

# M25 junction 10/A3 Wisley interchange TR010030 1.4 Schedule of Compliance with Section 55 of the Planning Act 2008

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 (as amended)

## M25 junction 10/A3 Wisley interchange

### The M25 junction 10/A3 Wisley interchange Development Consent Order 202[X ]

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## 1.4 SCHEDULE OF COMPLIANCE WITH SECTION 55 OF THE PLANNING ACT 2008

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<b>Regulation Number:</b>	Regulation 5(2)(q)	
<b>Planning Inspectorate Scheme Reference</b>	TR010030	
<b>Application Document Reference</b>	TR010030/APP/1.4	
<b>Author:</b>	M25 junction 10/A3 Wisley interchange project team, Highways England	
<b>Version</b>	<b>Date</b>	<b>Status of Version</b>
Rev 0	June 2019	Development Consent Order application

## Section 55 Acceptance of Applications

### 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
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 PA2008 for the development to be treated as development for which development consent is required?</p>	<p><b>Yes</b>, the Scheme as set out in <b>Schedule 1 of the Development Consent Order (application document reference TR010030/APP/3.1)</b> comprises the alteration of two highways, namely the M25 motorway and the A3 trunk road. Both highways to be altered are wholly within England and Highways England Company Limited, being a strategic highways company, will be the highway authority responsible for the Scheme.</p> <p>For each road the area of development exceeds the relevant area threshold for highway-related development to amount to a Nationally Significant Infrastructure Project (NSIP) as prescribed in Section 22(4) of the Planning Act 2008, the relevant thresholds being 15 hectares in relation to the alteration of a motorway (the M25) and 12.5 hectares in relation to the alteration of a road where the speed limit for any class of vehicle is and will be in excess of 50 miles per hour (the A3). Accordingly, the Scheme comprises two NSIPs, one in relation to the M25 and the other in relation to the A3, together with associated development in relation to both.</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)



		See also box 4 of the application form and accompanying covering letter (document reference TR010030/APP/1.3) and the Explanatory Memorandum (document reference TR010030/APP/3.2) which confirm that the Scheme comprises two NSIPs.
3	<b>Summary – s55(3)(a) and s55(3)(c)</b>	See above. Highways England, ‘the Applicant’ requires development consent to implement the Scheme and accordingly the application is for an order granting development under the Planning Act 2008.
<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?	<p><b>Yes</b>, in accordance with Regulation 8(1)(b) of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017, the Applicant notified the Planning Inspectorate in writing on 8 December 2017 that it intended to provide an environmental statement in respect of the Scheme. This notification was provided prior to the Applicant undertaking its consultation in accordance with s42, which commenced on 12 February 2018, with consultation letters and emails being issued on 9 February 2018.</p> <p>A copy of the Applicant’s letter of notification dated 8 December 2017 is provided in <b>Annex B of the Consultation Report (application document reference TR010030/APP/5.1)</b>.</p> <p>To note: The Applicant applied for a scoping opinion under regulation 10(1) of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 in the same Regulation 8(1)(b) letter dated 8 December 2017.</p>
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?	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 2 (paragraph 16), published in February 2015.

<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

<b>s42: Duty to Consult</b>		
	<p>Did the applicant consult the applicable persons set out in s42 of the PA2008 about the proposed application?</p>	<p><b>Yes</b>, the Applicant carried out a statutory pre-application consultation under s42 of the Planning Act 2008 between 12 February 2018 and 26 March 2018. Details of the consultations carried out are provided in the <b>Consultation Report (application document reference TR010030/APP/5.1)</b>.</p> <p>The Applicant also undertook two subsequent targeted non-statutory consultations, to seek views on several non-material changes that had been made to the Scheme. The first was held between 14 November 2018 and 14 December 2018 and the second was held between 3 April 2019 and 3 May 2019.</p> <p>See below for further details of the consultations carried out.</p>
6	<p>s42(1)(a) persons prescribed<sup>6</sup>?</p>	<p><b>Yes</b>, for the statutory s42 consultation that commenced on 12 February 2018, the Applicant consulted all consultees prescribed under s42(1)(a) of the Planning Act 2008 where required by the circumstances stipulated 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 and to the advice on the application of the relevance test as set out in the Planning Inspectorate’s Advice Note 3 (Version 7). Where there was any doubt about the relevance of a particular prescribed body, the Applicant adopted a precautionary approach and included that body within the scope of its consultation.</p> <p>A <b>list of the prescribed bodies</b> consulted in February 2018 under s42(1)(a) is provided in <b>Annex D of the Consultation Report (document reference TR010030/APP/5.1)</b>.</p> <p>Letters or emails were sent out to the prescribed bodies on 9 February 2018, with the consultation period commencing on 12 February 2018. The deadline of 26 March 2018 was clearly stated in each consultation letter, allowing consultees a</p>

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

		<p>period of six weeks in which to respond, a longer duration than the statutory minimum stipulated in s45 of the Planning Act 2008.</p> <p>All bodies/persons notified to the Applicant by the Planning Inspectorate on 22 January 2018, under Regulation 11(1)(a) of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 were consulted.</p> <p>Copies of <b>sample letters</b> are provided in <b>Annex E of the Consultation Report (application document reference TR010030/APP/5.1)</b>.</p> <p><u>Targeted non-statutory consultations</u></p> <p>For the targeted non-statutory consultation undertaken between 14 November 2018 and 14 December 2018, the same prescribed consultees were consulted by letter or email, with letters being sent out on 13 November 2018 and emails being sent out on 14 November 2018. Consultees were given a deadline of 14 December 2018 by which to respond, two days more than the minimum timetable for statutory consultations specified in s45 of the Planning Act 2008. See <b>chapter 6 of the Consultation Report (application document reference TR010030/APP/5.1)</b> for further details of the <b>November 2018 targeted consultation</b>. Copies of <b>sample letters</b> for the November 2018 targeted consultation are provided in <b>Annex J of the Consultation Report</b>.</p> <p>For the targeted non-statutory consultation undertaken between 3 April 2019 and 3 May 2019, a selective list of prescribed bodies was consulted, proportionate to the minor nature of the changes that were being made to the Scheme at that time. In total 15 prescribed bodies were consulted. Letters were sent out to the consultees on 2 April 2019 and consultees were given a deadline of 3 May 2019 for receipt of any responses, two days more than the minimum stipulated in s45 of the Planning Act for statutory consultations. See <b>chapter 6 of the Consultation Report (application document reference TR010030/APP/5.1)</b> for further details of the April 2019 targeted consultation. Copies of <b>sample letters</b> for the April 2019 targeted consultation are provided in <b>Annex K of the Consultation Report</b>.</p>
7	s42(1)(aa) the Marine Management Organisation <sup>7</sup> ?	<b>Not applicable</b> as the Marine Management Organisation is not a relevant consultee in respect of the Scheme.

<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

8	s42(1)(b) each local authority within s43 <sup>8</sup> ?	<p><b>Yes</b>, the for the statutory s42 consultation that commenced on 12 February 2018, the Applicant consulted each local authority within s43 (25 local authorities in total). Letters or emails were sent out on Friday 9 February 2018, with the consultation period commencing on 12 February 2018, as follows:</p> <ul style="list-style-type: none"> <li>• 7 No. ‘A’ authorities: Mole Valley District Council, Runnymede Borough Council, Rushmoor Borough Council, Spelthorne Borough Council, Surrey Heath Borough Council, Waverley Borough Council, Woking Borough Council;</li> <li>• 2 No. ‘B’ authorities: Elmbridge Borough Council and Guildford Borough Council;</li> <li>• 1 No. ‘C’ authority: Surrey County Council; and</li> <li>• 13 No. ‘D’ authorities: Bracknell Forest Council, East Sussex County Council, Hampshire County Council, Kent County Council, London Borough of Bromley, London Borough of Croydon, London Borough of Hillingdon, London Borough of Hounslow, London Borough of Sutton, Slough Borough Council, South Downs National Park Authority, The Royal Borough of Windsor and Maidenhead and West Sussex County Council.</li> </ul> <p>The following authorities were consulted and fall within the scope of both ‘A’ and ‘D’:</p> <ul style="list-style-type: none"> <li>• London Borough of Richmond, and</li> <li>• The Royal Borough of Kingston upon Thames.</li> </ul> <p>The local authorities consulted under s43 were given a six-week period in which to respond (the stated deadline given was 26 March 2018), exceeding the statutory requirements stipulated in s45 of the Planning Act 2008.</p> <p>Copies of <b>sample letters</b> sent to each authority listed above are provided in <b>Annex E of the Consultation Report (application document reference TR010030/APP/5.1)</b>.</p>
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<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

	<p><u>Targeted non-statutory consultations</u></p> <p>For the targeted non-statutory consultation that commenced on 14 November 2018, the Applicant consulted the same 25 local authorities identified above, as follows:</p> <ul style="list-style-type: none"><li>• for those authorities contacted by post a letter was sent on 13 November 2018;</li><li>• for those authorities contacted by email, an email was sent on 14 November 2018; and</li><li>• due to an administrative error the neighbouring authorities (except for Woking Borough Council) were omitted from the initial postal and email distribution. These authorities were consulted on 20 November 2018 and were given an extended deadline to 20 December 2018.</li></ul> <p>Copies of <b>sample letters</b> for the November 2018 targeted consultation can be found in <b>Annex J of the Consultation Report (application document reference TR010030/APP/5.1)</b>.</p> <p>For the targeted non-statutory consultation that commenced on 3 April 2019, the Applicant adopted a proportionate approach to the consultation, commensurate with the minor nature of the changes that were being made to the Scheme at that time. Accordingly, the applicant consulted Surrey County Council, Elmbridge Borough Council and Guildford Borough Council as host authorities, together with Woking Borough Council as the neighbouring authority closest to the location of the relevant Scheme changes.</p> <p>Letters of consultation were issued on 2 April, stating a deadline of 3 May 2019 for receipt of responses, allowing the authorities one calendar month in which to respond. At the request of Surrey County Council, Elmbridge Borough Council and Guildford Borough Council, the Applicant agreed to extend the deadline for receipt of their responses to 8 May 2019. <b>Sample letters</b> for the April 2019 consultation are provided in <b>Annex K of the Consultation Report (application document reference TR010030/APP/5.1)</b>.</p>
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9	s42(1)(c) the Greater London Authority (if in Greater London area)?	<p><b>Yes</b>, for the s42 consultation undertaken in February 2018, the Applicant consulted the Greater London Authority because this authority was included in the Planning Inspectorate’s list of consultation bodies provided on 22 January 2018 under regulation 11(1)(a) of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017. It should however be noted that the development consent order boundary for the Scheme does not and has not at any time included land within the Greater London Authority administrative area.</p> <p>A copy of the letter sent to the Greater London Authority on 9 February 2018 is provided in <b>Annex E of the Consultation Report (application document reference TR010030/APP/5.1)</b>.</p> <p>The Applicant consulted the Greater London Authority again in November 2018 as part of its targeted non-statutory consultation but did not consider it relevant or necessary to include the Greater London Authority within its further targeted consultation held in April 2019, given the minor nature of the Scheme changes being made at that time.</p> <p>A copy of the letter sent to the Greater London Authority on 13 November 2018 is provided in <b>Annex J of the Consultation Report (application document reference TR010030/APP/5.1)</b>.</p>
10	s42(1)(d) each person in one or more of s44 categories <sup>9</sup> ?	<p><b>Yes</b>, for the s42 consultation undertaken in February 2018, the Applicant consulted each person in one or more of the s44 categories. Letters were sent on 9 February 2018, with the consultation period commencing on 12 February 2018.</p> <p>In total, 654 letters were sent to s44 interests, comprising 68 category 1 interests, 49 category 2 interests and 537 category 3 interests. Consultees were given a deadline for receipt of all responses of 26 March 2018, equivalent to a six-week period and longer than the statutory minimum duration for such consultation specified in s45 of the Planning Act 2008.</p> <p>During the statutory pre-application consultation period which commenced on 12 February 2018, the Applicant identified several additional s44 land interests as a</p>

<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

	<p>result of continued diligent inquiry work. Separate consultation letters were therefore issued as follows:</p> <ul style="list-style-type: none"><li>• 9 additional category 2 and 3 interest letters were issued on 16 February 2018 (with the same consultation deadline of 26 March 2018 still allowing those 9 consultees longer than the statutory minimum period in which to respond);</li><li>• 11 additional category 2 and 3 interest letters were issued on 22 February 2018 (with the same consultation deadline of 26 March 2018 still allowing those 11 consultees just over the statutory minimum time period in which to respond); and</li><li>• 8 additional category 1 and 3 interest letters were issued on 16 March 2018 with a deadline extended to 19 April 2018 (allowing them just over one calendar month in which to respond).</li></ul> <p>Copies of the relevant <b>sample letters</b> can be found in <b>Annex E of the Consultation Report (application document reference TR010030/APP/5.1)</b>.</p> <p><u>Further targeted consultations</u></p> <p>Following a detailed review of consultation feedback, the Applicant made a number of non-material design changes to the Scheme. The Applicant then undertook two subsequent rounds of targeted consultations on those changes. As part of the targeted consultations, the Applicant consulted any s44 interests that were affected by the changes, including newly affected land interests and land interests that had previously been consulted but who would be affected differently as a consequence of the changes.</p> <p>In November 2018, s44 persons were consulted as follows:</p> <ul style="list-style-type: none"><li>• 39 land interests were consulted on the basis that their land would be directly affected for the first time as a result of the Scheme design changes;</li><li>• 55 land interests were consulted on the basis that the Scheme would require more of their land than previously anticipated;</li><li>• 11 land interests were consulted on the basis that the Scheme would require less of their land than previously anticipated; and</li><li>• 5 land interests were consulted on the basis that their land would no longer be required as a result of the Scheme changes.</li></ul>
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	<p>A further 9 residents at Elm Corner were consulted on the basis of changes being made to the Scheme which affected right and interests in land.</p> <p>In total, 119 land interests were consulted by letter dated 13 November 2018. The consultees were asked to respond by 14 December 2018, giving them one calendar month in which to respond, just over the statutory minimum timetable specified in the Planning Act 2008. Copies of <b>sample letters</b> for the November 2018 targeted consultation are provided in <b>Annex J of the Consultation Report (application document reference TR010030/APP/5.1)</b>.</p> <p>In April 2019, the Applicant consulted s.44 land interests as follows:</p> <ul style="list-style-type: none"><li>• 10 land interests on the basis that their land would be directly affected for the first time as a result of further design changes – 4 of which were largely due to having interests in the sub-soil of adjoining highways to be improved or subject to speed limit or other traffic regulation change being proposed to the Draft DCO powers;</li><li>• 61 land interests were consulted on the basis that the Scheme would affect their land differently (either requiring more or less land than previously anticipated);</li><li>• 13 land interests were consulted on the basis that their land would no longer be required for the Scheme as a result of design changes;</li><li>• 114 land interests were notified that they would be unlikely to be affected (effectively removing them from the category 3 list); and</li><li>• 21 land interests were consulted on the basis of being newly identified through continued and on-going diligent inquiry and land referencing work.</li></ul> <p>The Applicant sent letters to the 219 land interests described above on 2 April 2019, with a deadline for responses given as 3 May 2019, thus allowing the consultees one calendar month in which to respond, two days more than the statutory minimum period stipulated in the Planning Act 2008.</p> <p>An additional 12 land interests, identified as a result of further diligent inquiries, were consulted on the Scheme changes on 26 April 2019. These consultees were allowed until 29 May 2019 in which to respond, again just over the statutory minimum time frame stipulated in the Planning Act 2008.</p>
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		<p>Copies of <b>sample letters for the April 2019 targeted consultation</b> are provided in <b>Annex K of the Consultation Report (application document reference TR010030/APP/5.1)</b>.</p> <p>The <b>Book of Reference (application document reference TR010030/APP/4.3)</b> 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><b>Chapter 4 of the Statement of Reasons (application document reference TR010030/APP/4.1)</b> sets out how the Applicant has undertaken <b>diligent inquiry</b> to identify the relevant land interests, including category 3 interests, whilst the <b>Consultation Report (application document reference TR010030/APP/5.1)</b> explains the how the statutory and targeted consultations were carried out.</p> <p>Despite diligent inquiry, very shortly before the submission of the application, four additional land interests were identified. These parties have been included in the Book of Reference (application document reference TR010030/APP/4.3) and will be notified once the application has been accepted, to enable them, if they wish, to engage with the examination of the application.</p>
<p><b>s45: Timetable for s42 Consultation</b></p>		
<p>11</p>	<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><b>Yes</b>, 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 12 February 2018 in accordance with s42 of the Planning Act 2008 made provision for a 6-week consultation period with a stated deadline of 26 March 2018. Copies of the <b>sample letters</b> are provided in <b>Annex E of the Consultation Report (application document reference TR010030/APP/5.1)</b>.</p> <p>The first targeted non-statutory consultation that commenced on 14 November 2018, made provision for a one-month consultation period with a stated deadline of 14 December 2018. Copies of the <b>sample letters</b> are provided in <b>Annex J of the Consultation Report (application document reference TR010030/APP/5.1)</b>.</p>

		<p>The second targeted non-statutory consultation that commenced on 3 April 2019, made provision for a one-month consultation period, with a stated deadline of 3 May 2019. Copies of the <b>sample letters</b> are provided in <b>Annex K of the Consultation Report (application document reference TR010030/APP/5.1)</b>.</p> <p>See also the Applicant's responses to questions 6, 7, 8, 9 and 10 above for further details. The Applicant notes that where any letter had to be reissued due to incorrect address details, all parties were allowed a minimum of one calendar month in which to respond.</p>
<p><b>s46: Duty to notify Secretary of State of proposed application</b></p>		
12	<p>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?</p>	<p><b>Yes</b>, in accordance with s46 of the Planning Act 2008 the Applicant notified the Planning Inspectorate of the proposed application on 8 February 2018, which was before the commencement of the s.42 consultation period on Monday 12 February 2018 and before the Applicant issued any consultation letters on 9 February 2018. A copy of this notice is provided at <b>Annex F1. of the Consultation Report (document reference TR010030/APP/5.1)</b>. Receipt of the s46 notice was acknowledged by the Planning Inspectorate in a letter dated 12 February 2018.</p>
<p><b>s47: Duty to consult local community</b></p>		
13	<p>Did the applicant prepare a Statement of Community Consultation (SoCC) on how it intended to consult people living in the vicinity of the land?</p>	<p><b>Yes</b>, the Applicant produced a draft Statement of Community Consultation (SoCC) in November 2017. A copy of the <b>draft SoCC is provided in Annex C of the Consultation Report (document reference TR010030/APP/5.1)</b>. The <b>final SoCC</b> was published on 2 February 2018 and a copy of the published SoCC is also provided in <b>Annex C of the Consultation Report (document reference TR010030/APP/5.1)</b>.</p> <p><u>Approach for subsequent targeted non-statutory consultations:</u></p> <p>In response to the feedback received during the statutory pre-application consultation and other on-going engagement, the Applicant made a number of non-material design changes to the Scheme. In accordance with paragraph 6.4 of the SoCC, the Applicant undertook to carry out a targeted (non-statutory) consultation on those changes.</p>



		<p>The Applicant met with the relevant host local authorities on 27 July 2018 to discuss the nature and scope of the non-material changes and to agree the intended approach for the targeted consultation. The local authorities agreed the approach about who should be consulted and confirmed that no further update of the SoCC or a repeat of formal statutory consultation would be necessary (See Guildford Borough Council email of 10 August 2018, Elmbridge Borough Council email of 15 August 2018 and Surrey County Council email of 20 August 2018). The targeted non-statutory consultation commenced on 14 November 2018. Copies of the correspondence from the local authorities' relating to the approach for the 2018 targeted consultation are provided in <b>Annex J of the Consultation Report (application document reference TR010030/APP/5.10)</b>.</p> <p>Further minor and non-material design changes were made to the Scheme in early 2019, to include changes made in the light of the 2018 targeted non-statutory consultation feedback. The Applicant agreed with the relevant host authorities to carry out a further targeted consultation, focusing on s44 interests that would be directly affected by the changes as well as prescribed bodies that were considered likely to have an interest in the changes. A meeting was held with the host authorities on 15 March 2019 to discuss the approach to be taken for this second targeted consultation. The Applicant confirmed the approach in writing to the host authorities by email dated 26 March 2019 and followed up on 28 March 2019 to ensure agreement had been reached.</p> <p>Surrey County Council confirmed its agreement to the intended approach by email dated 1 April 2019, Elmbridge Borough Council confirmed their agreement by email dated 29 March 2019 and Guildford Borough Council confirmed their agreement by email dated 28 March 2019. The second targeted non-statutory consultation then commenced on 3 April 2019. Copies of the correspondence confirming the local authorities' agreement to the approach for the 2019 targeted consultation are provided in <b>Annex K of the Consultation Report (application document reference TR010030/APP/5.10)</b>.</p>
14	<p>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</p>	<p><b>Yes</b>, Elmbridge Borough Council and Guildford Borough Council (as 'B' authorities) and Surrey County Council (as 'C' authority) were consulted on the content of the SoCC on 29 November 2017. Recognising that the 28-day period stipulated in s47(3) of the Planning Act 2008 included the Christmas holiday, the deadline for the receipt of responses was extended by agreement to 11 January 2018. A copy of</p>

	(where applicable) "C" authorities received the consultation documents?	<p>the Applicant's letter dated 29 November 2017 is provided in <b>Annex C of the Consultation Report (document reference TR010030/APP/5.1)</b>.</p> <p>To note: an earlier draft of the SoCC was also shared with the three host authorities on 11 October 2017 and was the subject of a meeting held on 13 October 2017.</p> <p>The applicant also hosted a DCO knowledge sharing event with the host authorities to introduce them to other local authorities that had direct and relevant experience of the DCO process. This event was held on 13 November 2017.</p>
15	Has the applicant had regard to any responses received when preparing the SoCC?	<p><b>Yes</b>, the Applicant has had full regard to the responses received on the draft SoCC. The Applicant hosted a meeting on 8 January 2018 to discuss feedback. <b>Annex C of the Consultation Report (document reference TR010030/APP/5.1)</b> summarises the responses received and how the final published SoCC has been shaped by them. Copies of the relevant letters of response are also provided in <b>Annex C of the Consultation Report</b>. The Applicant wrote to the three local authorities on 26 January 2018 setting out how it intended to address their comments and to provide an opportunity for any points or matters to be clarified between the parties. A copy of this letter is provided in <b>Annex C of the Consultation Report (application document reference TR010030/APP/5.1)</b>.</p> <p>The final version of the SoCC was issued to the local authorities on 29 January 2018 ahead of its formal publication and deposit on 2 February 2018. See <b>Annex C of the Consultation Report (application document reference TR010030/APP/5.1)</b>.</p>
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><b>Yes</b>, the SOCC was published on 2 February 2018 and copies of the document were deposited at the offices of the three host local authorities as well as at several the public libraries conveniently located for people living in the vicinity of the Scheme, notably at Addlestone, Cobham, East Horsley, Walton-on-Thames, West Byfleet and Woking. A copy of the SoCC was also published on the Applicant's project website <a href="http://www.highways.gov.uk/m25j10">www.highways.gov.uk/m25j10</a>.</p> <p>A notice stating where and when the SoCC could be inspected was published in the Surrey Advertiser on 2 February 2018. The Surrey Advertiser was chosen because the Applicant understood that it had the widest circulation/readership in the area of the Scheme, approximately 67,000 each week.</p>

		<b>Annexes F and G of the Consultation Report (document TR010030/APP/5.1)</b> provide a full explanation about the steps taken to publicise the SoCC and a copy of the notice of publication.
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?	<p><b>Yes</b>, the SoCC sets out at paragraphs <b>3.1, 3.2 and 6.1</b> 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 <b>Annex C of the Consultation Report (application document reference TR010030/APP/5.1)</b>.</p>
18	Has the applicant carried out the consultation in accordance with the SoCC?	<p><b>Yes</b>, the Applicant demonstrates in <b>chapter 3 of the Consultation Report (application document reference TR010030/APP/5.1)</b> how the commitments made in the SoCC have been met and describes the various activities that have been carried out.</p> <p>For the statutory consultations undertaken in 2018 the Applicant:</p> <ul style="list-style-type: none"> <li>• Distributed a leaflet to approximately 90,000 homes and businesses in a wide area surrounding the Scheme location to publicise details of the consultation;</li> <li>• Held ten public consultation events at five different venues in the vicinity of the Scheme;</li> <li>• Deposited copies of the consultation materials at 7 nearby public libraries and at the offices of the three host local authorities;</li> <li>• Published the materials and an on-line questionnaire on the Applicant's project website;</li> <li>• Wrote directly to local community representatives and local groups likely to have an interest in the scheme;</li> <li>• Issued press releases, used social media and displayed posters/notices to publicise the consultation;</li> <li>• Notified any person registered on the Highways England project website that information about the Scheme had been published on the said website; and</li> </ul>

<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).

		<ul style="list-style-type: none"> <li>Collaborated with the host local authorities to provide links to the Applicant's project website.</li> </ul> <p>The subsequent targeted non-statutory consultations carried out in November 2018 and April 2019 were by invitation, as agreed with the relevant host local authorities. The Applicant published information about the November 2018 targeted consultation on its project website to help keep people informed of progress and has updated its website to explain that a further targeted consultation was carried out in April 2019.</p>	
<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?	<b>Yes</b> , details of the newspapers and dates of the <b>s48 publicity notices</b> are provided in <b>Annex F of the Consultation Report (document reference TR010030/APP/5.1)</b> and as set out below.	
		<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;	Surrey Advertiser	2 February 2018; and 9 February 2018 – 2 successive weeks
	once in a national newspaper;	The Times	9 February 2018
	once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and	London Gazette	9 February 2018
	where the proposed application relates to offshore development – (i) once in Lloyds List; and (ii) once in an appropriate fishing trade journal?	Not applicable – the Scheme does not relate to offshore development and was therefore not published in Lloyds list or a fishing trade journal.	

20	Did the s48 notice include the required information set out in Regulation 4(3) of APFP Regulations?	<b>Yes</b> , the s48 notice (a copy of which is provided at <b>Annex F of the Consultation Report (application document reference TR010030/APP/5.1)</b> ) contained the information required under Regulation 4(3) of the APFP Regulations.			
	<b>Information</b>	<b>Paragraph</b>		<b>Information</b>	<b>Paragraph</b>
a)	The name and address of the applicant.	<b>Yes</b> , see 1 <sup>st</sup> paragraph of the s48 Notice	b)	A statement that the Applicant intends to make an application for development consent to the Secretary of State.	<b>Yes</b> , see 1 <sup>st</sup> paragraph of the s48 Notice
c)	a statement as to whether the application is EIA development	<b>Yes</b> , see 4 <sup>th</sup> paragraph of the s48 Notice	d)	a summary of the main proposals, specifying the location or route of the Scheme.	<b>Yes</b> , see 2 <sup>nd</sup> and 3 <sup>rd</sup> paragraphs of the s48 Notice
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	<b>Yes</b> , see 5 <sup>th</sup> paragraph of the s48 Notice	f)	the latest date on which those documents, plans and maps will be available for inspection.	<b>Yes</b> , see 5 <sup>th</sup> paragraph of the s48 Notice explains that the documents will be available for inspection throughout the consultation period ending on 26 March 2018.
g)	whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge	<b>Yes</b> , see 7 <sup>th</sup> paragraph of	h)	details of how to respond to the publicity.	<b>Yes</b> , see 8 <sup>th</sup> , 9 <sup>th</sup> & 10 <sup>th</sup> paragraphs



		the s48 Notice		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	<b>Yes</b> , see 8 <sup>th</sup> & 10 <sup>th</sup> paragraphs 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. The s.48 Notice contained a brief explanation as to how any feedback would be used to inform the development of the Scheme.			
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> ?	<b>Yes</b> , a copy of the notice was sent to the EIA consultation bodies on 9 February 2018, see copies of the sample letters sent to the EIA consultation bodies in <b>Annex E of the Consultation Report (document reference TR010030/APP/5.1)</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?	<p><b>Yes</b>, the Applicant has had full regard to all relevant responses received in respect of the consultations carried out, both statutory and the targeted non-statutory consultations. <b>Chapter 6 and Annexes H, I, J and K of the Consultation Report (document reference TR010030/APP/5.1)</b> 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 suggested changes could not be made to the Scheme, either because they were not considered necessary, appropriate or feasible.</p> <p>In total 1,978 responses were received in relation to the pre-application consultations carried out under sections 42, 43, 44 and 47 of the Planning Act 2008 in February 2018. 361 responses were received in relation to the targeted non-statutory consultation undertaken in November 2018 and 23 responses were</p>		

<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).

		<p>received in relation to the targeted non-statutory consultation carried out in April 2019. No responses were received in relation to the additional 12 land interests consulted on 26 April 2019.</p>
<p><b>Guidance about pre-application procedure</b></p>		
<p>24</p>	<p>To what extent has the applicant had regard to DCLG guidance 'The Planning Act 2008: Guidance on the pre-application process'<sup>12</sup>?</p>	<p><b>The Applicant has had full regard to the relevant DCLG guidance</b>, as well as to the Advice Notes published by the Planning Inspectorate relating to the pre-application procedure for NSIPs and the helpful advice provided by the Planning Inspectorate under s51 of the Planning Act 2008.</p> <p>The Applicant has engaged extensively with local communities, local authorities, statutory bodies, local groups and those who would be directly affected by the Scheme before submitting its development consent order application. A range of engagement activities has been embedded in the project from an early stage and before decisions were made on a preferred route/option.</p> <p>The Applicant has provided thorough and detailed information about the nature of the Scheme and its likely significant effects, both individually and cumulatively, to ensure that its engagement has been meaningful and effective. 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>Some of the application documents, including draft schedules, draft Works Plans, draft Streets, Rights of Way and Access Plans and draft Speed Limits and Traffic Regulations Plans have been shared with the host authorities up to several months prior to the application being formally submitted. The draft DCO requirements and draft chapters from the Environmental Statement have been shared with a number of statutory environmental bodies for comment. The Habitats Regulations Assessment has also been shared with Natural England for comment during the pre-application process.</p> <p>The Applicant has sought to provide feedback to keep people informed and has demonstrated a flexible approach by embracing several changes to the Scheme to</p>

<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

		<p>address concerns, reduce adverse effects and maximise opportunities to improve outcomes. The Applicant considers that it has developed strong working relationships with many of the stakeholders, enabling the important issues to be considered as fully as possible before finalising its application proposals.</p> <p>The Applicant has undertaken two rounds of targeted non-statutory consultation on design modifications so that everyone who is likely to be affected or have an interest in the changes has been given an opportunity to respond to those changes in a fair, reasonable and proportionate manner. The Applicant has had full regard to the relevant guidance in determining how best to undertake its targeted non-statutory consultations.</p> <p>The Applicant is proactively seeking to enter into a number of Statements of Common Ground (SoCG) to help provide focus at the examination stage and throughout the project has worked diligently to ensure all relevant interests have had the opportunity to shape the Scheme. Three SoCGs are submitted as part of the suite of application documents (see application document references <b>TR010030/APP/8.1 (Index of SoCG), TR010030/APP/8.2, TR010030/APP/8.3 and TR010030/APP/8.4</b>).</p> <p><b>Chapter 9 (Table 9.1) of the Consultation Report (application document reference TR010030/APP/5.1)</b> provides a further explanation as to how the Applicant has had regard to DCLG guidance on the pre-application process and the Applicant's approach to consultation.</p>
25	Summary - s55(3)(e)	
<p><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></p>		
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> </ul>	<p><b>Yes</b>, the application is submitted in the prescribed form, see the <b>application form and covering letter (application document reference TR010030/APP/1.3)</b>. 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>

	<ul style="list-style-type: none"> <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>Reference should also be made to the <b>Explanatory Memorandum (document reference TR010030/APP/3.2)</b> which confirms the Scheme's qualifying status as two NSIPs.</p> <p>A <b>Location Plan</b> is submitted as part of the application documentation, see application document reference <b>TR010030/APP/2.1</b>.</p>			
27	Is it accompanied by a consultation report?	<b>Yes</b> , the application documentation includes a <b>Consultation Report (see application document reference TR010030/APP/5.1)</b> , which comprises a main report and 11 separate annexes.			
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>	<b>Yes</b> , with the exception of the Location Plan which is a single sheet plan, all of the plans included within Volume 2 of the DCO application comprise at least 9 separate sheets for plans presented at 1:2,500 scale and 31 separate sheets for plans presented at 1:1,000 scale. A key plan has been provided for all the plans sets 2.2-2.12 (application document references: TR010030/APP/2.2 – TR010030/APP/2.12).			
29	Is it accompanied by the documents and information set out in APFP Regulation 5(2)?	<b>Yes</b> . See details listed in relation to question 29 below. The Applicant has adopted best practice in preparing its suite of application documents and has had regard to the approaches adopted for other comparable DCO schemes. The Applicant has had full regard to the feedback provided by the Planning Inspectorate following their review of several draft application documents and to the requirement to ensure that the documents are clearly drafted, accurate, contain sufficient detail and meet the requirements of the relevant regulations.			
<b>Information</b>		<b>Document</b>			
a)	Where applicable, the environmental statement required under the EIA Regulations <sup>14</sup> and any scoping or screening opinions or directions	<b>Yes</b> , the application is accompanied by an Environmental Statement, which comprises the following volumes:	b)	The draft proposed order	<b>Yes</b> , the application is accompanied by a draft Development Consent Order, see application

<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)

		<p><b>TR010030/APP/6.1</b> Environmental Statement Index</p> <p><b>TR010030/APP/6.2</b> Environmental Statement Non-Technical Summary</p> <p><b>TR010030/APP/6.3</b> Environmental Statement</p> <p><b>TR010030/APP/6.4</b> Environmental Statement Figures</p> <p><b>TR010030/APP/6.5</b> Environmental Statement Appendices</p> <p><b>TR010030/APP/6.6</b> Environmental Statement Scoping Report and Opinion</p>		document reference <b>TR010030/APP/3.1</b>
	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 order	<p><b>Yes</b>, the application is accompanied by an Explanatory Memorandum, see application document reference <b>TR010030/APP/3.2</b></p>	d)	<p>Where applicable, a book of reference (where the application involves any compulsory acquisition).</p> <p><b>Yes</b>, the application is accompanied by a Book of Reference, see application document reference <b>TR010030/APP/4.3</b></p>



	Is this of a satisfactory standard?			Is this of a satisfactory standard?	
e)	A copy of any flood risk assessment	<b>Yes</b> , the application is accompanied by a Flood Risk Assessment, see application document reference <b>TR010030/APP/5.5</b>	f)	A statement whether the Scheme 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.	<b>Yes</b> , the application is accompanied by a Statutory Nuisance Statement, see application document reference <b>TR010030/APP/5.2</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)	<b>Yes</b> , the application is accompanied by a Statement of Reasons, see application document reference <b>TR010030/APP/4.1</b> and a Funding Statement, see application document reference <b>TR010030/APP/4.2</b>	i)	A land plan identifying: - (i) the land required for, or affected by, the Scheme; (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 (iv) any special category land and replacement land	<b>Yes</b> , the application is accompanied by a set of Land Plans, see application document reference: <b>TR010030/APP/2.2</b>  The application is also accompanied by a set of Special Category Land Plans, see application document reference <b>TR010030/APP/2.5</b> and a set of Crown Land Plans, see application document reference <b>TR010030/APP.2.6</b>
	Is this of a satisfactory standard?			Is this of a satisfactory standard?	

j)	<p>A works plan showing, in relation to existing features:-</p> <ul style="list-style-type: none"> <li>(i) the proposed location or (for a linear scheme) the proposed route and alignment of the development and works; and</li> <li>(ii) the limits within which the development and works may be carried out and any limits of deviation provided for in the draft order</li> </ul>	<p><b>Yes</b>, the application is accompanied by a set of Works Plans, which show the alignment and limits for the works, see application document reference <b>TR010030/APP/2.3</b></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><b>Yes</b>, the application is accompanied by a set of Streets, Rights of Way and Access Plans which show this information, see application document reference <b>TR010030/APP/2.4</b></p>
	Is this of a satisfactory standard?			Is this of a satisfactory standard?	
l)	<p>Where applicable, a plan with accompanying information identifying:-</p> <ul style="list-style-type: none"> <li>(i) any statutory/non-statutory sites or features of nature conservation e.g. sites of geological/ landscape importance;</li> <li>(ii) habitats of protected species, important habitats or other diversity features; and</li> <li>(iii) water bodies in a river basin management plan,</li> </ul> <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><b>Yes</b>, the application is accompanied by plans showing this information and an assessment of any effects on nature conservation sites and features, as follows:</p> <p><b>Nature Conservation Sites and Features Plans</b>, which show the location of statutory and non-statutory sites and features, application document reference <b>TR010030/APP/2.11</b></p> <p><b>Chapter 7 of the Environmental</b></p>	m)	<p>Where applicable, a plan with accompanying information identifying any statutory/non-statutory sites or features of the historic environment, (e.g. 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 Scheme.</p>	<p><b>Yes</b>, the application is accompanied by plans showing this information and an assessment of any effects on historic environment sites or features, as follows:</p> <p><b>Historic Environment Sites and Features Plans</b>, which show the location of statutory and non-statutory sites and features, application document reference <b>TR010030/APP/2.12</b></p>

	<p><b>Statement (Biodiversity)</b> which contains an assessment of any effects on nature conservation sites and features, see application document reference <b>TR010030/APP/6.3</b>, together with the associated <b>appendices for Chapter 7</b>, contained in application document reference <b>TR010030/APP/6.5</b>.</p> <p><b>Figures 7.10 to 7.30</b> relating to chapter 7 (Biodiversity) of the Environmental Statement, which show the distribution of protected species and <b>Figure 7.8</b> which shows the location and extent of Habitats of Principal Importance, see application document reference <b>TR010030/APP/6.4</b>.</p> <p>The <b>Water Framework Directive Assessment</b>, which</p>		<p><b>Chapter 11 of the Environmental Statement (Cultural Heritage)</b>, which contains an assessment of any effects on such sites and features, see application document reference <b>TR010030/APP/6.3</b> together with the associated Figures and Appendices (11.1, 11.2 and 11.3) for Chapter 11, application document references <b>TR010030/APP/6.4</b> and <b>TR010030/APP/6.5</b>.</p>
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<p>contains an assessment on the effects of water bodies in a river basin management plan, see application document reference <b>TR010030/APP/5.3</b> and <b>Figure 4.1</b> contained in that report.</p> <p>The <b>Habitats Regulations Assessment</b>, which contains an assessment of the effects of the Scheme on the Thames Basin Heaths Special Protection Area, see application document reference <b>TR010030/APP/5.3</b></p> <p><b>Chapter 8 of the Environmental Statement, Road Drainage and the Water Environment</b>, see application document reference <b>TR010030/APP/6.3</b> and associated <b>figures for Chapter 8</b> contained in application document</p>
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		reference <b>TR010030/APP/6.4</b> and the <b>appendices for chapter 8</b> contained in application document reference <b>TR010030/APP/6.5.</b>			
	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	<b>Yes</b> , the application is accompanied by a set of Crown Land Plans, see application document reference <b>TR010030/APP/2.6</b>	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.	<b>Yes</b> , the application is accompanied by the following:  Scheme Layout Plans, application document reference <b>TR010030/APP/2.8</b>  and  Engineering Drawings and Sections, application document reference <b>TR010030/APP/2.9</b>
	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:	<b>Yes</b> , the application is accompanied by a set of Engineering Drawings and Sections, see application document reference	q)	Any other documents considered necessary to support the application.	The application is accompanied by the following additional documents:  1.1 Electronic Index (application document



		<p><b>TR010030/APP/2.9</b>          which provide details of levels, heights, depths, longitudinal profiles, sections and typical details.</p> <p>Drainage outfall locations are shown on the <b>Scheme Layout Plans</b> (application document reference <b>TR010030/APP/2.8</b>).</p>		<p>reference <b>TR010030/APP/1.1)</b></p> <p>1.2 Introduction to the Application and Scheme Description (application document reference <b>TR010030/APP/1.2)</b></p> <p>2.7 Speed Limits and Traffic Regulations Plans (application document reference <b>TR010030/APP/2.7)</b></p> <p>2.10 Temporary Works Plans (application document reference <b>TR010030/APP/2.10)</b></p> <p>3.3 Consents and Agreements Position Statement (application document reference <b>TR010030/APP/3.3)</b></p> <p>7.1 Planning Statement and Schedule of Accordance with National Policy Statement (application document reference <b>TR010030/APP/7.1)</b></p>
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				document reference <b>TR010030/APP/8.3)</b>  8.4 Statement of Common Ground with Historic England (application document reference <b>TR010030/APP/8.4)</b>
	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	Is the application accompanied by a report identifying any European site(s) to which regulation 48 of the Conservation (Natural Habitats, &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><b>Yes</b>, see the <b>Habitats Regulations Assessment (application document reference TR010030/APP/5.3)</b>, which comprises 3 volumes: a Stage 2 Statement to Inform Appropriate Assessment, a Stages 3-5 Assessment of Alternatives, Consideration of IROPI (Imperative Reasons of Overriding Public Importance) and a volume of figures, together with 3 annexes: Annex A Stage 1 Screening Report; Annex B Consultation Report and Annex C: Selection of the Suite of Compensatory Measures.</p>		
32	If requested by the Secretary of State, two paper copies of the application form and other supporting documents and plans <sup>16</sup>	<p>With the agreement of the Planning Inspectorate, the Applicant is making its application in electronic form only. Six copies of the application documents are provided, with one USB stick provided for each set. See the Applicant's letter of 17 May 2019 which confirms this arrangement.</p> <p>The Applicant undertakes to provide to the Planning Inspectorate paper copies of any of the application documents if requested.</p>		

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

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

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?	<p><b>Yes</b>, the applicant has had full regard to the DCLG guidance. In particular:</p> <ul style="list-style-type: none"><li>• The application is made in the prescribed form and is accompanied by a Consultation Report, a draft DCO and 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);</li><li>• The application documentation is sufficiently detailed to enable the Secretary of State and other interested parties to consider the Scheme and is supported by copies of written statements and other correspondence to identify relevant matters that have been agreed with interested parties as well as other information to enable the Examining authority to undertake its duties in an efficient manner;</li><li>• 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 copies as agreed with the Planning Inspectorate;</li><li>• The application fee of £7,106 has been paid prior to submitting the application; and</li><li>• 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.</li></ul> <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>
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<b>34 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> ? <b>Yes</b> , the Applicant has paid the sum of £7,106 via BACS transfer to the account of the Planning Inspectorate on 24 May 2019, with the reference 1634719.

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

<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.

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