

A57 Link Roads Scheme TR010034

1.1 Covering Letter and Schedule of Compliance with Section 55 of the Planning Act 2008

APFP Regulation 5(2)(q)

Planning Act 2008 Infrastructure Planning (Applications: Prescribed
Forms and Procedure) Regulations 2009



Infrastructure Planning

Planning Act 2008

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

A57 Link Roads Scheme Development Consent Order 202[x]

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

Regulation Number:	Regulation 5(2)(q)
Planning Inspectorate Scheme Reference	TR010034
Application Document Reference	TR010034/APP/1.1
Author:	A57 Link Roads Scheme Project Team, Highways England

Version	Date	Status of Version
Rev 1.0	June 2021	DCO Application



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

Andrew Dawson
A57 Link Roads Project Team
Highways England
Piccadilly Gate
Store Street
Manchester
M1 2WD
Telephone: 0300 123 5000

28th June 2021

Dear Sir/Madam

**Planning Act 2008 Application for a Development Consent Order for the proposed
A57 Link Roads scheme
Application Reference: TR010034**

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 A57 Link Roads scheme (the “Scheme”). The Scheme is located within the administrative areas of Tameside Metropolitan Borough Council (Greater Manchester) and High Peak Borough Council (Derbyshire).

Subject of the Application

- 1.1 Development consent is required to the extent that the application includes development that is or forms part of a Nationally Significant Infrastructure Project (NSIP) pursuant to sections 14(1)(h) and 22(1)(a) of the 2008 Act (as amended by Article 3 of The Highway and Railway (Nationally Significant Infrastructure Project) Order 2013).
- 1.2 Further detail concerning the Scheme’s qualification as a NSIP can be found in the prescribed form within the Application Form [TR010034/APP/1.2] and in the Explanatory Memorandum to the Draft Development Consent Order [TR010034/APP/3.2]. An overview of the application documents is provided in this document at Appendix A.

2 Application fee and documentation enclosed

- 2.1 The application fee amount of £7,263 has been submitted by BACS transfer to the account of the Planning Inspectorate.
- 2.2 It has been agreed with the Inspectorate that the application will be submitted in electronic form via Business Collaborator.

- 2.3 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 TR010034/APP/1.3 (Introduction to the Application) provides details of all application documents being submitted.
- 2.4 A schedule of compliance with section 55 of the Planning Act 2008 accompanies this letter in Appendix 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 8.2 CONFIDENTIAL Badger Survey [TR010034/APP/6.5], which should not be published as it contains confidential information pertaining to species protected under the Protection of Badgers Act 1992.

4 Description of the Scheme

4.1 A non-technical description of the Scheme is provided in the Introduction to the Application [TR010034/APP/1.3]. A more detailed and technical description is provided in Chapter 2 of the Environmental Statement (ES) [TR010034/APP/6.3].

5 Consent flexibility

Rochdale Envelope and Limits of Deviation

5.1 The Applicant has considered the National Policy Statement on National Networks (NPSNN) 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 Development Consent Order (DCO) [TR010034/APP/3.1] is fundamental to the delivery of the Scheme.

- 5.2 An important element of the flexibility sought within the DCO is the lateral and vertical limits of the Scheme. Details of the limits of deviation applied to the scheme are contained in the Draft Development Consent Order [TR010034/APP/3.1].
- 5.3 These limits of deviation have been incorporated within the draft DCO to allow minor modifications to be made to the design of the Scheme during the detailed design and construction stages. Such flexibility is required, for example, to enable the construction contractor to alter their working procedures or make minor adjustments to the position of certain infrastructure in response (for example) to unforeseen ground conditions.
- 5.4 The Environmental Impact Assessment (EIA) which was undertaken in support of the A57 Link Roads has considered and reflected the flexibility sought in the draft DCO. The maximum design parameters referenced in the draft DCO have been assessed in the Environmental Statement [TR010034/APP/6.1 – 6.5].

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 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 Habitats Regulation Assessment - No Significant Effects Report [TR010034/APP/5.3] 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 [TR010034/APP/4.3] whilst the nature of the powers being sought is set out in the Land Plans [TR010034/APP/2.2] and draft DCO [TR010034/APP/3.1].
- 7.2 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 [TR010034/APP/4.3] and the Statement of Reasons [TR010034/APP/4.1].
- 7.3 Adequacy of the funding for compensation is provided in the Funding Statement [TR010034/APP/4.2].

7.4 Special Category Land Plans [TR010034/APP/2.14] 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 [TR010034/APP/3.3].

9 Pre-application consultation

9.1 As required by section 37(3)(c) of the 2008 Act a Consultation Report [TR010034/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 The Applicant has sought to actively discuss the Scheme with the Inspectorate since January 2018. In this regard, there have been several meetings and conference calls held providing updates throughout the process and a selected set of draft documents was shared with the Inspectorate in 2018.

10.2 A call was held on the 26th February 2021 to discuss the outcomes of the Section 42 and 47 consultation in November and December 2020 and related changes to the design. A further call was held on 20th April 2021 to discuss the administration around the DCO application and associated timescales.

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 [TR010034/APP/2.7].

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 [TR010034/APP/2.1], where the scales are 1:10,000 (inset plan) and 1:50,000 (location map) for geographical context.

- 11.4 Under Regulation 5(2)(l) of the APFP Regulations, an applicant is required to provide a plan of certain nature conservation sites and an assessment of any effects on those sites and features likely to be caused by the proposed development. There is an equivalent requirement under Regulation 5(2)(m) in relation to certain historic sites and features. These requirements are referenced as application documents [TR010034/APP/2.9] and [TR010034/APP/2.10] respectively with assessments found in the Environmental Statement [TR010034/APP/6.3]. A separate document also references the plans showing the impact of the Scheme on hedgerows and protected trees [TR010034/APP/2.13].
- 11.5 A Transport Assessment Report [TR010034/APP/7.4] has been prepared to report on the Scheme's traffic benefits and impacts, including effects on non-motorised users and on safety. The application also includes a Case for the Scheme [TR010034/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. This also includes (amongst other things) the review of the Scheme's compliance with Green Belt policy objectives.
- 11.6 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.
- 11.7 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.
- 11.8 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,



Andy Dawson
Project Manager
Highways England

Enclosures:

Appendix A: Overview of the Application Documents

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

Appendix A. Overview of the Application Documents

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 [TR010034/APP/1.3].

	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, 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, temporary works plans, nature conservation features, historic environment sites and features, classification of roads, culvert and drainage plans, tree protection order and hedgerows, 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	Reports / Statements	The Consultation Report details the methodology and outcomes of the consultation undertaken primarily between 2018 and 2020 and how responses to the consultations and the opinions expressed have been taken into account. A Statutory Nuisance Statement, Habitats Regulations Assessment, Water Framework Directive Assessment and Flood Risk Assessment are also provided.
6	Environmental Impact Assessment (EIA) Information and Environmental Statement	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 also includes figures and appendices.

	VOLUME	CONTENT
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, Traffic Management Plan, a Drainage Design Strategy Report, a Register of Environmental Actions and Commitments (REAC) and an Environmental Management Plan (EMP).
8	Draft Statements of Common Ground	Draft Statements of Common Ground are provided to identify the key issues discussed with stakeholders. Further Statements of Common Ground are likely to be prepared following submission.

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	Covering Letter and Schedule of Compliance with section 55 of the Planning Act 2008
	1.2	Application Form
	1.3	Introduction to the Application
	1.4	Guide to Documents to be Certified
	1.5	Electronic Index
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	Speed limits and traffic regulations Plans
	2.6	Scheme Layout Plans
	2.7	Engineering Drawings and Sections
	2.8	Temporary Works Plans
	2.9	Nature Conservation Sites and Features Plans
	2.10	Historic Environment Sites and Features Plans
	2.11	Classification of Roads Plans
	2.12	Culvert and Drainage Plans
	2.13	TPOs and Hedgerows Plans
	2.14	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
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
	5.2	Statutory Nuisance Statement
	5.3	Habitats Regulations Assessment – No Significant Effects Report
	5.4	Water Framework Directive Assessment
	5.5	Flood Risk Assessment
	5.6	Equality Impact Assessment
VOLUME 6: Environmental Impact Assessment (EIA) Information	6.1	Environmental Statement Index
	6.2	Environment Statement Non-Technical summary
	6.3	Environment Statement - Chapters
	6.4	Environment Statement - Figures
	6.5	Environment Statement - Appendices

VOLUME	DOCUMENT REFERENCE	DOCUMENT TITLE
	6.6	EIA Scoping Report and Opinions
VOLUME 7: Other Documents	7.1	Case for the Scheme and NPS NN Accordance Table
	7.2	Environmental Management Plan (EMP)
	7.3	Register of Environmental Actions and Commitments (REAC)
	7.4	Transport Assessment Report
	7.5	Traffic Management Plan
	7.6	Ground Investigation Report
	7.7	Drainage Design Strategy Report
VOLUME 8: Statements of Common Ground	8.1	Statement of Commonality
	8.2	Statement of Common Ground with Tameside MBC
	8.3	Statement of Common Ground with High Peak BC and Derbyshire CC
	8.4	Statement of Common Ground with TfGM

Appendix B. Section 55 Acceptance of Applications Checklist



The Planning Inspectorate
Yr Arolygiaeth Gynllunio

Section 55

Acceptance of Applications Checklist

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

Version: October 2019

Section 55 Acceptance of Applications Checklist

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				
	Is the development a Nationally Significant Infrastructure Project ¹ (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 ² (DCO) under the Planning Act 2008 (the PA2008), or equivalent words? Does the application specify the development to which it	The proposed development set out in Schedule 1 of the draft Development Consent Order [TR010034/APP/3.1] is a nationally significant infrastructure project ("NSIP"). The Scheme is a Nationally Significant Infrastructure Project ("NSIP") within sections 14(1)(h) and 22(1) of the Planning Act 2008 (the "Act"). Under section 22 an NSIP must fall within one of the three categories specified, which are expressly stated to be alternatives.		

¹ NSIP is defined generally in s14 with the detailed thresholds for each of the specified categories being set out in ss15 to 30

² Development consent is required for development to the extent that the development is or forms part of an NSIP (s31 of the PA2008)

	<p>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>The Scheme is construction of a highway in a case within the meaning of section 22(1)(a). The Scheme is wholly located in England and Highways England Company Ltd, being a strategic highways authority, will be the highway authority for the highway to be constructed as part of the Scheme.</p> <p>The development therefore complies with the requirements of section 22(2) and 22(4) of the Act. Whilst the Scheme includes some alteration and improvement of the existing A57 the new carriageway will follow a different alignment requiring construction of sections of new highway with a speed limit of 50 miles per hour over an area in excess of 12.5 hectares. The Scheme therefore falls under the requirements of section 22(2) of the PA 2008.</p> <p>This is consistent with the summary provided in the Application Form [TR010034/APP/1.2] at section 4 which concludes that the application is for a Nationally Significant Infrastructure Project (NSIP).</p>
2	<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>
<p>Section 55(3)(e): The Applicant in relation to the application made has complied with Chapter 2 of Part 5 (pre-application procedure)</p>		
	<p>In accordance with the EIA Regulations³, 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</p>	<p>A Screening Opinion was not requested from the Secretary of State.</p> <p>The Applicant submitted a scoping request under Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 for the Scheme on the 8 November 2017. A scoping opinion was received from the Planning Inspectorate on 19 December 2017, with a follow up meeting on the</p>

³ 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)

<p>Inspectorate in writing that it proposed to provide an Environmental Statement in respect of that development?</p>	<p>8th January 2018⁴. Refer to TR010034/APP/6.6 for both the Scoping Report and Opinion.</p> <p>The Applicant by means of a letter to the Planning Inspectorate, 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 for this Scheme. The notice was sent to PINS on 9 February 2018. Acknowledgement of this notification was issued on 16 February 2018. This is detailed in section 3.6 of the Consultation Report [TR010034/APP/5.1].</p> <p>Both the scoping request and the notification letter were submitted to PINS prior to the start of the section 42 consultation which started in February 2018. Further consultation was undertaken in Autumn 2020. It was considered that a further scoping opinion was not required.</p>
<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>No such representations have been received. It is anticipated that upon submission of the application for development consent, the Planning Inspectorate will request that relevant local authorities provide an adequacy of consultation statement. 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. In the pre-application stages Highways England have engaged with relevant local authorities on an informal and formal basis. The 'host' authorities in the case of the Scheme are:</p> <p>Tameside Metropolitan Borough Council;</p>

⁴ https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010034/TR010034-Advice-00003-1-180108_TR010034_Scoping%20Opinion%20feedback%20and%20update%20meeting%20note_FINAL.pdf

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

		Derbyshire County Council; and High Peak Borough Council
Section 42: Duty to consult		
Did the Applicant consult the applicable persons set out in s42 of the PA2008 about the proposed application?		
	Section 42(1)(a) persons prescribed ⁶ ?	<p>Consultation took place for the Scheme from the 12 February to 25 March 2018 and 5 November to 17 December 2020 where the Applicant consulted applicable persons. The list of those persons consulted is set out in Appendices G and N of the Consultation Report [TR010034/APP/5.2]. Consultation Report Appendix I [TR010034/APP/5.2] provides sample copies of the letters that were issued to prescribed consultees under section 42(1)(a) of the PA 2008. In relation to section 42(1)(a) persons prescribed, the Applicant has provided a list of prescribed persons consulted during the statutory and further consultation periods. This is contained within Appendix G of the Consultation Report Appendices [TR010034/APP/5.1].</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>
3	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.

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

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

4	Section 42(1)(b) each local authority within s438?	There are three host authorities (described above) and 15 neighbouring authorities who were all consulted. Refer to Appendix G of the Consultation Report Appendices [TR010034/APP/5.1] which contains a list of prescribed consultees that were consulted.
5	Section 42(1)(c) the Greater London Authority (if in Greater London area)?	Not applicable – The Scheme is not located in the Greater London area.
6	Section 42(1)(d) each person in one or more of s44 categories?	<p>Letters were issued to all relevant parties as part of a diligent inquiry process as defined under the section 44 of the PA 2008 which included:</p> <ul style="list-style-type: none"> • Category 1 - owner, lessee, tenant (whatever the tenancy period) or occupier of the land. • Category 2 – (a) is interested in the land, or (b) has power— (i) to sell and convey the land, or (ii) to release the land. • Category 3 – Those parties that may be able to make a relevant claim as a result of the Order. <p>Each of the relevant parties were sent letters under the provisions of section 44 with each category receiving a bespoke letter providing notice of the statutory consultation, associated details of the public consultation events and a deadline for when responses should be received. Refer to Appendix I [TR010034/APP/5.1] of the Consultation Report Appendices for sample copies of these letters.</p>

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

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>The identification of relevant parties under section 44 has been kept under ongoing review as detailed in the Statement of Reasons [TR010034/APP/4.1]. This process has informed the review and update of the Book of Reference [TR010034/APP/4.3] along with identifying the additional parties to be consulted as referred to within Appendix N of the Consultation Report Appendices [TR010034/APP/5.1].</p>
<p>Section 45: Timetable for s42 consultation</p>		
7	<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>The first consultation letters and documents were served between Friday 26 January and Monday 29 January 2018. These were re-sent with editorial corrections between Tuesday 30 January and 19 February 2018. A deadline was provided for responses to the consultation as midnight on Sunday 25 March 2018. All consultees had over the prescribed 28 days to respond. A second series of consultation letters were sent on 23 May 2019 for the statutory consultation between the 5 November 2020 and 17 December 2020. These letters confirmed that responses were required by midnight on 17 December 2020. The consultation period was longer than the statutory requirement. Details are included at Appendix I of the Consultation Report Appendices [TR010034/APP/5.2].</p>
<p>Section 46: Duty to notify the Planning Inspectorate of proposed application</p>		
8	<p>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</p>	<p>The Applicant gave notice under section 46 between 26 and 29 January 2018, 23 May 2019 and 3rd November 2020, which was before the beginning of section 42 consultations. Refer to Appendix J and T of the Consultation Report Appendices [TR010034/APP/5.2] and the Planning Inspectorate website for confirmation of receipt of information from the Inspectorate¹⁰.</p>

¹⁰ TR010034-000092-Acknowledgement of receipt of S46 Notification - November 2020.pdf (planninginspectorate.gov.uk)

	Consultees? Was this done on or before commencing consultation under s42?	
Section 47: Duty to consult local community		
9	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>The published SoCC is provided in Appendix F and Q of the Consultation Report Appendices [TR010034/APP/5.2]. The SoCC was produced in cooperation with Tameside MBC, Derbyshire County Council, High Peak Borough Council and Peak District National Park Authority were consulted on the preparation of the 2018 SoCC and 2020 SoCC as the host local authorities of the Scheme as listed in section 43 of the Act</p> <p>The approach and responses received to this are detailed in the Consultation Report [TR010034/APP/5.1].</p>
10	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?	<p>As detailed in Section 4.2 of the Consultation Report [TR010034/APP/5.1] consultation was undertaken with the host authorities of Tameside MBC and High Peak Borough Council (the 'B Authorities') and Derbyshire County Council (the 'C Authority'). Appendix D of the Consultation Report [TR010034/APP/5.2] includes copies of the letters sent to the local authorities consulting them on the SoCC. Letters were sent to each of the named authorities above by e-mail on the 4th November 2020 with responses required by the 17th December so providing 42 days from the date of receipt. Section 47(3) of the PA 2008 requires that the deadline for the receipt by the Applicant of a local authority's response to consultation should be 28 days beginning with the day after the day on which the local authority receives the consultation documents, so the period provided meets this requirement.</p>
11	Has the Applicant had regard to any responses received when preparing the SoCC?	<p>Copies of the responses from the local authorities are provided at Appendix E of the Consultation Report Appendices [TR010034/APP/5.2]. Table 4.2 in section 4 of the Consultation Report [TR010034/APP/5.1] provides a summary of</p>

		responses received on the SoCC and how the Applicant has had regard to these responses.
12	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?	The SoCC was made available for inspection in 2018 at the 19 deposit locations as detailed within Table 4.3 in section 4 and for 2020, at three deposit locations as detailed with Table 7.3 in section 7 of the Consultation Report [TR010034/APP/5.1] and on the Applicant's website. A copy of the Newspaper advert (Section 47 Notice) is included at Appendices K and V of the Consultation Report Appendices [TR010034/APP/5.2].
13	Does the SoCC set out whether the development is EIA development ¹¹ ; and does it set out how the Applicant intends to publicise and consult on the Preliminary Environmental Information?	Refer to page 2 of the SoCC. The published SoCC is included at Appendix F of the Consultation Report and Appendix Q of the 2020 Consultation Report Appendices [TR010034/APP/5.1].
14	Has the Applicant carried out the consultation in accordance with the SoCC?	Table 4.7 in section 4 of the Consultation Report [TR010034/APP/5.1] explains how the consultation was carried out in accordance with the SoCC.
Section 48: Duty to publicise the proposed application		
15	Did the Applicant publicise the proposed application in the prescribed manner set out in Regulation 4(2) of the APFP Regulations?	Appendix L of the Consultation Report [TR010034/APP/5.1] includes copies of the section 48 notices published in the relevant newspapers. Tables 4.8, 4.9 (2018) and 7.8 (2020) in section 4 and 7 of the Consultation Report [TR010034/APP/5.1] sets out where the section 48 notice was published for the statutory consultation.

¹¹ Regulation 12 of the 2017 EIA Regulations, or where Regulation 37 of the 2017 EIA Regulations applies, Regulation 10 of the 2009 EIA Regulations

	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;	Tameside Reporter	1 and 8 February 2018 and 22 February 2018 for corrections. 29 October and 5 November 2020.
	Barnsley Chronical	2 and 9 February 2018 and 23 February 2018 for corrections.
	Sheffield Star	29 January and 5 February 2018 and 22 February 2018 for corrections.
	Manchester Weekly News	29 October and 5 November 2020.
b) once in a national newspaper;	The Guardian	29 January 2018 and 5 February 2018 and 21 February 2018 for corrections. 29 October 2020.
c) once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and	London Gazette	29 January 2018 and 5 February 2018 and 22 February 2018 for corrections. 29 October 2020.
d) 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 therefore was not published in Lloyds list or a fishing trade journal.	n/a

16	Did the s48 notice include the required information set out in Regulation 4(3) of APFP Regulations?	The section 48 Notice is contained within Appendix L of the Consultation Report [TR010034/APP/5.1] and Appendix V of the 2020 Consultation Report and contains the required information as set out below:					
Information		Paragraph		Information		Paragraph	
a)	the name and address of the Applicant.	See 1st paragraph of the s48 notice	b)	a statement that the Applicant intends to make an application for development consent to the Secretary of State	See 1st paragraph of the section 48 notice		
c)	a statement as to whether the application is EIA development	See 4th paragraph of the s48 notice	d)	a summary of the main proposals, specifying the location or route of the Proposed Development	See 3rd paragraph of the section 48 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	See 5th paragraph of the s48 notice	f)	the latest date on which those documents, plans and maps will be available for inspection	See 5th paragraph of the section 48 notice that explains the documents will be available for inspection throughout the consultation period ending on 17th December 2020		
g)	whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge	See 5h paragraph of the s48 notice	h)	details of how to respond to the publicity	See 8th, 9th, and 10th paragraphs of the section 48 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	See 8th paragraph of the s48 notice	
17	Are there any observations in respect of the s48 notice provided above?		
	n/a		
18	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 ¹² ?	Section 48 notices were sent to the bodies in accordance with Regulation 13 of the EIA Regulations. Please refer to the main body of the Consultation Report and to Appendix K and V of the Consultation Report.	
s49: Duty to take account of responses to consultation and publicity			
19	Has the Applicant had regard to any relevant responses to the s42, s47 and s48 consultation?	The Applicant has set out at Sections 4 to 9 of the Consultation Report [TR010034/APP/5.1] and Appendix O of the Consultation Report [TR010034/APP/5.1] the actions taken regarding the consultation responses received.	
Guidance about pre-application procedure			
20	To what extent has the Applicant had regard to statutory guidance 'Planning Act 2008: Guidance on the pre-application process' ¹³ ?	The extent to which the Applicant has had regard to the DCLG guidance 'The Planning Act 2008: Guidance on the pre-application process' is detailed in Table 10.1 of the Consultation Report [TR010034/APP/5.1].	

¹² Regulation 13 of the 2017 EIA Regulations, or where Regulation 37 of the 2017 EIA Regulations applies, Regulation 11 of the 2009 EIA Regulations

¹³ The Planning Inspectorate must have regard to the extent to which the Applicant has had regard to guidance issued under s50

21	Summary: Section 55(3)(e)	
The applicant has had complied with all relevant parts of the pre-application procedures as detailed above.		
22	<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 [TR010034/APP/1.2] 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 as a Nationally Significant Infrastructure Project. 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 [TR010034/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 [TR010034/APP/2.1].</p>
23	Is it accompanied by a Consultation Report?	Yes, the Consultation Report is included as [TR010034/APP/5.1] and the Consultation Report Appendices are included as [TR010034/APP/5.1].
24	Where a plan comprises three or more separate sheets, has a key plan been provided showing the relationship between the different sheets? ¹⁴	Yes, key plans have been provided for the relevant plans within Volume 2 of the DCO application.
25	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.

¹⁴ Regulation 5(4) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

Information		Document		Information		Document	
a)	Where applicable, the Environmental Statement required under the EIA Regulations ¹⁵ and any scoping or screening opinions or directions	<p>The application is accompanied by an Environmental Statement, which comprises the following volumes:</p> <p>Environmental Statement [TR010034/APP/6.1]. Volume 6.1 is the index.</p> <p>Environmental Statement [TR010034/APP/6.3]. Volume 6.3 is the main statement.</p> <p>The other relevant volumes are: Environmental Statement Figures [TR010034/APP/6.4]</p> <p>The Environmental Statement Appendices [TR010034/APP/6.5]</p> <p>The Environmental Statement Non Technical Summary [TR010034/APP/6.2]</p> <p>The EIA Scoping Report and Opinion [TR010034/APP/6.6]</p>	b)	The draft Development Consent Order (dDCO)	The application is accompanied by a draft Development Consent Order [TR010034/APP/3.1] in the validated statutory instrument template.		
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?	Yes		

¹⁵ The 2017 EIA Regulations, or where Regulation 37 of the 2017 EIA Regulations applies, the 2009 EIA Regulations

c)	An Explanatory Memorandum explaining the purpose and effect of provisions in the draft DCO	The application is accompanied by an Explanatory Memorandum [TR010034/APP/3.2].	d)	Where applicable, a Book of Reference (where the application involves any Compulsory Acquisition)	The application is accompanied by a Book of Reference [TR010034/APP/4.3] which meets the requirements of the statutory guidance 'Planning Act 2008: guidance related to procedures for the compulsory acquisition of land'.
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?	Yes
e)	A copy of any Flood Risk Assessment	The application is accompanied by a Flood Risk Assessment [TR010034/APP/5.5].	f)	A statement whether the proposal engages one or more of the matters set out in section 79(1) of the Environmental Protection Act 1990 (statutory nuisances) and if so how the Applicant proposes to mitigate or limit them	The application is accompanied by a Statutory Nuisance Statement [TR010034/APP/5.2].
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?	Yes
h)	A Statement of Reasons and a Funding Statement (where the	The application is accompanied by a Statement of Reasons [TR010034/APP/4.1] and a	i)	A Land plan identifying:- (i) the land required for, or affected by,	The application is accompanied by a set of Lands Plans [TR010034/APP/2.2] and Special

j)	application involves any Compulsory Acquisition)	Funding Statement, see [TR010029/APP/4.2].	k)	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 (iv) any special category land and replacement land	Category Land Plans [TR010034/APP/2.14].
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?	Yes
	A Works plan showing, in relation to existing features:-	The application is accompanied by a set of Works Plans [TR010034/APP/2.3].		Where applicable, a plan identifying any new or altered means of access, stopping up of streets or roads or	The application is accompanied by a set of Streets, Rights of Way and Access Plans [TR010034/APP/2.4].

	<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>any diversions, extinguishments or creation of rights of way or public rights of navigation</p>	
	<p>Is this of a satisfactory standard?</p>	<p>Yes</p>		<p>Is this of a satisfactory standard?</p>	<p>Yes</p>
<p>l)</p>	<p>Where applicable, a plan with accompanying information identifying:- any statutory/ non-statutory sites or features of nature conservation e.g. sites of geological/ landscape importance; habitats of protected species, important</p>	<p>The application is accompanied by Nature Conservation Sites and Features Plans [TR010034/APP/2.9] and TPO and Hedgerow Plans [TR010034/APP/2.13]. 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 [TR010034/APP/6.3] as well as</p>	<p>m)</p>	<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,</p>	<p>The application is accompanied by Historic Environment Sites and Features Plans [TR010034/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 6) of the Environmental Statement [TR010034/APP/6.3].</p>

n)	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	the Arboricultural Impact assessment (Appendix 7.3) of application document [TR010034/APP/6.5], Water Framework Directive Assessment Report [TR010034/APP/5.4] and Habitats Regulations Assessment No Significant Effects Report [TR010034/APP/5.3].	o)	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	
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?	Yes
	Where applicable, a plan with any accompanying information identifying any Crown land	N/A		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	The following plans and drawings are provided under Regulation 5(2)(o) of the APFP Regulations 2009 (as amended): Temporary Works Plans [TR010034/APP/2.8] Scheme Layout Plans [TR010034/APP/2.6] Classification of Roads Plans [TR010034/APP/2.11] Engineering Sections and Drawings [TR010034/APP/2.7].

p)			q)	parking and landscaping	Culvert and Drainage Plans [TR010034/APP/2.12] TPO and Hedgerow Plans [TR010034/APP/2.13]
	Is this of a satisfactory standard?	Yes		Are they of a satisfactory standard?	Yes
	Any of the documents prescribed by Regulation 6 of the APFP Regulations:	<p>The proposed development is Highway-related development. The application is therefore required to be accompanied by section drawings showing the information set out under Regulation 6(2) of the APFP Regulations.</p> <p>This information is provided in the Engineering Drawings and Sections [TR010034/APP/2.7].</p> <p>Drainage outfalls are also shown in the Culvert and Drainage Plans [TR010034/APP/2.12]</p>		Any other documents considered necessary to support the application	<p>The application is accompanied by the following additional documents:</p> <p>Introduction to the Application [TR010034/APP/1.3]</p> <p>Cover Letter and Section 55 Checklist [TR010034/APP/1.1]</p> <p>Guide to the Documents to be Certified [TR010034/APP/1.4]</p> <p>Consents and Agreements Position Statement [TR010034/APP/3.3]</p> <p>Case for the Scheme and analysis on accordance with National Policy Statement for National Networks Accordance Table [TR010034/APP/7.1]</p> <p>Environmental Management Plan [TR010034/APP/7.2]</p> <p>Register of Environmental Actions and Commitments [TR010034/APP/7.3]</p>

				<p>Transport Assessment Report [TR010034/APP/7.4]</p> <p>Traffic Management Plan [TR010034/APP/7.5]</p> <p>Ground Investigation Report [TR010034/APP/7.6]</p> <p>Drainage Design Strategy Report [TR010034/APP/7.7]</p> <p>Statement of Commonality [TR010034/APP/8.1]</p> <p>Draft Statement of Common Ground with Tameside MBC [TR010034/APP/8.2]</p> <p>Draft Statement of Common Ground with High Peak BC and Derbyshire CC [TR010034/APP/8.3]</p> <p>Draft Statement of Common Ground with TfGM [TR010034/APP/8.4]</p>
	Are they of a satisfactory standard?	Yes	Are they of a satisfactory standard?	Yes
26	Are there any observations in respect of the documents provided at Box 29 (a) to (q) above?			
	None			

27	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)? ¹⁶	Yes, the application is accompanied by a Habitats Regulations Assessment No Significant Effects Report [TR010034/APP/5.3].
28	If requested by the Planning Inspectorate, two paper copies of the application form and other supporting documents and plans ¹⁷	The Planning Inspectorate confirmed on 26/02/2021: as set out in this PINS meeting note: TR010034-Advice-00008-1-262021- A57 Link Road Project Update Meeting Note.pdf (planninginspectorate.gov.uk) that an electronic copy only is required.
29	Has the Applicant had regard to statutory guidance 'Planning Act 2008: Application form guidance', and has this regard led to the application being prepared to a standard that the Planning Inspectorate considers satisfactory?	Reference to the DCLG guidance 'Planning Act 2008: Application form guidance' has been made in preparing the application. This is evidenced in the Introduction to the Application [TR010034/APP/1.3] that outlines how the application has been prepared and structured.
30	Summary - 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).

The Infrastructure Planning (Fees) Regulations 2010 (as amended)

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

¹⁷ Regulation 5(2)(r) of the APFP Regulations

Fees to accompany an application		
31	Was the fee paid at the same time that the application was made ¹⁸ ?	The Applicant has paid the sum of £7,263.00 via BACS transfer to the account of the Planning Inspectorate on 26th May 2021.
Role	Electronic signature	Date
Case Manager		
Acceptance Inspector		

¹⁸ 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

© Crown copyright (2019) .

You may re-use this information (not including logos) free of charge in any format or medium, under the terms of the Open Government Licence. To view this licence:

visit www.nationalarchives.gov.uk/doc/open-government-licence/
write to the Information Policy Team, **The National Archives, Kew, London TW9 4DU**,
or email psi@nationalarchives.gsi.gov.uk.

Printed on paper from well-managed forests and other controlled sources.

Registered office Bridge House, 1 Walnut Tree Close, Guilford GU1 4LZ
Highways England Company Limited registered in England and Wales number 09346363