



The Planning Inspectorate
Yr Arolygiaeth Gynllunio

A47 North Tuddenham to Easton

Section 55

Acceptance of Applications Checklist

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

Date: April 2021

A47 North Tuddenham to Easton Section 55 Acceptance of Applications Checklist

Section 55 of the Planning Act 2008 can be viewed at [legislation.gov.uk](http://www.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
		15 March 2021	12 April 2021	12 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 a highway and satisfies section 22 of the PA2008; subsection (1)(b) and subsection (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 19 September 2019 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 26 February 2020. 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 15 host and neighbouring authorities, of which 12 responded to the Planning Inspectorate's invitation to make an Adequacy of Consultation Representation (AoCR) dated 16 March 2021. All 12 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

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

authority had no comments/objections to make. These local authorities were:

- King's Lynn and West Norfolk Borough Council ('A' authority)
- Norwich City Council ('A' authority)
- The Broads Authority ('A' authority)
- Great Yarmouth Borough Council ('A' authority)
- Breckland Council ('B' authority)
- South Norfolk Council ('B' authority)
- Broadland District Council ('B' authority)
- Norfolk County Council ('C' authority')
- Lincolnshire County Council ('D' authority)
- Cambridgeshire County Council ('D' authority)
- Suffolk County Council ('D' authority)
- East Suffolk Council ('A' authority)

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/a47-north-tuddenham-to-easton/?ipcsection=docs&stage=2>

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 prescribed⁵?

Yes

The Applicant has provided a list of persons consulted under s42(1)(a) on 21 February

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

2020 at **Appendix K** of the **Consultation Report (Doc 5.2)**.

A sample of the letter sent to s42(1)(a) consultees is provided at **Appendix I** of the **Consultation Report (Doc 5.2)**.

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:

- Royal Mail Group
- Last Mile Gas Limited
- Norfolk Vanguard Limited
- Norfolk Boreas Limited
- Scira Offshore Energy Limited

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.

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)**.

Paragraph 2.7.3 of the **Consultation Report (Doc 5.1)** identifies Weston Longville Parish Council and Ringland Parish Council as unaffected parish councils. The red line boundary on submission indicates that there is application land within the parish area boundaries. It is unclear whether these land parcels were identified within the red line boundary that informed the statutory consultation or whether the Parish Council have been subsequently consulted with. However, **paragraph 2.7.3** of the **Consultation Report (Doc 5.1)** does indicate that some engagement occurred with these parish councils.

Section 51 advice has been issued to the Applicant in respect of the above matter:

<https://infrastructure.planninginspectorate.gov.uk/projects/eastern/a47-north-tuddenham-to-easton/?ipcsection=docs&stage=2>

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 3.5 of the Consultation Report (Doc 5.1) lists the relevant local authorities that were identified and consulted under s43 and s42(1)(b) on 21 February 2020.</p> <p>The host 'B' authorities were consulted:</p> <ul style="list-style-type: none"> • Breckland Council • Broadland District Council • 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"> • North Norfolk District Council • West Suffolk Council • East Suffolk Council • King's Lynn and West Norfolk Borough Council • Mid Suffolk District Council • Norwich City Council • Great Yarmouth Borough Council • The Broads Authority

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 boundary 'D' authorities were consulted:</p> <ul style="list-style-type: none"> • Cambridgeshire County Council • Lincolnshire County Council • Suffolk County Council <p>A sample of the letter sent to s42(1)(b) relevant authorities is provided at Annex I 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 3.3.24 of the Consultation Report (Doc 5.1) states that all persons identified under s42(1)(d) [at the time] were consulted on 21 February 2020.</p> <p>Paragraphs 4.3.1 to 4.3.4 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 at Paragraphs 4.4.1 to 4.7.2 of the Statement of Reasons (Doc 4.1).</p> <p>No sample letter is provided to show that category 3 persons were contacted on 21 February 2020. The sample letter to category 3 persons at Section 1.5 of Annex I is dated 1 May 2020 and specifies a consultation period of 4 May 2020 to 1 June 2020. It therefore appears to relate to the consultation of land interests identified after the statutory consultation. Nevertheless, paragraph 3.3.24 of the Consultation Report (Doc 5.1) indicates that category 3 persons were contacted on 21 February 2020.</p> <p>Paragraphs 3.3.32 to 3.3.34 of the Consultation Report (Doc 5.1) state that several s42(1)(d) consultees were identified and contacted after the beginning of the statutory consultation.</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>Samples of the letters sent to the additional interests are provided at Annex I of the Consultation Report (Doc 5.1); however, these do not provide evidence of the dates the letters were sent (save for the sample letter dated 1 May 2020 which appears to have been erroneously included Section 1.5 of Annex I in place of a letter to category 3 persons dated 21 February 2020).</p> <p>Section 3.11 of the Consultation Report (Doc 5.1) confirms that the Applicant undertook an additional targeted consultation with s42(1)(d) parties which had been identified following a modification to the scheme's development boundary. Paragraph 3.11.2 states that the Applicant undertook this consultation in the same manner as the statutory consultation. Sample letters are provided in Annex L of the Consultation Report (Doc 5.2) and confirm that the additional parties were contacted on 7 December 2020. Paragraph 3.11.7 of the Consultation Report (Doc 5.1) also states that further category 1 and 2 interests were identified in December 2020 and January 2021 and sent the same letter, although it is not confirmed what date these additional interests were contacted.</p>
Section 45: Timetable for s42 consultation		
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>Sample of the letters sent to s42 consultees are provided at Annex I of the Consultation Report (Doc 5.1).</p> <p>The sample letters to s42(1)(a), s42(1)(b) and s42(1)(d) category 1 and 2 consultees dated 21 February 2020 confirm that consultation commenced on 26 February 2020 and closed on 8 April 2020, providing more than the required minimum time for receipt of responses.</p> <p>No sample letter is provided to evidence the consultation period given to the s42(1)(d) category 3 persons which were contacted on 21 February 2020. Nevertheless, paragraph 3.3.25 of the Consultation Report (Doc 5.1) indicates that all s42(1)(d) consultees which were identified before the beginning of the statutory consultation were given a consultation period of 26 February 2020 to 8 April 2020.</p> <p>Section 3.7 of the Consultation Report (Doc 5.1) states that that statutory consultation period was extended to 30 April 2020 in view of the COVID-19 pandemic. The Applicant states that letters to this effect were issued to s42(1) consultees on 9 April 2020. A sample letter is provided at Annex J of the Consultation Report (Doc 5.2).</p>

		<p>Paragraph 3.3.32 of the Consultation Report (Doc 5.1) indicates that all s42(1)(d) consultees that were contacted after the beginning of the statutory consultation were provided 28-day consultation periods; however, some of these parties are stated to have been sent a letter on 1 May 2020.</p> <p>The sample letters provided at Annex I of the Consultation Report (Doc 5.1) in respect of s42(1)(d) parties identified after the beginning of the statutory consultation contain no consultation period dates (save for the sample letter dated 1 May 2020 which appears to have been erroneously included at Section 1.5 of Annex I in place of a letter to category 3 persons dated 21 February 2020).</p> <p>Sample letters sent to those s42(1)(d) parties consulted as part of the targeted consultation are provided in Annex L of the Consultation Report (Doc 5.2). The letters confirm that they were provided with a consultation period of 7 December 2020 to 13 January 2021, providing more than the required minimum time for receipt of responses. Paragraph 3.11.7 of the Consultation Report (Doc 5.1) states that the further category 1 and 2 interests identified in December 2020 and January 2021 were provided with consultation periods which exceeded the required minimum time, however no sample letters are provided.</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 21 February 2020, which was before the beginning of s42 consultation.</p> <p>A copy of the s46 notification letter is provided at Annex H of the Consultation Report (Doc 5.2).</p> <p>The Applicant also gave notice to the Planning Inspectorate on 9 April 2020 of its decision to extend the statutory consultation period to 30 April 2020.</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 to Breckland Council ('B Authority'), Broadland District Council ('B Authority'), South Norfolk Council ('B Authority') and Norfolk County Council ('C' authority) on 15 January 2020 and set a deadline of 14 February 2020 for responses; providing more than the required minimum time for responses to be received.</p>
15	Has the Applicant had regard to any responses received when preparing the SoCC?	<p>Yes</p> <p>Table 3.2 of the Consultation Report (Doc 5.1) provides a summary of the consultation responses from Breckland Council, Broadland District Council and South Norfolk Council 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"> • South Norfolk Council stated that certain phrases within the draft SoCC were quite technical, and that members of the public would benefit from such phrases being either re-worded or defined. In response, the Applicant has replaced the technical terms noted by the council and has stated that it simplified the language used in the SoCC. No specific examples are provided to evidence the simplified language, however the 'About Us' section of the draft SoCC (see Section 2 of Annex C in the Consultation Report (Doc 5.2)) has been split into two sections in the final SoCC; 'About Us' and 'Our application' (see Annex F of the Consultation Report (Doc 5.2)). The 'Our application' section in the final SoCC explains the application process more clearly than the draft SoCC. • South Norfolk Council felt that the draft SoCC should specify which venue the Norwich city centre exhibition would be located in. In response, the Applicant has updated the SoCC to specify that the Norwich city centre consultation event would be held at the Assembly House, Theatre Street, NR2 1RQ. • Broadland District Council suggested rewording the reference to the Preliminary Environmental Information Report (PEIR) in the hyphenated project proposals list to make it clear that the PEIR was (at the time) not yet available. In response, the Applicant added a bold heading to the later section in the draft SoCC to separate it from the other text and highlight the additional detail about the PEIR document. <p>Paragraph 3.2.21 of the Consultation Report (Doc 5.1) states that Norfolk County</p>

		<p>Council did not provide any comments on the draft SoCC as part of the statutory consultation.</p> <p>The Planning Inspectorate is satisfied that the Applicant had regard to the responses received when preparing the SoCC.</p>
16	<p>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>	<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"> • Dereham Library, 59 High Street, Dereham NR19 1DZ • Costessey Library, Breckland Road, Norwich NR5 0RW • Norfolk County Council, County Hall, Martineau Lane, Norwich NR1 2DH • Norfolk and Norwich Millennium Library, The Forum, Millennium Plain NR2 1AW <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 (26 February 2020) <p>The published SoCC notice, provided at Annex G 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 G of the Consultation Report (Doc 5.2).</p> <p>Paragraphs 3.7.1 to 3.7.3 of the Consultation Report (Doc 5.1) state that the nationwide lockdown introduced in March 2020 due to the COVID-19 pandemic cut short the period within which the SoCC was available to physically inspect at the above locations. Paragraph 3.7.5 states that the Applicant issued a letter to s42(1) consultees and residents/ businesses in the consultation zone informing them that the consultation deadline was being extended from 8 April 2020 to 30 April 2020 to help compensate. This is evidenced in Annex J 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>Page 4 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 G and J 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> <ul style="list-style-type: none"> • Page 11 of the SoCC indicates that the consultation material would be available to inspect at Norfolk and Norwich Millennium Library during the consultation period from 10.30am to 4.30pm on Sundays (in addition to Monday to Saturday open hours). This is also reflected in the consultation material. Table 3.7 in the Consultation Report (Doc 5.1) indicates that this library was not open on Sundays. • Page 5 of the SoCC states that the 2017 preferred route announcement leaflet would be provided at the public information points detailed in the table on page 10. The leaflet is not mentioned in paragraph 3.5.2 of the Consultation Report (Doc 5.1) confirming the materials provided at public information points. • Page 10 of the SoCC states that the 2017 public consultation report, Preliminary Environmental Information Report (PEIR) and PEIR non-technical summary, scheme map and Development Consent Order leaflet would be provided at the public information points detailed in the table on page 10. Paragraph 3.5.2 of

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

the **Consultation Report (Doc 5.1)** states that these materials were made available at those locations; however, the materials are not provided in **Annex J** which is the list of Section 47 consultation materials. The materials are available for review on the scheme website, save for the Development Consent Order leaflet.

- The “Statutory notices” section of **Table 3.9** in the **Consultation Report (Doc 5.1)** states that the Applicant published the section 48 notice in The Daily Post on 26 February 2020 and 4 March 2020. The SoCC indicates that it will be published in The Eastern Daily Press instead of The Daily Post, and evidence that this was done is provided in **Annex G**.

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?

Yes

Paragraph 3.6.1 of the **Consultation Report (Doc 5.1)** states:

“Section 48 of the PA 2008 imposes a duty on the Applicant to publish a notice of the proposed application in accordance with Regulation 4 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended).”

The Inspectorate notes that the Applicant has not made a direct statement confirming that it publicised the proposed application in the prescribed manner set out in Regulation 4(2) of the APFP Regulations; however, it has provided evidence of compliance in its application.

Table 3.10 of the **Consultation Report (Doc 5.1)** displays the newspapers and dates of s48 publicity as set out below.

A copy of the s48 notice is provided at **Annex I** of the **Consultation Report (Doc 5.2)**.

Clippings of the published notices set out below are provided at **Annex G** of the **Consultation Report (Doc 5.2)**.

In addition, **Table 3.11** of the **Consultation Report (Doc 5.1)** displays the newspapers and dates of the consultation extension publicity (a notice was published on 22 April 2020 in the London Gazette, The Guardian and Eastern Daily Press). Clippings of the published notices are provided at **Annex G** of the **Consultation Report (Doc 5.2)**.

		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;	Eastern Daily Press	26 Feb 2020 4 March 2020		
b)	once in a national newspaper;	The Guardian Newspaper	26 Feb 2020		
c)	once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and	The London Gazette	26 Feb 2020		
d)	where the proposed application relates to offshore development – (i) once in Lloyds List; and (ii) once in an appropriate fishing trade journal?	N/A			
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 Appendix G of the Consultation Report (Doc 5.1) , contains the required information as set out below:			
Information		Paragraph	Information	Paragraph	
a)	the name and address of the Applicant.	1	b)	a statement that the Applicant intends to make an application for development consent to the Secretary of State	1
c)	a statement as to whether the application is EIA development	4	d)	a summary of the main proposals, specifying the location or route of the Proposed Development	2
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	5	f)	the latest date on which those documents, plans and maps will be available for inspection	5

	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	7	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	8		
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 paragraphs 3.3.7 and 3.3.17 of the Consultation Report (Doc 5.1).</p> <p>Samples of the s42 consultation letters provided at Annex I of the Consultation Report (Doc 5.2) confirm a copy of the s48 notice was enclosed.</p> <p>The Inspectorate did not identify and notify the Applicant of any persons under Regulation 11(1)(c) of the EIA Regulations who may be affected by the scheme.</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>Annex N of the Consultation Report (Doc 5.2) sets out how the Applicant had regard to the consultation responses received; including whether or not responses led to changes to the application.</p>		

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

		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.
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 ?	Paragraph 3.11 of the Consultation Report (Doc 5.1) states that the Applicant has taken into consideration all relevant statutory and other guidance. Having reviewed the application, the Planning Inspectorate is satisfied that the Applicant has identified and had regard to the relevant statutory guidance.
25	Summary: Section 55(3)(e)	The Applicant has complied with Chapter 2 of Part 5 (pre-application procedure) of the PA2008. In respect of the minor consultation discrepancies identified, s51 advice has been provided to the Applicant how in this regard, available here: https://infrastructure.planninginspectorate.gov.uk/projects/eastern/a47-north-tuddenham-to-easton/?ipcsection=docs&stage=2
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? 	Yes Section 4 of the Application Form (Doc 1.1) explains why the development falls within the remit of the Planning Inspectorate. 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. A Location Plan (Doc 2.1) has been provided.

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

27	Is it accompanied by a Consultation Report?	Yes The application is accompanied by a Consultation Report (Doc 5.1) and Consultation Report Appendices (Doc 5.2) .
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:
Information		Document
a)	Where applicable, the Environmental Statement required under the EIA Regulations ¹³ and any scoping or screening opinions or directions	ES Chapters 1 to 15 (Doc 6.1) ES Figures (Doc 6.2) ES Appendices (Doc 6.3) ES Non-Technical Summary (Doc 6.4) EIA Scoping Report (Doc 6.5) EIA Scoping Opinion (Doc 6.6) Environmental Masterplan (Doc 6.8)
	Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)
c)	An Explanatory	Explanatory Memorandum (Doc
Information		Document
b)	The draft Development Consent Order (DCO)	Draft Development Consent Order (Doc 3.1)
	Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)
d)	Where applicable, a Book	Book of Reference (Doc 4.3)

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

e)	Memorandum explaining the purpose and effect of provisions in the draft DCO	3.2)	f)	of Reference (where the application involves any Compulsory Acquisition)	
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)
	A copy of any Flood Risk Assessment	ES Appendix 13.1 Flood Risk Assessment, Part 1 of 2 (Doc 6.3) ES Appendix 13.1 Flood Risk Assessment, Part 2 of 2 (Doc 6.3)		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 Relating to Statutory Nuisances (Doc 6.7) – section 3.1 addresses potential breaches. This refers to mitigation set out in the following ES Chapters (Doc 6.1): ES Chapter 5 – Air Quality; ES Chapter 7 – Landscape and Visual Effects ES Chapter 11 – Noise and Vibration; and ES Appendix 7.7 (Doc 6.3) Mitigation set out in the above Chapters and Appendices are set out in the Environmental Management Plan (EMP; Doc 7.4) which is secured through Schedule 2, Requirement 4 of the DCO (Doc 3.1).
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 (Doc 4.1) Funding Statement (Doc 4.2)	i)	A Land Plan identifying:- (i) the land required for, or affected by, the Proposed Development;	Land Plans (Doc 2.3) Special Category Land Plans (Doc 2.10)

				(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	
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?	Yes (<i>with minor discrepancies as noted in Box 30</i>)
j)	A Works Plan showing, in relation to existing features:- (i) the proposed location or (for a linear scheme) the proposed route and alignment of the development and works; and (ii) the limits within which the development and works may be carried out and any limits of deviation provided for	Work 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)

	in the draft DCO				
	Is this of a satisfactory standard?	Yes		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>ES Figures 8.1 to 8.4 (Doc 6.2) and Figure 9.3 (Doc 6.2) display statutory and non-statutory sites of nature conservation and habitats of protected species, important habitats and other features.</p> <p>ES Chapter 9 – Biodiversity provides an assessment of any effects on nature conservation sites and features.</p> <p>The Report to Inform Habitats Regulations Assessment (Doc 6.9) assesses effects on designated sites and their features.</p> <p>Figure 13.2 (Doc 6.2) locates water bodies within the Anglian River Basin Management Plan. ES Chapter 13 – Road Drainage (Doc 6.1) and Water Environment assesses the effects on these waterbodies.</p>	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>A plan locating historic receptors (designated and non-designated) – Figures 6.1 to 6.4 (Doc 6.2)</p> <p>ES Chapter 6 Cultural Heritage Assessment (Doc 6.1) assesses any effects on cultural heritage and archaeological features as a result of the Proposed Development</p>
	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 Plans (Doc 2.9)	o)	<p>Any other plans, drawings and sections necessary to describe the development consent proposal showing</p> <p>Location Plan (Doc 2.1)</p> <p>General Arrangement Plans (Doc 2.2)</p>	

p)	Crown land		q)	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	Traffic Regulation Plans (Doc 2.6) Classification of Road Plans (Doc 2.11) Hedgerow Plans (Doc 2.12) De-trunking Plans (Doc 2.13)
	Is this of a satisfactory standard?	Yes		Are they of a satisfactory standard?	<i>Yes (with minor discrepancies as noted in Box 30)</i>
	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)		Any other documents considered necessary to support the application	Introduction to the Application (1.3) Case for the Scheme (Doc 71.) NPS for National Networks Accordance Tables (Doc 7.2) Scheme Design Report (7.3) Outline Traffic Management Plans (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?				
	ES Chapter 2 The Proposed Scheme (Doc 6.1) Construction compound duration (Table 2.2) and the construction programme (Table 2.1) do not match as they are anticipated to be present/in use for 32 months but decommissioned in month 23. Land Plans (Doc 2.3) Some errors are noted.				

Book of Reference (Doc 4.3)

Some errors are noted.

Draft Development Consent Order (Doc 3.1)

Some errors are noted.

Traffic regulation plans (Doc 2.6)

Some minor errors and omissions are noted.

Location plan (Doc 2.1)

A minor omission is noted.

Section 51 advice has been issued to the Applicant in respect of the above matters:

<https://infrastructure.planninginspectorate.gov.uk/projects/eastern/a47-north-tuddenham-to-easton/?ipcsection=docs&stage=2>

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>Yes</p> <p>A Habitat Regulations Assessment (HRA) Report has been provided (Doc 6.9).</p> <p>The HRA 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 Planning Inspectorate, two paper copies of the application form and other supporting documents and plans ¹⁵	<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)	<p>The Planning Inspectorate concludes that the application (including accompaniments) has been prepared to a standard that it considers satisfactory.</p> <p>In respect of the discrepancies identified in Box 30 of this checklist, to help facilitate an efficient and effective examination of the application s51 advice has been provided to the Applicant in conjunction with the decision to accept the application. That advice is published on the National Infrastructure Planning website, here: https://infrastructure.planninginspectorate.gov.uk/projects/eastern/a47-north-tuddenham-to-easton/?ipcsection=docs&stage=2</p>
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 on 10 February 2021; before the application was made.

Role	Electronic signature	Date
Case Manager	<i>Eleanor Church</i>	12 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

Acceptance Inspector	<i>Elizabeth Hill</i>	12 April 2021
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