application accompanied by a report identifying any European site(s) to which regulation 48 of the Conservation (Natural Habitats, &amp;c.) Regulations 1994 applies; or any Ramsar site(s), which may be affected by the proposed development, together with sufficient information that will enable the Secretary of State to make an appropriate assessment of the implications for the site if required by regulation 48(1)?<sup>15</sup></p>	<p>Yes, a Habitats Regulations Assessment accompanies the application (<b>Application Document Reference: TR010024/APP/6.10</b>)</p>	

<sup>15</sup> Regulation 5(2)(g) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

32	If requested by the Secretary of State, two paper copies of the application form and other supporting documents and plans <sup>16</sup>	Yes One paper copy of the application has been requested by the Inspectorate along with 6 electronic copies
33	Has the applicant had regard to DCLG guidance 'Planning Act 2008: Application form guidance', and has this regard led to the application being prepared to a standard that the Secretary of State considers satisfactory?	The DCLG guidance 'Planning Act 2008: Application form guidance' has been used to prepare the application form. The Applicant believes that the application has been prepared to the standard that the Secretary of State considers satisfactory.
<b>34</b>	<b>Summary - s55(3)(f) and s55(5A)</b>	
<b>The Infrastructure Planning (Fees) Regulations 2010 (SI106)</b>		
<b>Fees to accompany an application</b>		
35	Was the fee paid at the same time that the application was made <sup>17</sup> ?	

Electronic Signature	Name	Date
<b>Case Leader</b>		
<b>Acceptance Inspector</b>		

<sup>16</sup> Regulation 5(2)(r) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

<sup>17</sup> The Secretary of State must charge the applicant a fee in respect of the decision by the Secretary of State under section 55. If the applicant fails to pay the fee, the Secretary of State need not consider the application until payment is received by the Secretary of State. The fee must be paid at the same time that the application is made.