



The Planning Inspectorate
Yr Arolygiaeth Gynllunio

A47/A11 Thickthorn Junction

Section 55 Acceptance of Applications Checklist

Appendix 3 of [Advice Note Six: Preparation and submission of application documents](#)

April 2021

A47/A11 Thickthorn Junction Section 55 Acceptance of Applications Checklist

Section 55 of the Planning Act 2008 can be viewed at legislation.gov.uk, here:

<http://www.legislation.gov.uk/ukpga/2008/29/section/55>

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

Section 55(2) Acceptance of Applications				
1	Within 28 days (starting day after receipt) the Planning Inspectorate must decide whether or not to accept the application for Examination.	Date received	28 day due date	Date of decision
		31 March 2021	28 April 2021	28 April 2021
Section 55(3) – the Planning Inspectorate may only accept an application if it concludes that:			Planning Inspectorate comments	
Section 55(3)(a) and s55(3)(c): It is an application for an order granting development consent				
2	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 relates (i.e. which category or categories in ss14 to 30 does the Proposed Development fall)?	<p>Yes</p> <p>The Proposed Development set out in Schedule 1 of the Draft DCO (Doc 3.1) includes development falling within the categories in s14 of the PA2008. The development is for the alteration of highway and satisfies section 22 of the PA2008, including subsections 22(1)(b) and (3).</p> <p>This is consistent with the summary provided in section 4 of the Application Form (Doc 1.1) which states that the application is for an NSIP.</p>		

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)

	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?	
3	Summary: Section 55(3)(a) and s55(3)(c)	The Planning Inspectorate is satisfied that the Draft DCO (Doc 3.1) includes development for which development consent is required.
Section 55(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 ³ , did the Applicant (prior to carrying out consultation in accordance with s42) either (a) request the Planning Inspectorate adopt a Screening Opinion in respect of the development to which the application relates, or (b) notify the Planning Inspectorate in writing that it proposed to provide an Environmental Statement in respect of that development?	Yes On 8 February 2018 the Applicant notified the Planning Inspectorate in accordance with Regulation 8(1)(b) of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 of its intention to provide an Environmental Statement (ES) in respect of the Proposed Development. The notification was received before the start of statutory consultation on 3 June 2019. A copy of the notification letter is provided at Annex B of the Consultation Report (Doc 5.2) .
5	Have any Adequacy of Consultation Representations ⁴ 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?	Yes There are 12 host and neighbouring authorities, of which six responded to the Planning Inspectorate's invitation to make an Adequacy of Consultation Representation (AoCR) dated 31 March 2021. All six responding authorities confirmed in their AoCR that either the Applicant had complied with its duties under s42, s47 and s48 of the PA2008 and/ or that their authority had no comments/ objections to make. These six local authorities were:

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)

⁴ 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

		<ul style="list-style-type: none"> • Mid Suffolk District Council ('A' authority) • Broadland District Council ('A' authority) • Breckland Council ('A' authority) • The Broads Authority ('A' & 'D' authority) • South Norfolk Council ('B' authority) • Norfolk County Council ('C' authority') <p>All AoCRs received have been carefully considered and are available to view on the National Infrastructure Planning website: https://infrastructure.planninginspectorate.gov.uk/projects/eastern/a47a11-thickthorn-junction/?ipcsection=docs</p>
Section 42: Duty to consult		
Did the Applicant consult the applicable persons set out in s42 of the PA2008 about the proposed application?		
6	Section 42(1)(a) persons prescribed ⁵ ?	<p>Yes</p> <p>The Applicant has provided a list of persons consulted under s42(1)(a) on 28 May 2019, for their statutory consultation between 3 June 2019 and 11 July 2019, at Annex G of the Consultation Report (Doc 5.2).</p> <p>A sample of the letter sent to s42(1)(a) consultees is provided at Annex H of the Consultation Report (Doc 5.2).</p> <p>The Planning Inspectorate has identified the following parties based on a precautionary interpretation of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the APFP Regulations) that were not consulted by the Applicant under s42:</p> <ul style="list-style-type: none"> • Norfolk and Waveney Clinical Commissioning Group • Last Mile Gas Ltd

⁵ Statutory consultees set out in Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (APFP Regulations)

		<ul style="list-style-type: none"> • Last Mile Electricity Ltd • Harlaxton Gas Networks Ltd • Leep Gas Networks Ltd • Indigo Power Ltd • Forbury Assets Ltd • WoDS Transmission plc <p>The Applicant's Consultation Report (Doc 5.1) does not explain why the bodies identified above have not been consulted. However, it is noted that the licences held by these bodies cover Great Britain or various smaller areas and the operational areas of each are not clear from information in the public domain.</p> <p>None of the bodies listed above have been identified by the Applicant as having an interest in the Order lands and are not listed in the Book of Reference (Doc 4.3).</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>
7	Section 42(1)(aa) the Marine Management Organisation ⁶ ?	N/A
8	Section 42(1)(b) each local authority within s43 ⁷ ?	<p>Yes</p> <p>Table 3.7 of the Consultation Report (Doc 5.1) lists the relevant local authorities that were identified and consulted under s43 and s42(1)(b) on 28 May 2019.</p>

⁶ 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

⁷ Definition of 'local authority' in s43(3) of the PA2008: The 'B' authority where the application land is in the authority's area; the 'A' authority where any part of the boundary of A's area is also a part of the boundary of B's area; the 'C' authority (upper tier) where the application land is in that authority's area; the 'D' authority (upper tier) where such an authority shares a boundary with a 'C' authority

		<p>The host 'B' authority was consulted:</p> <ul style="list-style-type: none"> • South Norfolk Council <p>The host 'C' authority was consulted:</p> <ul style="list-style-type: none"> • Norfolk County Council <p>The boundary 'A' authorities were consulted:</p> <ul style="list-style-type: none"> • Breckland District Council • Norwich City Council • Broadland District Council • Mid Suffolk District Council • East Suffolk District Council • Great Yarmouth Borough Council • The Broads Authority <p>The boundary 'D' authorities were consulted:</p> <ul style="list-style-type: none"> • Suffolk County Council • Cambridgeshire County Council • Lincolnshire County Council • The Broads Authority <p>A sample of the letter sent to s42(1)(b) relevant authorities is provided at Annex H of the Consultation Report (Doc 5.2).</p>
9	Section 42(1)(c) the Greater London Authority (if in Greater London area)?	N/A

10	Section 42(1)(d) each person in one or more of s44 categories ⁸ ?	<p>Yes</p> <p>Paragraph 3.3.7 of the Consultation Report (Doc 5.1) states that all persons identified under s42(1)(d) were consulted on 28 May 2019 for the statutory consultation between 3 June 2019 and 11 July 2019.</p> <p>Paragraphs 1.4.1 to 1.4.5 of the Statement of Reasons (Doc 4.1) summarise how the Applicant made diligent inquiry to seek to identify and consult persons with an interest in lands affected by the Draft DCO (Doc 3.1). The full methodology undertaken by the Applicant is provided in Paragraphs 4.4.1 to 4.9.6 of the Statement of Reasons (Doc 4.1).</p> <p>A sample of the letter is provided at Annex H of the Consultation Report (Doc 5.2).</p> <p>It is noted that following the main statutory consultation exercise between 3 June 2019 and 11 July 2019 the Applicant carried out two targeted statutory consultation exercises to capture newly identified category 1, 2 and 3 interests and prescribed consultees.</p> <p>Targeted Statutory Consultation 1</p> <p>Paragraph 3.7.1 of the Consultation Report (Doc 5.1) states that the Applicant identified 40 category 1 and 2 land interests and 11 prescribed consultees who it had not consulted as part of the statutory consultation between 3 June 2019 and 11 July 2019.</p> <p>A targeted statutory consultation was undertaken between 3 August 2020 and 3 September 2020 under section 42(1)(a) and 42(1) (d) of the PA2008 to consult with these newly identified parties (Paragraph 3.7.2 of the Consultation Report (Doc 5.1)).</p> <p>The Applicant issued consultation letters to these parties on 31 July 2020 (Paragraph 3.7.3 of the Consultation Report (Doc 5.1)). Copies of these letters can be found in Annex L of the Consultation Report (Doc 5.2).</p>
----	------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

⁸ 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>Targeted Statutory Consultation 2</p> <p>Paragraph 3.8.1 of the Consultation Report (Doc 5.1) states that the Applicant identified 12 category 1 and 2 land interests and 1 category 3 interest who needed to be consulted as a result of refinements to the Scheme’s design.</p> <p>A targeted statutory consultation was undertaken between 27 February 2021 and 26 March 2021 under section 42(1)(d) of the PA2008 to consult with these newly identified parties (Paragraph 3.8.2 of the Consultation Report (Doc 5.1)).</p> <p>The Applicant issued consultation letters to these parties on 25 February 2021 (Paragraph 3.8.3 of the Consultation Report (Doc 5.1)). Copies of these letters can be found in Annex L of the Consultation Report (Doc 5.2).</p> <p>A link to the consultation documents hosted on the Applicant’s website was provided in the covering letter of 25 February 2021 at Annex L of the Consultation Report (Doc 5.2). Paragraph 3.8.4 of the Consultation Report (Doc 5.1) states that each letter also included a Scheme plan showing how each recipient’s interests would be affected.</p> <p>On 3 March 2021 the Applicant issued a follow-up correction letter to all 13 interests consulted, as it was identified that the website link provided in the letter sent on 25 February 2021 was not working. This letter provided a working website link and also enclosed hard copies of the statutory consultation brochure and 2020 Scheme update leaflet (Paragraph 3.8.5 of the Consultation Report (Doc 5.1)). A copy of this letter can be found in Annex L of the Consultation Report (Doc 5.2).</p>
<p>Section 45: Timetable for s42 consultation</p>		
11	<p>Did the Applicant notify s42 consultees of the deadline for receipt of consultation responses; and if so was the deadline notified by the Applicant 28 days or more starting with the day after receipt of the consultation documents?</p>	<p>Yes</p> <p>A sample of the letter sent to s42 consultees is provided at Annex H of the Consultation Report (Doc 5.2).</p> <p>The sample letter dated 28 May 2019 confirmed that consultation commenced on 3 June 2019 and closed on 11 July 2019, providing more than the required minimum time for receipt of responses.</p> <p>Targeted Statutory Consultation 1</p> <p>Samples of the letters sent to targeted s42 consultees is provided at Annex L of the Consultation Report (Doc 5.2).</p>

		<p>The letters dated 31 July 2020 confirmed that consultation commenced on 3 August 2020 and closed on 3 September 2020, providing more than the required minimum time for receipt of responses.</p> <p>Targeted Statutory Consultation 2</p> <p>The sample letter sent to targeted s42 consultees is provided at Annex L of the Consultation Report (Doc 5.2).</p> <p>The sample letter dated 25 February 2021 confirmed that consultation commenced on 27 February 2021 and closed on 26 March 2021, providing more than the required minimum time for receipt of responses.</p>
Section 46: Duty to notify the Planning Inspectorate of proposed application		
12	Did the Applicant supply information to notify the Planning Inspectorate of the proposed application; and if so, was the information supplied to the Planning Inspectorate on or before the date it was sent to the s42 consultees? Was this done on or before commencing consultation under s42?	<p>Yes</p> <p>The Applicant gave notice under s46 on 24 May 2019, which was before the beginning of s42 consultation.</p> <p>A copy of the s46 notification and a copy of the s46 notification acknowledgement letter from the Planning Inspectorate are provided at Annex I of the Consultation Report (Doc 5.2).</p>
Section 47: Duty to consult local community		
13	Did the Applicant prepare a Statement of Community Consultation (SoCC) on how it intended to consult people living in the vicinity of the land?	<p>Yes</p> <p>A copy of the final SoCC is provided at Annex F of the Consultation Report (Doc 5.2).</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>The Applicant sent the draft SoCC (Annex C of the Consultation Report (Doc 5.2)) to South Norfolk Council ('B Authority') and Norfolk County Council ('C' authority) on 3 May 2018 and set a deadline of 31 May 2018 for responses; providing the required minimum time for responses to be received.</p> <p>The Applicant carried out a further statutory consultation on the draft SoCC as a result of a change to its provisional statutory consultation dates (Paragraph 3.2.22 of the Consultation Report (Doc 5.1)). This was sent to South Norfolk Council ('B Authority')</p>

		and Norfolk County Council ('C' authority) on 14 August 2018 and set a deadline of 12 September 2018 for responses; providing more than the required minimum time for responses to be received.
15	Has the Applicant had regard to any responses received when preparing the SoCC?	<p>Yes</p> <p>Tables 3.1 to 3.3 of the Consultation Report (Doc 5.1) provide summaries of the consultation responses from South Norfolk Council, Norfolk County Council and others, in respect of the draft SoCC and demonstrates how the Applicant had regard to their content.</p> <p>Examples of changes from the draft SoCC to the final SoCC include:</p> <ul style="list-style-type: none"> • Norfolk County Council provided a list of suggested consultees. The Applicant has included these parties where they are not section 42 parties and were not previously included in the SoCC. • Norfolk County Council suggested that the list of stakeholders could be expanded to include consultation with the wider freight sector across all parts of the county. Consequently, the Applicant added the RAC Foundation to the list of consultees. • South Norfolk Council provided a list of suggested consultees. The Applicant has included these parties where they are not section 42 parties and were not previously included in the SoCC. <p>The Planning Inspectorate is satisfied that the Applicant had regard to the responses received when preparing the SoCC.</p>
16	Has the SoCC been made available for inspection in a way that is reasonably convenient for people living in the vicinity of the land; and has a notice been published in a newspaper circulating in the vicinity of the land which states where and when the SoCC can be inspected?	<p>Yes</p> <p>The final SoCC was made available at the following locations, which are reasonably convenient having regard to the location of the Proposed Development:</p> <ul style="list-style-type: none"> • Hethersett Library • North Wymondham Community Centre • The Willow Centre • Norfolk and Norwich Millennium Library • Norwich City Council (City Hall)

		<ul style="list-style-type: none"> Norfolk County Council (County Hall) <p>A notice stating when and where the final SoCC could be inspected was published in:</p> <ul style="list-style-type: none"> Eastern Daily Press - 3 June 2019 and 10 June 2019 <p>The Inspectorate notes that the dates the materials were available are missing from Table 3.5 of the Consultation Report (Doc 5.1). Paragraph 3.5.9 of the Consultation Report (Doc 5.1) states that the consultation materials were available to view from 31 May 2019. The materials are provided in Annex J of the Consultation Report (Doc 5.2).</p> <p>The published SoCC notice provided at Annex K of the Consultation Report (Doc 5.2) states where and when the final SoCC was available to inspect.</p> <p>Clippings of the published advertisements are provided at Annex K of the Consultation Report (Doc 5.2).</p>
17	Does the SoCC set out whether the development is EIA development ⁹ ; and does it set out how the Applicant intends to publicise and consult on the Preliminary Environmental Information?	<p>Yes</p> <p>Paragraph 4.1.5 of the final SoCC at Annex F of the Consultation Report (Doc 5.2) sets out that the development is EIA development and sets out how the Applicant intended to publicise and consult on the Preliminary Environmental Information.</p>
18	Has the Applicant carried out the consultation in accordance with the SoCC?	<p>Yes</p> <p>Paragraphs 3.5.1 to 3.5.9 of the Consultation Report (Doc 5.1) set out how the community consultation was carried out in line with the final SoCC.</p> <p>Table 3.9 of the Consultation Report (Doc 5.1) sets out how the Applicant has complied with the commitments set out in the final SoCC.</p> <p>Annexes K and L of the Consultation Report (Doc 5.2) provide evidence that the commitments within the final SoCC have been carried out.</p> <p>Although the Planning Inspectorate is satisfied that the Applicant has carried out the consultation in line with the final SoCC, the following observations have been noted with regards to certain commitments:</p>

⁹ Regulation 12 of the 2017 EIA Regulations, or where Regulation 37 of the 2017 EIA Regulations applies, Regulation 10 of the 2009 EIA Regulations

		<ul style="list-style-type: none"> • Table 5.1 of the SoCC (Annex F of the Consultation Report (Doc 5.2)) gives the locations that the consultation material would be made available to inspect at the public information points. The opening times for Hethersett Library and North Wymondam Community Centre given in the SoCC, differ to those given in Table 3.5 in the Consultation Report (Doc 5.1).
--	--	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Section 48: Duty to publicise the proposed application

19	Did the Applicant publicise the proposed application in the prescribed manner set out in Regulation 4(2) of the APFP Regulations?	<p>Yes</p> <p>Paragraph 3.6.1 of the Consultation Report (Doc 5.1) states: <i>“Section 48 of the PA 2008 requires the Applicant to publicise the proposed application in the prescribed manner in national and regional newspapers as set out in Regulation 4 of the APFP Regs.”</i></p> <p>Table 3.10 of the Consultation Report (Doc 5.1) displays the newspapers and dates of s48 publicity as set out below.</p> <p>A copy of the s48 notice is provided at Annex H of the Consultation Report (Doc 5.2).</p> <p>Clippings of the published notices set out below are provided at Annex K of the Consultation Report (Doc 5.2):</p>
----	-----------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

		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;	<ul style="list-style-type: none"> • Eastern Daily Press 	3 June 2019 10 June 2019
b)	once in a national newspaper;	<ul style="list-style-type: none"> • The Guardian 	5 June 2019
c)	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 	3 June 2019
d)	where the proposed application relates to offshore development –	N/A	

	(i) once in Lloyds List; and (ii) once in an appropriate fishing trade journal?		
20	Did the s48 notice include the required information set out in Regulation 4(3) of APFP Regulations?	Yes The published s48 notice, supplied at Annexes H and K of the Consultation Report (Doc 5.2) , contains the required information as set out below:	
	Information	Paragraph	Information
a)	the name and address of the Applicant.	One	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	Three	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	Four	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	Five	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 published	Nine	
21	Are there any observations in respect of the s48 notice provided above?		

	No	
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 ¹⁰ ?	<p>Yes</p> <p>A copy of the s48 notice was sent to the EIA consultation bodies as part of the s42 consultation, as confirmed in Paragraph 3.3.6 of the Consultation Report (Doc 5.1).</p> <p>A sample of the s42 consultation letter provided at Annex H of the Consultation Report (Doc 5.2) confirms a copy of the s48 notice was enclosed.</p>
s49: Duty to take account of responses to consultation and publicity		
23	Has the Applicant had regard to any relevant responses to the s42, s47 and s48 consultation?	<p>Yes</p> <p>Chapter 4 of the Consultation Report (Doc 5.1) and Annex M of the Consultation Report (Doc 5.2) set out how the Applicant had regard to the consultation responses received; including whether or not responses led to changes to the application.</p> <p>The actions informed by the consultation responses appear to be reflected in the final form of the application as submitted. Where a particular 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 statutory guidance 'Planning Act 2008: Guidance on the pre-application process' ¹¹ ?	<p>Paragraph 5.1.1 of the Consultation Report (Doc 5.1) states that the Applicant has taken into consideration all relevant statutory and other guidance.</p> <p>Having reviewed the application, the Planning Inspectorate is satisfied that the Applicant has identified and had regard to the relevant statutory guidance.</p>
25	Summary: Section 55(3)(e)	The Applicant has complied with Chapter 2 of Part 5 (pre-application procedure) of the PA2008.

¹⁰ Regulation 13 of the 2017 EIA Regulations, or where Regulation 37 of the 2017 EIA Regulations applies, Regulation 11 of the 2009 EIA Regulations

¹¹ The Planning Inspectorate must have regard to the extent to which the Applicant has had regard to guidance issued under s50

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	Is it made in the prescribed form as set out in Schedule 2 of the APFP Regulations, and does it include: <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</p> <p>Section 4 of the Application Form (Doc 1.1) explains why the development falls within the remit of the Planning Inspectorate.</p> <p>Section 5 of the Application Form (Doc 1.1) provides a brief non-technical description of the site and Section 6 provides the location of the Proposed Development.</p> <p>A Location Plan (Doc 2.1) has been provided.</p>									
27	Is it accompanied by a Consultation Report?	<p>Yes</p> <p>The application is accompanied by a Consultation Report (Doc 5.1) and Consultation Report Appendices (Doc 5.2).</p>									
28	Where a plan comprises three or more separate sheets, has a key plan been provided showing the relationship between the different sheets? ¹²	Yes									
29	Is it accompanied by the documents and information set out in APFP Regulation 5(2)?	The documents and information required by APFP Regulation 5(2) are set out in the documents and locations within the application as listed below:									
<table border="1"> <thead> <tr> <th>Information</th> <th>Document</th> </tr> </thead> <tbody> <tr> <td>a) Where applicable, the Environmental Statement required under the EIA Regulations¹³ and any</td> <td>Environmental Statement Main Report Chapter 1 – Chapter 15 (Doc 6.1)</td> </tr> </tbody> </table>		Information	Document	a) Where applicable, the Environmental Statement required under the EIA Regulations ¹³ and any	Environmental Statement Main Report Chapter 1 – Chapter 15 (Doc 6.1)	<table border="1"> <thead> <tr> <th>Information</th> <th>Document</th> </tr> </thead> <tbody> <tr> <td>b) The draft Development Consent Order (DCO)</td> <td>Development Consent Order (Doc 3.1)</td> </tr> </tbody> </table>		Information	Document	b) The draft Development Consent Order (DCO)	Development Consent Order (Doc 3.1)
Information	Document										
a) Where applicable, the Environmental Statement required under the EIA Regulations ¹³ and any	Environmental Statement Main Report Chapter 1 – Chapter 15 (Doc 6.1)										
Information	Document										
b) The draft Development Consent Order (DCO)	Development Consent Order (Doc 3.1)										

¹² Regulation 5(4) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

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

	scoping or screening opinions or directions	Environmental Statement Figures 1.1 – 15.1 (Doc 6.2) Environmental Statement Technical Appendices 4.1 – 15.2 (Doc 6.3) Environmental Statement Non-Technical Summary (Doc 6.4) EIA Scoping Opinion (Doc 6.6)		
	Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)		Yes
c)	An Explanatory Memorandum explaining the purpose and effect of provisions in the draft DCO	Explanatory Memorandum (Doc 3.2)	d)	Where applicable, a Book of Reference (where the application involves any Compulsory Acquisition)
	Is this of a satisfactory standard?	Yes		Yes
e)	A copy of any Flood Risk Assessment	Environmental Statement Appendix 13.1: Flood Risk Assessment (Doc 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
	Is this of a satisfactory standard?	Yes		Statement relating to Statutory Nuisance (Doc 6.7) Information on statutory nuisances that could potentially be engaged by the Proposed Development during construction or operation and how the Applicant proposes to mitigate them is provided in Section 3 of the Statement.
	Is this of a satisfactory standard?	Yes		Yes
h)	A Statement of Reasons and a Funding Statement	Statement of Reasons (Doc 4.1)	i)	A Land Plan identifying:
				Land Plans (Doc 2.3)

	(where the application involves any Compulsory Acquisition)	Funding Statement (Doc 4.2)		<ul style="list-style-type: none"> (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 	Special Category Land Plans (Doc 2.10)
	Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)		Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)
j)	A Works Plan showing, in relation to existing features:- <ul style="list-style-type: none"> (i) the proposed location or (for a linear scheme) the proposed route and alignment of the development and works; and 	Works Plans (Doc 2.4)	k)	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	Rights of Way and Access Plans (Doc 2.5)

	(ii) the limits within which the development and works may be carried out and any limits of deviation provided for in the draft DCO				
	Is this of a satisfactory standard?	Yes (with minor 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 eg 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) Environmental Statement (Doc 6.2):</p> <ul style="list-style-type: none"> • Figure 5.5 Ecological Designated Sites • Figure 7.2 Landscape Context • Figure 8.2 Designated Sites and Priority Habitats • Figure 9.1 Agricultural Land Classification • Report to Inform Habitats Regulations Assessment (Doc 6.9): Appendix D - Designated Sites Map <p>(ii) Environmental Statement (Doc 6.2):</p> <ul style="list-style-type: none"> • Figure 5.5 Ecological Designated Sites 	m)	<p>Where applicable, a plan with accompanying information identifying any statutory/ non-statutory sites or features of the historic environment, (eg scheduled monuments, World Heritage sites, listed buildings, archaeological sites and registered battlefields) together with an assessment of any effects on such sites, features or structures likely to be caused by the Proposed Development</p>	<p>Environmental Statement (Doc 6.2):</p> <ul style="list-style-type: none"> • Figure 6.1 Cultural Heritage Designated Assets • Figure 6.2 Cultural Heritage Non-Designated Assets • Figure 6.3 Cultural Heritage Historic Landscape Character <p>The assessment of any effects on such sites, features, or structures likely to be caused by the Proposed Development is presented in Chapter 6 and Chapter 7 of the Environmental Statement (Doc 6.1)</p>

	<ul style="list-style-type: none"> • Figure 8.2 Designated Sites and Priority Habitats • Figure 8.3 Ecological Constraints • Figure 8.4 Phase 1 Habitat Study <p>(iii) Environmental Statement (Doc 6.2)</p> <ul style="list-style-type: none"> • Figure 13.1 Surface Water Features, Abstractions and Fluvial Flood Risk • Figure 13.2 Water Framework Directive and Internal Drainage Board (IDB) Surface Waterbodies • Figure 13.3 Aquifer and Environmental Designations • Figure 13.4 Water Framework Directive (WFD) Ground Waterbodies • Figure 13.5 Groundwater Abstractions, Discharges and Source Protection Zones (SPZ) <p>The assessment of any effects on such sites, features, habitats or bodies likely to be caused by the Proposed Development is presented</p>			
--	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--	--	--

		in chapters 5 to 15 of the Environmental Statement (Doc 6.1)		
	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 (Doc 2.9)	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 Location Plan (Doc 2.1) General Arrangement Plans (Doc 2.2) Traffic Regulations Plans (Doc 2.6) Classification of Roads Plans (Doc 2.11) Hedgerows Plans (Doc 2.12)
	Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)		Are they of a satisfactory standard? Yes (with minor discrepancies as noted in Box 30)
p)	Any of the documents prescribed by Regulation 6 of the APFP Regulations:	Engineering Drawings and Sections (Doc 2.7) Drainage and Surface Water Plans (Doc 2.8)	q)	Any other documents considered necessary to support the application Introduction to the Application (Doc 1.3) Case for the Scheme (Doc 7.1) NPS for National Networks Accordance Tables (Doc 7.2) Scheme Design Report (Doc 7.3) Outline Traffic Management Plans (Doc 7.5) Equality Impact Assessment (Doc 7.6)

	Are they of a satisfactory standard?	Yes		Are they of a satisfactory standard?	Yes
30	Are there any observations in respect of the documents provided at Box 29 (a) to (q) above?				
	<p>ES Chapter 13 Appendix 13.1: Flood Risk Assessment (FRA) (Doc 6.3)</p> <p>In relation to fluvial flood risk, an assessment and information on relevant mitigation has been provided. However, FRA paragraph 8.2.6 and subsequent paras indicate that confirmation of the predicted impacts is subject to further survey data (described as currently being collected) and updated modelling, which could lead to reconsideration of the mitigation requirements. An Examining Authority (ExA) may request further information regarding this matter.</p> <p>Environmental Management Plan (EMP) (Doc 7.4)</p> <p>It is stated that a number of management and other plans, which would contain required mitigation measures, would not be incorporated into the EMP prior to consent being granted for the Proposed Development. An ExA may request further information regarding this matter.</p> <p>Report to inform Habitats Regulations Assessment (Doc 6.9)</p> <p>Paragraph 3.3.13 states that Figure 2 in Appendix E of the report contains a plan showing the presence of qualifying features of the European sites that were recorded during all of the study area surveys, however Figure 2 is entitled 'Otter survey' and identified as such on the Report Contents page.</p> <p>Statement of Reasons (Doc 4.1)</p> <p>Para 2.1.3 says the A11/A47 link will be 1.65km, yet Work No 24 in the Draft DCO (Doc 3.1) says 1.51km.</p> <p>Land Plans (Doc 2.3)</p> <p>The plans should reflect the principal land use power(s) sought in the draft DCO in respect of that plot and correspond with relevant other documents like the Book of Reference (BoR) and Explanatory Memorandum (EM). Plans should also clearly illustrate the location and the size of the plots.</p> <p>The following are examples of discrepancies identified by the Inspectorate:</p> <ul style="list-style-type: none"> • The annotations/labels 3/3k and 3/3l do not clearly identify the plots. • Plot 7/1b is coloured pink (permanent possession) however the BoR states the plot is for the temporary possession and use (green). • Plot 7/1c is coloured green (temporary possession) however the BoR describes it as land to be permanently acquired (pink). 				

<ul style="list-style-type: none"> The word 'temporary' is missing from the legend of Sheet 6 (in relation to the description of plots shaded in green). <p>Crown Land Plans (Doc 2.9)</p> <ul style="list-style-type: none"> Annotations/labels 6/1b and 6/1d do not clearly identify the plots (two short black lines visible in isolation in the middle of the plan). <p>Works Plans (Doc 2.4)</p> <ul style="list-style-type: none"> There are three kinds of shading for the minor utilities diversion and minor works limit of deviation, however there is only one description for these with no distinction given. Neither the draft DCO nor the EM clarifies what the shading refers to. <p>Location Plan (Doc 2.1)</p> <ul style="list-style-type: none"> There are multiple maps on the one page and the scale of each of them is unclear. No scale is included at the side of the plan. <p>Traffic Regulations (Doc 2.6)</p> <ul style="list-style-type: none"> The draft DCO mentions the removal of restricted road status but this isn't shown on any of the plans. <p>In respect of the minor discrepancies identified above the Examining Authority, once appointed, may issue a Procedural Decision to the Applicant.</p>	
<p>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)?¹⁴</p>	<p>Yes</p> <p>A Habitats Regulations Assessment report entitled Report to Inform Habitats Regulations Assessment has been provided (Doc 6.9). 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 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>
<p>32 If requested by the Planning Inspectorate, two paper copies of the application form and other supporting documents and plans¹⁵</p>	<p>No hard copies requested.</p>

¹⁴ Regulation 5(2)(g) of the APFP Regulations

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

33	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?	<p>Yes</p> <p>Paragraph 3.1 of the Covering letter (Doc 1.2) explains how the Applicant has had regard to statutory guidance on the form of the application.</p> <p>The Planning Inspectorate is satisfied that the Applicant has demonstrated regard to the guidance principles.</p>
34	Summary - s55(3)(f) and s55(5A)	The Planning Inspectorate concludes that the application (including accompaniments) has been prepared to a standard that it considers satisfactory.
The Infrastructure Planning (Fees) Regulations 2010 (as amended)		
Fees to accompany an application		
35	Was the fee paid at the same time that the application was made ¹⁶ ?	The fee was received in February 2021; before the application was made.

Role	Electronic signature	Date
Case Manager	<i>Bart Bartkowiak</i>	28 April 2021
Acceptance Inspector	<i>Richard Allen</i>	28 April 2021

¹⁶ 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