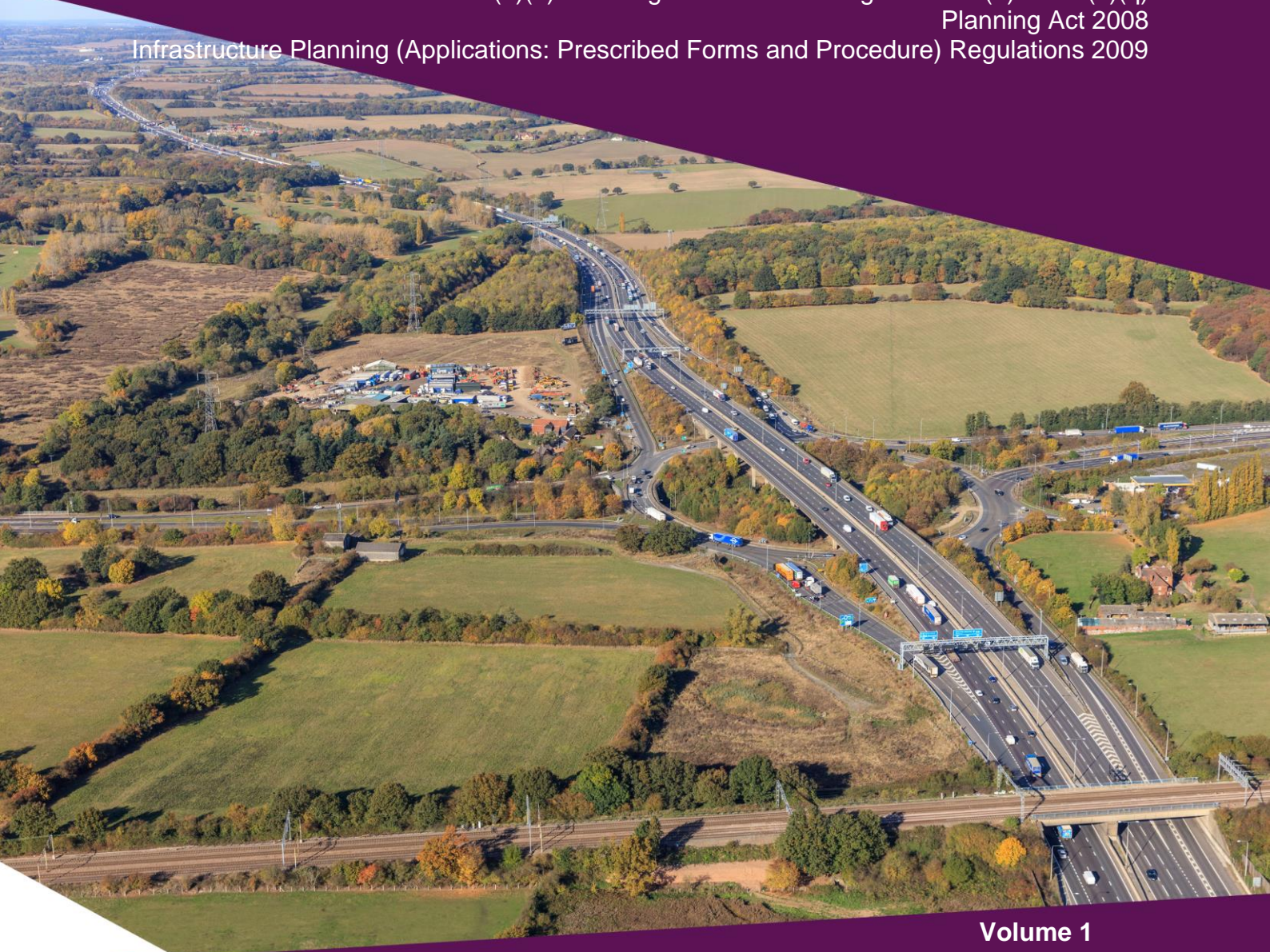


M25 junction 28 improvement scheme TR010029

1.2 Covering letter and schedule of compliance with section 55 of the Planning Act 2008

Section 37(3)(b) Planning Act 2008 and Regulations 5(1) and 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

M25 junction 28 scheme Development Consent Order 202[x]

1.2 COVERING LETTER AND SCHEDULE OF COMPLIANCE WITH SECTION 55 OF THE PLANNING ACT

Regulation Number:	Regulation 5(1) and 5(2)(q) and Section 37(3)(b) Planning Act 2008
Planning Inspectorate Scheme Reference	TR010029
Application Document Reference	TR010029/APP/1.2
Author:	M25 junction 28 improvement scheme project team, Highways England

Version	Date	Status of Version
0	May 2020	Application issue



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26 May 2020

Dear Sir/Madam

M25 junction 28 improvement scheme: Application for a Development Consent Order

I am pleased to enclose an application on behalf of Highways England (the “Applicant”) under section 37 of the Planning Act 2008 (the “Act”) for an order granting development consent for the M25 junction 28 improvement Scheme (the “Scheme”). The Scheme is an alteration of a strategic highway under sections 22(1)(b), 22(3) and 22(4)(a) of the Act, and is located within the administrative areas of London Borough of Havering and Brentwood Borough Council.

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 of the 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 TR010029/APP/1.3) and in the **Explanatory memorandum** (application document TR010029/APP/3.2).

2 Application fee and documentation enclosed

- 2.1 The application fee amount of £7,227 has been submitted by BACS transfer to the account of the Planning Inspectorate.
- 2.2 In accordance with the Planning Inspectorate’s Advice Note Six, an electronic version of the application has been provided along with a GIS shape file. The Application document reference TR010030/APP/1.1 (**Introduction to the application**) provides details of all application documents being submitted.
- 2.3 A **Schedule of compliance with section 55 of the Planning Act 2008** accompanies this letter in Annex B. This has been included to demonstrate how

the application meets the tests for acceptance by the Planning Inspectorate and submitted with the compliance check.

3 Application formalities

3.1 This application is made in the form required by Section 37(3)(b) of the Act and the application documents (please refer to Appendix A for an overview of the application documents) comply with the requirements in Section 37 of the 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 2017;
- The Department for Communities and Local Government's (DCLG) 'Planning Act 2008: Nationally significant infrastructure projects – Application form guidance' (June 2013);
- The Planning Inspectorate's 'Advice Note Six: Preparation and submission of application documents; and
- The Infrastructure Planning (Compulsory Acquisition) Regulations 2010.

3.2 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. This is with the exception of the **Environment Statement Appendix 7.14 Badger Report** (application document TR010029/APP/6.3) which should not be published as it is confidential.

4 Description of the Scheme

4.1 A non-technical description of the Scheme is provided in the **Introduction to the application** (application document TR010029/APP/1.1). A more detailed and technical description is provided in Chapter 2 of the **Environmental Statement (ES)** (application document TR010029/APP/6.1).

4.2 The Scheme comprises an alteration of junction 28 of the M25 between Romford and Brentwood in Essex, which involves the provision of a new dedicated loop road between the M25 northbound carriageway and the eastbound carriageway of the A12. The provision of the new loop road will involve the realignment of the existing A12 eastbound off-slip and the M25 northbound on-slip. The Scheme includes other complementary improvements to the existing roundabout.

5 Consent flexibility – Rochdale envelope

5.1 The Applicant has considered the National Policy Statement on National Networks 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 (dDCO)** (application document TR010029/APP/3.1) is fundamental to the delivery of the Scheme.

5.2 An important element of the flexibility in the DCO is the permissible limits of deviation proposed to be authorised by means of Article 7 (*Limits of deviation*) of the draft DCO (application document TR010029/APP/3.1). To provide the necessary flexibility at detailed design stage, vertical limits of deviation of 1 metre (2 metres in respect of those parts of Work No 6 lying between Duck Wood bridge and Grove bridge and Work No. 17 and 1.5 metres in respect of Work No. 18) and lateral limits of deviation as shown on the **Works plans** (application document TR010029/APP/2.3) have been sought for the works.

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 therefore been assessed and are reflected in the results reported in the **Environmental Statement** (application document TR010029/APP/6.1).

6 Habitats Regulations Assessment

6.1 This Application includes a **Habitats Regulation Assessment (HRA)** as required by Regulation 5(2)(g) of the APFP Regulations. The HRA Report identifies all relevant European Protected 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 Protected Site.

6.2 The HRA Report 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 APFP Regulations. The combination of the localised nature of the works proposed to deliver the Scheme, together with the distance between European Protected Sites and the Scheme provides a substantial buffer to any potential adverse or otherwise effects upon qualifying features or designated internationally protected sites. Accordingly, the Applicant has concluded that there are no likely significant effects on any European Protected Sites and their features. Therefore, this application is accompanied by a **HRA report** (application document TR010029/APP/6.9) to evidence this conclusion.

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 of the plots of land over which powers are being sought are provided in the **Book of reference** (application document TR010029/APP/4.3) whilst the nature of the powers being sought is set out in the **Land plans** (application document TR010029/APP/2.2) and **draft DCO** (application document TR010029/APP/3.1). The purposes for which those powers are being sought, and details of the efforts the applicant has employed to reach agreement with affected landowners are provided in the **Book of reference** (application document TR010029/APP/4.3) and the **Statement of reasons** (application document TR010029/APP/4.1).

7.2 Adequacy of the funding for compensation is provided in the **Funding statement** (application document TR010029/APP/4.2).

7.3 **Crown land plans** show the location and extent of land held by or on behalf of the Crown, including land held by a Government department (application document TR010029/APP/2.5) and **Special category land plans** (application document TR010029/APP/2.11) are provided to show the extent of land required for the Scheme which is open space within the meaning the 2008 Act.

8 Other consents

8.1 Details of other consents and licences not forming part of the DCO application which the Applicant (or others) may be seeking in relation to the construction, operation and maintenance of the proposed Scheme are set out in the **Consents and agreements position statement** (application document TR010029/APP/3.3)

9 Pre-application consultation

9.1 As required by section 37(3)(c) of the 2008 Act a **Consultation report** (application document TR010029/APP/5.1) accompanies this application; the Consultation report details compliance with sections 42, 47, 48 and 49 of the Act.

10 Pre-Application engagement with the Planning Inspectorate

10.1 Various meetings have taken place with the Planning Inspectorate and advice given under section 51 of the Act, including on environmental scoping issues and the relationship of the Scheme to other projects in the area¹.

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 within the application under the title **Engineering drawings & sections** (application document TR010029/APP/2.8).

11.2 Under Regulation 5(3) of the APFP Regulations, any relevant 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. In accordance with that Regulation. I can confirm that the relevant application plans have been prepared at no larger than A0 (original print size), have been drawn to a recognised scale, show the direction of north and include suitable key plans where necessary.

11.3 The only plan provided at a smaller scale than 1:2500 is the **Location plan** (application document TR010029/APP/2.1), where the scales are 1:20,000 (inset plan) and 1:100,000 (location plan).

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 Scheme. The **Biodiversity sites and features plan** is included with the application (application document TR010029/APP/2.9). There is an equivalent requirement under Regulation 5(2)(m) in relation to certain historic environment sites and features –

¹ A record of advice provided by the Planning Inspectorate for the Scheme is available on their website <https://infrastructure.planninginspectorate.gov.uk/projects/south-east/m25-junction-28-improvements/?ipcsection=advice>

that plan is included with the application (application document TR010029/APP/2.10). The relevant assessments are provided within the **Environmental Statement** at Biodiversity (Chapter 7), Road drainage and the water environment (Chapter 8) and Cultural heritage (Chapter 11) (application document TR010029/APP/6.1) and **associated figures and appendices** (contained in application documents TR010029/APP/6.2 and TR010029/APP/6.3) as well as the **Habitats regulations assessment** (application document TR010029/APP/6.9) and **Water framework directive compliance assessment report** (application document TR010029/APP/6.7).

- 11.5 A **Transport assessment report** (application document TR010029/APP/7.4) has been prepared to report on the Scheme's traffic benefits and impacts, during both the construction and operational phases, including effects on non-motorised users and on safety. The application also includes a **Case for the Scheme and schedule of accordance with National Policy Statement** (application document TR010029/APP/7.1). This sets out the need for the Scheme, the objectives it seeks to address and how it aligns with national, regional and local policy.

12 Design Manual for Roads and Bridges

- 12.1 As discussed at our meetings, during the period between July 2019 and January 2020, and as the development of the preliminary design for the Scheme was being finalised, a series of updates have been issued to the Design Manual for Roads and Bridges (DMRB). The DMRB provides standards, advice notes and other documents relating to the design, assessment and operation of trunk roads, including motorways in the United Kingdom. The updated guidance covers the following areas: General Principles & Scheme Governance, Sustainability & Environment, Civil Engineering (comprising road layout, pavement, structures and bridges, geotechnics and drainage) and Technology (comprising control & communications technology and road lighting).
- 12.2 The Applicant has considered the implications of the updated DMRB guidance for the Scheme and the proposals contained within this application. The main area with potential for change relates to the updated Sustainability & Environment guidance. In the majority of cases, the assessments undertaken and reported in the **Environmental Statement** (application document TR010029/APP/6.1) applied the earlier DMRB guidance.
- 12.3 In view of the potential for change in this area, the Applicant has undertaken sensitivity analysis to determine whether the application of the latest DMRB guidance, would lead to new or different conclusions to those reported in the Environmental Statement prepared for the Scheme. The approach the Applicant has taken in conducting the DMRB sensitivity test is explained in Chapter 4 Environmental assessment methodology of the ES (application document TR010029/APP/6.1) and the results of this sensitivity analysis are reported in Appendix 4.1 DMRB sensitivity test (application document TR010029/APP/6.3) of the ES.
- 12.4 Appendix 4.1 explains the key changes that have been made to the DMRB EIA methodologies and provides a summary of those topic areas where the application of the new guidance would result in different or new environmental

information to that reported in the ES topic chapters. As reported in Appendix 4.1, no new or additional significant environmental effects have been identified following the sensitivity analysis save in one instance. The significance levels to be allocated to agricultural soils reported in the Geology and Soils chapter (Chapter 10) of the ES (application document TR010029/APP/6.1) have been revised such that the assessment now reports a significant adverse effect rather than a slight adverse.

- 12.5 In relation to the design of the Scheme and the traffic modelling undertaken, the updated DMRB guidance has been considered but would not lead to significant changes in the modelling outlined in the **Transport assessment report** (application document TR010029/APP/7.4) and would result in no significant changes to the design.
- 12.6 In accordance with Regulation 5(5) of the APFP Regulations, the Applicant has retained all responses received in response to consultation carried out under Part 5 of the Act and can make these available at the request of the Planning Inspectorate.
- 12.7 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.
- 12.8 I trust that this covers all necessary requirements, but please do not hesitate to contact me should you have any queries. Otherwise I look forward to receiving your formal acknowledgement of receipt of our application and to your acceptance decision in due course.

Yours faithfully,



Eve Herrington
Project Manager
Highways England

Enclosures:

- Annex A: Overview of the application documents
- Annex B: Section 55 Acceptance of applications checklist (completed by the Applicant)

Appendices

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Appendix A. Overview of the application documents

A.1.1 The reports, drawings and plans that make up the DCO application have been organised into eight volumes as listed in the table below. The eight volumes are explained in further detail in the **Introduction to the application** (application document TR010029/APP/1.1).

	VOLUME	CONTENT
1	Application form / Information / background	The completed application form, Applicant's covering letter, an introduction to the Scheme and evidence to support compliance with section 55 of the Planning Act 2008.
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, Crown land, the streets, roads and private means of access to be stopped up, altered or otherwise provided, speed limits and traffic regulations, scheme layout plans, engineering details, biodiversity features, historic environment features and special category land plans.
3	Draft Development Consent Order	The draft DCO 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 DCO. This volume also contains a document setting out the position regarding other consents and agreements and a validation report for the drafting of the DCO.
4	Compulsory acquisition information	Documents, including the Funding statement, Book of reference and Statement of reasons, which set out the land to be acquired or used, justification of seeking of compulsory acquisition powers over this land and evidence to support the availability of funding to deliver the Scheme.
5	Consultation report and related documents	The Consultation report details the methodology and outcomes of the consultation undertaken between 2016 and 2020 and how responses to the consultations

		and the opinions expressed have been taken into account.
6	Environmental Impact Assessment (EIA) Information	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. This volume includes other environment related documents including a Statutory nuisance statement. Water framework directive compliance assessment report, Flood risk assessment and a Habitat Regulations assessment report.
7	Other documents	Additional documents that support the DCO application; these are not legally required but provide useful information, including the Case for the Scheme, a Transport assessment report, a Register of environmental actions and commitments (REAC) and an outline Construction environmental management plan (CEMP).
8	Statements of common ground	Joint statement with the Environment Agency to confirm those matters which are agreed

A.2 Table of application documents

A list of documents within the application is set out below and is provided to you electronically.

VOLUME	DOCUMENT REFERENCE	DOCUMENT TITLE
VOLUME 1: Application Form / Information/ Background	1.1	Introduction to the application
	1.2	Covering letter and schedule of compliance with section 55 of the Planning Act 2008
	1.3	Application form
	1.4	Index of Development Consent Order application documents
VOLUME 2: Plans / Drawings / Sections	2.1	Location plan
	2.2	Land plans
	2.3	Works plans
	2.4	Streets, rights of way and access plans
	2.5	Crown land plans
	2.6	Speed limits and traffic regulations plans
	2.7	Scheme layout plans
	2.8	Engineering drawings and sections
	2.9	Biodiversity sites and features plans
	2.10	Historic environment sites and features plans
	2.11	Special category land plans
VOLUME 3: Draft Development Consent Order	3.1	Draft Development Consent Order
	3.2	Explanatory memorandum
	3.3	Consents and agreements position statement
	3.4	DCO validation Report
VOLUME 4: Compulsory Acquisition Information	4.1	Statement of reasons
	4.2	Funding statement
	4.3	Book of reference
VOLUME 5: Consultation Report and related documents	5.1	Consultation report
	5.1	Consultation report annexes A-G

VOLUME 6: Environmental Impact Assessment (EIA) Information	6.1	Environmental Statement chapters
	6.2	Environmental Statement figures
	6.3	Environmental Statement appendices including Scoping Report and Opinion received from PINS
	6.4	Environment Statement Non-Technical summary
	6.5	Statement of statutory nuisance
	6.6	Flood risk assessment
	6.7	Water framework directive compliance assessment report
	6.8	Drainage strategy report
	6.9	Habitats regulation assessment report
	6.10	Scoping Report and Opinion
VOLUME 7: Other Documents	7.1	Case for the Scheme and schedule of accordance with National Policy Statement
	7.2	Outline construction environmental management plan (CEMP)
	7.3	Register of environmental actions and commitments
	7.4	Transport assessment report
Volume 8	8.1	Statement of common ground with Environment Agency

Appendix B. Section 55 acceptance of application checklist (completed by the Applicant)



The Planning Inspectorate
Yr Arolygiaeth Gynllunio

Section 55

Acceptance of Applications Checklist

Appendix 3 of Advice Note Six: Preparation and submission of application documents

Section 55 Acceptance of Applications Checklist

Section 55 of the Planning Act 2008 can be viewed at [legislation.gov.uk](http://www.legislation.gov.uk), here
<http://www.legislation.gov.uk/ukpga/2008/29/section/55>

DISCLAIMER: This Checklist is for information only and is not a formal application document. It is a non-statutory checklist for the Planning Inspectorate to complete. Completion or self-assessment by the Applicant does not hold weight at the Acceptance stage. Unless specified, **all references to the Planning Inspectorate are made in relation to functions being carried out on behalf of the Secretary of State for Housing, Communities and Local Government.**

Section 55(2) Acceptance of Applications				
1	Within 28 days (starting day after receipt) the Planning Inspectorate must decide whether or not to accept the application for Examination.	Date received	28 day due date	Date of decision
Section 55(3) – the Planning Inspectorate may only accept an application if it concludes that:			Planning Inspectorate comments	

Section 55(3)(a) and s55(3)(c): It is an application for an order granting development consent

2	<p>Is the development a Nationally Significant Infrastructure Project² (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 Order³ (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 to 30 does the Proposed Development fall)?</p> <p>If the development does not fall within the categories in ss14 to 30, has a direction been given by the Secretary of State under s35 of the PA2008 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 draft Development Consent Order (application document TR010029/APP/3.1) is an alteration of a highway, the M25 motorway. Sub-section 22(3) provides that the alteration of a highway is an NSIP if the three criteria set out in the sub-section are met. The three criteria are met for the proposed works to the M25 motorway in that the highway is in England (thereby meeting the requirement in subsection 22(3)(a)), a strategic highways company, namely Highways England, is the highway authority (thereby meeting the requirement in sub-section 22(3)(b)), and the area of development comprising the alteration (the term “area of development” being defined in sub-section 22(9)) is greater than the limits prescribed in sub-section 22(4) (thereby meeting the requirement in sub-section 22(3)(c)).</p> <p>This is consistent with the summary provided in the Application form (application document TR010029/APP/1.3) at section 4 which concludes that the application is for a Nationally Significant Infrastructure Project (NSIP).</p>
3	<p>Summary: Section 55(3)(a) and s55(3)(c)</p>	<p>The Applicant has demonstrated that the application as submitted is an application for an order granting development consent under the Planning Act 2008.</p>

Section 55(3)(e): The Applicant in relation to the application made has complied with Chapter 2 of Part 5 (pre-application procedure)

² NSIP is defined generally in s14 with the detailed thresholds for each of the specified categories being set out in ss15 to 30

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

4	<p>In accordance with the EIA Regulations⁴, did the Applicant (prior to carrying out consultation in accordance with s42) either (a) request the Planning Inspectorate adopt a Screening Opinion in respect of the development to which the application relates, or (b) notify the Planning Inspectorate in writing that it proposed to provide an Environmental Statement in respect of that development?</p>	<p>Yes, on 10 November 2017 by means of a letter to the Planning Inspectorate, the Applicant notified the Secretary of State under Regulation 8(1)(b) of the EIA Regulations that an Environmental Statement would be prepared and submitted alongside the DCO application see Annex A of Consultation Report (application document TR010029/APP/5.1).</p>
5	<p>Have any Adequacy of Consultation Representations⁵ been received from 'A', 'B', 'C' and 'D' local authorities; and if so, do they confirm that the Applicant has complied with the duties under s42, s47 and s48?</p>	<p>The Applicant understands that the Planning Inspectorate will invite the relevant 'A', 'B', 'C' and 'D' local authorities to submit their adequacy of consultation representations once the application for development consent has been received in accordance with the process set out in the Planning Inspectorate's Advice Note Two (paragraph 16), published in February 2015.</p>
<p>Section 42: Duty to consult</p>		
<p>Did the Applicant consult the applicable persons set out in s42 of the PA2008 about the proposed application?</p>		

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

⁵ Section 55(4) of the PA2008 provides that the Planning Inspectorate must have regard to the Consultation Report, and any Adequacy of Consultation Representations received

6	Section 42(1)(a) persons prescribed ⁶ ?	<p>Yes, for the statutory s42 consultation that commenced on 3 December 2018, the Applicant consulted all consultees prescribed under s42(1)(a) of the Planning Act 2008 where required by the circumstances set out in Column 2 of the table in Schedule 1 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended).</p> <p>The Applicant had full regard to the advice provided in the Annexes to the Planning Inspectorate's Advice Note 3 in determining the circumstances in which to consult a particular prescribed body, the Applicant adopted a precautionary approach and included that body within the scope of its consultation.</p> <p>A list of all prescribed bodies and those which were consulted in November 2018 under s42(1)(a) is provided in Annex C2 of the Consultation report (application document TR010029/APP/5.1).</p> <p>Letters or emails were sent out to the prescribed bodies on 30 November 2018 with the consultation period commencing on 3 December 2018. The deadline of 28 January 2019 was clearly stated in each consultation letter, allowing consultees a period of 8 weeks in which to respond, a longer duration than the statutory minimum stipulated by s45 of the Planning Act 2008.</p> <p>All bodies/persons notified to the Applicant by the Planning Inspectorate on 20 December 2017, under Regulation 11(b) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 were consulted.</p> <p>Copies of sample letters are provided in Annex C9 of the Consultation report (application document TR010029/5.1). During the statutory consultation,</p>
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⁶ Statutory consultees set out in Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (APFP Regulations)

additional PiLs and stakeholders were identified and notified of the consultation with an extended deadline of 28 February 2019 (see Annex C10 of the **Consultation report** (application document TR010029/APP/5.1)).

Supplementary consultation

Following the statutory consultation (3 December 2018 – 28 January 2019) (extended to 28 February 2019), the Applicant made a number of design changes to the Scheme. The Applicant undertook a Supplementary consultation on these changes between 4 November and 2 December 2019 and the same prescribed consultees (along with newly identified ones) were consulted by letter posted on 30 October 2019. Consultees were given a deadline of 2 December 2019 by which to respond. See chapter 9 of the **Consultation report** (application document TR010029/APP/5.1) for further details of the Supplementary consultation. Copies of sample letters for the Supplementary consultation are provided in Annex F5 of the **Consultation report**.

Targeted consultation

The Applicant undertook targeted consultation 31 January – 27 February 2020 in order to seek comments on a proposed extension of the red line boundary to the Scheme. That consultation was with a limited number of consultees potentially directly affected by that change. Consultees were given until 27 February 2020 by which to respond. See chapter 10 of the **Consultation report** (application document TR010029/APP/5.1) for further details of the targeted consultation. Copies of sample letters for the targeted consultation are provided in Annex G1 of the **Consultation report** (application documentation TR010029/APP/5.1).

7	Section 42(1)(aa) the Marine Management Organisation ⁷ ?	Not applicable – the Marine Management Organisation is not a relevant consultee in respect of the Scheme.
8	Section 42(1)(b) each local authority within s43 ⁸ ?	<p>Yes, for the statutory s42 consultation that commenced on 3 December 2018, the Applicant consulted each local authority within s43 (17 local authorities in total). Emails were sent on 30 November 2018 with the consultation period commencing on 3 December 2018 as follows:</p> <ul style="list-style-type: none"> • 6 No. ‘A’ authorities: Basildon District Council, Chelmsford City Council, Epping Forest District Council, Medway Council, Southend-on-Sea Borough and Thurrock Borough Council • 2 No. ‘B’ authorities: Brentwood Borough Council and London Borough of Havering • 1 No. ‘C’ authority: Essex County Council • 8 No. ‘D’ authorities: Cambridgeshire County Council, London Borough of Enfield, Hertfordshire County Council, London Borough of Barking and Dagenham, London Borough of Bexley, London Borough of Redbridge, Suffolk Borough Council and London Borough of Waltham Forest. <p>The local authorities consulted under s43 were given an 8 week period in which to respond (the stated deadline was 28 January 2019), exceeding the statutory requirements stipulated in s45 of the Planning Act 2008.</p>

⁷ 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

⁸ Definition of ‘local authority’ in s43(3) of the PA2008: 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 (upper tier) where such an authority shares a boundary with a ‘C’ authority

		<p>Copies of sample letters sent to each authority listed above are provided in Annex C9 of the Consultation report (application document TR010029/APP/5.1).</p> <p><u>Supplementary consultation</u></p> <p>Following the statutory consultation, the Applicant considered the feedback received and developed its design and undertook further environmental assessments. As a result, the Applicant proposed changes to the Scheme. The Applicant undertook a Supplementary Consultation on those changes, between 4 November and 2 December 2019. For this consultation, the Applicant consulted the same local authorities identified above and a letter was sent on 30 October 2019.</p> <p>Copies of sample letters for the Supplementary Consultation can be found in Annex F5 of the Consultation report (application document TR010029/APP/5.1).</p> <p><u>Targeted consultation</u></p> <p>The Applicant undertook targeted consultation from 31 January – 27 February 2020 in order seek views on changes to the red line boundary as a result of the proposed alignment of the gas diversion and proposals for the golf club mitigation. This included consultation with London Borough of Havering as the relevant local authority for the affected land. A copy of that sample letter is provided in Annex G1 of the Consultation report (application document TR010029/APP/5.1).</p>
9	Section 42(1)(c) the Greater London Authority (if in Greater London area)?	Yes, for the s42 consultation undertaken between 3 December 2018 and 28 January 2019, the Applicant consulted the Greater London Authority by a letter

		<p>on 30 November 2019 as the application site partially falls within Greater London.</p> <p>A copy of the letter sent to the Greater London Authority is provided in Annex C9 of the Consultation report (application document TR010029/APP/5.1).</p> <p>The Applicant consulted the Greater London Authority again as part of its supplementary consultation that took place from 4 November 2019 to 2 December 2019.</p> <p>A copy of the letter sent to the Greater London Authority on 30 October 2019 is provided in Annex F5 of the Consultation report (application document TR010029/APP/5.1).</p>
10	Section 42(1)(d) each person in one or more of s44 categories ⁹ ?	<p>Yes, for the s42 consultation undertaken at the end of 2018 and beginning of 2019, the Applicant consulted each person in one or more of the s44 categories (Persons with an Interest in Land (“PiLs”)). Letters were sent on 30 November 2018 with the consultation period commencing on 3 December 2018.</p> <p>In total, 1,066 letters were sent to PiLs, comprising category 1, 2 and 3 interests. Consultees were given a deadline for receipt of all responses of 28 January 2019, equivalent to an 8 week period and longer than the statutory minimum duration for such consultation specified in s45 of the Planning Act 2008. Section 5.6 of the Consultation report (application document TR010029/APP/5.1) outlines how the PiLs were identified and consulted during the statutory consultation</p>

⁹ 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: persons who would or might be entitled to make a relevant claim. There is no requirement on the Planning Inspectorate to check the accuracy of the list(s) provided or whether the Applicant has made diligent inquiry

	<p>During the statutory pre-application consultation period which commenced on 3 December 2018, the Applicant identified several additional s44 land interests as a result of continued diligent inquiry work. Separate consultation letters were therefore issued as follows:</p> <ul style="list-style-type: none">• An additional 11 section 42 letters were sent on 6 December 2018 (with the same consultation deadline of 28 January 2019 still allowing those consultees just over the statutory minimum time period in which to respond).• An additional 84 letters from potential newly identified PiLs were issued on 30 January 2019 with a deadline extended to 28 February 2019 (allowing them just over one calendar month in which to respond). Section 5.9 of the Consultation report outlines how newly identified PILs were consulted during an extension to the statutory consultation. <p>Copies of the relevant sample letters can be found in Annex C10 of the Consultation report (application document TR010029/APP/5.1).</p> <p><u>Supplementary consultation</u></p> <p>Following the statutory consultation, the Applicant considered the feedback received and developed its design and undertook further environmental assessments. As a result, the Applicant proposed changes to the Scheme and undertook a Supplementary Consultation on these changes, which commenced on 4 November – 2 December 2019. For this consultation, the Applicant consulted:</p> <ul style="list-style-type: none">• Newly identified PiLs category 1 and 2 (arisen due to ongoing due diligence inquiry) with a letter informing them of the consultation and inviting them to a ‘drop in’ session on 7 November 2019 along with a supplementary
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	<p>consultation brochure, response form, a s48 notice and the statutory consultation brochure and response form.</p> <ul style="list-style-type: none">• Newly identified PiLs category 3 (arisen due to ongoing due diligence inquiry) with a letter informing them of the consultation along with a supplementary consultation brochure and response form, a s 48 notice and the statutory consultation brochure and response form.• PiLs consulted at statutory consultation (unless no longer applicable) with a letter informing them of the consultation, supplementary consultation brochure and response form. <p>Section 8.3 of the Consultation report (application document TR010029/APP/5.1) outlines this approach to consulting PiLs as part of the Supplementary consultation.</p> <p><u>Targeted consultation</u></p> <p>As a result of an extension to the red line boundary targeted consultation was undertaken between 31 January – 27 February 2020, and letters accompanied by a plan were sent to two category 1 PiLs relating to the effected land. Section 10 of the Consultation report (application document TR010029/APP/5.1) outlines this approach to consulting PiLs as part of the Targeted consultation.</p> <p>The Book of reference (application document TR010029/APP/4.3) provides details of all persons falling within each of the s44 categories and who have been consulted by the Applicant as described above.</p> <p>Chapter 4 of the Statement of reasons (application document TR010029/APP/4.1) sets out how the Applicant has undertaken diligent inquiry to identify the relevant land interests, including category 3 interests.</p>
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Section 45: Timetable for s42 consultation		
11	<p>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>	<p>Yes, the Applicant notified all s42 consultees of the deadline for the receipt of consultation responses and in every case the deadline was 28 days or more starting with the day after which the consultee would have received the relevant materials/documents.</p> <p>The statutory pre-application consultation that commenced on 3 December 2018 in accordance with s42 of the Planning Act 2008 made provision for an 8-week consultation period with a stated deadline of 28 January 2019. Copies of the sample letter are provided in Annex C9 of the Consultation report (application document TR010029/APP/5.1). During the statutory consultation, additional PiLs and stakeholders were identified and notified of the consultation and given 28 days to respond with a deadline of 28 February 2019 (see Annex C10 of the Consultation report).</p> <p>The Supplementary Consultation that commenced on 4 November 2019 made provision for a 29 day consultation period with a stated deadline of 2 December 2019. Copies of the sample letters are provided in Annex F5 of the Consultation report (application document TR010029/APP/5.1).</p> <p>The Targeted Consultation which commenced on 31 January made provision for a 28 day consultation period, with a stated deadline of 27 February 2020. Copies of the Targeted Consultation sample letters are provided in Annex G1 of the Consultation report (application document TR010029/APP/5.1).</p>
Section 46: Duty to notify the Planning Inspectorate of proposed application		

12	Did the Applicant supply information to notify the Planning Inspectorate of the proposed application; and if so, was the information supplied to the Planning Inspectorate on or before the date it was sent to the s42 consultees? Was this done on or before commencing consultation under s42?	Yes, in accordance with s46 of the Planning Act 2008 the Applicant notified the Planning Inspectorate of the proposed application on 29 November 2018, which was before the commencement of the statutory consultation period on 3 December 2018 and before the Applicant issued any consultation letters on 30 November 2018. A copy of this notice is provided at Annex C1 of the Consultation report (application document TR010029/APP/5.1).
Section 47: 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 Statement of Community Consultation (SoCC) in autumn 2017 and then an updated version in autumn 2018. Copies of the draft SoCCs are provided in Annexes D1 and D2 of the Consultation report (application document TR010029/APP/5.1). The final SoCC was published on 3 December 2018 and a copy of the published SoCC is provided in Annex D6 of the Consultation report (application document TR010029/APP/5.1).
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, the London Borough of Havering and Brentwood Borough Council (as 'B' authorities) and Essex County Council (as a 'C' authority) and the Greater London Authority were consulted on the content of the SoCC on 12 October 2017 and 5 October 2018. Copies of the covering letters are provided in Annex D3 of the Consultation report (application document TR010029/APP/5.1).
15	Has the Applicant had regard to any responses received when preparing the SoCC?	Yes, the Applicant has had regard to the responses received on the draft SoCC both during informal discussions and as a result of formal consultation with the

		relevant authorities. The engagement on the draft SoCC is outlined in section 5.1 of the Consultation report (TR010029/APP/5.1).
16	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>Yes, the SoCC was published on 3 December 2018 and copies of the document were deposited in the libraries listed in section 6.3.3 of the Consultation report (application document TR010029/APP/5.1) and uploaded to the Applicant's webpage: http://www.highwaysengland.gov.uk/m25j28.</p> <p>A notice stating where and when the SoCC could be inspected was published in the following newspapers:</p> <ul style="list-style-type: none"> • Brentwood Gazette on 5 December 2018 • Romford Recorder on 7 December 2018 <p>Section 6.3 of the Consultation report (TR010029/APP/5.1) outlines the publication of the SoCC and Annex C6 provides the newspaper notices.</p>
17	Does the SoCC set out whether the development is EIA development ¹⁰ ; and does it set out how the Applicant intends to publicise and consult on the Preliminary Environmental Information?	<p>Yes, the SoCC sets out in the penultimate paragraph on page 2 that the Scheme is EIA development and how the Applicant intended to publicise and consult on the preliminary environmental information.</p> <p>A copy of the final published SoCC is provided in Annex D6 of the Consultation report (TR010029/APP/5.1).</p>
18	Has the Applicant carried out the consultation in accordance with the SoCC?	<p>Yes, the Applicant demonstrates in table 6.3.1 of the Consultation report (application reference TR010029/APP/5.1) how the commitments made in the SoCC have been met and describes the various activities that have been carried out.</p>

¹⁰ Regulation 12 of the 2017 EIA Regulations, or where Regulation 37 of the 2017 EIA Regulations applies, Regulation 10 of the 2009 EIA Regulations

	<p>For the statutory consultations undertaken between 3 December 2018 – 28 January 2019 the Applicant:</p> <ul style="list-style-type: none">• Distributed 56,921 letters to all residential and commercial addresses• Held twelve consultation events (8 of these were held at local community centres/conference centres/town halls and 4 in a mobile consultation vehicle)• Deposited copies of the consultation materials at 14 locations (libraries, leisure centre and local authority offices)• Wrote directly to local community representatives and local groups likely to have an interest in the Scheme• Issued press releases• Notified any person registered on the Highways England project website that information about the Scheme had been published on the said website <p><u>Approach to Supplementary consultation</u></p> <p>Following the statutory consultation, the Applicant made a number of non-material design changes to the Scheme. The Applicant undertook a Supplementary consultation on these changes in 2019 where the Applicant:</p> <ul style="list-style-type: none">• Distributed letters, supplementary consultation brochure and response form to effected PiLs, local authorities, respondents to statutory and non-statutory consultation, attendees to previous exhibitions who had requested to be kept informed, local MPs and other stakeholders.• Displayed the full suite of consultation materials in three local libraries• Published notices in three local newspapers <p>See chapter 9 of Consultation report (application reference TR010029/APP/5.1).</p>
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Section 48: Duty to publicise the proposed application		
19	Did the Applicant publicise the proposed application in the prescribed manner set out in Regulation 4(2) of the APFP Regulations?	Yes, details of the newspapers and dates of the s48 publicity notices are provided in table 6.3.1 of the Consultation report (application document TR010029/APP/5.1) and copies of the s48 newspaper notices can be found in Annex C7 (application document TR010029/APP/5.1).
	Newspaper(s)	Date
a)	for at least two successive weeks in one or more local newspapers circulating in the vicinity in which the Proposed Development would be situated;	Romford Recorder Brentwood Gazette
		7 December 2018 and 14 December 2018 5 December 2018 and 12 December 2018
b)	once in a national newspaper;	The Guardian
		3 December 2018
c)	once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and	London Gazette
		3 December 2018
d)	where the proposed application relates to offshore development – (i) once in Lloyds List; and	Not applicable – the Scheme does not relate to offshore development and therefore was not published in Lloyds list or a fishing trade journal.

	(ii) once in an appropriate fishing trade journal?		
20	Did the s48 notice include the required information set out in Regulation 4(3) of APFP Regulations?	Yes – the s48 notice (a copy of which can be found at Annex C7 of the Consultation report (application document TR010029/APP/5.1) contained the information required under Regulation 4(3) of the APFP Regulations.	
	Information	Paragraph	Information
a)	the name and address of the Applicant.	Yes, see 1 st paragraph of the s48 notice	b) a statement that the Applicant intends to make an application for development consent to the Secretary of State
c)	a statement as to whether the application is EIA development	Yes, see 4 th paragraph of the s48 notice	d) a summary of the main proposals, specifying the location or route of the Proposed Development
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	Yes, see 5 th paragraph of the s48 notice	f) the latest date on which those documents, plans and maps will be available for inspection
			Yes, see 1 st paragraph of the s48 notice
			Yes, see 2 nd and 3 rd paragraphs of the s48 notice
			Yes, see 5 th paragraph of the s48 notice that explains the documents will be

	Development) and times set out in the notice				available for inspection throughout the consultation period ending on 28 th January 2019
g)	whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge	Yes, see 7 th paragraph of the s48 notice	h)	details of how to respond to the publicity	Yes, see 8 th , 9 th and 10 th paragraphs of the s48 notice
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	Yes, see 8 th paragraph of the s48 notice			
21	Are there any observations in respect of the s48 notice provided above?				
	The Applicant wishes to note that the s48 notice also provided information on who people should contact if they needed to request further information or seek clarification.				

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 ¹¹ ?	Yes, a copy of the notice was sent to the EIA consultation bodies on 30 November 2018, see copies of the sample letters sent in Annex C9 of the Consultation report (application document TR010029/APP/5.1).
s49: Duty to take account of responses to consultation and publicity		
23	Has the Applicant had regard to any relevant responses to the s42, s47 and s48 consultation?	<p>Yes, the Applicant has had regard to all relevant responses received in respect of the statutory, supplementary and targeted consultations undertaken. Chapters 7-10 of the Consultation report (application document TR010029/APP/5.1) explain how the Scheme has been further developed and refined in the light of consultation feedback and the actions that the Applicant has taken to have regard to the relevant responses. The relevant annexes also explain why some suggestions could not be made to the Scheme because they either were not considered necessary, appropriate or feasible.</p> <p>In total 246 response forms were completed (both in hard copy and online) from s47, s44 consultees and 20 responses from s42 consultees. 18 responses were received in relation to the Supplementary Consultation carried out in November 2019. Two responses were received following the targeted consultation exercise undertaken in February 2020.</p>
Guidance about pre-application procedure		

¹¹ Regulation 13 of the 2017 EIA Regulations, or where Regulation 37 of the 2017 EIA Regulations applies, Regulation 11 of the 2009 EIA Regulations

24	To what extent has the Applicant had regard to statutory guidance 'Planning Act 2008: Guidance on the pre-application process' ¹² ?	<p>The Applicant has had full regard to the relevant DCLG guidance, as well as to the Advice Notes published by the Planning Inspectorate relating to the pre-application procedure for NSIPs.</p> <p>The Applicant has engaged extensively with local communities, local authorities, statutory bodies, landowners and utility companies and those who could be directly affected by the Scheme before submitting its Development Consent Order application.</p> <p>The Applicant has consulted widely and has wherever possible allowed longer than the statutory minimum timeframes for responses recognising the complexity of the issues involved. Consultation materials have been tailored to their respective audiences and the Applicant has continued to engage on technical matters with a number of statutory bodies throughout the entire pre-application process.</p> <p>On 2 March 2020 a joint local authority forum was held to discuss some of the draft application documents and outline the process and onward programme. On 24 April 2020 draft DCO documents (draft DCO, Explanatory memorandum, Works plans, Land plans, relevant extracts from the Book of reference, Historic sites and features plan, Register of environmental actions and commitments, Outline LEMP, Outline CEMP and relevant planning policies) were sent to the local authorities for their review and comment.</p> <p>The Applicant has been working proactively with the Environment Agency to draft a Statement of Common Ground. This is submitted in support of the application (application reference TR010029/APP/8.1).</p>
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¹² The Planning Inspectorate must have regard to the extent to which the Applicant has had regard to guidance issued under s50

		Chapter 11 of the Consultation report (application document TR010029/APP/5.1), and in particular Table 11.2.1, provides a further explanation as to how the Applicant has had regard to the DCLG guidance on the pre-application process and the Applicant's approach to consultation.
25	Summary: Section 55(3)(e)	
	The applicant has had complied with all relevant parts of the pre-application procedures as detailed above.	
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"> • a brief statement which explains why it falls within the remit of the Planning Inspectorate; and • a brief statement that clearly identifies the location of the application site, or the route if it is a linear scheme? 	<p>Yes, the application is submitted in the prescribed form, refer to the Application form (application document TR010029/APP/1.3) and covering letter (this document). In Box 4 of the application form, the Applicant explains why the Scheme falls within the remit of the Secretary of State. A brief statement clearly identifying the location of the Scheme is provided in Box 6 of the form.</p> <p>Reference should also be made to the Explanatory memorandum (application document TR010029/APP/3.2) which confirms the Scheme's qualifying status as an NSIP.</p> <p>A Location plan is submitted as part of the application documentation (application document TR010029/APP/2.1).</p>
27	Is it accompanied by a Consultation Report?	Yes, a Consultation report (application document TR010029/APP/5.1) has been submitted, which comprises a main report and annexes A-G (application document TR010029/APP/5.1).

28	Where a plan comprises three or more separate sheets, has a key plan been provided showing the relationship between the different sheets? ¹³	Yes, key plans have been provided for the relevant plans within Volume 2 of the DCO application.								
29	Is it accompanied by the documents and information set out in APFP Regulation 5(2)?	Yes, the documents and information required by APFP Regulations 5(2) are set out in the documents and locations within the application as indicated in the following sections.								
<table border="1"> <thead> <tr> <th>Information</th> <th>Document</th> </tr> </thead> <tbody> <tr> <td>a) Where applicable, the Environmental Statement required under the EIA Regulations¹⁴ and any scoping or screening opinions or directions</td> <td> Yes, the application is accompanied by an Environmental Statement, which comprises the following volumes: Environmental statement main report (application document TR010029/APP/6.1) Environmental statement figures (application document TR010029/APP/6.2) Environmental statement appendices (application document TR010029/APP/6.3) </td> </tr> </tbody> </table>		Information	Document	a) Where applicable, the Environmental Statement required under the EIA Regulations ¹⁴ and any scoping or screening opinions or directions	Yes, the application is accompanied by an Environmental Statement, which comprises the following volumes: Environmental statement main report (application document TR010029/APP/6.1) Environmental statement figures (application document TR010029/APP/6.2) Environmental statement appendices (application document TR010029/APP/6.3)	<table border="1"> <thead> <tr> <th>Information</th> <th>Document</th> </tr> </thead> <tbody> <tr> <td>b) The draft Development Consent Order (dDCO)</td> <td>Yes, the application is accompanied by a draft Development Consent Order, see application document TR010029/APP/3.1.</td> </tr> </tbody> </table>	Information	Document	b) The draft Development Consent Order (dDCO)	Yes, the application is accompanied by a draft Development Consent Order, see application document TR010029/APP/3.1.
Information	Document									
a) Where applicable, the Environmental Statement required under the EIA Regulations ¹⁴ and any scoping or screening opinions or directions	Yes, the application is accompanied by an Environmental Statement, which comprises the following volumes: Environmental statement main report (application document TR010029/APP/6.1) Environmental statement figures (application document TR010029/APP/6.2) Environmental statement appendices (application document TR010029/APP/6.3)									
Information	Document									
b) The draft Development Consent Order (dDCO)	Yes, the application is accompanied by a draft Development Consent Order, see application document TR010029/APP/3.1.									

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

¹⁴ The 2017 EIA Regulations, or where Regulation 37 of the 2017 EIA Regulations applies, the 2009 EIA Regulations

		Environmental statement non-technical summary (application document TR010029/APP/6.4) EIA scoping report (application document TR010029/APP/6.10)		
	Is this of a satisfactory standard?			Is this of a satisfactory standard?
c)	An Explanatory Memorandum explaining the purpose and effect of provisions in the draft DCO	Yes, the application is accompanied by an Explanatory memorandum , see application document TR010029/APP/3.2.	d)	Where applicable, a Book of Reference (where the application involves any Compulsory Acquisition)
	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 , see application document TR010029/APP/6.6.	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
				Yes, the application is accompanied by a Statutory nuisance statement , see application document TR010029/APP/6.5.

			Applicant proposes to mitigate or limit them	
	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 and a Funding statement , see application documents TR010029/APP/4.1 and TR010029/APP/4.2 respectively.	i) A Land plan identifying:- (i) the land required for, or affected by, the Proposed Development; (ii) where applicable, any land over which it is proposed to exercise powers of Compulsory Acquisition or any rights to use land; (iii) any land in relation to which it is proposed to extinguish easements, servitudes and other private rights; and	Yes, the application is accompanied by a set of Lands plans , see application document TR010029/APP/2.2 and Special category land plans , see application document TR010029/APP/2.11.

			(iv) any special category land and replacement land	
	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 DCO</p>	<p>Yes, the application is accompanied by a set of Works plans, see application document TR010029/APP/2.3.</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, the application is accompanied by a set of Streets, rights of way and access plans, see application document TR010029/APP/2.4.</p>
	Is this of a satisfactory standard?		Is this of a satisfactory standard?	

<p>l) Where applicable, a plan with accompanying information identifying:- any statutory/ non-statutory sites or features of nature conservation eg sites of geological/ landscape importance; habitats of protected species, important habitats or other diversity features; and water bodies in a river basin management plan, 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 a Biodiversity sites and features plan, see application document TR010029/APP/2.9. The assessment of any effects on such sites, features, habitats or bodies likely to be caused by the Scheme is presented in the Environmental Statement at Biodiversity (Chapter 7), Road drainage and the water environment (Chapter 8) and Cultural heritage (Chapter 11) (application document TR010029/APP/6.1) as well as the Arboricultural impact assessment (Appendix 7.7 of application document TR010029/APP/6.3) and Water framework directive compliance assessment report (application document TR010029/APP/6.7).</p>	<p>m) 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 a Historic environment sites and features plan, see application document TR010029/APP/2.10. The assessment of any effects on such sites, features or structures likely to be caused by the Scheme is presented in the Cultural heritage chapter (Chapter 11) of the Environmental Statement (application document TR010029/APP/6.1).</p>
<p>Is this of a satisfactory standard?</p>		<p>Is this of a satisfactory standard?</p>	

n)	Where applicable, a plan with any accompanying information identifying any Crown land	Yes , the application is accompanied by Crown land plans , see application document TR010029/APP/2.5.	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 the following: Scheme layout plans , see application document TR010029/APP/2.7 and Engineering drawings and sections , see application document TR010029/APP/2.8.
	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:	Yes , the application is accompanied by the following: Scheme layout plans , see application document TR010029/APP/2.7 and	q)	Any other documents considered necessary to support the application	Yes , the application is accompanied by the following additional documents: Index of Development Consent Order application documents (see application document TR010029/APP/1.4).

	<p>Engineering drawings and sections, see application document TR010029/APP/2.8.</p>		<p>Introduction to the application (see application document TR010029/APP/1.1).</p> <p>Application form (see application document TR010029/APP/1.3)</p> <p>Speed limits and traffic regulations plan (see application document TR010029/APP/2.6)</p> <p>Consents and agreements position statement (see application document TR010029/APP/3.3)</p> <p>Case for the Scheme and schedule of accordance with National Policy Statement (see application document TR010029/APP/7.1)</p> <p>Outline construction environmental management plan (see application document TR010029/APP/7.2)</p> <p>Register of environmental actions and commitments (see application document TR010029/APP/7.3)</p> <p>Transport assessment report (see application document TR010029/APP/7.4)</p>
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Are they of a satisfactory standard?		Are they of a satisfactory standard?	
30	Are there any observations in respect of the documents provided at Box 29 (a) to (q) above?		
31	Is the application accompanied by a report identifying any European site(s) to which Regulation 48 of The Conservation (Natural Habitats etc) 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)? ¹⁵	Yes , the application is accompanied by a Habitats regulations assessment report (application document TR010029/APP/6.9).	
32	If requested by the Planning Inspectorate, two paper copies of the application form and other supporting documents and plans ¹⁶	The Planning Inspectorate confirmed on 16 April 2020 that an electronic copy only is required.	
33	Has the Applicant had regard to statutory guidance 'Planning Act 2008: Application form guidance', and has this regard led to the	Yes , the Applicant has had full regard to the DCLG guidance. In particular:	

¹⁵ Regulation 5(2)(g) of the APFP Regulations

¹⁶ Regulation 5(2)(r) of the APFP Regulations

	<p>application being prepared to a standard that the Planning Inspectorate considers satisfactory?</p>	<ul style="list-style-type: none"> • The application is made in the prescribed form and is accompanied by a Consultation report, a draft DCO, Explanatory memorandum, Land plans, Book of reference, Funding statement, Statement of reasons, Works plans, Environmental Statement, Habitats regulations assessment and other relevant documents and information prescribed in the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended); • The application documents have been appropriately referenced to enable them to be easily identified by the Secretary of State and other interested parties. The documents are submitted in electronic form rather than paper; • The application fee of £7,227 has been paid prior to submitting the application; and • The application form has been completed as far as possible without using technical or complex language and terminology to ensure that the information it contains is understandable to any interested person. <p>The Applicant has also had full regard to the advice provided by the Planning Inspectorate under s51 of the Planning Act 2008 and as published on the Planning Inspectorate’s website. In particular, the Applicant has modified the presentation of some plans to improve the clarity of information being submitted and has extended the scope of some application documents to ensure that information is provided is to a sufficient level of detail to enable the Secretary of State and other parties to appropriately consider the Scheme.</p>
34	<p>Summary - s55(3)(f) and s55(5A)</p>	<p>The application (including accompaniments) achieves a satisfactory standard having regard to the extent to which it complies with section 37(3) (form and</p>

	contents of application) and with any standards set under section 37(5) and follows any applicable guidance under section 37(4).	
The Infrastructure Planning (Fees) Regulations 2010 (as amended)		
Fees to accompany an application		
35	Was the fee paid at the same time that the application was made ¹⁷ ?	Yes, the Applicant has paid the sum of £7,227 via BACS transfer to the account of the Planning Inspectorate on 18 May 2020.
Role	Electronic signature	Date
Case Manager		
Acceptance Inspector		

¹⁷ The Planning Inspectorate must charge the Applicant a fee in respect of the decision by the Planning Inspectorate under section 55 of the PA2008. If the Applicant fails to pay the fee, the Planning Inspectorate need not consider the application until payment is received. The fee must be paid at the same time that the application is made

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