

# A303 Sparkford to Ilchester Dualling Scheme TR010036

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

APFP Regulation 5(2)(q)  
Planning Act 2008  
Infrastructure Planning (Applications: Prescribed  
Forms and Procedure) Regulations 2009  
July 2018



Infrastructure Planning

Planning Act 2008

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

**A303 Sparkford to Ilchester Dualling Scheme**  
Development Consent Order 201[x]

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

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<b>Regulation Number:</b>	Regulation 5(2)(q)
<b>Planning Inspectorate Scheme Reference</b>	TR010036
<b>Application Document Reference</b>	1.2
<b>Author:</b>	A303 Sparkford to Ilchester Dualling Scheme, Project Team, Highways England

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27<sup>th</sup> July 2018

The Planning Inspectorate  
National Infrastructure Directorate  
Temple Quay House, Temple Quay  
Bristol, BS1 6PN

Dear Sirs,

### **A303 Sparkford to Ilchester Dualling scheme – TR010036**

On behalf of Highways England I am pleased to enclose an application under section 37 of the Planning Act 2008 (the Act) for an order granting development consent for the A303 Sparkford to Ilchester Dualling (the Scheme). The Scheme seeks powers to provide a continuous dual carriageway on the A303 linking the Podimore Roundabout and the Sparkford Bypass. The Scheme will involve the removal of at-grade junctions and direct accesses. The junctions will be constructed to grade separated standards, or to compact grade separated standards depending upon anticipated traffic flows.

### **The Application**

The scheme is a Nationally Significant Infrastructure Project (NSIP) consisting of the construction of a highway under sections 14(1)(h) and 22(1)(a) of the Planning Act 2008, together with associated development and other ancillary matters. Further detail concerning the Scheme's qualification as an NSIP can be found in the prescribed form within the ***Application Form (document reference TR010036/APP/1.3)***, and in the ***Explanatory Memorandum to Draft Development Consent Order (document reference TR010036/APP/3.2)***

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

A fee of £6,939 has been submitted by BACS transfer to the account of the Planning Inspectorate.

I enclose 1 paper copy of the full application submission along with 6 electronic copies. I have attached to this letter a completed Schedule of Compliance with Section 55 by Highways England, demonstrating how the application meets the tests for acceptance by the Planning Inspectorate. This is submitted to assist the Planning Inspectorate's own compliance check.

The application includes an Introduction to the Application document, which provides a guide to the application documentation and referencing system.

Statements of Common Ground have been sought to provide clarity to the examining authority and participants at the examination about what matters are agreed, not agreed and the subject of further consideration between Highways England and the relevant parties. They are submitted as draft part of this application but will be updated during the examination as matters are considered and positions are refined in response to the inquisitorial process.

The application uses a Rochdale Envelope approach and has assessed and seeks permission for the worst case scenario of implementing the scheme. For example, the extents of features such as drainage ponds and noise bunds are shown as the maximum extents required for these features and they may, following detailed design, be smaller and set within the footprint shown. It is anticipated that detailed design and further ground investigation will be able to reduce some of the anticipated impacts from those assessed. In particular, the applicant is currently considering a design for the Hazlegrove junction which would allow it to condense the junction – that design requires to be informed by ground investigation work and cannot be finalised until the detailed design stage. To accommodate such a possibility at detailed design, an assessed envelope with vertical limits of deviation of 5 metres downward from the indicative sections has been sought for the particular works required in order to provide the necessary flexibility for the detailed design to include this option.

The extent of the order land includes an area of Hazlegrove registered Park and Garden. The need to strike a balance between the public benefit of upgrading the A303 and the impact on Hazlegrove registered Park and Garden has been carefully considered by the applicant. The part of the registered park and garden which will be affected is the furthest from Hazlegrove House (Grade II Listed) and forms pasture land and woodland. The design of the scheme has been developed to minimise impacts on the setting of the House, the main parts of the junction are located away from the most sensitive parts of the registered park and garden, and the design includes the creation of a false cutting to reduce the visual impact of the highway and screen the view of the road.

The application for the scheme seeks authority to compulsorily purchase land interests and rights. While Highways England owns some of the land necessary to deliver the scheme, in order to ensure that it can be delivered on schedule, the other required land interests have been included with the scope of compulsory acquisition. Land owned by Highways England has also been included in order to allow the removal of rights in favour of other parties which are incompatible with the scheme. At the time of application there are two plots which from Crown Land within the scheme and which are included within compulsory acquisition in order that rights can be acquired over them. Negotiation on acquiring these rights voluntarily is ongoing and authority from the Ministry of Defence to include these plots has been sought in parallel.

In accordance with Regulation 5(5) of the APFP Regulations, the Applicant retains all

responses to the consultation carried out under Part 5 of the 2008 Act, and can make them available, at the request of the Planning Inspectorate, under separate transmission.

Highways England has complied with the General Data Protection Regulation 2018 (GDPR), which came into force on 25 May 2018. As such, the application documents have been drafted in accordance with the principles of lawfulness, fairness and transparency. Personal data has been redacted from the application documentation unless there is a statutory requirement to provide it<sup>1</sup> under section under s37 of the Planning Act 2008 and the Infrastructure Planning (Applications: Prescribed Forms and Procedures) Regulations 2009.

I note that the Secretary of State is required under section 55 of the Act to decide whether to accept this application within 28 days, beginning on the day immediately after the day on which this application is received, and accordingly I look forward to hearing from you by the end of this period.

Yours Faithfully



Elliot Hayes  
Project Manager  
A303 Sparkford to Ilchester Dualling scheme

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<sup>1</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016R0679> - Article 6(1)(c)

## **The Planning Act 2008**

### **Section 55 Acceptance of Applications\***

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

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

“local authority consultee” means -

(a) a local authority consulted under section 42(1)(b) about a proposed application that has become the application, or

(b) the Greater London Authority if consulted under section 42(1)(c) about that proposed application;

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

(5A) The Secretary of State when deciding whether the Secretary of State may reach the conclusion in subsection (3)(f) must have regard to the extent to which –

a) the application complies with the requirements in section 37(3) (form and contents of application) and any standards set under section 37(5) and

b) any applicable guidance given under section 37(4) has been followed in relation to the application.

(6) If the Secretary of State accepts the application, the Secretary of State must notify the applicant of the acceptance.

(7) If the Secretary of State is of the view that the application cannot be accepted, the Secretary of State must -

(a) notify that view to the applicant, and

(b) notify the applicant of the Secretary of State’s reasons for that view.

(8) If in response the applicant modifies (or further modifies) the application, subsections (2) to (7) then apply in relation to the application as modified.

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

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

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



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Section 55 Acceptance of Applications

A303 Sparkford to Ilchester Dualling Scheme  
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
		27/07/2018	24/08/2018	December 2019
	Section 55(3) – the Secretary of State may only accept an application if the Secretary of State concludes that: -	Planning Inspectorate Comments		
s55(3)(a) and s55(3)(c) It is an application for an order granting development consent				
2	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)?	The scheme is a nationally significant infrastructure project ("NSIP") within sections 14(1)(h) and 22(1) of the Planning Act 2008. Under section 22 an NSIP must fall within one of the three categories specified, which are expressly stated to be alternatives. This scheme is the “construction” of a highway within the meaning of section 22(1)(a). While the scheme includes some alteration and improvement of the existing A303, the new carriageway will follow a different alignment requiring construction of sections of new highway with a speed limit in excess of 50 miles per hour on an area in excess of 12.5 hectares. The land proposed for the new carriageway and embankments alone is 62.37 hectares. The scheme is wholly located in England and Highways England, a strategic highways company, will be the highway authority for the highway to be constructed under the scheme. The scheme therefore complies with the requirements of sections 22(2) and 22(4).		

<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)



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	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?	This is consistent with the summary provided in the <b>Application Form (TR010036/APP/1.3)</b> at <b>Section 4</b> which concludes that the application is for an NSIP.
3	Summary – s55(3)(a) and s55(3)(c)	The Applicant has demonstrated that the application as submitted is an application for an order granting development consent under the PA2008.
<b>s55(3)(e) The applicant in relation to the application made has complied with Chapter 2 of Part 5 (pre-application procedure)</b>		
4	In accordance with the EIA Regulations <sup>4</sup> , did the applicant (prior to carrying out consultation in accordance with s42) either (a) request the Secretary of State to adopt a screening opinion in respect of the development to which the application relates, or (b) notify the Secretary of State in writing that it proposed to provide an environmental statement in respect of that development?	Yes, the Applicant submitted a scoping report to the Planning Inspectorate on 29 November 2017, before the start of s42 consultation on 30 January 2018.
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?	No such representations have yet been received. It is anticipated that following submission of the application for development consent the Planning Inspectorate will invite relevant local authorities to provide a statement relating to the adequacy of the consultation. This is as set out in the Planning Inspectorate’s Advice Note 14 (April 2012).
<b>s42: Duty to Consult</b>		
	Did the applicant consult the applicable persons set out in s42 of the PA2008 about the proposed application?	

<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.

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6	s42(1)(a) persons prescribed <sup>6</sup> ?	<p>Yes. The Applicant carried out one round of statutory consultation from Friday 26 January to Friday 9 March 2018.</p> <p>Yes, The Applicant has provided a list of persons consulted under s42(1)(a) between these dates at <b>Consultation Report Annex G (TR010036/APP/5.8)</b>.</p>
7	s42(1)(aa) the Marine Management Organisation <sup>7</sup> ?	Not applicable – the Marine Management Organisation is not a relevant consultee in respect of the Scheme.
8	s42(1)(b) each local authority within s43 <sup>8</sup> ?	<p>Yes, the Applicant has consulted each local authority within s43 on Friday 26 January to Friday 9 March 2018. These are:</p> <ul style="list-style-type: none"> <li>• B authorities: South Somerset District Council</li> <li>• C authorities: Somerset County Council</li> <li>• A authorities: East Devon District Council, Mendip District Council, North Dorset District Council, Sedgemoor District Council, Taunton Deane Borough Council, West Dorset District Council, Wiltshire Council</li> <li>• D authorities: Bath and North East Somerset Council, Devon County Council, Dorset County Council, North Somerset Council, Wiltshire Council</li> </ul> <p>Following the close of consultation, the Applicant became aware that it should have consulted with the Exmoor National Park Authority as a 'D' authority under s43 of PA 2008, as it shares a boundary with a 'C' authority, Somerset County Council.</p> <p>Through an oversight, the Applicant did not consult with the Exmoor National Park Authority between Friday 26 January and Friday 9 March 2018. When Highways England became aware of this fact, it wrote to the Exmoor National Park Authority on Thursday 10 May 2018 to invite it to take part in the consultation. This letter is available in Annex I of the Consultation Report.</p>

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		<p>The Applicant provided the same information with the letter as set out in 4.3.10 of the Consultation Report and included in Annex I of the Consultation Report. In accordance with the 28 calendar days required to be provided for comments as prescribed by s45(2) of PA 2008, The Applicant provided until Friday 8 June 2018 for the Exmoor National Park Authority to provide comment'</p> <p>.</p>

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

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

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

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9	s42(1)(c) the Greater London Authority (if in Greater London area)?	Not applicable – the Scheme does not fall within Greater London and as a result Greater London Authority is not a relevant consultee in respect of the Scheme.
10	s42(1)(d) each person in one or more of s44 categories <sup>9</sup> ?	<p>Yes, the Applicant has consulted each person in one or more s44 categories from Friday 26 January to Friday 9 March 2018.</p> <p>A <b>Book of Reference (TR010036/APP/4.3)</b> of landowners is provided as part of the DCO application; consultees under s42(1)(d) are identified in this.</p> <p>Chapter 4 (Section 4.3) of the <b>Consultation Report (TR010036/APP/5.1)</b> sets out how the Applicant has undertaken diligent inquiry to identify those consultees defined by s44 of the Planning Act 2008 and the approach to statutory consultation.</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

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<b>s45: Timetable for s42 Consultation</b>		
11	Did the applicant notify s42 consultees of the deadline for receipt of consultation responses; and if so was the deadline notified by the applicant 28 days or more starting with the day after receipt of the consultation documents?	Yes. The letter was sent to consultees under s42(1)(a) and s42(1)(b) on Thursday 25 January 2018, and the letter was sent to consultees under s42(d) on Friday 26 January 2018. Each letter set out a consultation period from Friday 26 January 2018 to Friday 9 March 2018, which is more than 28 days after the date of the letter and the start of the consultation. Sample letters are provided in <b>Consultation Report Annex I (TR010036/APP/5.10)</b> . As set out in 8 above, the Exmoor National Park Authority was sent a copy of this letter on Thursday 10 May 2018, with a request to comment by Friday 8 June 2018.
<b>s46: Duty to notify Secretary of State of proposed application</b>		
12	Did the applicant supply information to notify the Secretary of State of the proposed application; and if so was the information supplied to the Secretary of State on or before the date it was sent to the s42 consultees? Was this done on or before commencing consultation under s42?	Yes, the Applicant gave notice under s46 on Thursday 25 January 2018, which was on or before the beginning of s42 consultation on Friday 26 January 2018. A copy of this notice is provided at <b>Consultation Report Annex J (TR010036/APP/5.11)</b> . The Applicant received acknowledgement of receipt of the notification from PINS on Thursday 25 January 2018.
<b>s47: Duty to consult local community</b>		
13	Did the applicant prepare a Statement of Community Consultation (SoCC) on how it intended to consult people living in the vicinity of the land?	Yes, the Applicant produced a SoCC in January 2018, which is supplied with the application at <b>Consultation Report Annex F (TR010036/APP/5.7)</b> .
14	Were "B" and (where relevant) "C" authorities consulted about the content of the SoCC; and if so was the deadline for receipt of responses 28 days beginning with the day after the day that "B" and (where applicable) "C" authorities received the consultation documents?	Yes, the applicant sent the draft SoCC to the B authority (South Somerset District Council) and the C authority (Somerset County Council) on Monday 16 October 2017 requesting comments on the draft SoCC by Tuesday 14 November 2017.

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		<b>Consultation Report Annex D (TR010036/APP/5.5)</b> includes copies of the emails sent to the Councils.
15	Has the applicant had regard to any responses received when preparing the SoCC?	Yes, the Applicant has explained at Table 4.1 of the <b>Consultation Report (TR010036/APP/5.1)</b> how the responses that were received as a result of consultation on the SoCC have been taken into consideration.
16	Has the SoCC been made available for inspection in a way that is reasonably convenient for people living in the vicinity of the land; and has a notice been published in a newspaper circulating in the vicinity of the land which states where and when the SoCC can be inspected?	<p>Yes, the SoCC was made available at places, which are reasonably convenient having regard to the location of the scheme. Full details of events and libraries at which the SoCC was available to view is found in the SoCC which is <b>Consultation Report Annex F (TR010036/APP/5.7)</b></p> <p>Notices stating when and where it could be inspected were published in the following local newspapers on Thursday 18 January 2018 and Thursday 25 January 2018:</p> <ul style="list-style-type: none"> <li>• Western Daily Press; and,</li> <li>• Somerset County Gazette.</li> </ul> <p>Copies of the newspaper notices are included in <b>Consultation Report Annex L (TR010036/APP/5.13)</b>.</p>

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17	Does the SoCC set out whether the development is EIA development <sup>10</sup> ; and does it set out how the applicant intends to publicise and consult on the preliminary environmental information?	Yes, the SoCC sets out at paragraphs 4.1.4 that the scheme is EIA development and how the Applicant proposes to consult on the preliminary environmental information.
18	Has the applicant carried out the consultation in accordance with the SoCC?	Yes, the Applicant has set out in Table 4.7 of the <b>Consultation Report (TR010036/APP/5.1)</b> the activities that have been carried out and how the commitments in the SoCC have been met.

<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).



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s48: Duty to publicise the proposed application			
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?	<p>Yes, the Applicant has described the newspapers and dates of s48 publicity in <b>Table 4.8</b> of the <b>Consultation Report (TR010036/APP/5.1)</b> and as set out below.</p> <p>Copies of all newspaper notices are included in <b>Consultation Report Annex L (TR010036/APP/5.13)</b></p>	
		Newspaper(s)	Date
	for at least two successive weeks in one or more local newspapers circulating in the vicinity in which the proposed development would be situated;	<ul style="list-style-type: none"> <li>Western Daily Press</li> <li>Somerset County Gazette</li> </ul>	<ul style="list-style-type: none"> <li>Thursday 18 January 2018</li> <li>Thursday 25 January 2018</li> </ul>
	once in a national newspaper;	<ul style="list-style-type: none"> <li>The Times</li> </ul>	<ul style="list-style-type: none"> <li>Thursday 18 January 2018</li> <li>Thursday 25 January 2018</li> </ul>
	once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and	<ul style="list-style-type: none"> <li>The London Gazette</li> <li>No land in Scotland is affected by the proposed scheme.</li> </ul>	<ul style="list-style-type: none"> <li>Thursday 18 January 2018</li> <li>Thursday 25 January 2018</li> </ul>
	where the proposed application relates to offshore development – (i) once in Lloyds List; and (ii) once in an appropriate fishing trade journal?	N/A – the proposed scheme does not include offshore development and was therefore not published in Lloyds List or a fishing trade journal.	N/A

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20	Did the s48 notice include the required information set out in Regulation 4(3) of APFP Regulations?		Yes, the s48 notice is supplied at <b>Consultation Report Annex L (TR010036/APP/5.13)</b> and contains the required information as set out below.
	Information	Paragraph	
a)	The name and address of the applicant.	Paragraph 1	b)
			A statement that the applicant intends to make an application for development consent to the Secretary of State
c)	a statement as to whether the application is EIA development	Paragraph 4	d)
			a summary of the main proposals, specifying the location or route of the proposed development
e)	a statement that the documents, plans and maps showing the nature and location of the proposed development are available for inspection free of charge at the places (including at least one address in the vicinity of the proposed development) and times set out in the notice	Paragraph 5	f)
			the latest date on which those documents, plans and maps will be available for inspection
g)	whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge	Paragraph 8	h)
			details of how to respond to the publicity
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	Paragraph 10	

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	published		
21	Are there any observations in respect of the s48 notice provided above?		
	N/A		
22	Has a copy of the s48 notice been sent to the EIA consultation bodies and to any person notified to the applicant in accordance with the EIA Regulations <sup>11</sup> ?	Yes, the notice was sent to the EIA consultation bodies on Thursday 25 January 2018 (see Chapter 4, Paragraphs 4.6.6 and 4.6.7 of the <b>Consultation Report (TR010036/APP/5.1) and Consultation Report Annex I (TR010036/APP/5.10).</b>	
<b>s49: Duty to take account of responses to consultation and publicity</b>			
23	Has the applicant had regard to any relevant responses to the s42, s47 and s48 consultation?	The Applicant has set out at Chapter 5 of the <b>Consultation Report (TR010036/APP/5.1) and Consultation Report Annex N (TR010036/APP/5.15)</b> the actions that have been taken having regard to the consultation responses received.	
<b>Guidance about pre-application procedure</b>			
24	To what extent has the applicant had regard to MHCLG guidance 'The Planning Act 2008: Guidance on the pre-application process' <sup>12</sup> ?	Yes, Table 6.1 in Chapter 6 of the <b>Consultation Report (TR010036/APP/5.1)</b> explains how the Applicant has had regard to MHCLG guidance on the pre- application process and the Applicant's approach to consultation.	
25	Summary – s55(3)(e)		

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

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

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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)					
26	<p>Is it made in the prescribed form as set out in Schedule 2 of the APFP Regulations, and does it include:</p> <ul style="list-style-type: none"> <li>a brief statement which explains why it falls within the remit of the Secretary of State; and</li> <li>a brief statement that clearly identifies the location of the application site, or the route if it is a linear scheme?</li> </ul>		<p>The application is made in the prescribed form, and explains why it falls within the remit of the Secretary of State in <b>Section 4</b> of the <b>Application Form (TR010036/APP/1.3)</b></p> <p><b>Section 6</b> of the <b>Application Form (TR010036/APP/1.3)</b> provides a brief statement that describes the location of the proposed route and a more detailed description is provided in <b>Chapter 2</b> of the <b>Environmental Statement (TR010036/APP/6.1)</b>. The location of the proposed scheme is shown on the <b>Location Plan (TR010036/APP/2.1)</b>.</p>		
27	Is it accompanied by a consultation report?		Yes, a <b>Consultation Report (TR010036/APP/5.1)</b> and <b>Consultation Report Appendices (TR010036/APP/5.2)</b> accompany the application.		
28	Where a plan comprises three or more separate sheets has a key plan been provided showing the relationship between the different sheets? <sup>13</sup>		Yes. For example <b>Detrunking Plans (document reference TR010036/APP/2.15)</b> ....		
29	Is it accompanied by the documents and information set out in APFP Regulation 5(2)?		Yes, the documents and information required by APFP regulation 5(2) are set out in the documents and locations within the application as listed below:		
	Information	Document		Information	Document
a)	Where applicable, the environmental statement required under the EIA Regulations <sup>14</sup> and any scoping or screening opinions or directions	Yes. The application is accompanied by an <b>Environmental Statement (TR010036/APP/6.1)</b> . The Environmental Statement comprises of 4 volumes: Volume 6.1 contains the Main Environmental Statement,	b)	The draft proposed order	Yes. The application is accompanied by the <b>Draft Development Consent Order (TR010036/APP/3.1)</b> in the validated statutory instrument template. Co-ordinates provided in the Order have been checked and are consistent with coordinates detailed in Volume 2 Plans, Drawings / Sections of the DCO

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		<p>Volume 6.2 contains the <b>Environmental Statement Figures</b>( <i>TR010036/APP/6.2</i>),</p> <p>Volume 6.3 contains the <b>Environmental Statement Appendices</b> ( <i>TR010036/APP/6.3</i>) and Volume 6.4 contains the <b>Environmental Statement Non-Technical Summary</b> <i>TR010036/APP/6.4</i>).</p> <p>A copy of the Scoping Opinion (<b>Appendix 4.1, Volume 6.3</b>) is also submitted with the application. An <b>Outline Environmental Management Plan</b> (<i>TR010036/APP/6.7</i>) also supports the Environmental Statement.</p>			Application.
	Is this of a satisfactory standard?			Is this of a satisfactory standard?	

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

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

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c)	An explanatory memorandum explaining the purpose and effect of provisions in the draft order	Yes. The application is accompanied by the <b>Explanatory Memorandum (TR010036/APP/3.2)</b> to the <b>Draft Development Consent Order (TR010036/APP/3.1)</b>	d)	Where applicable, a book of reference (where the application involves any compulsory acquisition)	Yes. The application is accompanied by the <b>Book of Reference (TR010036/APP/4.3)</b> which meets the requirements of DCLG's Planning Act 2008: guidance related to procedures for the compulsory acquisition of land.
	Is this of a satisfactory standard?			Is this of a satisfactory standard?	
e)	A copy of any flood risk assessment	Yes. The application is accompanied by a <b>Flood Risk Assessment within the Environmental Statement Technical Appendices (TR010036/APP/6.3)</b> .	f)	A statement whether the proposal engages one or more of the matters set out in section 79(1) of the Environmental Protection Act 1990 (statutory nuisances) and if so how the applicant proposes to mitigate or limit them	Yes. The application is accompanied by a <b>Statement of Statutory Nuisance (TR010036/APP/6.5)</b> .
	Is this of a satisfactory standard?			Is this of a satisfactory standard?	
h)	A statement of reasons and a funding statement (where the application involves any compulsory acquisition)	Yes. The application is accompanied by a <b>Statement of Reasons (TR010036/APP/4.1)</b> and a <b>Funding Statement (TR010036/APP/4.2)</b> .	i)	A land plan identifying: - (1) the land required for, or affected by, the proposed development; (2) where applicable, any land over which it is proposed to exercise powers of compulsory acquisition or any rights to	Yes. <b>Land Plans (TR010036/APP/2.2)</b> are provided. The Land Plans consist of Sheets 1 – 6, drawing reference: <b>TR010036/APP/2.2</b>  The Land Plans accord

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				<p>use land;</p> <p>(3) any land in relation to which it is proposed to extinguish easements, servitudes and other private rights; and</p> <p>(4) any special category land and replacement land</p>	<p>with Regulation 5(2)(i) of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 as amended. The Land Plans identify:</p> <p>- all land that is required for or affected by the proposed scheme;</p> <p>- any land over which it is proposed to exercise powers of compulsory acquisition or rights to use land; and</p> <p>- any land in relation to which it is proposed to extinguish easements, servitudes or other private rights.</p> <p>Coordinates within the land plans are consistent with any coordinates provided with the <b><i>Draft Development Consent Order</i></b> (TR010036/APP/3.1).</p>
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					Plots and descriptions listed within the <b>Book of Reference</b> (TR010036/APP/4.3) are consistent with the plots shown on the Land Plans.
	Is this of a satisfactory standard?			Is this of a satisfactory standard?	
j)	<p>A works plan showing, in relation to existing features: -</p> <p>(i) the proposed location or (for a linear scheme) the proposed route and alignment of the development and works; and</p> <p>(ii) the limits within which the development and works may be carried out and any limits of deviation provided for in the draft order</p>	<p>Yes. <b>Works Plans</b> (TR010036/APP/2.3) are provided in Volume 2 Plans, Drawings and Sections of the DCO application.</p> <p>The Works Plans consist of Sheets 1 – 4, drawing references: TR010036/APP/2.3,</p> <p>The Works Plans accord with Regulation 5(2)(j) of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 as amended, and show the proposed route and</p>	k)	<p>Where applicable, a plan identifying any new or altered means of access, stopping up of streets or roads or any diversions, extinguishments or creation of rights of way or public rights of navigation</p>	<p>Yes. <b>Rights of Way and Access Plans</b> (TR010036/APP/2.4) are provided in Volume 2 Plans, Drawings and Sections of the DCO application. The Rights of Way and Access Plans consist of Sheets 1 – 4, drawing references: TR010036/APP/2.4,</p> <p>These are in accordance with Regulation 5(2)(k) of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 as amended.</p>

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		alignment of the development and the limits within which the works are proposed to be carried out.			
	Is this of a satisfactory standard?			Is this of a satisfactory standard?	
l)	Where applicable, a plan with accompanying information identifying: - (i) any statutory/non-statutory sites or features of nature conservation e.g. sites of geological/ landscape importance; (ii) habitats of protected species, important habitats or other diversity features; and (iii) 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	Yes. This information is included in the <b>Environmental Statement Figures (TR010036/APP/6.2)</b> (i) Figure 2.2 (ii) Figure 2.2 (iii) Appendix B of Appendix 4.3 Road Drainage and Water Environment Assessment Summary  Chapters 4 – 14 of the <b>Environmental Statement (TR010036/APP/6.1)</b> provide the accompanying assessment.	m)	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 proposed development	Yes. Appendix 6.1 Cultural Heritage Desk based assessment and accompanying plans in Appendix C provide locations of historic and environment features. This information is summarised within <b>Environmental Statement (TR010036/APP/6.1) in Chapter 6 Cultural Heritage</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	Yes. <b>Crown Land Plans (TR010036/APP/2.12)</b> are provided in Volume 2 Plans, Drawings and Sections of the DCO application.	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	Yes. The following plans and drawings are provided under Regulation 5(2)(o) of the APFP Regulations 2009 (as amended):  <b>General Arrangement Drawings</b>

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				management, means of vehicular and pedestrian access, any car parking and landscaping	<p><b>(TR010036/APP/2.6)</b></p> <p><b>Permanent Speed Limit Orders Plans</b> <b>(TR010036/APP/2.5)</b></p> <p><b>Traffic Regulation Measures Plans</b> <b>(TR010036/APP/2.10)</b></p> <p><b>Outline Drainage Works Plans</b> <b>(TR010036/APP/2.11)</b></p> <p><b>Red Line Boundary Plan</b> <b>(TR010036/APP/2.13)</b></p> <p><b>De-trunking Works</b> <b>(TR010036/APP/2.16)</b></p> <p><b>Engineering Section Drawings</b> <b>(TR010036/APP/2.17)</b></p>
	Is this of a satisfactory standard?			Are they of a satisfactory standard?	
p)	Any of the documents prescribed by Regulation 6 of the APFP Regulations:	Yes. The proposed development is Highway related development. The application is therefore required under Regulation 6(2) to be accompanied by section drawings showing:	q)	Any other documents considered necessary to support the application.	Yes. Volume 7 of the DCO Application comprises other documents considered necessary to support the application, as listed in section 23 of the

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		ground levels, heights of proposed bridges and embankments, depths of proposed cuttings and tunnels and drainage outfall details. This information is provided in the <b>Engineering Section Drawings (TR010036/APP/2.17) and Outline Drainage Works (TR010036/APP/2.11)</b>			Application Form. These documents are:  <b>Case for the Scheme (TR010036/APP/7.1)</b>  <b>Transport Report (TR010036/APP/7.3)</b>  <b>Combined Modelling and Appraisal (CoMMA) Report (TR010036/APP/7.6)</b>  <b>Road Safety Audit (TR010036/APP/7.7)</b>  <b>Lighting Layout (TR010036/APP/7.8)</b>  <b>Downhead Junction Overbridge General Arrangement (TR010036/APP/7.9)</b>  <b>Hazlegrove Junction Overbridge General Arrangement (TR010036/APP/7.10)</b>  <b>Statements of Common Ground (Volume 8.0)</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?				

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31	<p>Is the application accompanied by a report identifying any European site(s) to which regulation 48 of the Conservation (Natural Habitats, &amp;c.) Regulations 1994 applies; or any Ramsar site(s), which may be affected by the proposed development, together with sufficient information that will enable the Secretary of State to make an appropriate assessment of the implications for the site if required by regulation 48(1)?<sup>15</sup></p> <p>Yes, a <b>Habitat Regulations Assessment: Finding of No Likely Significant Effects Report (TR010036/APP/7.7)</b> has been produced.</p>

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

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

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

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

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

