

A47 Wansford to Sutton Dualling

Scheme Number: TR010039

Volume 1

1.2 Covering Letter and Section 55 Checklist

APFP Regulation 5(2)(q)

Planning Act 2008

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

July 2021

Infrastructure Planning

Planning Act 2008

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

A47 Wansford to Sutton
Development Consent Order 202[x]

1.2 COVERING LETTER AND SECTION 55 CHECKLIST

Regulation Number:	Regulation 5(2)(q)
Planning Inspectorate Scheme Reference	TR010039
Application Document Reference	TR010039/APP/1.2
BIM Reference	HE551494-GTY-LSI-000-RP-TX-30071
Author:	A47 Wansford to Sutton Project Team, Highways England

Version	Date	Status of Version
Rev 0	July 2021	Application Issue

Major Applications & Plans
3/18 Eagle Wing
The Planning Inspectorate
Temple Quay House
Temple Quay
Bristol
BS1 6PN

5th July 2021

Dear Sir/Madam

Planning Act 2008

Application for a Development Consent Order for the proposed A47 Wansford to Sutton Scheme

Highways England

Application Reference TR010039

I am pleased to enclose an application on behalf of Highways England (the “Applicant”) under section 37 of the Planning Act 2008 (the “PA 2008”) for an order granting development consent for the A47 Wansford to Sutton Scheme (the “Scheme”).

1 Subject of the Application

- 1.1 Development consent is required to the extent that the application includes development that is or forms part of a Nationally Significant Infrastructure Project (NSIP) pursuant to sections 14(1)(h) and 22(1)(b) of the PA 2008.
- 1.2 Further detail concerning the Scheme’s qualification as a NSIP can be found in the prescribed form within the Application Form (**TR010039/APP/1.1**) and in the Explanatory Memorandum (**TR010039/APP/3.2**).

2 Application fee and documentation enclosed

- 2.1 A fee of £7263 has been submitted by BACS transfer to the account of the Planning Inspectorate.
- 2.2 It has been agreed with the Planning Inspectorate that the method of submission for the electronic application will be via Microsoft Teams and this will contain the full application as listed in Annex A.
- 2.3 A number of additional documents have been included in support of the application. These include:
 - Environmental Masterplan (**TR010039/APP/6.8**)
 - The Transport Assessment (**TR010039/APP/7.3**)
 - The Scheme Design Report (**TR010039/APP/7.4**)
 - Environmental Management Plan (**TR010039/APP/7.5**)

- Outline Traffic Management Plan (**TR010039/APP/7.6**)
- Equality Impact Assessment (**TR010039/APP/7.7**)

2.4 A completed Section 55 checklist accompanies this letter in Annex B.

2.5 The electronic application index and GIS shape file have been supplied to the Planning Inspectorate via Microsoft Teams two weeks prior to formal submission of the Development Consent Order (DCO) application, as advised in the Planning Inspectorate's Advice Note Six.

3 Application formalities

3.1 This Application is made in the form required by Section 37(3)(b) of the PA 2008 and the application documents comply with the requirements in Section 37 of the PA Act and those set out in:

- The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the APFP Regulations);
- The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017;
- The Department for Communities and Local Government's (DCLG) Planning Act 2008: Nationally significant infrastructure projects – Application form guidance' (June 2013); and
- The Planning Inspectorate's 'Advice Note Six: Preparation and submission of application documents'.

3.2 The Applicant requests that the Planning Inspectorate publishes the application documents on the Scheme page of the National Infrastructure website from submission of the application.

3.3 The exception to this is the Confidential Badger Survey Report (Appendix 8.15 to the ES (**TR010039/APP/6.3**)) as this document contains confidential information pertaining to species protected under the Protection of Badgers Act 1992 and The Wildlife and Countryside Act 1981).

4 Description of the Scheme

4.1 A non-technical description of the Scheme is provided in the Introduction to the Application (**TR010039/APP/1.3**). A more detailed and technical description is provided in Chapter 2: The Proposed Scheme, of the Environmental Statement (**TR010039/APP/6.1**).

5 Consent flexibility

5.1 The Applicant has considered the National Policy Statement for National Networks and the Planning Inspectorate's 'Advice Note Nine: Rochdale Envelope' together with pre-application advice provided by the Planning Inspectorate. It is our view that the inclusion of flexibility in the Draft Development Consent Order (DCO) (**TR010039/APP/3.1**) is fundamental to making the Scheme deliverable.

- 5.2 An important element of flexibility sought within the Draft DCO, where appropriate, are limits of deviation which have been incorporated within the Order Limits to allow minor modifications to be made to the Scheme during the detailed design and construction stages. Such flexibility is required, for example, to enable the construction contractor to make minor adjustments to the position of certain infrastructure in response to unforeseen conditions identified on site.
- 5.3 The limits of deviation allow for lateral deviation of the centrelines of certain works by 3 metres either side of the centreline, and up to 3 metres from the points of commencement and termination. This applies to Work Nos. 1, 2, 6, 11, 12, 13, 15, 19, 20, 21, 22, 23, 40, 41, 42, 43, 44, 45, 47, 51 and 55. as shown on the Works Plans (**TR010039/APP/2.3**), in summary:
- the alteration of the A47(t) trunk road
 - a new carriageway to 4 properties and a service vehicle turning point
 - a new carriageway to create a free flow interchange from A1 southbound to merge with the dualled A47 eastbound
 - improvements to the existing A1/A47 on and off ramps to the Wansford east roundabout
 - improvement to the eastbound carriageway of the existing A47 from Wansford west roundabout over the A1, including the of realignment of the central reserve and a new cycle crossing point at the Wansford west roundabout
 - improvements to the existing A47 Wansford east roundabout
 - a new link road from A47 Wansford east roundabout to the filling station
 - realignment of the Anglian Water pump station access track
 - a new footpath to the south of the dualled A47
 - a new Sacrewell Farm access road
 - a new access track from the Sacrewell Farm access road to the existing access track including improvements to the existing access
 - a new field access link from the Sacrewell Farm access road
 - alterations to the existing A47 to create a new access track and cycle track from the dualled A47 running east to the new link road
 - a new carriageway to Sutton Heath House
 - a new carriageway from the new Sutton Heath roundabout to Sutton Heath Road
 - realignment of the existing junction between Sutton Heath Road and Langley Bush Road
 - a new Sutton Heath Roundabout including earthworks, drainage and a safety barrier
 - a new carriageway to form a new link road to Peterborough Road
 - a new access track and turning head to the existing Drift
 - realignment of the junction between Peterborough Road and Nene Way
 - improvements to the existing Upton Drift including passing places, widening the metalled surface into highway verge, straightening of the S-bend and sight lines and widening of existing junction adjacent to Model Farm
- 5.4 They also allow for a vertical deviation to a maximum of 1 metre upwards or 1 metre downwards for any work, with the proviso that this limit does not apply where the Secretary of State certifies that a greater deviation would not give rise

to any new or materially different environmental effects from those reported in the Environmental Statement.

- 5.5 The EIA which has been undertaken in support of the Scheme has considered and reflected the flexibility sought in the Draft DCO. The maximum design parameters referenced in the Draft DCO have been assessed in the Environmental Statement (**TR010039/APP/6.1**). Further details of the Applicant's approach to the Rochdale Envelope and flexibility within the Draft DCO is provided within Chapter 4 Environmental Assessment Methodology of the Environmental Statement (**TR010039/APP/6.1**).

6 Habitats Regulations Assessment

- 6.1 This Application includes a 'Report to Inform Habitats Regulation Assessment' (**TR010039/APP/6.9**) as required by Regulation 5(2)(g) of the APFP Regulations. This Report identifies all relevant European sites and provides sufficient information for the competent authority to determine whether the Scheme is likely to have an adverse effect on the integrity of any European site.
- 6.2 The Report was prepared in consultation with the Planning Inspectorate's 'Advice Note 10: Habitats Regulations Assessments'.
- 6.3 The Applicant has undertaken screening for the purposes of the Conservation of Habitats and Species Regulations 2017 and concluded that there are no likely significant effects on any European sites and their features. The accompanying Report to Inform Habitats Regulation Assessment (**TR010039/APP/6.9**) evidences this conclusion.

7 Compulsory Acquisition

- 7.1 The Applicant is seeking compulsory acquisition and temporary possession powers to acquire land, rights over land and interests in land, and other related powers to support the delivery of the Scheme. Details of the powers sought and negotiations with landowners to date, including those relating to Crown Land affected, are provided in the Book of Reference (**TR010039/APP/4.3**) and the Statement of Reasons (**TR010039/APP/4.1**). The Applicant will be writing to the relevant Crown body requesting consent under S135 of the PA 2008.
- 7.2 The adequacy of the funding for compensation is explained in the Funding Statement (**TR010039/APP/4.2**).

8 Other consents

- 8.1 Details of other consents and licences not forming part of the DCO which the Applicant (or others) may be seeking in relation to the construction and operation of the proposed Scheme and associated development, are set out in the Consents and Agreements Position Statement (**TR010039/APP/3.3**).

9 Pre-application consultation

- 9.1 As required by section 37(3)(c) of the PA 2008 a Consultation Report (**TR010039/APP/5.1**) accompanies this application; the Consultation Report details compliance with sections 42, 47, 48 and 49 of the 2008 Act.

10 Pre-Application engagement with the Inspectorate

- 10.1 The Applicant has had several meetings with the Planning Inspectorate to provide updates throughout the pre-application process including meetings on the 29th April 2020, the 7th January 2021 and the 28th May 2021. The Applicant has also considered, where appropriate, the advice provided by the Inspectorate in relation to the A47 Blofield to North Burlingham DCO application in producing the DCO documentation for this Scheme.

11 Other matters

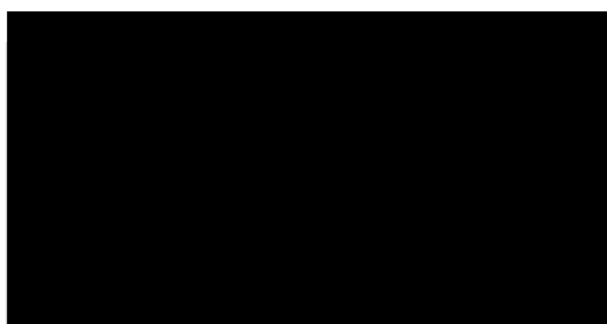
- 11.1 Under Regulation 6(2) of the APFP Regulations, an application for highway development is required to include section drawings; these can be found in the Engineering Drawings & Sections (**TR010039/APP/2.5**).
- 11.2 Under Regulation 5(3) of the APFP Regulations, any plans, drawings or sections must be scaled at (irrespective of the method of submission used) no larger than A0 size, shall be drawn to an identified scale (no smaller than 1:2500) and, in the case of plans, shall show the direction of north.
- 11.3 Several plans are provided at a scale smaller than 1:2500 as it is considered that the chosen scale is clearer and provides the information required. Those plans are as follows:
- The Location Plan (**TR010039/APP/2.1**) - at a scale smaller than 1:2500 to show the location of the Scheme in its wider geographical context.
 - Environmental Statement Figures (**TR010039/APP/6.2**) – information is presented at a scale appropriate for the particular topic.
- 11.4 Under Regulation 5(2)(l) of the APFP Regulations, an applicant is required to provide a plan and assessment of the following sites and features likely to be affected by the Scheme: statutory or non-statutory sites or features of nature conservation; habitats of protected species, important habitats or other diversity features; and water bodies in a river basin management plan. These plans are included within the Environmental Statement Figures (**TR010037/APP/6.2**) as Figures 7.2, 8.4, 8.5, 13.2 and 13.4. The relevant assessments are provided within the following chapters of the Environmental Statement (**TR010037/APP/6.1**): Chapter 5 Air Quality, Chapter 7 Landscape and Visual, Chapter 8 Biodiversity, and Chapter 13 Road Drainage and Water Environment.
- 11.5 There is an equivalent requirement under Regulation 5(2)(m) in relation to certain historic sites and features. The plans relating to historic sites and features are included within the Environmental Statement Figures (**TR010037/APP/6.2**) as Figures 6.1 (A-G) and Figures 6.2 (A-G). The relevant assessment is provided

within Chapter 6 Cultural Heritage and Chapter 7 Landscape and Visual of the Environmental Statement (**TR010037/APP/6.1**).

- 11.6 The Applicant will keep all application documents under review and will provide updates on any changes to the application documents during the course of the examination after considering questions and comments received from the Examining Authority and interested parties.

We look forward to hearing from you in relation to a formal acceptance of this Application. If we can be of any assistance, please do not hesitate to contact us using the details provided below.

Yours faithfully,



Craig Stirzaker
Project Manager
Highways England

Enclosures:

- Annex A: Overview of the Application Documents and Table of Application Documents
Annex B: Section 55 Acceptance of Applications Checklist (completed by the Applicant)

Annex A: Overview of the Application Documents

The reports, drawings and plans that make up the DCO application have been organised into 7 volumes as listed in the table below. The 7 volumes are explained in further detail in the Introduction to the Application (**TR010039/APP/1.3**).

	VOLUME	CONTENT
1	Application Form / Information / Background	This document, the completed application form and an introduction to the Scheme
2	Plans / Drawings / Sections	These include plans that illustrate the location of the Scheme, the proposed works, the land that will be acquired or used, and engineering details
3	Draft Development Consent Order	This is the document that sets out the legal powers that the Applicant is seeking to enable it to build, operate and maintain the Scheme, together with the Explanatory Memorandum, explaining the provisions of the Order, and the Consents and Licences Position Statement which sets out the strategy for obtaining the consents and associated agreements needed to implement the proposed Scheme
4	Compulsory Acquisition Information	Documents setting out in tabular form the land to be acquired or used, and reports justifying the seeking of compulsory acquisition powers over this land
5	Report / Statements	Reports including the Consultation Report and other Reports / Statements relevant for the specific DCO and not dealt with elsewhere in the application
6	Environmental Impact Assessment (EIA) Information	<p>An assessment of the likely significant effects (both positive and negative) of the Scheme on the environment and a description of mitigation measures proposed to reduce any negative impacts</p> <p>This Volume also includes other environmental reports including the Scoping Opinion, the Statement relating to Statutory Nuisance, the Masterplan and the Report to Inform the Habitats Regulations Assessment</p>

7	Other Documents	Additional documents that support the DCO application; these are not legally required but provide useful information on the case for the Scheme
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Table of Application Documents

A list of documents within the application is set out below. If you require a copy of any of the application documents, or parts of them, please contact the A47 Wansford to Sutton Project Team:

- **Email:** A47WansfordtoSuttonRIS@highwaysengland.co.uk
- **Telephone:** 0300 123 5000

A USB containing these documents will be provided free of charge; a reasonable charge for printing and distribution of, hard copies will be made.

VOLUME	DOCUMENT REFERENCE	DOCUMENT TITLE	FOLDER NUMBER
VOLUME 1: Application Form / Information/ Background	1.1	Application Form	Volume 1
	1.2	Covering Letter & Completed Section 55 Checklist	
	1.3	Introduction to the Application	
VOLUME 2: Plans / Drawings / Sections	2.1	Location Plan	Volume 2
	2.2	Land Plans	
	2.3	Works Plans	
	2.4	Rights of Way and Access Plans	
	2.5	Engineering Drawings & Section(s)	
	2.6	General Arrangement Plans	
	2.7	Drainage and Surface Water Plans	
	2.8	Crown Land Plans	
	2.9	De-trunking Plans	
	2.10	Traffic Regulation Plans	
	2.11	Classification of Roads Plans	
	2.12	Hedgerow Plans	
VOLUME 3: Draft Development Consent Order	3.1	Draft Development Consent Order	Volume 3
	3.2	Explanatory Memorandum	
	3.3	Consents and Agreements Position Statement	
VOLUME 4: Compulsory Acquisition Information	4.1	Statement of Reasons	Volume 4
	4.2	Funding Statement	
	4.3	Book of Reference	
VOLUME 5:	5.1	Consultation Report	Volume 5

Reports / Statements	5.2	Consultation Report Appendices	
VOLUME 6: Environmental Impact Assessment (EIA) Information	6.1	Environmental Statement	Volume 6
	6.2	Environmental Statement – Figures	
	6.3	Environmental Statement – Appendices	
	6.4	Environmental Statement – Non Technical Summary	
	6.5	Scoping Report	
	6.6	Scoping Opinion	
	6.7	Statement Relating to Statutory Nuisance	
	6.8	Environmental Masterplan	
	6.9	Report to Inform the Habitat Regulations Assessment	
VOLUME 7: Other Documents	7.1	Case for the Scheme	Volume 7
	7.2	National Networks National Policy Statement Accordance Table	
	7.3	Transport Assessment	
	7.4	Scheme Design Report	
	7.5	Environmental Management Plan	
	7.6	Outline Traffic Management Plan	
	7.7	Equality Impact Assessment	

Annex B: Section 55 Acceptance of Applications Checklist (completed by the Applicant)

Section 55 Acceptance of Applications Checklist (Completed by the Applicant)

A47 Wansford to Sutton

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
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	<p>Is the development a Nationally Significant Infrastructure Project¹ (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 Order² (DCO) under the Planning Act 2008 (the PA 2008), 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> <p>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?</p>	<p>The Scheme is a nationally significant infrastructure project ("NSIP") within sections 14(1)(h) and 22(1) of the PA 2008. Under section 22 an NSIP must fall within one of the three categories specified, which are expressly stated to be alternatives. The Scheme is wholly in England. The Applicant, as strategic highways company, will be the highway authority for the highway. The area of the land on which the part of the highway to be altered is situated and any adjoining land expected to be used in connection with its alteration is greater than the relevant limit set out in subsection (4), which in this case is 12.5 hectares. The speed limits on the Scheme will be 50mph or greater.</p> <p>This is consistent with the summary provided in the Application Form (TR010039/APP/1.1) at Section 4 which concludes that the application is 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 PA 2008)

3	Summary: Section 55(3)(a) and s55(3)(c)	The Applicant has demonstrated that the application as submitted is an application for an order granting development consent under the PA 2008.
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 5 February 2018 the Applicant notified the Secretary of State in writing under Regulation 8(1)(b) of the EIA Regulation 2017 that it proposed to provide an Environmental Statement in respect of the development. A copy of the notification letters is provided at Annex B of the Consultation Report Appendices (TR010039/APP/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?	It is anticipated that following submission of the application for development consent the Planning Inspectorate will invite relevant local authorities to provide a statement relating to the adequacy of the consultation. This is set out in the Planning Inspectorate's Advice Note Fourteen (April 2012)
Section 42: Duty to consult		
Did the Applicant consult the applicable persons set out in s42 of the PA 2008 about the proposed application?		
6	Section 42(1)(a) persons prescribed ⁵ ?	Yes. The Applicant has carried out 1 round of statutory consultation and 2 targeted statutory consultations with s42(1)(a) consultees prescribed under

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 PA 2008 provides that the Planning Inspectorate must have regard to the Consultation Report, and any Adequacy of Consultation Representations received

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

		<p>Schedule 1 of the APFP Regulations. The details of each consultation are set out below:</p> <p>Full Statutory Consultation</p> <p><i>18 September 2018 to 12 November 2018</i></p> <p>The Applicant undertook full statutory consultation between 18 September 2018 and 12 November 2018 on the proposals to improve the Wansford to Sutton section of the A47 to a new dual carriageway running close to the existing A47. A letter and consultation pack were sent to section 42(1) consultees on 14 September 2018 as detailed in Chapter 3 of the Consultation Report (TR010039/APP/5.1).</p> <p>Targeted Statutory Consultation</p> <p><i>19 October 2020 to 19 November 2020</i></p> <p>The Applicant carried out targeted statutory consultation between 19 October 2020 and 19 November 2020. The proposals had been amended to reflect the feedback from the 2018 statutory consultation and further work had been undertaken to progress the design. Consultation was undertaken with section 42 parties that had been identified post the 2018 statutory consultation and with parties whose land would be affected differently as a result of changes to the proposals. A letter and consultation pack were sent 19 October 2020 as detailed in Chapter 3 of the Consultation Report (TR010039/APP/5.1).</p> <p>Although not statutory consultation the Applicant also issued a letter and a project update brochure to local residents and businesses within the Consultation Zone. The Applicant also sent this information to stakeholders. A copy of the letter and the project update brochure are provided in Annex L of the Consultation Report (TR010039/APP/5.2).</p> <p><i>10 May 2021 to 9 June 2021</i></p> <p>The Applicant carried out targeted statutory consultation between 10 May 2021 and 9 June 2021 with a small number of land interests and statutory utilities. Following discussions with Historic England a minor change to the alignment had allowed the area identified for flood storage to be reduced. Minor changes had</p>
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		<p>also been made to the areas identified for the diversion of utilities and extended passing places had been added to the Upton Drift.</p> <p>A copy of the letter sent on the 6 May 2021 is provide in Annex L of the Consultation Report (TR010039/APP/5.2). Further details can be found in Chapter 3 of the Consultation Report (TR010039/APP/5.1).</p>
7	Section 42(1)(aa) the Marine Management Organisation ⁶ ?	Not applicable – the Marine Management Organisation is not a relevant consultee in respect of the Scheme.
8	Section 42(1)(b) each local authority within s43 ⁷ ?	<p>Yes</p> <p>The Applicant has consulted with local authorities within s42(1)(b) of the PA 2008, between 18 September 2018 and 12 November 2018. A letter and consultation pack were sent to section 43 consultees on 14 September 2018. These were:</p> <p>A Authorities</p> <ul style="list-style-type: none"> • South Kesteven District Council • South Holland District Council • East Northamptonshire Council • Fenland District Council • South Cambridgeshire District Council • East Cambridgeshire District Council • Bedford Borough Council • Central Bedfordshire Council

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 PA 2008

⁷ Definition of 'local authority' in s43(3) of the PA 2008: 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>B / C Authorities</p> <ul style="list-style-type: none"> • Peterborough City Council (the host Authority) • Huntingdonshire District Council • Cambridgeshire County Council <p>D Authorities</p> <ul style="list-style-type: none"> • Northamptonshire County Council • Lincolnshire County Council • Hertfordshire County Council • Suffolk County Council • Norfolk County Council • Essex County Council
9	Section 42(1)(c) the Greater London Authority (if in Greater London area)?	Not applicable - – the Scheme does not fall within Greater London and as a result Greater London Authority is not a relevant consultee in respect of the Scheme.
10	Section 42(1)(d) each person in one or more of s44 categories ⁸ ?	<p>Yes.</p> <p><i>18 September 2018 to 12 November 2018</i></p> <p>The Applicant has consulted each person in one or more section 44(1)(d) categories between 18 September 2018 and 12 November 2018 as outlined in Chapter 3 of the Consultation Report (TR010039/APP/5.1).</p> <p>Targeted Statutory Consultation</p> <p><i>19 October 2020 to 19 November 2020</i></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>The Applicant carried out targeted statutory consultation between 19 October 2020 and 19 November 2020. The proposals had been amended to reflect the feedback from the 2018 statutory consultation and further work had been undertaken to progress the design. A letter and consultation pack were sent to section 42(1)(d) consultees on the 19 October 2020 as detailed in Chapter 3 of the Consultation Report (TR010039/APP/5.1).</p> <p><i>10 May 2021 to 9 June 2021</i></p> <p>The Applicant carried out targeted statutory consultation between 10 May 2021 and 9 June 2021 with a small number of land interests and statutory utilities. Following discussions with Historic England a minor change to the alignment had allowed the area identified for flood storage to be reduced. Minor changes had also been made to the areas identified for the diversion of utilities and extended passing places had been added to the Upton Drift.</p> <p>A letter and supporting information consultation pack were sent to section 42(1)(d) consultees on the 6 May 2021. Further details can be found in Chapter 3 of the Consultation Report (TR010039/APP/5.1).</p> <p>A Book of Reference (TR010039/APP/4.3) of all land interests is provided as part of the Development Consent Order; all consultees under section 42(1)(d) are identified in the document.</p> <p>The Statement of Reasons (TR010039/APP/4.1) sets out how the Applicant has undertaken diligent inquiry to identify those consultees defined by section 44 of the PA 2008.</p>
Section 45: Timetable for s42 consultation		
11	Did the Applicant notify s42 consultees of the deadline for receipt of consultation responses; and if so was the deadline notified by the Applicant 28 days or more starting with the day after receipt of the consultation documents?	<p>Yes.</p> <p><i>18 September 2018 to 12 November 2018</i></p> <p>A letter was sent to all section 42 consultees on 14 September 2018 as detailed in Chapter 3 of the Consultation Report (TR010039/APP/5.1). The letter gave a</p>

		<p>deadline of the 12 November 2018 for receipt of responses providing a total of 67 days.</p> <p>Sample letters are provided at Annex L of the Consultation Report Appendices (TR010039/APP/5.2).</p> <p>Targeted Statutory Consultation</p> <p><i>19 October 2020 to 19 November 2020</i></p> <p>A letter was sent to the a small number of section 42(1)(d) consultees on 19 October 2020 as detailed in Chapter 3 of the Consultation Report (TR010039/APP/5.1). The letter gave a deadline of the 19 November 2020 for receipt of responses providing a total of 30 days.</p> <p>Sample letters are provided at Annex L of the Consultation Report Appendices (TR010039/APP/5.2).</p> <p><i>10 May 2021 to 9 June 2021</i></p> <p>A letter was sent to a small number of section 42(1)(d) consultees and statutory utilities on 6 May 2021 as detailed in Chapter 3 of the Consultation Report (TR010039/APP/5.1). The letter gave a deadline of the 9 June 2021 for receipt of responses providing a total of 31 days.</p> <p>A sample letter is provided at Annex L of the Consultation Report Appendices (TR010039/APP/5.2).</p>
Section 46: Duty to notify the Planning Inspectorate of proposed application		
12	<p>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>	<p>Yes.</p> <p>The Applicant gave notice under section 46 of the PA 2008 on 14 September 2018 prior to the start of the section 42 consultation on 18 September 2018. This is set out in Chapter 3 of the Consultation Report (TR010039/APP/5.1).</p> <p>A copy of the section 46 notification is provided at Annex H of the Consultation Report Appendices (TR010039/APP/5.2).</p>

Section 47: Duty to consult local community		
13	Did the Applicant prepare a Statement of Community Consultation (SoCC) on how it intended to consult people living in the vicinity of the land?	<p>Yes.</p> <p>A copy of the published SoCC for the statutory consultations is provided at Annex F of the Consultation Report Appendices (TR010039/APP/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 identified Peterborough City Council, Cambridgeshire County Council and Huntingdonshire District Council as the host local authorities for the purposes of the preparation of the SoCC. The Applicant also chose to consult more widely with other authorities and community representatives on the draft SoCC. Details of these authorities are included in Table 3.4 of the Consultation Report (TR010039/APP/5.1).</p> <p>The Applicant wrote to Peterborough City Council, Cambridgeshire County Council and Huntingdonshire District Council, and the other authorities on 1 August 2018 requesting comments on the draft SoCC by 29 August 2018. The authorities were therefore provided 28 calendar days to provide comments. A copy of the letter is provided in Annex D of the Consultation Report (TR010039/APP/5.2).</p> <p>A copy of the Draft SOCC is provided in Annex C of the Consultation Report Appendices (TR010039/APP/5.2).</p> <p>Peterborough City Council provided feedback on the Draft SoCC on 10 August 2018, Cambridgeshire County Council responded on the 9 August and the 28 August 2018, and Huntingdonshire District Council provided a response on 29 August 2018. Copies of the responses are provided in Annex E of the Consultation Report Appendices (TR010039/APP/5.2).</p>
15	Has the Applicant had regard to any responses received when preparing the SoCC?	<p>Yes.</p>

		The Applicant has set out in Table 3.1, Chapter 3 of the Consultation Report (TR010039/APP/5.1) how the responses received as a result of consultation on the SoCC were taken into account when finalising the SoCC.
16	Has the SoCC been made available for inspection in a way that is reasonably convenient for people living in the vicinity of the land; and has a notice been published in a newspaper circulating in the vicinity of the land which states where and when the SoCC can be inspected?	<p>Yes</p> <p>The SoCC was made available at places which are reasonably convenient to the location of the Scheme. Details of the locations and dates that the SoCC was available to view is provided in Chapter 3, of the Consultation Report (TR010039/APP5.1).</p> <p><i>18 September 2018 to 12 November 2018</i></p> <p>A notice stating when and where it could be inspected was published in the Peterborough Telegraph (the newspaper circulating in the vicinity of the land) on 20 September 2018. Details are provided in Chapter 3 of the Consultation Report (TR010039/APP5.1).</p> <p>Copies of the newspaper notices are included in Annex G of the Consultation Report Appendices (TR010039/APP/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?	The SoCC set out how the environmental assessment, potential environmental impacts and the environmental mitigation measures would be contained within a Preliminary Environmental Information Report, the locations where that would be made available and a link to the project website.
18	Has the Applicant carried out the consultation in accordance with the SoCC?	<p>Yes</p> <p>The Applicant has set out in Chapter 3 of the Consultation Report (TR010039/APP/5.1) the activities that have been carried out and how the commitments in the SoCC have been met.</p>
Section 48: Duty to publicise the proposed application		

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

19	Did the Applicant publicise the proposed application in the prescribed manner set out in Regulation 4(2) of the APFP Regulations?	Yes The Applicant has provided details of the newspapers and dates of section 48 publicity in Chapter 3 of the Consultation Report (TR010039/APP5.1) and as listed out below. Copies of all newspaper notices are included in Annex G of the Consultation Report Appendices (TR010039/APP/5.2).															
		<table> <tr> <th colspan="2">Newspaper(s)</th><th>Date</th></tr> <tr> <td>a)</td><td>for at least two successive weeks in one or more local newspapers circulating in the vicinity in which the Proposed Development would be situated;</td><td>Cambridge News Peterborough Telegraph 18 September 2018 and 25 September 2018 20 September 2018</td></tr> <tr> <td>b)</td><td>once in a national newspaper;</td><td>The Guardian 18 September 2018</td></tr> <tr> <td>c)</td><td>once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and</td><td>London Gazette 18 September 2018</td></tr> <tr> <td>d)</td><td>where the proposed application relates to offshore development – (i) once in Lloyds List; and (ii) once in an appropriate fishing trade journal?</td><td>Not Applicable</td></tr> </table>	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;	Cambridge News Peterborough Telegraph 18 September 2018 and 25 September 2018 20 September 2018	b)	once in a national newspaper;	The Guardian 18 September 2018	c)	once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and	London Gazette 18 September 2018	d)	where the proposed application relates to offshore development – (i) once in Lloyds List; and (ii) once in an appropriate fishing trade journal?	Not Applicable
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;	Cambridge News Peterborough Telegraph 18 September 2018 and 25 September 2018 20 September 2018															
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d)	where the proposed application relates to offshore development – (i) once in Lloyds List; and (ii) once in an appropriate fishing trade journal?	Not Applicable															
20	Did the s48 notice include the required information set out in Regulation 4(3) of APFP Regulations?	Yes The section 48 notice for the statutory consultation is provided at Annex G of the Consultation Report Appendices (TR010039/APP/5.2) and 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	3	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 of the Proposed Development) and times set out in the notice	4	f)	the latest date on which those documents, plans and maps will be available for inspection	5
g)	whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge	5	h)	details of how to respond to the publicity	7
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	11			
21	Are there any observations in respect of the s48 notice provided above?				
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 ?		Yes The notice was sent to the EIA consultation bodies and any persons notified to the Applicant in accordance with the EIA Regulations on 14 September 2018 as part of the statutory consultation. Details can be found in Chapter 3 of the Consultation Report (TR010039/APP/5.1) .		

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

		A copy of the section 48 notice is provided in Annex G and Annex I of the Consultation Report Appendices (TR010039/APP/5.2).
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>The Applicant has set out in Chapter 4 of the Consultation Report (TR010039/APP/5.1) and Annexes N and O of the Consultation Report Appendices (TR010039/APP/5.2) how the Applicant has had regard to the consultation responses received.</p> <p>It has also described, in Chapter 4 of the Consultation Report (TR010039/APP/5.1), the consideration given to responses that lead to a change in the Scheme design and in Annexes N and O the consideration given to responses that did not lead to a change in the Scheme design.</p>
Guidance about pre-application procedure		
24	To what extent has the Applicant had regard to statutory guidance 'Planning Act 2008: Guidance on the pre-application process' ¹¹ ?	Chapter 5 of the Consultation Report (TR010039/APP/5.1) explains how the Applicant has had regard to the statutory guidance on the pre-application process and the Applicant's approach to consultation.
25	Summary: Section 55(3)(e)	
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:	The application is made in the prescribed form and explains why it falls within the remit of the Planning Inspectorate in Section 4 of the Application Form (TR010039/APP/1.1).

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

	<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?	Section 6 of the Application Form provides a brief statement that describes the location of the proposed route and a more detailed description is provided in Chapter 2: The Proposed Scheme of the Environmental Statement (TR010039/APP/6.1) . The location of the Scheme is shown on the Location Plan (TR010039/APP/2.1) .			
27	Is it accompanied by a Consultation Report?	Yes The application is accompanied by a Consultation Report (TR010039/APP/5.1) and Consultation Report Appendices (TR010039/APP/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, Key Plans are provided for all plans within Volume 2 of the Development Consent Order application which comprises three or more separate sheets. The Key Plans show the relationship between the different sheets. Key plans are also provide for Figures in the ES (TR010039/APP/6.2) which comprise three or more separate sheets.			
29	Is it accompanied by the documents and information set out in APFP Regulation 5(2)?				
Information		Document	Information		Document
a)	Where applicable, the Environmental Statement required under the EIA Regulations ¹³ and any scoping or screening opinions or directions	Yes. The application is accompanied by an Environmental Statement (TR010039/APP/6.1) , Environmental Statement Figures (TR010039/APP/6.2) , Environmental Statement	b)	The draft Development Consent Order (DCO)	Yes. The application is accompanied by the Draft Development Consent Order (TR010039/APP/3.1) in the validated statutory instrument template.

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

c)		<p>Appendices (TR010039/APP/6.3), and a Non Technical Summary (TR010039/APP/6.4).</p> <p>A copy of the Scoping Report (TR01004/APP/6.5) and the Opinion (TR01004/APP/6.6) are provided</p>		
	Is this of a satisfactory standard?			
	An Explanatory Memorandum explaining the purpose and effect of provisions in the draft DCO	<p>Yes.</p> <p>The application is accompanied by the Explanatory Memorandum (TR010039/APP/3.2) to the Draft Development Consent Order (TR010039/APP/3.1).</p>	d)	<p>Where applicable, a Book of Reference (where the application involves any Compulsory Acquisition)</p> <p>Yes.</p> <p>The application is accompanied by the Book of Reference (TR010039/APP/4.3) which meets the requirements of the statutory guidance 'Planning Act 2008: guidance related to procedures for the compulsory acquisition of land'.</p>
	Is this of a satisfactory standard?			
e)	A copy of any Flood Risk Assessment	<p>Yes.</p> <p>The application is accompanied by a Flood Risk Assessment at Appendix 13.1 of the Environmental Statement (TR010039/APP/6.3).</p>	f)	<p>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</p> <p>Yes.</p> <p>The application is accompanied by a Statement relating to Statutory Nuisances (TR010039/APP/6.7).</p>

	Is this of a satisfactory standard?		Is this of a satisfactory standard?	
h)	A Statement of Reasons and a Funding Statement (where the application involves any Compulsory Acquisition)	Yes. The application is accompanied by a Statement of Reasons (TR010039/APP/4.1) and a Funding Statement (TR010039/APP/4.2) .	i)	<p>A Land Plan identifying:-</p> <ul style="list-style-type: none"> (i) the land required for, or affected by, the Proposed Development; (ii) where applicable, any land over which it is proposed to exercise powers of Compulsory Acquisition or any rights to use land; (iii) any land in relation to which it is proposed to extinguish easements, servitudes and other private rights; and (iv) any special category land and replacement land <p>Yes.</p> <p>Land Plans (TR010039/APP/2.2) are provided.</p> <p>The Land Plans accord with Regulation 5(2)(i) of APFP Regulations. The Land Plans identify:</p> <ul style="list-style-type: none"> (i) all land that is required for or affected by the proposed Scheme; (ii) any land over which it is proposed to exercise powers of compulsory acquisition or rights to use land; and (iii) any land in relation to which it is proposed to extinguish easements, servitudes or other private rights. <p>Plots and descriptions listed within the Book of Reference (TR010039/APP/4.3) are consistent with the plots shown on the Land Plans. There is no special category land within the Scheme.</p>

j)	Is this of a satisfactory standard?		k)	Is this of a satisfactory standard?	
	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 in the draft DCO	Yes. Works Plans (TR010039/APP/2.3) are provided. The Works Plans accord with Regulation 5(2)(j) of the APFP Regulations, and show the proposed route and alignment of the development and the limits within which the works are proposed to be carried out.		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	Yes. Rights of Way and Access Plans (TR010039/APP/2.4) are provided. The plans accord with Regulation 5(2)(k) of the APFP Regulations.
l)	Is this of a satisfactory standard?		m)	Is this of a satisfactory standard?	
	Where applicable, a plan with accompanying information identifying:- (i) any statutory/ non-statutory sites or features of nature conservation eg sites of geological/ landscape importance; (ii) habitats of protected species, important	The information in relation to Regulation 5(2)(l)(i) is within Figure 7.2 Landscape Context and Figure 8.2 Designated Sites and Priority Habitats of the Environmental Statement (TR010039/APP/6.2) . The information in relation Regulation 5(2)(l)(ii) is within Figure 8.2 Designated Sites and Priority Habitats of the		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,	The information in relation to 5(2)(m) is within Figure 6.1: Cultural Heritage Designated Assets and Figure 6.2: Cultural Heritage Non Designated Assets of the Environmental Statement (TR010039/APP/6.2) . The assessment of any effects on such sites, features or structures likely to be caused by the Scheme is presented in Chapter 6: Cultural Heritage and Chapter 7: Landscape and Visual of

n)	habitats or other diversity features; and (iii) water bodies in a river basin management plan, together with an assessment of any effects on such sites, features, habitats or bodies likely to be caused by the Proposed Development	Environmental Statement (TR010039/APP/6.2) . The information in relation Regulation 5(2)(l)(iii) is within Figure 13.2 WFD Surface Water Bodies and Figure 13.4 WFD Groundwater Bodies of the Environmental Statement (TR010039/APP/6.2) . The assessment of any effects on such sites, features, habitats or bodies likely to be caused by the Scheme is presented in Chapter 5: Air Quality, Chapter 7: Landscape and Visual, Chapter 8 Biodiversity, and Chapter 13: Road Drainage and Water Environment of the Environmental Statement (TR010039/APP/6.1) .	o)	features or structures likely to be caused by the Proposed Development	the Environmental Statement (TR010039/APP/6.1) .
	Is this of a satisfactory standard?			Is this of a satisfactory standard?	
	Where applicable, a plan with any accompanying information identifying any Crown land	Crown Land Plans (TR010039/APP/2.8) are provided.		Any other plans, drawings and sections necessary to describe the development consent proposal showing details of design, external appearance, and the preferred layout of buildings/ structures, drainage, surface water management, means of	Yes. The application is accompanied by: <ul style="list-style-type: none"> • Engineering Drawings and Sections (TR010039/APP/2.5); • General Arrangement Plans (TR010039/APP/2.6);

p)			q)	vehicular and pedestrian access, any car parking and landscaping	<ul style="list-style-type: none"> • Drainage and Surface Water Plans (TR010039/APP/2.7); • De-trunking Plans (TR010039/APP/2.9); • Traffic Regulation Plans (TR010039/APP/2.10) • Classification of Roads Plans (TR010039/APP/2.11); • Hedgerow Plans TR010039/APP/2.12); and • Environmental Masterplan (TR010039/APP/6.8).
	Is this of a satisfactory standard?			Are they of a satisfactory standard?	
	Any of the documents prescribed by Regulation 6 of the APFP Regulations:	<p>As the proposed Scheme is highway related development, the application is required to supply section drawings in accordance with Regulation 6(2) APFP Regulations.</p> <p>This information is provided in the Engineering Drawings and Sections (TR010039/APP/2.5) and the Drainage and Surface Water Plans (TR010039/APP/2.7).</p>		Any other documents considered necessary to support the application	<p>The application comprises other documents considered necessary to support the application, as listed in Section 23 of the Application Form (TR010039/APP/1.1).</p> <p>These are:</p> <ul style="list-style-type: none"> • Covering letter and schedule of compliance with Section 55 (TR010039/APP/1.2) • Introduction to the Application (TR010039/APP/1.3) • Environmental Masterplan (TR010039/APP/6.8)

				<ul style="list-style-type: none"> • Case for the Scheme (TR010039/APP/7.1) • National Policy Statement for National Networks Accordance Table (TR010039/APP/7.2) • Transport Assessment (TR010039/APP/7.3) • Scheme Design Report (TR010039/APP/7.4) • Environmental Management Plan (TR010039/APP/7.5) • Outline Traffic Management Plan (TR010039/APP/7.6) • Equality Impact Assessment (TR010039/APP/7.7)
	Are they of a satisfactory standard?			Are they of a satisfactory standard?
30	Are there any observations in respect of the documents provided at Box 29 (a) to (q) above?			
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	<p>Yes</p> <p>A Report to Inform a Habitats Regulation Assessment (HRA) (TR010039/APP/6.9) accompanies the application.</p> <p>No significant impacts on European Sites are anticipated as a result of the Scheme</p>		

	implications for the site if required by Regulation 48(1)? ¹⁴	
32	If requested by the Planning Inspectorate, two paper copies of the application form and other supporting documents and plans ¹⁵	
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?	The statutory guidance 'Planning Act 2008: Application form guidance' has been used to prepare the application form. Applicant believes that the application has been prepared to the standards that the Planning Inspectorate considers satisfactory.
34	Summary - s55(3)(f) and s55(5A)	
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 ?	Yes

Role	Electronic signature	Date
Case Manager		
Acceptance Inspector		

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

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

¹⁶ The Planning Inspectorate must charge the Applicant a fee in respect of the decision by the Planning Inspectorate under section 55 of the PA 2008. 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