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All Interested Parties, Statutory Parties  
and any other person invited to the  
Preliminary Meeting

Your Ref:

Our Ref: TR010038

Date: 6 July 2021

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Dear Sir/ Madam

## **Planning Act 2008 – Section 88 and The Infrastructure Planning (Examination Procedure) Rules 2010 – Rule 4, Rule 6, Rule 9 and Rule 13**

### **Application by Highways England for an Order Granting Development Consent for the A47 North Tuddenham to Easton**

#### **Appointment of the Examining Authority and invitation to the Preliminary Meeting and Notification of Hearing**

I write to you following my appointment by the Secretary of State for Housing, Communities and Local Government as the Examining Authority (ExA) to carry out an examination of the above application. I am Adrian Hunter. A copy of the appointment notice can be viewed under the [Documents tab](#) on the project webpage on the National Infrastructure Planning website.

I would like to thank those of you who submitted Relevant Representations. These representations have assisted me when preparing my proposals regarding how to examine this application.

#### **Examinations during Coronavirus (COVID-19)**

In the light of ongoing public health controls I will be carrying out this Examination using virtual methods. Please see the Planning Inspectorate's [guidance related to Coronavirus \(COVID-19\)](#) for more information.

This guidance is updated periodically to align with the most up to date Government guidance relating to Coronavirus (COVID-19). On that basis we will remain flexible so that, should it be considered safe, I may have the option of holding physical 'in person' events during the Examination if it is safe to do so.

If you have received this letter and intend to participate in virtual events held during this Examination, including the virtual Preliminary Meeting, please read the Planning Inspectorate's [Advice Note 8.6: Virtual Examination events](#) carefully. Advice Note 8.6 contains important information about how virtual events will be held and how you can participate.

If you wish to make representations to me about the use of virtual procedures to carry out this Examination, please make them to **Procedural Deadline A** (20 July 2021) which is established before the Preliminary Meeting takes place (see **Annex D** to this letter).

### **Invitation to the Preliminary Meeting**

As a recipient of this letter you are invited to the Preliminary Meeting to discuss the procedure for the examination of this application.

**Dates of meeting:** **Preliminary Meeting Part 1 – Tuesday 3 August 2021**

**Preliminary Meeting Part 2 – Thursday 12 August 2021** (if required)

**Arrangements Conference:** **From 9:30 on both days**

**Meeting begins:** **10:00 on both days**

**Venue:** **Virtual event (Microsoft Teams)**

Please note that the Preliminary Meeting will adjourn at the end of Part 1. Thursday 12 August 2021 has been reserved for the Preliminary Meeting to resume, if required.

### **Purpose of the Preliminary Meeting**

The purpose of the Preliminary Meeting is to enable views to be put to me about how the application should be examined. I cannot hear representations about the merits or disadvantages of the application at the Preliminary Meeting. The merits or disadvantages of the application will only be considered once the Examination starts, which is after the Preliminary Meeting has closed. See **Annex B** to this letter and the Planning Inspectorate's [Advice Note 8.3: the Preliminary Meeting](#) for more information.

The agenda for the meeting is at **Annex A** to this letter. This has been set following my Initial Assessment of Principal Issues arising from my reading of the application documents and the Relevant Representations received. The Initial Assessment of Principal Issues is set out in **Annex C** to this letter.

The draft Examination Timetable is set out at **Annex D** to this letter and I wish to hear from you if you consider changes need to be made to the timetable.

## Attendance at the Preliminary Meeting

Because participation in a virtual Preliminary Meeting relies on the Planning Inspectorate providing you with a joining link or telephone number in advance, **if you intend to participate you must register by Tuesday 20 July 2021** (see **Procedural Deadline A** at **Annex D** to this letter).

If you wish to participate at the Preliminary Meeting, to assist the management of the meeting it is important that when you register you tell us on which agenda items you wish to speak, listing the points you wish to make.

The Preliminary Meeting is scheduled in two parts, separated by an adjournment period. During the adjournment period any Interested Parties who did not, or could not, make oral representations at Part 1 of the Preliminary Meeting can make written submissions about the examination procedure by **12pm on Monday 9 August 2021** (see **Procedural Deadline B** at **Annex D** to this letter).

To facilitate this process a link to a public livestream of Part 1 of the Preliminary Meeting will be made available on the [project webpage on the National Infrastructure Planning website](#) shortly before the event is scheduled to begin. A recording of Part 1 of the Preliminary Meeting will also be published on the website as soon as practicable after the event takes place. Part 2 of the Preliminary Meeting, if held, will be also be livestreamed and a recording published in the same way.

In the event that submissions to **Procedural Deadline B** do not justify the resumption of the Preliminary Meeting at Part 2, I may decide to close the Preliminary Meeting in writing, without Part 2 taking place. Therefore, **Interested Parties should not rely on Part 2 of the Preliminary Meeting to make oral representations about the examination procedure.**

Please note that **you are not required to make oral or written submissions at the Preliminary Meeting in order to participate in the Examination.** Whether or not you attend the Preliminary Meeting, if you are an Interested Party you can make a Written Representation and comment on the Written Representations made by other Interested Parties during the examination. You will also be able to participate in any hearings that are arranged. Should you no longer wish to be an Interested Party and do not wish to be involved in the examination process, you can notify the Case Team of this in writing using the contact details at the top of this letter.

## After the Preliminary Meeting

After the Preliminary Meeting you will be sent a letter (known as the Rule 8 letter) setting out the finalised Examination Timetable. A note of the meeting will also be published on the [project webpage on the National Infrastructure Planning website](#).

The Examination will principally be a written process (see [Advice Note 8.4: The Examination](#)), supplemented where necessary by various types of hearings (see [Advice Note 8.5: Hearings and site inspections](#) and [Advice Note 8.6: Virtual Examination events](#)).

The Planning Act 2008 establishes a principally written process for the examination of applications for Development Consent Orders and **representations made in writing carry equal weight to oral representations** at all stages of the process.

All relevant and important matters will be taken into account when I make a recommendation to the Secretary of State for Transport, who will take the final decision in this case.

### **Other Procedural Decisions made by the Examining Authority**

I have made some further Procedural Decisions which are set out in detail at **Annex F** to this letter. They are summarised as follows:

- Request for Statements of Common Ground (SoCG) from named parties
- Request for Local Impact Reports from local authorities
- Request for the Applicant to submit matrices associated with The Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations)
- Request for the Applicant to submit a draft itinerary for an Accompanied Site Inspection
- Request for Written Representations
- Request for the Applicant to submit a Guide to the Application
- Deadline for Notification by Statutory Parties, or certain Local Authorities of their wish to be considered as an Interested Party
- Request for the Applicant to submit low resolution documents for possible sharing on screen at virtual events
- Acceptance of Additional Submissions into the Examination

### **Managing Examination correspondence**

Given the volume and frequency of letters the Planning Inspectorate needs to send to Interested Parties during an Examination, we aim to communicate with people by email as electronic communication is more environmentally friendly and cost effective for the taxpayer.

If you have received a postcard but are able to receive communications by email, please inform the Case Team using the contact details at the top of this letter as soon as possible.

As the examination process makes substantial use of electronic documents, it will be useful for you to become familiar with the [project webpage on the National Infrastructure Planning website](#).

There is a function on the right-hand side of the project webpage called 'E-mail updates'. This provides you with an opportunity to register to receive automatic e-mail updates at key stages during the Examination.

A 'Make a submission' tab will become available on the website which provides a portal through which parties will be able to make written submissions at relevant

deadlines during the Examination. Further information about the 'Make a submission' portal is provided at **Annex H** to this letter.

## Your status in the Examination

You have received this letter because you fall within one of the groups described in the Planning Inspectorate's document [What is My Status in the Examination?](#)

If your reference number begins with '2002', 'NTUD-0', 'NTUD-AFP', 'NTUD-S57' 'NTUD-APP' you are in Group A. If your reference number begins with 'NTUD-SP' you are in Group B. If your reference number begins with 'NTUD-OP' you are in Group C. The meaning and purpose of those groups are explained in the document published at the link above.

If having read this document you are still unsure about your status, please contact the Case Team using the details at the top of this letter.

## Awards of costs

I also draw your attention to the possibility of the award of costs against Interested Parties who behave unreasonably. You should be aware of the relevant costs guidance [Awards of costs: examinations of applications for development consent orders](#).

## Management of information

Information, including representations, submitted in respect of this Examination (if accepted by the Examining Authority) and a record of any advice which has been provided by the Planning Inspectorate is published on the [project webpage on the National Infrastructure Planning website](#).

Examination Documents can also be viewed electronically at the locations listed in **Annex G** to this letter.

Please note that in the interest of facilitating an effective and fair Examination, it is necessary to publish some personal information. To find out how we handle your personal information please view our [Privacy Notice](#).

I look forward to working with all parties in the examination of this application.

Yours faithfully

*Adrian Hunter*

## Examining Authority

### Annexes

- A** Agenda for the Preliminary Meeting
- B** Introduction to the Preliminary Meeting
- C** Initial Assessment of Principal Issues
- D** Draft Examination Timetable
- E** Notification of initial hearings

- F** Other Procedural Decisions made by the Examining Authority
- G** Availability of Examination Documents
- H** Electronic 'Make a submission' portal

This communication does not constitute legal advice.  
Please view our [Privacy Notice](#) before sending information to the Planning Inspectorate.

## Agenda for the Preliminary Meeting PART 1

Because participation in a virtual Preliminary Meeting relies on the Planning Inspectorate providing you with a joining link or telephone number in advance, **if you intend to participate at Part 1 you must register by Tuesday 20 July 2021** (see **Procedural Deadline A** at **Annex D** to this letter).

**Date:** **Tuesday 3 August 2021**

**Arrangements Conference:** **9:30am**

**Meeting start time:** **10.00am**

**Venue:** **Virtual event (Microsoft Teams)**  
Full instructions on how to join online or by phone will be provided in advance of the meeting to those who register to participate

**Attendees:** **Invited Parties who have pre-registered**

A public livestream of the meeting will be made available on the [project webpage](#) shortly before the meeting is due to open. The livestream is available to anybody who wishes to observe the meeting.

<b>9:30am</b>	<p><b>Event lobby</b></p> <p>Please arrive at 9:30am to enter the lobby. From here you will be admitted to the Arrangements Conference by the Case Team, greeted and given further instructions.</p>
<b>9:50am</b>	<p><b>Arrangements Conference</b></p> <p>The Arrangements Conference will commence at 9:50am. This will be hosted by the Case Team and cover the housekeeping arrangements for Part 1 of the Preliminary Meeting and allow for any questions to be asked about how to take part.</p>
<b>10.00am</b>	<p><b>Preliminary Meeting</b></p>
<b>Item 1</b>	The Examining Authority (ExA) will join, welcome participants and lead introductions.
<b>Item 2</b>	The ExA's remarks about the virtual PM process – <b>Annex B</b> to this Rule 6 letter.
<b>Item 3</b>	The ExA's remarks about the Examination process – <b>Annex B</b> to this Rule 6 letter.
<b>Item 4</b>	Initial Assessment of Principal Issues – <b>Annex C</b> to this Rule 6 letter.

<b>Item 5</b>	Draft Examination Timetable – <b>Annex D</b> to this Rule 6 letter.
<b>Item 6</b>	Procedural Decisions taken by the ExA – <b>Annex F</b> to this Rule 6 letter.
<b>Item 7</b>	Any other matters.
<b>Adjournment of the Preliminary Meeting</b>	

### Agenda for the Preliminary Meeting PART 2

Because participation in a virtual Preliminary Meeting relies on the Planning Inspectorate providing you with a joining link or telephone number in advance, **if you intend to participate at Part 2 you must register by 12pm on Monday 9 August 2021** (see **Procedural Deadline B** at **Annex D** to this letter).

**Date:** Thursday 12 August 2021

**Arrangements Conference:** 9:30am

**Meeting start time:** 10.00am

**Venue:** **Virtual event (Microsoft Teams)**  
Full instructions on how to join online or by phone will be provided in advance of the meeting to those who register to participate

**Attendees:** **Invited Parties who have pre-registered**

A public livestream of the meeting will be made available on the [project webpage](#) shortly before the meeting is due to open. The livestream is available to anybody who wishes to observe the meeting.

<b>9:30am</b>	<b>Event lobby</b> Please arrive at 9:30am to enter the lobby. From here you will be admitted to the Arrangements Conference by the Case Team, greeted and given further instructions.
<b>9:50am</b>	<b>Arrangements Conference</b> The Arrangements Conference will commence at 9:50am. This will be hosted by the Case Team and cover the housekeeping arrangements for Part 2 of the Preliminary Meeting and allow for any questions to be asked about how to take part.
<b>10.00am</b>	<b>Preliminary Meeting</b>

<b>Item 1</b>	Resumption of Preliminary Meeting: welcome participants and lead introductions.
<b>Item 2</b>	The ExA's remarks about written submissions received to <b>Procedural Deadline B.</b>
<b>Item 3</b>	Any Procedural Decisions made by the ExA.
<b>Item 4</b>	Any other matters.
<b>Close of the Preliminary Meeting</b>	

If you are joining as an active participant at Part 1 and/or Part 2 of the Preliminary Meeting, please join the Arrangements Conference lobby promptly using the instructions that are sent to you. In common with Preliminary Meetings held in physical locations, the event will start at 10.00am irrespective of any late arrivals, for whom access may not be possible.

The agenda for both parts of the Preliminary Meeting is subject to change at the discretion of the (ExA), although in making changes the ExA will be mindful of the need to provide opportunities for fair involvement to all Interested Parties.

## Introduction to the Preliminary Meeting

### Background

The Preliminary Meeting (PM) for the A47 North Tuddenham to Easton will take place virtually, using Microsoft Teams, but the format, content and procedure will be very similar to the physical, face-to-face PMs that have been held for other National Infrastructure Examinations.

The Examining Authority (ExA) is conscious of videoconferencing fatigue and will aim to keep the proceedings focussed and as efficient as possible. This annex provides advance access to information that would usually be included in the ExA's introductory remarks following the opening of the PM. **Please read this carefully.** The ExA will only present a summary of the key points set out here at the Preliminary Meeting, in order to ensure that the time available for participants to speak is maximised.

### The Examining Authority

The ExA, Adrian Hunter, appointed by the Secretary of State for Housing, Communities and Local Government, will introduce himself at the start of the PM. The ExA's appointment letter can be found in the Examination Library under reference ([PD-004](#)).

### The Case Team

The ExA will be supported by the Planning Inspectorate Case Team. Eleanor Church is the Case Manager and George Harrold and Katy O'Loan are the Case Officers. During the Arrangements Conferences a member of the Case Team will welcome and admit participants into the virtual PM, and will be available to answer questions by email before and after the PM. The contact email address is: [A47NorthTuddenhamtoEaston@planninginspectorate.gov.uk](mailto:A47NorthTuddenhamtoEaston@planninginspectorate.gov.uk).

### The purpose of the Preliminary Meeting

The PM is being held to discuss the arrangements for the examination of the application for a Development Consent Order (DCO) for the A47 North Tuddenham to Easton, which is a Nationally Significant Infrastructure Project (NSIP), and which will generally be referred to in the PM and Examination as the 'Proposed Development'. The application has been made by Highways England, who will be referred to as 'the Applicant'.

You will find information about the application and, in due course, documents produced for the Examination on the Planning Inspectorate's National Infrastructure Planning website ('NI Planning website'). This has a dedicated landing page for the project with links to Examination procedure, the Examination Timetable, Relevant Representations and Examination documents. The relevant NI Planning website landing page is: <https://infrastructure.planninginspectorate.gov.uk/projects/eastern/a47-north-tuddenham-to-easton/>

You are encouraged to explore the NI Planning website landing page if you haven't already done so, because it will be used to communicate with you and to provide access to documents throughout the Examination. There is the option on the project page to register to receive automatic email updates and we would also encourage you to do this, so that you receive a notification via e-mail at key stages during the Examination.

The main purpose of the PM is to discuss how the application should be examined. It focuses on the process only, and it will not be looking at the substance of the Proposed Development. Questions, discussions and representations about the merits or disadvantages of the Proposed Development are for the Examination itself, which will begin the day after the close of the PM.

The PM will be your opportunity to influence the process that we intend to follow, and you should read this Rule 6 letter and all accompanying annexes thoroughly beforehand. The agenda for the PM is attached to this Rule 6 letter at **Annex A**. It is important to have the letter and the agenda in front of you and to refer to them during the course of the PM. If you are not experienced with videoconferencing and using multiple documents on screen, you may wish to print these in advance of the PM for reference.

### **Government guidance and policy**

The application is a NSIP under the Planning Act 2008 (PA2008) as a consequence of sections 14(1)(h), 22(1)(a) and 22(1)(b): it includes the construction of a highway for the offline sections of the Scheme (section 22(1)(a)) and the alteration of a highway for the online sections of the Scheme (section 22(1)(b)). The designated National Networks National Policy Statement (NNNPS) applies to this Examination and to decision-making relating to this application.

The ExA will consider the Proposed Development in accordance with the NNNPS and any other applicable policy or considerations the ExA deem to be important and relevant. The PA2008 makes it clear that, in making a decision, the relevant Secretary of State (SoS) "*must decide the application in accordance with any relevant NPS*" (s104(3)), subject to certain provisos. Essentially, the provisos are that the application must not breach legal or treaty obligations, and that any adverse impact of the Proposed Development would not outweigh its benefits.

The SoS is entitled to disregard any representations that relate to the merits of the designated NPS. In practice, this means that the ExA will not spend time examining representations that challenge policy set out in NPSs, or the validity of NPSs themselves. The focus will be on the merits or disadvantages of the Proposed Development, tested to the appropriate extent, using the tests set out in relevant designated NPSs that are in force.

Other important and relevant planning policies that the ExA may consider include policies in the relevant local authorities' development plans. However, if these conflict with policy in a NPS, then the NPS will take precedence.

In summary, the PM will establish the procedures and timetable for the Examination of the Proposed Development. It will set a framework for the ExA to

enable the SoS to consider and decide the application, by identifying relevant policy and examining the application in light of it. In doing so, the ExA will have regard to:

- The positions and representations of all Interested Parties (IPs);
- any Local Impact Reports (LIR) prepared and provided by relevant local authorities;
- other prescribed matters; and
- any other matters that appear to be both relevant and important to the relevant SoS's decision.

### **Preliminary Meeting invitees**

The Applicant is invited to the PM and is generally given the opportunity to reply to any representations made, either orally at the time or in writing during the adjournment of the meeting.

Everyone who has made a Relevant Representation has been registered as an IP and has been sent a copy of this Rule 6 letter. Each IP is entitled to participate in this Examination.

Each person or organisation with an interest in land or rights that are affected by a Compulsory Acquisition request in this application is an Affected Person (AP). In addition to a general entitlement to involvement in the Examination, APs have a right to be heard in relation to any objection about the effects of Compulsory Acquisition on their interests in land, and a right to be notified of any Compulsory Acquisition Hearing. APs are IPs, whether or not they have made a Relevant Representation.

Certain bodies are Statutory Parties. Statutory Parties can elect to become IPs without having made a Relevant Representation.

The ExA has the power to involve people who are not IPs in the Examination as though they are IPs, including by inviting them to the PM. However, this is only done in exceptional circumstances, for example if it was clear that the application would materially affect a person, they are not automatically or eligible to elect to become an IP and they had been unable to take the necessary action to register as an IP.

### **Conduct of the Preliminary Meeting**

Past experience suggests that a PM for a project of this size and complexity could take half a day to complete. However, in running the event virtually there are limitations on the number of people who can speak at any one time. Therefore, in order to ensure that everyone who wishes to speak can do so, one day has been timetabled for Part 1. One day has also been timetabled for Part 2 of the PM, subject to the progress made at Part 1 of the PM. The reasons for programming the PM in two parts, and the circumstances in which Part 2 may not occur, are explained in the cover to this Rule 6 letter.

During the PM participants may have to make allowances and be patient if there are delays associated with the technology used. In recognition of the fatigue associated with on-screen communication, the ExA will provide breaks during the PM as appropriate. For those who pre-register to be involved, your joining instructions will provide more information about this.

A digital recording will be made available on the project page of the NI Planning website as soon as practicable following Part 1 of the PM and again following Part 2 (if the PM is resumed). The digital recording allows any member of the public who is interested in the application and the Examination to find out what has been discussed at the PM, whether they are able to attend or observe the meeting or not. The making and publication of these recordings are a means by which we meet the legal requirement to hold these events in public. In this regard, anyone speaking at the PM will need to introduce themselves each time they speak, to ensure that someone listening to the recording after the event is clear who was speaking. A written note of the PM will be produced and published as soon as practicable following the closure of the PM (at the conclusion of Part 2).

As the digital recordings are retained and published, they form a public record that can contain personal information to which the UK General Data Protection Regulation (UK GDPR) applies. Participants must do their best to avoid making public any information which they would otherwise wish to be kept private and confidential. If there is a need to refer to such information, it should be in written form. Although this will also be published, personal and private content can be redacted or removed before it is made publicly available. Any person who is unclear on this point should ask the Case Team for guidance before they include personal and private information in any submissions.

The Planning Inspectorate's practice is to publish the recordings and retain them for a period of five years from the SoS's decision on the DCO. If you actively participate in the PM, it is important that you understand that you will be recorded and that the recording will be made available in the public domain. Please see our [Privacy Notice](#) for more information about how we handle your data.

Following the ExA's introductions, each participant who has been registered to speak will be asked to introduce themselves, including any organisations or groups that they represent. The ExA will then conduct the meeting in accordance with the agenda. If you prefer not to have your image recorded, you can switch off your camera at any point.

### **The Examination process**

The examination of NSIPs follows different processes to those, for example, of a Public Inquiry into a planning appeal following the refusal of planning permission. The main differences are that the examination of NSIPs are primarily a written process and hearings take on an inquisitorial approach as opposed to an adversarial one.

This means that the ExA will probe, test and assess the evidence primarily using written questions. While some hearings are held to provide supplementary

evidence, questions to the Applicant or to witnesses will come from the ExA. Questioning or cross-examination of witnesses by other parties will not generally be allowed.

In terms of opportunities to provide evidence in writing, the draft Examination Timetable makes provision for the following written processes:

- Local authorities can submit Local Impact Reports (LIRs) if they wish. Whilst these are voluntary, the PA2008 provides that if they are provided, they must be considered by the SoS in reaching a decision. Consequently, LIRs are a very important method for local authorities to communicate issues of concern to the ExA, the SoS and their residents.
- IPs can make Written Representations (WRs) and comment on WRs made by other parties.
- IPs can respond to the ExA's written questions (ExQs) and comment on responses to these written questions provided by others.
- IPs may be asked to contribute to the making of Statements of Common Ground (SoCG) if it appears that there are matters on which they and the Applicant agrees, and if it would be useful for this to be clarified. SoCGs most usefully extend to catalogue matters that are not agreed or are outstanding.

The draft Examination Timetable includes a series of numbered deadlines for receipt of written submissions. Timely submissions received by the relevant deadline and that address its purpose will be accepted. Documents received after the relevant deadline are only accepted at the discretion of the ExA and may not be accepted to ensure fairness to all parties. Circumstances where documents are submitted late without good reason, causing inconvenience or delay to other parties can amount to unreasonable behaviour.

These written processes will be the principal means used by the ExA to gather information, evidence and views about the application. However, the Examination will only be effective if all parties resolve to give timely, full, frank, clear and evidenced answers to every question that is relevant to their interests and to engage fully with any other related processes such as the completion of WRs and SoCGs.

There is no merit in withholding or delaying information, or in failing to co-operate, and, should it occur, any unreasonable behaviour that caused another party to incur wasted expenditure could lead to an award of costs against the offending party.

The ExA has discretion to make amendments to the Examination Timetable for the wider benefit of the Examination. If possible, events will be arranged for times when all relevant parties are available, but the ExA is under a duty to complete the Examination by the end of the six-month period beginning with the day after the close of Part 2 of the PM. This requirement is set by legislation, and while the ExA will try to rearrange event dates to accommodate all relevant parties, in practice there will be limited scope to alter dates set out in the draft Examination Timetable.

The statutory time limit for the Examination means that where there are matters that still need to be discussed and agreed between the Applicant and IPs, it will be very helpful to the ExA if these could be progressed as early as possible.

## **Hearings**

The draft Examination Timetable includes provision for hearings, at which the ExA takes oral evidence from the various parties.

Any registered IP may request an Open Floor Hearing (OFH) to make oral representations about the application if they believe this to be preferable to relying on their written representation; though both carry equal weight. Oral submissions should be based on representations previously made in writing, but they should not simply repeat matters previously covered in the written submission. Rather, they should focus on specific detail and explanation to help inform the ExA. There should be no new or unexpected material in oral representations. A written summary note with any supporting evidence or references will be requested of each speaker following the hearing.

As with all Examination events, OFHs are subject to the powers of control of the ExA, as set out in the PA2008 and supporting legislation. Participants must register in advance by the deadline shown in the Examination Timetable and, in accordance with the instructions, an agenda may be circulated. It is common practice for the ExA to set a time limit for each speaker and speakers with common points are asked to come together to nominate a spokesperson or representative speakers to cover specific topics, so as to avoid repetition. Speakers representing public authorities, community and membership organisations or multiple IPs are normally provided with an additional time allowance, recognising their representative role.

The Applicant's draft DCO provides for the Compulsory Acquisition of land and rights, and the Temporary Possession of land. Affected Persons (ie those whose land or rights over land are affected) have a right to request and be heard at a Compulsory Acquisition Hearing (CAH). If one or more APs request to be heard then a CAH must be held. Provisional dates for CAHs are included in the draft Examination Timetable along with deadlines by which requests to be heard must be submitted.

The ExA has the discretion to hold Issue Specific Hearings (ISHs) if it would aid in the Examination and there is a specific reason this would be more helpful than reliance on written evidence only. The lack of an ISH on one or more topics does not suggest that that topic is less important than others which are subject to a hearing. Rather, it is an indication that the ExA is satisfied that the issues can be fully considered through written submissions and responses to its written questions and that each party has had a fair opportunity to put its case.

The draft Examination Timetable includes a number of reservations for ISHs and IPs may make suggestions for topics in their written or oral representations to the PM.

It may be necessary for the ExA to hold more than one ISH on the draft DCO. This is normal practice, and they are held on a without prejudice basis. Parties can suggest modifications and amendments to the draft DCO provided with the Proposed Development applications by the Applicant, without prejudicing their overall position on the application.

Holding such hearings does not imply that the ExA has reached any judgements on the merits of the application. Whatever the ultimate recommendation is, the ExA must make sure that the draft DCO is fit for purpose if the SoS decides to grant consent, as any consent will be subject to Requirements (ie conditions) set out in the DCO.

At hearings it will not normally be necessary for parties to make long and detailed submissions that require (for example) PowerPoint presentations. Any supporting detail/information can be provided in writing following the event by the relevant deadline.

The draft Examination Timetable includes a deadline (1 September 2021) for participants to notify the ExA that they wish to speak at an OFH or a CAH.

### **Site inspections**

As part of the Examination process the ExA may undertake site inspections. These can be either unaccompanied or accompanied, though all would be subject to any Government restrictions relating to COVID-19 in force at the time.

The purpose of these is for the ExA to see features of the proposals within the context of the evidence put forward. Notes of Unaccompanied Site Inspections (USIs) are published on the project webpage on the NI Planning website.

Accompanied Site Inspections (ASI) will only be necessary to view land to which there is no public right of access, or with no clear view from nearby locations with open public access. The purpose of ASIs is familiarisation only and no discussion of the merits of the Proposed Development will be entertained during an ASI.

The draft Examination Timetable includes a deadline for IPs to make submissions suggesting sites and locations that the ExA should visit. These will be used to inform further USIs as well as possible ASIs. It should be noted that public health restrictions may limit the scope for ASIs and, if these have not been sufficiently lifted by the end of the Examination, the ExA may decide that holding USIs to relevant nominated locations, supported by the submission of additional written, photographic, video or even drone material would be preferable to not visiting sites or holding ASIs in circumstances which could make them difficult and unduly time-consuming to conduct.

## Initial Assessment of Principal Issues

This is the Initial Assessment of Principal Issues prepared under s88(1) of the Planning Act 2008 (PA2008). It has been prepared by the Examining Authority (ExA) following its reading of:

- the application documents;
- the Relevant Representations received in respect of the application; and
- its consideration of any other important and relevant matters.

It is not a comprehensive or exclusive list of the issues that will be subject to examination and inevitably some issues will overlap or interrelate. The ExA will have regard to all important and relevant matters during the Examination and when it writes its Recommendation Report to the Secretary of State for Transport after the Examination has concluded.

The order of the issues listed is alphabetic and does not imply any order of prioritisation or importance.

The policy and consenting requirements and documents associated with the PA2008 are an integral part of the Examination and are therefore not listed as main issues.

It should also be noted that whilst the effects of the proposal in relation to human rights and equalities duties are not listed as main issues, the ExA will conduct all aspects of the Examination with these in mind.

Principal Issues	Including but not limited to:
Air Quality and Emissions	<ul style="list-style-type: none"> <li>• The approach to air quality assessment, including baseline conditions.</li> <li>• Construction effects, including dust, upon human and ecological receptors.</li> <li>• Operational effects upon human and ecological receptors.</li> <li>• The suitability of mitigation, monitoring and the Environmental Management Plan.</li> </ul>
Biodiversity, Ecology and the Natural Environment	<ul style="list-style-type: none"> <li>• The approach to assessment, including baseline conditions and surveys.</li> <li>• Implications for European / International sites and their qualifying features, including in-combination assessment.</li> <li>• Effects on other designated sites, including National, County and Local levels.</li> <li>• Effects on protected species and species of conservation concern and their habitats, including bats, breeding birds, migratory birds, wintering</li> </ul>

	<p>birds, barn owl, terrestrial and aquatic invertebrates (including white-clawed crayfish), great crested newt, otter, water vole, reptiles, badgers and other notable species.</p> <ul style="list-style-type: none"> <li>• Effects on protected habitats and habitats of conservation concern, including ancient woodland, other woodland, trees, hedgerows, grassland and ponds.</li> <li>• Issues relating to Biodiversity Net Gain and No Net Loss.</li> <li>• The suitability of mitigation, monitoring and the Environmental Management Plan.</li> </ul>
Climate Change	<ul style="list-style-type: none"> <li>• The effects of the construction and operation of the Proposed Development on climate change.</li> <li>• The overall change in greenhouse gas emissions which may arise from the construction of the Proposed Development.</li> <li>• Emissions of greenhouse gases arising from the Proposed Development during its operational phase.</li> <li>• The achievement of sustainable development including the mitigation of, and adaption to, climate change.</li> <li>• Consideration of carbon budgets.</li> <li>• Government policy for zero emissions target by 2050.</li> <li>• The suitability of proposed mitigation measures and the Environmental Management Plan.</li> </ul>
Compulsory Acquisition and/or Temporary Possession	<ul style="list-style-type: none"> <li>• The need for, and the amount of land proposed to be subject to Compulsory Acquisition and/or Temporary Possession.</li> <li>• Whether reasonable alternatives have been explored sufficiently.</li> <li>• The requirement for the powers sought and whether a compelling case in the public interest has been established.</li> <li>• Effects on those impacted by compulsory acquisition / temporary possession.</li> <li>• Land, rights and powers sought.</li> <li>• The position of and effects on Statutory Undertakers, protected provisions and whether the tests of s127 and s138 of the Planning Act 2008 (PA2008) would be satisfied.</li> </ul>

	<ul style="list-style-type: none"> <li>• The current position in relation to Crown land.</li> <li>• The adequacy and security of funding for compensation.</li> <li>• Human rights considerations.</li> <li>• Accuracy of the Book of Reference.</li> <li>• Statement of Reasons and justification for powers sought.</li> <li>• Whether the proposals meet the requirements of PA2008 in all other respects.</li> </ul>
Draft Development Consent Order (dDCO)	<ul style="list-style-type: none"> <li>• The structure of the dDCO.</li> <li>• The appropriateness of the proposed provisions.</li> <li>• The clarity of definitions and the consistency of use of terms and phrases referred to in the dDCO.</li> <li>• Relationships with other consents, permits and licences and any impediments of them being granted.</li> <li>• Design flexibility.</li> <li>• Whether the requirements effectively secure the mitigation identified in the Environmental Statement.</li> <li>• Whether the requirements are relevant to planning, relevant to the development to be consented, enforceable, precise and reasonable.</li> <li>• Matters for which detailed approval needs to be obtained, the discharging authority and the roles of the local authorities and of other independent statutory and regulatory authorities.</li> <li>• The identification of all relevant statutory undertakers for which protective provisions are required and the adequacy and agreement of those provisions.</li> <li>• Other provisions in the dDCO, including for removal of consent requirements, compulsory acquisition and documents to be certified.</li> <li>• The appropriateness of all proposed provisions.</li> <li>• Whether the dDCO is satisfactory in all other respects.</li> </ul>
Geology and Soils	<ul style="list-style-type: none"> <li>• Effects on agricultural land and soil quality.</li> <li>• The protection of soils during construction.</li> <li>• Agricultural land restoration matters.</li> </ul>

	<ul style="list-style-type: none"> <li>• The suitability of proposed mitigation measures and the Environmental Management Plan.</li> </ul>
Historic Environment	<ul style="list-style-type: none"> <li>• Construction and operation effects on designated and non-designated heritage assets and their setting, including St Peter's Church; St Andrew's Church; Church Farm House and Barn at Church Farm; and Berry Hall.</li> <li>• Effects upon archaeology and whether further investigation is required to understand potential effects.</li> <li>• The suitability of proposed mitigation measures and the Environmental Management Plan.</li> </ul>
Landscape and Visual Effects	<ul style="list-style-type: none"> <li>• The approach to landscape and visual impact assessment, including baseline conditions and surveys, viewpoint selection and visualisations.</li> <li>• Effects on landscape character and landscape features, including woodlands, trees and hedgerows, during construction and operation.</li> <li>• The effects of artificial lighting during both construction and operational phases.</li> <li>• Design of the Proposed Development.</li> <li>• Masterplan - design of proposed landscaping and species selection.</li> <li>• The suitability of proposed mitigation measures and the Environmental Management Plan.</li> </ul>
Material Assets and Waste	<ul style="list-style-type: none"> <li>• The effects on local and regional waste infrastructure.</li> <li>• Safeguarding mineral resources.</li> <li>• Materials management and re-use.</li> <li>• The suitability of proposed mitigation measures and the Environmental Management Plan.</li> </ul>
Noise and Vibration	<ul style="list-style-type: none"> <li>• The approach to noise and vibration assessment, including baseline conditions and surveys.</li> <li>• Construction effects upon nearby residents.</li> <li>• Operation effects upon nearby residents.</li> <li>• Management and monitoring of construction and operational noise and vibration effects.</li> <li>• The effectiveness of mitigation measures, including noise barriers and low noise road surfacing.</li> </ul>

	<ul style="list-style-type: none"> <li>• Residual effects after mitigation and their significance.</li> <li>• The suitability of proposed mitigation measures and the Environmental Management Plan.</li> </ul>
Population and Human Health	<ul style="list-style-type: none"> <li>• The approach to the assessment of population, human health and equalities and baseline conditions.</li> <li>• Socio-economic impacts of the Proposed Development.</li> <li>• Non-motorised users and public rights of way, accessibility, suitability of replacements, impacts on recreation and opportunities for improvement.</li> <li>• Effects of any severance, including in respect of communities to the north and south of the A47.</li> <li>• Effects on business, agriculture, and social / community facilities.</li> <li>• Effects on living conditions of surrounding residents, both from construction and operational activities.</li> <li>• The suitability of proposed mitigation measures and the Environmental Management Plan.</li> </ul>
Scope of Development and Environmental Impact Assessment	<ul style="list-style-type: none"> <li>• The parameters and description of the Proposed Development.</li> <li>• The need for the Proposed Development.</li> <li>• Relevant alternatives, particularly concerning route selection.</li> <li>• Adequacy of surveys and baseline data, the approach to flexibility and definitions of the significance of impacts in the Environmental Statement.</li> <li>• The effectiveness of mitigation measures including the content of the Environmental Management Plan and the Record of Environmental Actions and Commitments.</li> <li>• Whether all other necessary consents and licences have been considered.</li> <li>• Conformity or otherwise with the National Networks National Policy Statement, development plans and other relevant policies.</li> <li>• Cumulative and in-combination effects on, and with, other major projects and proposals.</li> <li>• Whether the mitigation identified in the Environmental Statement is adequately secured by</li> </ul>

	<p>the combination of the dDCO with other consents, permits and licenses.</p> <ul style="list-style-type: none"> <li>• Whether the proposal includes 'Good design', including functionality, durability and aesthetics.</li> <li>• Whether the proposal maximises the opportunities for environmental benefits.</li> <li>• Outline management plans.</li> <li>• The significance of residual effects after mitigation.</li> </ul>
Transportation and Traffic	<ul style="list-style-type: none"> <li>• The approach to the assessment of traffic and transport, including baseline conditions and surveys.</li> <li>• Scheme context, including overall vision, objectives and alternative design solutions.</li> <li>• Construction effects upon the surrounding highway network, including suitability of traffic management plan.</li> <li>• Operational effects upon the surrounding highway network.</li> <li>• Temporary and permanent road closures and access to existing properties</li> <li>• The case for and the benefits of the scheme.</li> <li>• The effect upon non-motorised users both during construction and operational phases.</li> <li>• Road layout and design, including junctions and bridges.</li> <li>• Road safety.</li> <li>• Road classification.</li> </ul>
Water Environment	<ul style="list-style-type: none"> <li>• The approach to the assessment of the water environment, including baseline conditions and surveys.</li> <li>• Construction effects upon groundwater, water courses and water bodies, including ponds.</li> <li>• The adequacy of the Flood Risk Assessment.</li> <li>• Operational effects, including the use and extent of detention basins and surface water run-off.</li> <li>• Climate change allowances.</li> <li>• Surface water drainage proposals.</li> <li>• Compliance with the Water Framework Directive.</li> <li>• Potential land contamination and stability issues.</li> </ul>

	<ul style="list-style-type: none"><li>• The effectiveness of mitigation and compensation measures.</li><li>• The suitability of proposed mitigation measures and the Environmental Management Plan.</li></ul>
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## Draft Examination Timetable

The Examining Authority (ExA) is under a duty to complete the examination of the application by the end of the period of six months beginning with the day after the close of the Preliminary Meeting.

The examination of the application primarily takes the form of the consideration of written submissions. The ExA will also consider any oral representations made at hearings.

Item	Matters	Date
1.	<p><b>Procedural Deadline A (PD A)</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>Written submissions on the examination procedure, including any submissions about the use of virtual procedures; and</li> <li>Requests to be heard orally at the Preliminary Meeting Part 1</li> </ul>	<p><b>Tuesday 20 July 2021</b></p>
2.	<p><b>Preliminary Meeting PART 1</b></p>	<p><b>Tuesday 3 August 2021</b></p>
3.	<p><b>Procedural Deadline B (PD B)</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>Written submissions on the examination procedure, including responses to matters raised orally at the Preliminary Meeting Part 1; and</li> <li>Requests to be heard orally at the Preliminary Meeting Part 2 and/or at Open Floor Hearing 1 (OFH1).</li> </ul>	<p><b>12pm</b></p> <p><b>Monday 9 August 2021</b></p>
4.	<p><b>Preliminary Meeting PART 2 (if required)</b></p>	<p><b>Thursday 12 August 2021</b></p>
5.	<p><b>Open Floor Hearing 1 (OFH1)</b></p>	<p><b>6pm</b></p> <p><b>Thursday 12 August 2021</b></p>
6.	<p>Issue by the ExA of:</p> <ul style="list-style-type: none"> <li>Examination Timetable</li> </ul> <p>Publication of:</p> <ul style="list-style-type: none"> <li>The ExA's Written Questions (ExQ1)</li> </ul>	<p>As soon as practicable following the Preliminary Meeting</p>
7.	<p><b>Deadline 1 (D1)</b></p> <p>For receipt by the ExA of:</p>	<p><b>Wednesday 1 September 2021</b></p>

	<ul style="list-style-type: none"> <li>• Comments on Additional Documents submitted by the Applicant since the application was accepted (see <b>Annex F</b>)</li> <li>• Comments on Relevant Representations (RRs)</li> <li>• Summaries of all RRs exceeding 1500 words</li> <li>• Written Representations (WRs)</li> <li>• Summaries of all WRs exceeding 1500 words</li> <li>• Written summaries of oral submissions made at OFH1</li> <li>• Submission by Applicant of draft Accompanied Site Inspection (ASI) itinerary</li> <li>• Statements of Common Ground (SoCG) requested by the ExA (see <b>Annex F</b>)</li> <li>• Any further information requested by the ExA under Rule 17 of the Examination Rules<sup>1</sup></li> </ul>	
<b>8.</b>	<p><b>Procedural Deadline C (PD C)</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Notification by Statutory Parties of their wish to be considered as an IP by the ExA</li> <li>• Notification of wish to speak at a further OFH</li> <li>• Notification of wish to make oral representations at Issue Specific Hearings (ISH)</li> <li>• Notification of wish to speak at a Compulsory Acquisition Hearing (CAH)</li> <li>• Notification of wish to have future correspondence received electronically</li> </ul>	<b>Wednesday 1 September 2021</b>
<b>9.</b>	<p><b>Deadline 2 (D2)</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Local Impact Reports (LIRs)</li> <li>• Responses to the ExA's First Written Questions</li> <li>• Comments by IPs on the draft itinerary for the ASI</li> <li>• Responses to comments on RRs</li> <li>• Comments on any additional information/submissions received by D1</li> </ul>	<b>Tuesday 14 September 2021</b>

<sup>1</sup> The Infrastructure Planning (Examination Procedure) Rules 2010

	<ul style="list-style-type: none"> <li>Any further information requested by the ExA under Rule 17 of the Examination Rules</li> </ul>	
<b>10.</b>	<p><b>Procedural Deadline D (PD D)</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>Confirmation of wish to participate or observe at hearings scheduled in w/c 1 November 2021</li> <li>Notification of wish to attend, or part attend, the ASI scheduled for w/c 15 November 2021</li> </ul>	<b>Tuesday 14 September 2021</b>
<b>11.</b>	<p><b>Deadline 3 (D3)</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>Comments on WRs</li> <li>Comments on SoCGs</li> <li>Comments on LIRs</li> <li>Comments on responses to the ExAs First Written Questions</li> <li>Applicant's revised ASI itinerary following D2 comments</li> <li>Submission by the Applicant of low-resolution documents (see <b>Annex F</b>)</li> <li>Comments on any additional information/submissions received by D2</li> <li>Any further information requested by the ExA under Rule 17 of the Examination Rules</li> </ul>	<b>Tuesday 28 September 2021</b>
<b>12.</b>	<p>Publication of:</p> <ul style="list-style-type: none"> <li>ExA's Further Written Questions (if required).</li> </ul>	<b>Friday 8 October 2021</b>
<b>13.</b>	<p><b>Hearings</b></p> <p>Dates reserved for:</p> <ul style="list-style-type: none"> <li>OFH2 (if required)</li> <li>ISHs (if required)</li> <li>CAH1 (if required)</li> </ul>	<b>Tuesday 2 to Friday 5 November 2021</b>
<b>14.</b>	<p><b>Deadline 4 (D4)</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>Written summaries of oral submissions made at hearings w/c 1 November 2021</li> </ul>	<b>Tuesday 9 November 2021</b>

	<ul style="list-style-type: none"> <li>• Any revised/updated SoCG</li> <li>• Responses to the ExA's Further Written Questions (if issued)</li> <li>• Comments on any additional information/submissions received by D3</li> <li>• Any further information requested by the ExA under Rule 17 of the Examination Rules</li> </ul>	
<b>15.</b>	Date(s) reserved for <b>Accompanied Site Inspection (ASI)<sup>2</sup></b>	<b>w/c 15 November 2021</b>
<b>16.</b>	<p><b>Deadline 5 (D5)</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Comments on any revised/updated SoCG (if any)</li> <li>• Applicant's revised draft DCO (if required)</li> <li>• Comments on responses to ExA's further written questions (if issued)</li> <li>• Comments on any additional information/submissions received by D4</li> <li>• Any further information requested by the ExA under Rule 17 of the Examination Rules</li> </ul>	<b>Tuesday 23 November 2021</b>
<b>17.</b>	<p>Publication of:</p> <ul style="list-style-type: none"> <li>• ExA's Further Written Questions (if required)</li> </ul>	<b>Tuesday 30 November 2021</b>
<b>18.</b>	<p><b>Deadline 6 (D6)</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Responses to the ExA's further Written Questions (if required)</li> <li>• Comments on Applicant's revised draft DCO (if any)</li> <li>• Comments on any additional information/submissions received by D5</li> <li>• Any further information requested by the ExA under Rule 17 of the Examination Rules</li> </ul>	<b>Monday 13 December 2021</b>

<sup>2</sup> Please note: an ASI can only go ahead if Government guidance on COVID-19 at that time permits. In the event it cannot be undertaken as a physical visit, alternative approaches (including the use of technology) will be explored, and all participants will be notified.

19.	<p><b>Procedural Deadline E (PD E)</b></p> <p>Deadline for receipt by ExA of:</p> <ul style="list-style-type: none"> <li>• Confirmation of wish to participate at or observe any OFHs, ISHs, or CAHs in w/c January 2022</li> </ul>	<p><b>Monday 13 December 2021</b></p>
20.	<p><b>Publication of:</b></p> <ul style="list-style-type: none"> <li>• Report on the Implications for European Sites (RIES) (if required)</li> <li>• The ExA's proposed schedule of changes to the draft DCO (if required)</li> </ul>	<p><b>Friday 17 December 2021</b></p>
21.	<p><b>Hearings</b></p> <p>Dates reserved for:</p> <ul style="list-style-type: none"> <li>• ISHs, including on the draft DCO (if required)</li> <li>• OFH (if required)</li> <li>• OFH (if required)</li> </ul>	<p><b>w/c 3 January 2022</b></p>
22.	<p><b>Deadline 7 (D7)</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Written summaries of oral submissions made at any hearings in w/c 3 January 2022</li> <li>• Comments on responses to the ExA's further Written Questions (if required)</li> <li>• Comments on the ExA's proposed schedule of changes to the draft DCO (if issued)</li> <li>• Comments on any additional information/submissions received by D6</li> <li>• Any further information requested by the ExA under Rule 17 of the Examination Rules</li> </ul>	<p><b>Thursday 13 January 2022</b></p>
23.	<p><b>Deadline 8 (D8)</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Comments on the RIES (if issued)</li> <li>• Responses to comments on the ExA's proposed schedule of changes to the draft DCO (if issued)</li> <li>• Comments on any additional information/submissions received by D7</li> <li>• Any further information requested by the ExA under Rule 17 of the Examination Rules</li> </ul>	<p><b>Tuesday 25 January 2022</b></p>

<p><b>24.</b></p>	<p><b>Deadline 9 (D9)</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Responses to comments on the RIES (if issued)</li> <li>• Final DCO to be submitted by the Applicant in the SI template (MS Word) with the SI template validation report</li> <li>• Final updated Book of Reference</li> <li>• Final SoCGs</li> <li>• Final Statement of Commonality of SoCG</li> <li>• Final Compulsory Acquisition Schedule</li> <li>• Final updated Guide to the Application</li> <li>• Statements of Final Position in respect of matters examined</li> <li>• Comments on any additional information/submissions received by D8</li> <li>• Any further information requested by the ExA under Rule 17 of the Examination Rules</li> </ul>	<p><b>Monday 7 February 2022</b></p>
<p><b>25.</b></p>	<p><b>Deadline 10 (D10)</b></p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Any further information requested by the ExA under Rule 17 of the Examination Rules</li> </ul>	<p><b>Wednesday 9 February 2022</b></p>
<p><b>26.</b></p>	<p>The ExA is under a duty to complete the examination of the application by the end of the period of six months beginning with the day after the close of the Preliminary Meeting (i.e. part 2).</p> <p>The ExA may close the examination before the end of the six-month period if he is satisfied that all relevant matters have been addressed and discussed.</p>	<p><b>Wednesday 9 February 2022</b></p>

### Submission times for deadlines

The time for submission of documents at any deadline in the timetable is 23:59 on the relevant deadline date, unless otherwise stated or instructed by the ExA.

### Publication dates

All information received will be published on the [project webpage on the National Infrastructure Planning website](#) as soon as practicable after the deadlines for submissions. See Annex G of this letter for more information.

## **Report on the Implications for European Sites (RIES)**

Where an applicant has provided a No Significant Effects Report or a Habitats Regulations Assessment (HRA) Report with the application, the ExA may decide to issue a RIES during the Examination. The RIES is a factual account of the information and evidence provided to the ExA on HRA matters during the Examination up to the date of the publication of the RIES, for the purposes of enabling the Secretary of State, as competent authority, to undertake its HRA. It is not the ExA's opinion on HRA matters. Comments on the RIES will be invited by the ExA and any received will be taken into account as part of the ExA's Recommendation to the Secretary of State.

The Secretary of State may rely on the consultation on the RIES to meet its obligations under Regulation 63(3) of The Habitats Regulations 2017 and/ or Regulation 28 of The Offshore Marine Regulations.

## Notification of initial hearings

The Examining Authority (ExA) provides notice of the following initial hearing:

Date	Hearing	Start time	Joining details
<b>6:00pm</b> <b>Thursday</b> <b>12 August</b> <b>2021</b>	<b>Open Floor</b> <b>Hearing</b> <b>(OFH1)</b>	<b>Arrangements</b> <b>Conference from:</b> <b>5:30pm</b> <b>Hearing starts:</b> <b>6:00pm</b>	This hearing will be held virtually using Microsoft Teams  A joining link/telephone number will be provided to pre-registered participants in advance

Because participation in a virtual hearing relies on the Planning Inspectorate providing you with a joining link or telephone number in advance, **if you intend to participate at this hearing you must register by 12pm on Monday 9 August 2021** (see **Procedural Deadline B** at **Annex D**, above).

## Advice and guidance

Please read the Planning Inspectorate's [Advice Note 8.6: Virtual examination events](#) for important information about the virtual hearing procedure.

## Hearing agendas

For Issue Specific Hearings and Compulsory Acquisition Hearings the ExA will publish a detailed draft agenda on the project website at least five working days in advance of the hearing date. However, the actual agenda on the day of each hearing may be subject to change at the discretion of the ExA.

For Open Floor Hearings an agenda may not be published.

## Hearing livestream

A public livestream of this hearing will be made available on the [project webpage](#) shortly before the hearing is due to open. The livestream is available to anybody who wishes to observe the hearing.

## Other Procedural Decisions made by the Examining Authority

The Examining Authority (ExA) has made the following Procedural Decisions:

### 1. Statements of Common Ground (SoCG)

In relation to some of the Principal Issues identified in **Annex C**, the ExA would be assisted by the preparation of SoCGs between the Applicant and certain Interested Parties. The draft Examination Timetable at **Annex D** therefore established **Deadline 1** for submission of SoCGs.

The aim of a SoCG is to agree factual information and to inform the ExA and all other parties by identifying where there is agreement and where the differences lie at an early stage in the examination process. It should provide a focus and save time by identifying matters which are not in dispute or need not be the subject of further evidence. It can also usefully state where and why there may be disagreement about the interpretation and relevance of the information. Unless otherwise stated or agreed, the SoCG should be agreed between the Applicant and the other relevant Interested Party or parties and submitted **by the Applicant**.

The following SoCGs are requested to be prepared between the Applicant and:

Breckland District Council, to include, but not limited to:

- An assessment of national and local planning policy relevant to the Proposed Development
- The need for and principle of the Proposed Development and consideration of alternatives
- The draft Development Consent Order (dDCO) (including Articles and Requirements)
- An assessment of impacts within the Council's area including issues relating to air quality and emissions, biodiversity, heritage assets including archaeology, geology and soils, landscape and visual, material assets and waste, noise and vibration, population and human health, traffic and transportation and the water environment (including flood risk)
- An assessment of the Proposed Development's cumulative and in combination effects with any other nearby major developments
- Effects on non-motorised users
- Environmental Management Plan (including Record of Environmental Actions and Commitments)
- Outline Traffic Management Plan

Norfolk County Council, to include, but not limited to:

- An assessment of national and local planning policy relevant to the Proposed Development

- The need for and principle of the Proposed Development and consideration of alternatives
- The dDCO (including Articles and Requirements)
- An assessment of impacts within the Council's area including issues relating to air quality and emissions, biodiversity, heritage assets including archaeology, geology and soils, landscape and visual, material assets and waste, noise and vibration, population and human health, traffic and transportation and the water environment (including flood risk)
- An assessment of the Proposed Development's cumulative and in combination effects with any other nearby major developments
- Effects on non-motorised users
- Environmental Management Plan (including Record of Environmental Actions and Commitments)
- Outline Traffic Management Plan

Environment Agency, to include, but not limited to:

- Assessment of hydrological, water quality, water resource and wildlife effects, including but not limited to surface water crossings, run-off, the risk of flooding, and contamination of surface and groundwaters
- Mitigation and enhancement measures, including likely effectiveness, monitoring procedures and method for securing such measures within the dDCO
- Drafting of the dDCO, including the Articles and Requirements
- Water Framework Directive compliance
- Material assets and waste
- Environmental permits
- Environmental Management Plan (including Record of Environmental Actions and Commitments)

Natural England, to include, but not limited to:

- dDCO, including the Articles and Requirements
- Survey areas, assessment of baseline data and data collection methodologies
- Analysis of data and the presentation of results, including the use of expert judgements and assumptions
- Methodology for EIA, including assessment of cumulative and in-combination effects
- Likely effects on any protected species and on special interest features of sites designated for nature conservation purposes

<ul style="list-style-type: none"> <li>• Mitigation and enhancement measures, including likely effectiveness, monitoring procedures and method for securing such measures within the dDCO</li> <li>• Environmental Management Plan (including Record of Environmental Actions and Commitments)</li> </ul>
Historic England, to include, but not limited to:
<ul style="list-style-type: none"> <li>• Collection and analysis of heritage data, survey areas, and the presentation of results</li> <li>• Methodology for, and findings of, the Environmental Impact Assessment (EIA)</li> <li>• Impacts on the settings of designated assets</li> <li>• Proposals for mitigation measures and monitoring and method for securing such measures within the dDCO</li> <li>• Drafting of the dDCO , including the Articles and Requirements</li> <li>• Environmental Management Plan (including Record of Environmental Actions and Commitments)</li> </ul>
Relevant Statutory Undertakers to include, but not limited to;
<ul style="list-style-type: none"> <li>• Impacts on the operations of the statutory undertaker</li> <li>• Relevant Protective Provisions in the dDCO.</li> </ul>

**All of the SoCGs listed above should cover the Articles and Requirements in the draft Development Consent Order.** Any Interested Party seeking that an Article or Requirement is reworded should provide the form of words which are being sought in the SoCG.

Where a particular SoCG cannot be agreed between the parties by **Deadline 1**, or if any local authority position needs to be signed off at a higher level, draft versions of that SoCG are requested to be submitted **by the Applicant to Deadline 4**. The position of the relevant Interested Parties should then be confirmed in the course of the Examination.

The content of SoCGs will help to inform the ExA about the need to hold any Issue Specific Hearings during the Examination, and to enable the ExA and the Applicant to give notice of such hearings at least 21 days in advance of them taking place.

## 2. Local Impact Reports

The ExA requests Local Impact Reports (LIRs) from the host Local Authority and welcomes LIRs from any other relevant Local Authorities who may wish to submit one. All LIRs are requested to be submitted into the Examination no later than by **Deadline 2** on 14 September 2021.

### 3. The Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations)

The Examination must include a process that provides sufficient information to enable the Secretary of State to meet their statutory duties as the competent authority under the Habitats Regulations relating to European protected sites. In order to inform the ExA's Report and Recommendation to the Secretary of State on this application and to provide stand-alone information for the Secretary of State, the Applicant is requested to complete matrices to:

- Summarise the likely significant effects for each European site assessed; and
- summarise the implications for the integrity of each European site assessed, where a likely significant effect either alone or in combination with other plans and projects has been identified.

Templates for these matrices are available to download from the [National Infrastructure Planning website](#).

The date by which the completed matrices must be received from the Applicant will be discussed at the Preliminary Meeting.

### 4. Draft itinerary for Accompanied Site Inspection

The Applicant is requested to prepare a draft itinerary for the Accompanied Site Inspection (ASI). The draft ASI itinerary should include relevant sites and locations referred to in the Relevant Representations received and any other sites and locations at which the Applicant has predicted likely significant environmental effects.

The Applicant's draft ASI itinerary should be submitted to the ExA by **Deadline 1** (1 September 2021).

On receipt of the Applicant's draft ASI itinerary, the ExA will review the document and may make changes to it. The ExA will then publish the draft itinerary for Interested Parties to comment on at **Deadline 2** (14 September 2021) in the Examination Timetable. The ExA will review the comments made about the draft ASI itinerary and may make changes to it.

The final ASI itinerary will be published at least three weeks in advance of the event taking place.

### 5. Written Representations

The ExA has made the decision that Written Representations will be required at **Deadline 1** (1 September 2021).

### 6. Guide to the Application

The ExA requests that, at each deadline, the Applicant provides an updated Guide to the Application document which provides a list of the most up-to-date

documents before the Examination. A final version must be submitted before the close of the Examination.

### **7. Deadline for Notification by Statutory Parties, or certain Local Authorities of their wish to be considered as an Interested Party**

The ExA has made a procedural decision that, in order to facilitate a timely start to the examination, Statutory Parties and certain Local Authorities must have decided whether they wish to be considered as an Interested Party and notified the Planning Inspectorate of their decision by **Procedural Deadline C** (1 September 2021).

### **8. Low resolution documents for possible sharing on screen at virtual events**

As events are being, or are likely to be, held virtually, it would considerably assist the ExA if the drawings could be provided by the Applicant at small electronic size. Several of the drawings are over 20MB in size which is likely to make them unwieldy for display in the MS Teams environment.

The ExA therefore requests the Applicant to re-provide the drawings in accordance with the following specification by **Deadline 3** (28 September 2021). For avoidance of doubt this also includes Figures to the Environmental Statement.

- No individual drawing/set of plans to exceed an absolute maximum of 10 MB; as a guide 5 to 6 MB should be achievable
- If the scheme has a large plan set, consider splitting the plans set into more than one 'book'
- Pay attention to the output of plans on .pdf from, for example, CAD systems, as certain systems output these in multiple layers which load successively and thus take a long time to load; layers should be merged/switched off
- Files should be given intelligent short names that enable the ExA and others to understand the content of the file from its filename or the beginning of its filename (ie 'Worksplans sheet 1' not, eg 'E-may7746943\_projecct\_449\_xbleep\_large works\_sheets44'); the name should be intelligible in the tab when multiple document windows are open in a browser
- Files should be read checked before submission to ensure that all relevant details can still be read when zoomed in; eg plot numbers on land plans and labels for road, field or property names
- Files should be given a 'screen share' test before submission, ensuring that when shared over the internet the plan distributes to multiple viewers in a timely manner, the cursor remains mobile and no unlooked for behaviours (screen freezing, pixilation, judder, etc.) are experienced by multiple users.

### **9. Acceptance of Additional Submissions into the Examination**

Since the acceptance of the Application, the following documents from the Applicant have been accepted into the Examination:

- Response to s51 advice; Cover letter accompanied by:
  - 2.6 Traffic Regulation Plans, Rev. 1
  - 4.3 Book of Reference, Rev. 1 (tracked and clean)
  - 6.1 Chapter 2 The Proposed Scheme, Rev. 1 (tracked and clean)
  - 7.3 Scheme Design Report, Rev. 1 (tracked and clean)
  - 6.8 Environmental Masterplan, Rev. 1
  - 9.1 Guide to the Application

Any comments on these additional documents submitted by the Applicant should be made by **Deadline 1** (1 September 2021).

## Availability of Examination Documents

The application documents and Relevant Representations are available on the [project webpage on the National Infrastructure Planning website](#).

All further documents submitted in the course of the Examination will also be published under the [Documents](#) tab at the above location.

## The Examination Library

For ease of navigation, please refer to the Examination Library (EL) which is accessible by clicking the blue button under the 'Documents' tab. The EL is updated regularly throughout the Examination.

The EL records and provides a hyperlink to:

- Each application document;
- each representation made to the Examination; and
- each Procedural Decision made by the Examining Authority.

Each document is given a unique reference which will be fixed for the duration of the Examination. A hyperlink to each document on the project webpage is also provided. **Please use the unique reference numbers applied in the EL when referring to any Examination Documents in any future submissions that you make.**

## Electronic deposit locations

Documents can be viewed electronically, free of charge, at the electronic deposit locations listed in the table below. At Costessey, Dereham and Norfolk and Norwich Millennium libraries free computer access is available to library members on production of their library card. However, it may also be possible for others to use a computer on a "guest" card. Please note that you may need to bring a form of identification with you.

The opening hours and availability of information technology set out in the table below may be subject to changes or limitations to address public health requirements as a result of Coronavirus (COVID-19). Bearing in mind the availability of the documents on the National Infrastructure Planning website and the effect of public health restrictions, please consider your need to attend these locations with care. Please check the current circumstances with the relevant locations before you attend.

**Annex G**

<b>Local authority</b>	<b>Venue/address</b>	<b>Opening hours</b>	<b>Printing costs</b>
Norfolk County Council	Costessey Library Breckland Road Costessey Norwich NR5 0RW	Monday: 10am-1pm Tuesday: 2pm-6pm Wednesday: 10am-1pm Thursday: Closed Friday: 10am-1pm Saturday: 10am-4pm Sunday: Closed	A4 B&W 20p per sheet A4 colour 50p per sheet A3 B&W 30p per sheet A3 colour £1 per sheet
Norfolk County Council	Dereham Library 59 High Street Dereham NR19 1DZ	Monday: 9.30am-7pm Tuesday: 9.30am-7pm Wednesday: 9.30am-7pm Thursday: 9.30am-7pm Friday: 9.30am-7pm Saturday 9.30am-4pm Sunday: Closed	A4 B&W 20p per sheet A4 colour 50p per sheet A3 B&W 30p per sheet A3 colour £1 per sheet
Norfolk County Council	Norfolk and Norwich Millennium Library The Forum Millennium Plain Norwich NR2 1AW	Monday: 10am-7pm Tuesday: 10am-7pm Wednesday: 10am-7pm Thursday: 10am-7pm Friday: 10am-7pm Saturday: <b>ground floor</b> 10am-7pm, <b>all other areas</b> 9am-5pm Sunday: 10.30am - 4.30pm	A4 B&W 20p per sheet A4 colour 50p per sheet A3 B&W 30p per sheet A3 colour £1 per sheet

## Electronic 'Make a submission' portal

The Planning Inspectorate will be using an electronic portal, which parties will be able to use to make their written submissions at the relevant deadline.

A 'Make a submission' tab will become available on the [project webpage of the National Infrastructure website](#). The portal operates on a system where submissions are separated in accordance to the deadline submissions type requested (see the Examination Timetable at **Annex D**). Please ensure documents are submitted respective to the associated deadline and are the relevant document submission types. Where this is not possible, please use the 'Other' drop down option.

Interested Parties will be able to submit a document (upload file), make a text representation or both. It is possible to upload multiple files for each individual submission item. Electronic attachments should be clearly labelled with the subject title and not exceed 50MB. Providing links to websites where your submissions can be viewed is not acceptable. All submissions must be made in a format that can be viewed in full on the National Infrastructure Planning website. Any submissions that exceed 1500 words should also be accompanied by a summary; this summary should not exceed 10% of the original text.

We would encourage everyone in the first instance to use the 'Make a submission' portal to make your submissions however, if necessary, Interested Parties will be able to send electronic copies of their submission via email to the project mailbox, [A47NorthTuddenhamtoEaston@planninginspectorate.gov.uk](mailto:A47NorthTuddenhamtoEaston@planninginspectorate.gov.uk), on or before the applicable deadline.

If you experience any issues when using this portal, please contact a member of the Case Team to assist. The Inspectorate will be monitoring the use of the portal. Any feedback is much appreciated and will help the Inspectorate identify and prioritise future service enhancements for our customers.