

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.

DISCLAIMER: This 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.

NB: See government’s [Planning Act 2008: Application form guidance](#) for guidance on how the application form should be completed and what should be included with it.

Section 55: Acceptance of Applications

A303 Sparkford to Ilchester Dualling: Section 55 Application Checklist¹

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 July 2018	24 August 2018	23 August 2018
Section 55(3) – the Secretary of State may <u>only</u> 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	<p>Is the development a nationally significant infrastructure project² (NSIP) (or does it form part of an NSIP); and does the application state on the face of it that it is an application for a development consent order³ (DCO) under the Planning Act 2008 (the PA2008), or equivalent words? Does the application specify the development to which it relates (i.e. which category or categories in ss14-30 does the application scheme fall)?</p> <p>If the development does not fall within the categories in ss14-30, has a direction been given by the Secretary of State under s35 of the PA2008 for the development to be treated as development for which development</p>	<p>Yes.</p> <p>The Proposed Development set out in Schedule 1 of the Draft Development Consent Order (Document 3.1) is a Nationally Significant Infrastructure Project (NSIP), which is a development falling within the categories in ss14 and 22 of the PA2008.</p> <p>This is consistent with the summary provided in the Application Form (Document 1.3) in Box 4 which concludes that the application is for an NSIP.</p>		

¹ 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

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

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

	consent is required?	
3	Summary – s55(3)(a) and s55(3)(c)	The Planning Inspectorate is satisfied that the application submitted is an application for an order granting development consent and that development consent is required for the Proposed Development and associated matters described in Box 5 of the Application Form (Doc 1.3) and set out in Schedule 1 of the Draft Development Consent Order (Doc 3.1) .
s55(3)(e) The applicant in relation to the application made has complied with Chapter 2 of Part 5 (pre-application procedure)		
4	In accordance with the EIA Regulations ⁴ , 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 requested a Screening Opinion in respect of the Proposed Development on 27 November 2017; before the start of s42 consultation on 26 January 2018. The Applicant also notified the Secretary of State that it proposed to provide an Environmental Statement in respect of the Proposed Development. A copy of the request and notification is provided in Consultation Report Annex B (Document 5.3) .
5	Have any adequacy of consultation representations ⁵ 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?	There are 14 host and neighbouring authorities, of which six provided Adequacy of Consultation Representations (AoCR) confirming either that the Applicant had complied with its duties under s42, s47 and s48 of the PA2008 and/ or that they had no comments. These were: Host (“B, C”) authorities <ul style="list-style-type: none"> • South Somerset District Council (SSDC) • Somerset County Council (SCC) <p>Note: SSDC and SCC provided a joint AoCR.</p> Neighbouring (“A, D”) authorities

⁴ 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)

⁵ 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

		<ul style="list-style-type: none"> • Exmoor National Park Authority • Wiltshire Council • Taunton Deane Borough Council • Sedgemoor District Council <p>These AoCRs have been carefully considered and are available to view on the project page on the National Infrastructure Planning website: https://infrastructure.planninginspectorate.gov.uk/projects/south-west/a303-sparkford-to-ilchester-dualling/?ipcsection=docs</p> <p>Responses were invited but were not received from the following authorities:</p> <p>Neighbouring (“A, D”) authorities</p> <ul style="list-style-type: none"> • Bath and North East Somerset Council • Devon County Council • Dorset County Council • East Devon District Council • Mendip District Council • North Dorset District Council • North Somerset Council • West Dorset District Council
s42: Duty to Consult		
	Did the applicant consult the applicable persons set out in s42 of the PA2008 about the proposed application?	
6	s42(1)(a) persons prescribed ⁶ ?	<p>Yes.</p> <p>The Applicant has provided a list of persons consulted under s42(1)(a) on 26 January</p>

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

		<p>2018 in the Consultation Report Annex G (Document 5.8).</p> <p>The Planning Inspectorate has identified the following parties based on a precautionary interpretation of the Regulations that have not been consulted by the Applicant under s42:</p> <ul style="list-style-type: none"> • The NHS Somerset Clinical Commissioning Group was consulted as the relevant Clinical Commissioning Group but not the NHS Commissioning Board, NHS England • The Forestry Commission was consulted but not the South West office • Murphy Power Distribution Limited • Vattenfall Networks Limited • Peel Electricity Networks Limited (PENL) <p>The Applicant's Consultation Report (Document 5.1) does not give a clear explanation as to why the bodies identified above have not been consulted. It is noted that the licences held by Murphy Power Distribution Limited, Vattenfall Networks Limited and PENL all cover Great Britain. The operational areas of these bodies however are not clear from information in the public domain.</p> <p>Given the individual circumstances of this case, and taking a precautionary approach to ensure that all persons potentially affected by, or potentially likely to have an interest in, the application are given the opportunity to participate fully in the examination of the application, the Planning Inspectorate suggests that the Applicant may wish to include the above bodies amongst those on whom they serve notice of the accepted application under s56(2)(a) of the PA2008; unless there is a specific justification why this is not necessary.</p> <p>Section 51 advice has been issued regarding this matter: https://infrastructure.planninginspectorate.gov.uk/document/TR010036-000268</p>
7	s42(1)(aa) the Marine Management Organisation ⁷ ?	n/a

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

8	s42(1)(b) each local authority within s43 ⁸ ?	<p>Yes.</p> <p>The Applicant has consulted each local authority within s43 as described in Section 4.3.3 of the Consultation Report (Document 5.1) on 26 January 2018. These are:</p> <p>Host (“B, C”) authorities</p> <ul style="list-style-type: none"> • Somerset County Council • South Somerset District Council <p>Neighbouring (“A, D”) authorities</p> <ul style="list-style-type: none"> • Bath and North East Somerset Council • Devon County Council • Dorset County Council • East Devon District Council • Mendip District Council • North Dorset District Council • North Somerset Council • Sedgemoor District Council • Taunton Deane Borough Council • West Dorset District Council • Wiltshire Council • Exmoor National Park Authority (see below) <p>Section 4.7 of the Consultation Report (Document 5.1) explains that Exmoor National Park Authority (“D” authority) was not consulted during the initial statutory consultation however they were subsequently consulted on 10 May 2018 and invited to</p>
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⁸ 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

		provide comments by 8 June 2018. The Planning Inspectorate is satisfied that reasonable measures were taken to ensure all relevant local authorities were consulted in accordance with s42(1)(b) of the PA2008.
9	s42(1)(c) the Greater London Authority (if in Greater London area)?	n/a
10	s42(1)(d) each person in one or more of s44 categories ⁹ ?	<p>Yes.</p> <p>The Applicant has consulted each person in one or more s44 categories as described in Section 4.3.11 of the Consultation Report (Document 5.1) on Friday 26 January 2018. A copy of the consultation letter can be found in Consultation Report Annex I (Document 5.10).</p> <p>Consultation Report Annex H (Document 5.9), as referred to in Section 4.3.8 of the Consultation Report (Document 5.1), provides a list of land interests consulted, noting their interest in the land, however no key is included to identify the Land Interest Reference and therefore it is not possible to cross reference this to the Book of Reference (Document 4.3). As a result, any omission or error is a matter for the Applicant.</p>
s45: Timetable for s42 Consultation		
11	Did the applicant notify s42 consultees of the deadline for receipt of consultation responses; and if so was the deadline notified by the applicant 28 days or more starting with the day after receipt of the consultation documents?	<p>Yes.</p> <p>Letters dated 25 January 2018 and 26 January 2018 were sent to s42 consultees and confirmed the deadline for responses as 9 March 2018; providing more than 28 days for responses to be received.. Copies of the consultation letters can be found in Consultation Report Annex I (Document 5.10).</p>
s46: Duty to notify Secretary of State of proposed application		
12	Did the applicant supply information to notify the Secretary of State of the proposed application; and if	<p>Yes.</p> <p>The Applicant gave notice under s46 on 25 January 2018 which was before the</p>

⁹ Category 1: owner, lessee, tenant or occupier of land; Category 2: person interested in the land or has power to sell and convey the land or to release the land; Category 3: 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

	so was the information supplied to the Secretary of State on or before the date it was sent to the s42 consultees? Was this done on or before commencing consultation under s42?	<p>beginning of s42 consultation.</p> <p>A copy of the consultation documents sent to the Secretary of State is included in Consultation Report Annex J (Document 5.11). A copy of the s46 letter dated 25 January 2018 was published on the project page on the National Infrastructure Planning website on 25 January 2018: https://infrastructure.planninginspectorate.gov.uk/projects/south-west/a303-sparkford-to-ilchester-dualling/?ipcsection=docs</p>
s47: Duty to consult local community		
13	Did the applicant prepare a Statement of Community Consultation (SoCC) on how it intended to consult people living in the vicinity of the land?	<p>Yes.</p> <p>The Applicant produced a SoCC which is supplied with the application in Consultation Report Annex F (Document 5.7).</p>
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?	<p>Yes.</p> <p>Section 4.2 of the Consultation Report (Document 5.1) outlines the Applicant’s approach to developing the content of the SoCC with relevant local authorities.</p> <p>Paragraph 4.2.6 of the Consultation Report (Document 5.1) confirms that the Applicant wrote to South Somerset District Council (“B” authority) and Somerset County Council (“C” authority) on 16 October 2017 and set a deadline of 14 November 2017 for responses. Paragraph 4.2.11 of the Consultation Report (Document 5.1) explains that this deadline was subsequently extended for South Somerset District Council (“B” authority).</p> <p>A copy of the email to the “B” and “C” authorities is included in Consultation Report Annex D (Document 5.5).</p> <p>The Applicant also contacted “A” and “D” authorities and set the same deadline for responses.</p>
15	Has the applicant had regard to any responses received when preparing the SoCC?	<p>Yes.</p> <p>The Applicant has explained in Table 4.1 of the Consultation Report (Document 5.1) how the responses that were received, as a result of consultation on the SoCC, were taken into consideration.</p>

		<p>Consultation Report Annex E (Document 5.6) provides the responses from the local authorities.</p> <p>Examples of where the Applicant has had regard to the responses include:</p> <ul style="list-style-type: none"> • Somerset County Council recommended active engagement with the Business and Tourism sector. The draft SoCC was subsequently amended and the published SoCC specified that Business and Tourism organisations would receive information letters. • South Somerset District Council indicated that the final SoCC should include a Public Information Point in Ilchester and/ or Podimore village. The draft SoCC was subsequently amended and the published SoCC included an information point at Tall Trees Community Centre in Ilchester.
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.</p> <p>Consultation Report Annex F (Document 5.7) confirms that the SoCC was made available at the following locations which are reasonably convenient having regard to the location of the scheme:</p> <ul style="list-style-type: none"> • Wincanton Library • Yeovil Library • South Petherton Library • Taunton Library • Somerset County Council, County Hall • Martock Library • South Somerset District Council Offices • Tall Trees Community Centre <p>Notices stating when and where the SoCC could be inspected were published in the following publications on 18 January 2018 and 25 January 2018:</p> <ul style="list-style-type: none"> • Somerset County Gazette

		<ul style="list-style-type: none">Western Daily Press		
17	Does the SoCC set out whether the development is EIA development ¹⁰ ; and does it set out how the applicant intends to publicise and consult on the preliminary environmental information?	<p>Yes.</p> <p>Consultation Report Annex F (Document 5.7) sets out at paragraph 4.1.4 that the scheme is EIA development and how the Applicant proposed to consult on the Preliminary Environmental Information.</p>		
18	Has the applicant carried out the consultation in accordance with the SoCC?	<p>Yes.</p> <p>The Applicant has set out in Table 4.7 of the Consultation Report (Document 5.1) the activities that have been carried out and how the commitments in the SoCC have been met.</p> <p>South Somerset District Council and Somerset County Council have confirmed in their joint Adequacy of Consultation Representation (dated 10 August 2018) that the Applicant has complied with its duties under the PA2008, stating:</p> <p><i>“...the Councils confirm that the Statutory Consultation undertaken by Highways England was found to be in compliance with the SoCC and, from the information provided to it, that they are satisfied Highways England has complied with section 42, 47 and 48 of the Planning Act.”</i></p>		
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.</p> <p>The Applicant has described the newspapers and dates of s48 publicity in paragraphs 4.6.1 to 4.6.5 of the Consultation Report (Document 5.1), as set out below:</p> <p>Copies of the newspaper notices are provided in Consultation Report Annex L (Document 5.13).</p>		
		<table><tr><th><i>Newspaper(s)</i></th><th><i>Date</i></th></tr></table>	<i>Newspaper(s)</i>	<i>Date</i>
<i>Newspaper(s)</i>	<i>Date</i>			

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

	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">• Western Daily Press• Somerset County Gazette			18 January 2018 and 25 January 2018
	once in a national newspaper;	<ul style="list-style-type: none">• The Times			18 January 2018 and 25 January 2018
	once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and	<ul style="list-style-type: none">• The London Gazette			18 January 2018 and 25 January 2018
	where the proposed application relates to offshore development – (i) once in Lloyds List; and (ii) once in an appropriate fishing trade journal?	n/a			n/a
20	Did the s48 notice include the required information set out in Regulation 4(3) of APFP Regulations?		Yes. Copies of published s48 notices are supplied at Consultation Report Annex L (Document 5.13) and contain the required information as set out below:		
	Information	Paragraph		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	Paragraph 1
c)	a statement as to whether the application is EIA development	Paragraph 4	d)	a summary of the main proposals, specifying the location or route of the proposed development	Paragraph 3
e)	a statement that the documents, plans and maps showing the nature and location of the proposed development are available for inspection free of charge at the places	Paragraph 5	f)	the latest date on which those documents, plans and maps will be available for inspection	Paragraph 5

	(including at least one address in the vicinity of the proposed development) and times set out in the notice				
g)	whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge	Paragraph 6	h)	details of how to respond to the publicity	Paragraph 9
i)	a deadline for receipt of those responses by the applicant, being not less than 28 days following the date when the notice is last published	Paragraph 10			
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 ¹¹ ?	Yes. The s48 notice was sent to the EIA consultation bodies and the persons notified to the Applicant in accordance with the EIA Regulations on Friday 26 January 2018; as confirmed in paragraph 4.6.6 and 4.6.7 of the Consultation Report (Document 5.1) .			
s49: Duty to take account of responses to consultation and publicity					
23	Has the applicant had regard to any relevant responses to the s42, s47 and s48 consultation?	Yes. The Applicant has set out in paragraphs 5.3.2 to 5.3.4 and Table 5.8 of the Consultation Report (Document 5.1) the actions that have been taken in having regard to the consultation responses received. They have also described at paragraph 5.3.5 of the Consultation Report (Document 5.1) the consideration given to responses that did not lead to a change. Consultation Report Annex N (Document 5.15) provides full details of the regard the			

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

		<p>Applicant had to the consultation responses received.</p> <p>The actions appear to be reflected in the final form of the application submitted, and where a response has not led to a change in the application, it is sufficiently clear that regard was had to it.</p>
Guidance about pre-application procedure		
24	To what extent has the applicant had regard to DCLG guidance 'The Planning Act 2008: Guidance on the pre-application process' ¹² ?	Table 6.1 of the Consultation Report (Document 5.1) explains how the Applicant has had regard to DCLG guidance on the Pre-application process. Having reviewed the application, it appears that the Applicant has identified and had regard to the relevant DCLG guidance.
25	Summary - s55(3)(e)	<p>The application as made by the Applicant has complied with Chapter 2 of Part 5 (pre-application procedure) of the PA2008. All relevant duties have been complied with. Whilst there are some consultation discrepancies, s51 advice has been provided to the Applicant to remedy these:</p> <p>https://infrastructure.planninginspectorate.gov.uk/document/TR010036-000268</p>
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"> a brief statement which explains why it falls within the remit of the Secretary of State; and a brief statement that clearly identifies the location of the application site, or the route if it is a linear scheme? 	<p>Yes.</p> <p>Box 4 of the Application Form (Document 1.3) explains why the development falls within the remit of the Secretary of State.</p> <p>Box 5 of the Application Form provides a brief non-technical description of the site, whilst Box 6 provides the location of the proposal. A Location Plan (Document 2.1) has been provided.</p>
27	Is it accompanied by a consultation report?	Yes.

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

		The application is accompanied by a Consultation Report (Document 5.1) and Consultation Report Appendices (Documents 5.2 to 5.14) .			
28	Where a plan comprises three or more separate sheets has a key plan been provided showing the relationship between the different sheets? ¹³	Yes.			
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 ¹⁴ and any scoping or screening opinions or directions	Environmental Statement: Chapter 1 to Chapter 16 (Document 6.1) Figures, drawing and illustrative materials (Document 6.2) Technical appendices (Document 6.3) Non-technical summary (Document 6.4)	b)	The draft proposed order	Draft Development Consent Order (Document 3.1)
	Is this of a satisfactory standard?	Yes (with discrepancy as noted in Box 30).		Is this of a satisfactory standard?	Yes (with discrepancies as noted in Box 30).
c)	An explanatory memorandum explaining the purpose and effect of provisions in the draft order	Explanatory Memorandum (Document 3.2)	d)	Where applicable, a book of reference (where the application involves any compulsory acquisition)	Book of Reference (Document 4.3)

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

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

	Is this of a satisfactory standard?	Yes (with discrepancies as noted in Box 30).		Is this of a satisfactory standard?	See Box 30.
e)	A copy of any flood risk assessment	Environmental Statement - Appendix 4.6: Flood Risk Assessment (Document 6.3)	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	Statement of Statutory Nuisances (Document 6.5)
	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 application involves any compulsory acquisition)	Statement of Reasons (Document 4.1) Funding Statement (Document 4.2)	i)	A land plan identifying:- (i) the land required for, or affected by, the proposed development; (ii) where applicable, any land over which it is proposed to exercise powers of compulsory acquisition or any rights to use land; (iii) any land in relation to which it is proposed to extinguish easements, servitudes and other private rights; and (iv) any special category land and replacement land	Land Plans (Document 2.2)
	Is this of a satisfactory standard?	Yes (with discrepancies as noted in Box 30).		Is this of a satisfactory standard?	Yes.
j)	A works plan showing, in relation to	Works Plans (Document 2.3)	k)	Where applicable, a plan	Rights of Way and

	<p>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>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>Access Plans (Document 2.4)</p> <p>Detrunking Plans (Document 2.16)</p>
	Is this of a satisfactory standard?	Yes (with discrepancies as noted in Box 30).	Is this of a satisfactory standard?	Yes.
l)	<p>Where applicable, a plan with accompanying information identifying:-</p> <p>(i) any statutory/non-statutory sites or features of nature conservation e.g. sites of geological/ landscape importance;</p> <p>(ii) habitats of protected species, important habitats or other diversity features; and</p> <p>(iii) water bodies in a river basin management plan,</p> <p>together with an assessment of any effects on such sites, features, habitats or bodies likely to be caused by the proposed development</p>	<p>i) Figure 2.2: Environment Constraints (Document 6.2)</p> <p>ii) App 8.5, App B App 8.6, App B App 8.7, App A App 8.9, App B App 8.10, App A, B, E, F, G, H App 8.11, App C App 8.12, App B App 8.13, App A Confidential badger report (Figure C01) (all Document 6.3)</p>	m)	<p>Where applicable, a plan with accompanying information identifying any statutory/non-statutory sites or features of the historic environment, (e.g. scheduled monuments, World Heritage sites, listed buildings, archaeological sites and registered battlefields) together with an assessment of any effects on such sites, features or structures likely to be caused by the proposed development</p> <p>Figure 6.1: Heritage Assets with the potential for likely significant effects (Document 6.2)</p> <p>Figure 7.3: Landscape Constraint Plan (Document 6.2)</p> <p>App 6.1, App C and App D (Document 6.3)</p> <p>App 6.2, App D (Document 6.3)</p>

		iii) App 4.6, Figure 2.1 (Document 6.3)			
	Is this of a satisfactory standard?	Yes.		Is this of a satisfactory standard?	Yes.
n)	Where applicable, a plan with any accompanying information identifying any Crown land	Crown Land Plans (Document 2.12)	o)	Any other plans, drawings and sections necessary to describe the development consent proposal showing details of design, external appearance, and the preferred layout of buildings/structures, drainage, surface water management, means of vehicular and pedestrian access, any car parking and landscaping	Permanent Speed Limit Orders Plan (Document 2.5) General Arrangement Plans (Document 2.6) Classification of Roads Plans (Document 2.7) Traffic Regulation Measures Plans (Document 2.10) Outline Drainage Works Plans (Document 2.11) Red Line Boundary Plan (Document 2.13)
	Is this of a satisfactory standard?	Yes.		Are they of a satisfactory standard?	Yes.
p)	Any of the documents prescribed by Regulation 6 of the APFP Regulations:	Engineering Section Drawings (Document 2.17) Provided under Regulation 6(2)(a)(i), (ii), (iii) & (vi) and Regulation (2)(b)	q)	Any other documents considered necessary to support the application.	Introduction to the Application (Document 1.1) Covering Letter and Schedule of Compliance with Section 55 (Document 1.2)

				Consents and Agreements Position Statement (Document 3.3) Environmental Statement Non-technical Summary (Document 6.4) Outline Environmental Management Plans (Document 6.7) Case for the Scheme (Document 7.1) Transport Report (Document 7.3) Combined Modelling and Appraisal Report (Document 7.6) Road Safety Audit (Document 7.7) Proposed Lighting Layout Plan (Document 7.8) Stear Hill Overbridge General Arrangement Plan (Document 7.9) Hazlegrove Junction Underbridge General Arrangement Plan (Document 7.10)
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				Draft Statements of Common Ground (Document 8.1 to Document 8.8)
	Are they of a satisfactory standard?	Yes.		Are they of a satisfactory standard? Yes.
30	<p>Are there any observations in respect of the documents provided above?</p> <p>Box 29(a) – Regulation 5(2)(a)</p> <p>A hyperlink to the Scoping Opinion, as hosted on the National Infrastructure Planning website, is provided in Box 14b of the Application Form (Document 1.3).</p> <p>Box 29(b), (c) and (h) – Regulation 5(2)(b), (c) and (h)</p> <p>Paragraphs 3.2.1 to 3.4.11 and 3.4.12(e) of the Statement of Reasons (Document 4.1) refer to various articles in the Draft Development Consent Order (Document 3.1). The Articles referred to in the Statement of Reasons (Document 4.1) do not match the Articles in the Draft Development Consent Order (Document 3.1), for example: paragraph 3.2.1 refers to Articles 22 (compulsory acquisition of land) and 25 (compulsory acquisition of rights) however Article 22 relates to ‘The authority to survey and investigate the land’ and Article 25 relates to ‘Time limit for exercise of authority to acquire land compulsorily’.</p> <p>Section 51 advice has been issued regarding this matter: https://infrastructure.planninginspectorate.gov.uk/document/TR010036-000268. Again the Planning Inspectorate is of the view that this matter does not amount to the application as a whole failing to be of a satisfactory standard.</p> <p>Box 29(d) – Regulation 5(2)(d)</p> <p>A number of persons recorded in Part 3 of the Book of Reference (Document 4.3) are not recorded in Part 1, for example:</p> <ul style="list-style-type: none"> • In respect of plot 4/7a Virgin Media are recorded in column 4 of Part 3 as ‘...persons whose entitlement to enjoy private easements or rights may be extinguished, suspended or interfered with’ but they are not recorded in Part 1. • In respect of plot 7/4c British Telecommunications Plc and Openreach Limited are recorded in column 4 of Part 3 as ‘...persons whose entitlement to enjoy private easements or rights may be extinguished, suspended or interfered with’ but they are not recorded in Part 1. <p>Section 51 advice has been issued to remedy this matter: https://infrastructure.planninginspectorate.gov.uk/document/TR010036-000268. The Planning Inspectorate does not consider that any party has been disadvantaged by this discrepancy.</p> <p>The descriptions of several of the plot locations in Part 1 of the Book of Reference (Document 4.3) are not accurate, for example:</p>			

- Plot 1/1b is described as being '*located to the north of Podimore*'. Sheet 1 of the **Land Plans (Document 2.2)** indicates that this plot is north east of Podimore.
- Plot 2/3d is described as being '*located to the west of The Bungalow*'. Sheet 2 and Sheet 4 of the **Land Plans (Document 2.2)** indicate that this plot is south west of The Bungalow.
- Plots 2/4d and 2/5d are described as being '*located to the south west of the Annis Hill Farm*'. Sheet 2 and Sheet 4 of the **Land Plans (Document 2.2)** indicate that these plots are south of Annis Hill Farm.
- Plot 3/2a is described as being located '*to the west of The Spinney*'. Sheet 3 and Sheet 4 of the **Land Plans (Document 2.2)** indicate that this plot is north and north east of The Spinney.
- Plot 4/1k is described as '*existing highway known as the A303 at Canegore Corner*' and '*to the south of dwelling known as Bromar*'. Sheet 4 of the **Land Plans (Document 2.2)** indicates that the plot is west of the Canegore Corner Junction and south west of Bromar.

Section 51 advice has been issued to remedy these matters: <https://infrastructure.planninginspectorate.gov.uk/document/TR010036-000268>. The Planning Inspectorate is of the view that the matters noted above do not amount to the application as a whole failing to be of a satisfactory standard.

Box 29(j) – Regulation 5(2)(j)

It is noted that the information presented on the **General Arrangement Plans (Document 2.6)** considerably assists consideration of the **Works Plans (Document 2.3)** and it is within the information context provided by the General Arrangement Plans that the Works Plans are agreed to be of a satisfactory standard.

Work No.12 in **Schedule 1** of the **Draft Development Consent Order (Document 3.1)** refers to point 'DE'. This point is not marked on the relevant **Works Plan (Document 2.3)**. Similarly Work No. 61 refers to point 'EE' and this point is not marked on the relevant Work Plan.

Work No.10 in **Schedule 1** of the **Draft Development Consent Order (Document 3.1)** refers to an Ecological mitigation area. The limits of deviation for this work are not marked on the relevant **Works Plan (Document 2.3)**.

Work Nos. 43 and 44 in **Schedule 1** of the **Draft Development Consent Order (Document 3.1)** refer to point 'KA' shown on sheets 2 and 3. Whilst 'KA' and 'KQ' are marked on sheet 2 the same point is recorded as 'AC' on sheet 3. Similarly Work No. 75 refers to point 'KQ' on sheet 3. This point is only marked on sheet 2 and the same point is recorded as 'AD' on sheet 3.

Work No.56 in **Schedule 1** of the **Draft Development Consent Order (Document 3.1)** is described as shown on sheet 3, however sheet 4 also gives a location for Work No. 56 and describes this as "WORKS TO FORMER A303 WEST OF HAZELGROVE ROUNDABOUT".

Work No. 68 in **Schedule 1** of the **Draft Development Consent Order (Document 3.1)** is described as shown on sheet 3 between points 'EA' and 'AH'. The Work on the relevant **Works Plan (Document 2.3)** does not point to this location.

Section 51 advice has been issued regarding this matter: <https://infrastructure.planninginspectorate.gov.uk/document/TR010036-000268/>. The

	Planning Inspectorate is of the view that this matter does not amount to the application as a whole failing to be of a satisfactory standard.	
31	Is the application accompanied by a report identifying any European site(s) to which regulation 48 of the Conservation (Natural Habitats, &c.) Regulations 1994 applies; or any Ramsar site(s), which may be affected by the proposed development, together with sufficient information that will enable the Secretary of State to make an appropriate assessment of the implications for the site if required by regulation 48(1)? ¹⁵	<p>Yes.</p> <p>A Habitat Regulations Assessment Report (Document 6.6) is provided.</p> <p>The report identifies relevant European sites and the likely effects on those sites. It is considered that the information provided in the report is adequate for acceptance.</p> <p>Note: the Examining Authority will be able to ask questions during the examination. This may result in additional information being required to inform the HRA report and the competent authority. Depending upon the type and availability of information required, it may not be possible to obtain this during the statutory timetable of the examination.</p>
32	If requested by the Secretary of State, two paper copies of the application form and other supporting documents and plans ¹⁶	One paper copy was received, as requested by the Secretary of State.
33	Has the applicant had regard to DCLG guidance 'Planning Act 2008: Application form guidance', and has this regard led to the application being prepared to a standard that the Secretary of State considers satisfactory?	<p>Yes.</p> <p>Table 6.1 of the Consultation Report (Document 5.1) explains how the Applicant has had regard to DCLG guidance. On reviewing the application the Applicant has identified and has had regard to relevant guidance, and the overall standard of the application is satisfactory.</p>
34	Summary - s55(3)(f) and s55(5A)	The application as submitted is of a satisfactory standard. A number of discrepancies/ inconsistencies are evident upon inspection of the application documents and will need to be remedied in due course. However, none are considered to significantly reduce the ability of prospective participants in the examination from appreciating the extent and effects of the application.
The Infrastructure Planning (Fees) Regulations 2010 (SI106)		

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

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

Fees to accompany an application		
35	Was the fee paid at the same time that the application was made ¹⁷ ?	The fee was received on 26 July 2018; the day before the application was submitted.

Electronic Signature	Name	Date
Case Leader	<i>Michele Gregory</i>	23 August 2018
Acceptance Inspector	<i>Rynd Smith</i>	23 August 2018

¹⁷ 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