

A47 Blofield to North Burlingham Dualling

Scheme Number: TR010040

Volume 1 **1.2 Covering Letter and s55 Checklist**

APFP Regulation 5(2)(q)

Planning Act 2008

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

December 2020

Infrastructure Planning

Planning Act 2008

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

A47 Blofield to North Burlingham
Development Consent Order 202[x]

COVERING LETTER AND SECTION 55 CHECKLIST

Regulation Number:	Regulation 5(2)(q)
Planning Inspectorate Scheme Reference	TR010040
Application Document Reference	1.2
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Version	Date	Status of Version
Rev 0	December 2020	Application Submission

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

30th December 2020

Dear Sir/Madam

Planning Act 2008
Application for a Development Consent Order for the proposed A47 Blofield to North Burlingham Scheme
Highways England
Application Reference TR010040

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 Blofield to North Burlingham 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) of the 2008 Act.
- 1.2 Further detail concerning the Scheme’s qualification as a NSIP can be found in the prescribed form within the Application Form (**TR010040/APP/1.3**) and in the Explanatory Memorandum (**TR010040/APP/3.2**).

2 Application fee and documentation enclosed

- 2.1 A fee of £7227 has been submitted by BACS transfer to the account of the Planning Inspectorate (the Inspectorate).
- 2.2 It has been agreed with the 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:
- Masterplan (**TR010040/APP/6.8**)
 - The Transport Assessment (**TR010040/APP/7.3**)
 - The Scheme Design Report (**TR010040/APP/7.6**)

- Environmental Management Plan (**TR010040/APP/7.7**)
- Outline Traffic Management Plan (**TR010040/APP/7.8**)
- Equality Impact Assessment (**TR010040/APP/7.9**)

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 Development Consent Order application submission, as advised by 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 2008 Act and the application documents comply with the requirements in Section 37 of the 2008 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 We request that the Inspectorate publish (with the exception of the Confidential Badger Survey Report (Appendix 8.6 to the ES (**TR010040/APP/6.2**) as this document contains confidential information pertaining to species protected under the Protection of Badgers Act 1992 and The Wildlife and Countryside Act 1981) the application documents on the A47 Blofield to North Burlingham Scheme project page of the National Infrastructure website from submission of the application.

4 Description of the Scheme

4.1 A non-technical description of the Scheme is provided in the Introduction to the Application (**TR010040/APP/1.1**). A more detailed and technical description is provided in Chapter 2: The Proposed Scheme, of the Environmental Statement (**TR010040/APP/6.1**).

5 Consent flexibility

5.1 The Applicant has considered the National Networks National Policy Statement together with pre-application advice provided by the Inspectorate

5.2 Where appropriate, limits of deviation 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 as shown on the Works Plans and vertical deviation limits to a maximum of 1 metre upwards or 1 metre downwards for:

- the alteration of the A47(T) trunk road
- improvements to the junction of Yarmouth Road with the A47(T) trunk road
- improvements to Yarmouth Road
- alterations to the junction of High Noon Lane and Yarmouth Road
- the Blofield Overbridge
- the new carriageway and footways, embankment and approach to form the northern approach to the Blofield Overbridge
- the westbound compact connector road from the altered A47 to the B1140
- the B1140 Overbridge
- the embankment, carriageway, footways and southern approach to the B1140 Overbridge
- the embankment, carriageway, footways and northern approach to the B1140 Overbridge

5.4 The limits of deviation have been determined based on the design and construction factors, and have been taken into consideration as part of the EIA.

5.5 The application has assessed and seeks permission for the worst case scenario of implementing the scheme. For example, the extents of features such as soakaways and the infiltration basins are shown as the maximum extents required for these features and they may, following detailed design, be amended and set within the footprint shown.

5.6 The Environmental Impact Assessment (EIA) which was undertaken in support of the A47 Blofield to North Burlingham 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 **(TR010040/APP/6.1)**.

5.7 Further detail on the Applicant's is provided within Chapter 2 of the Environmental Statement, The Proposed Scheme, **(TR010040/APP/6.1)**.

6 Habitats Regulations Assessment

- 6.1 This Application includes a 'Report to Inform Habitats Regulation Assessment' (**TR010040/APP/6.9**) as required by Regulation 5(2)(g) of the APFP Regs. 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 habitats regulations and concluded that there are no likely significant effects on any European sites and their features. The accompanying Report to Inform Habitats Regulations Assessment (**TR010040/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 on the powers sought and negotiations to date, including those relating to Crown land affected, are provided in the Book of Reference (**TR010040/APP/4.3**) and the Statement of Reasons (**TR010040/APP/4.1**). The Applicant has written to the relevant Crown body requesting consent under S135 of the 2008 Act.
- 7.2 Adequacy of the funding for compensation is provided in the Funding Statement (**TR010040/APP/4.2**).

8 Other consents

- 8.1 Details of other consents and licences not forming part of the Development Consent Order 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 Licences Position Statement (**TR010040/APP/3.3**).

9 Pre-application consultation

- 9.1 As required by section 37(3)(c) a Consultation Report (**TR010040/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 In this regard there have been several meetings and conference calls held providing updates throughout the process and a selected set of draft documents were shared with the Inspectorate in August 2020. As part of this draft submission, the following core DCO documents were submitted for review:

- Draft Development Consent Order (**TR010040/APP/3.1**)
- Draft Explanatory Memorandum to the Draft Development Consent Order (**TR010040/APP/3.2**)
- Draft Consultation Report (**TR010040/APP/5.1**)
- Sample Draft Book of Reference (**TR010040/APP/4.3**)
- Draft Land Plans (**TR010040/APP/2.2**)
- Draft Works Plans (**TR010040/APP/2.3**)
- Draft Statement of Reasons (**TR010040/APP/4.1**)
- Draft Funding Statement (**TR010040/APP/4.2**)
- Draft Consents and Licences Position Statement (**TR010040/APP/3.3**)
- Draft Environmental Statement (first four chapters) (**TR010040/APP/6.1**).

10.2 The Inspectorate provided comments to the Applicant on these draft documents and a call was subsequently arranged to discuss the comments of the Inspectorate on 8 September 2020. These updates were considered and appropriate amendments made before the final version of the application has been submitted.

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 as the Engineering Drawings & Sections (**TR010040/APP/2.5**).

11.2 Under Regulation 5(3) of the APFP Regulations, any plans, drawings or sections shall 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 no smaller than 1:2500 as it is considered that the chosen scale is clearer and provides the information required. Those plans are as follows:

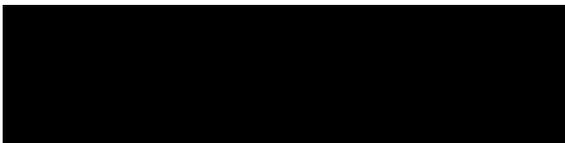
- The Location Plan (**TR010040/APP/2.1**) - at a scale smaller than 1:2500 to show the location of the Scheme in its wider geographical context.
- Environmental Statement Figures (**TR010040/APP/6.2**) – information is presented at a scale appropriate for the particular topic.

11.4 Under Regulation 5(2)(l) of the APFP Regulations, an applicant is required to provide a plan of certain nature conservation sites and an assessment of any effects on those sites and features likely to be caused by the proposed development. There is an equivalent requirement under Regulation 5(2)(m) in relation to certain historic sites and features. The Plans are included within the Environmental Statement (**TR010040/APP/6.3**) as Figures 6.1 – 6.3 and 8.1 – 8.2 respectively. The assessments are provided within the Environmental Statement (**TR010040/APP/6.1**), at Chapter 6 Cultural Heritage and Chapter 8 Biodiversity.

- 11.5 The application submission is accompanied by a Case for the Scheme document (**TR010040/APP/7.1**) and the NNNPS Accordance Tables (**TR010040/APP/7.2**) which describe the compliance of the Scheme with the National Networks National Policy Statement along with relevant national and local policies and plans.
- 11.6 The Applicant will keep all application documents under review and will endeavour to provide updates (where it considers it necessary to do so) during the examination of the application 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,



Nikki Rowley-Todd
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 (**TR010040/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	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 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

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 Blofield to North Burlingham Project Team:

- [REDACTED]

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	Introduction to the Application	Volume 1
	1.2	Covering Letter & Completed Section 55 Checklist	
	1.3	Application Form	
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	Hedgerow Plans	
	2.10	De-trunking Plans	
	2.11	Traffic Regulation Plans	
	2.12	Classification of Roads Plans	
VOLUME 3: Draft Development Consent Order	3.1	Draft Development Consent Order	Volume 3
	3.2	Explanatory Memorandum	
	3.3	Consents and Licences 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: Reports / Statements	5.1	Consultation Report	Volume 5
	5.2	Consultation Report Appendices	
VOLUME 6: Environmental Impact Assessment (EIA) Information	6.1	Environmental Statement	Volume 6
	6.2	Environmental Statement – Appendices	
	6.3	Environmental Statement – Figures	
	6.4	Environmental Statement – Non Technical Summary	
	6.5	Not Used	
	6.6	Scoping Opinion	
	6.7	Statement Relating to Statutory Nuisance	
	6.8	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 (NNNPS) Accordance Table	
	7.3	Transport Assessment	
	7.4	Not Used	
	7.5	Not Used	
	7.6	Scheme Design Report	
	7.7	Environmental Management Plan	
	7.8	Outline Traffic Management Plan	
	7.9	Equality Impact Assessment	

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

Section 55 Acceptance of Applications Checklist

Section 55 of the Planning Act 2008 can be viewed at [legislation.gov.uk](http://www.legislation.gov.uk), here:

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

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

Section 55(2) Acceptance of Applications				
1	Within 28 days (starting day after receipt) the Planning Inspectorate must decide whether or not to accept the application for Examination.	Date received	28 day due date	Date of decision
Section 55(3) – the Planning Inspectorate may only accept an application if it concludes that:			Planning Inspectorate comments	
Section 55(3)(a) and s55(3)(c): It is an application for an order granting development consent				
2	Is the development a Nationally Significant Infrastructure Project ¹ (NSIP) (or does it form part of an NSIP); and does the application state on the face of it that it is an application for a Development Consent Order ² (DCO) under the Planning Act 2008 (the PA2008), or equivalent words? Does the application specify the development to which it relates (i.e. which category or categories in ss14 to 30 does the Proposed Development fall)?	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.		

¹ NSIP is defined generally in s14 with the detailed thresholds for each of the specified categories being set out in ss15 to 30

² Development consent is required for development to the extent that the development is or forms part of an NSIP (s31 of the PA2008)

	If the development does not fall within the categories in ss14 to 30, has a direction been given by the Secretary of State under s35 of the PA2008 for the development to be treated as development for which development consent is required?	This is consistent with the summary provided in the Application Form (TR010040/APP/1.3) at Section 4 which concludes that the application is an NSIP.
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 2008 Act.
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 th 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 C of the Consultation Report Appendices (TR010040/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 PA2008 about the proposed application?		

³ Regulation 8 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (2017 EIA Regulations), or where Regulation 37 of the 2017 EIA Regulations applies, Regulation 6 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (2009 EIA Regulations)

⁴ Section 55(4) of the PA2008 provides that the Planning Inspectorate must have regard to the Consultation Report, and any Adequacy of Consultation Representations received

6	Section 42(1)(a) persons prescribed ⁵ ?	<p>Yes. The Applicant has carried out 1 round of statutory consultation and 2 targeted statutory consultations with s42(1)(a) consultees prescribed under Schedule 1 of the APFP Regulations. The details of each consultation are set out below:</p> <p>Full Statutory Consultation</p> <p><i>10 September 2018 to 19 October 2018</i></p> <p>The Applicant undertook full statutory consultation between 10 September 2018 and 19 October 2018 on the proposals to upgrade the Blofield to North Burlingham section of the A47 to a new dual carriageway running to the south of the existing A47. A letter and consultation pack were sent to section 42(1) consultees on 7 September 2018 as detailed in Chapter 3 of the Consultation Report (TR010040/APP/5.1).</p> <p>Targeted Statutory Consultation</p> <p><i>11 September 2020 to 9 October 2020</i></p> <p>The Applicant carried out targeted statutory consultation between 11 September 2020 and 9 October 2020 2019. The proposals had been amended to reflect the further work that had been undertaken to progress the design, including detail on the land that will be required for the diversion of utilities. Consultation was undertaken with S42 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 and consultation pack were sent 8 September 2020 as detailed in Chapter 3 of the Consultation Report (TR010040/APP/5.1).</p> <p><i>16 October 2020 to 16 November 2020</i></p> <p>The Applicant carried out targeted statutory consultation between 16 October 2020 and 16 November 2020 with the Blofield Allotment Holders. The Parish Council as leaseholder of the allotment land had been included in the 10 September to 19 October 2018 Consultation. A letter and consultation pack were</p>
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⁵ Statutory consultees set out in Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (APFP Regulations)

		sent on the 14 October 2020. Further details can be found in Chapter 3 of the Consultation Report (TR01004/APP/5.1) .
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 2008 Act, between 10 September 2018 and 19 October 2018. A letter and consultation pack were sent to section 43 consultees on 7 September 2018. These are:</p> <ul style="list-style-type: none"> i) Norfolk County Council (the host Authority) ii) North Norfolk District Council iii) Breckland District Council iv) South Norfolk District Council v) Norwich City Council vi) Great Yarmouth Borough Council vii) The Broads Authority viii) Broadland District Council ix) Cambridgeshire County Council x) Lincolnshire County Council xi) Suffolk 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

⁶ In any case where the Proposed Development would affect, or would be likely to affect, any of the areas specified in s42(2) of the PA2008

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

		Scheme.
10	Section 42(1)(d) each person in one or more of s44 categories ⁸ ?	<p>Yes.</p> <p><i>10 September 2018 to 19 October 2018</i></p> <p>The Applicant has consulted each person in one or more section 44(1)(d) categories between 10 September 2018 and 19 October 2018 as outlined in Chapter 3 of the Consultation Report (TR010040/APP/5.1).</p> <p>Targeted Statutory Consultation</p> <p><i>11 September 2020 to 9 October 2020</i></p> <p>The Applicant carried out targeted statutory consultation between 11 September 2020 and 9 October 2020 2019. The proposals had been amended to reflect the further work that had been undertaken to progress the design, including detail on the land that will be required for the diversion of utilities. A letter and consultation pack were sent to section 42(1)(d) consultees on the 8 September 2020 as detailed in Chapter 3 of the Consultation Report (TR010040/APP/5.1).</p> <p><i>16 October 2020 to 16 November 2020</i></p> <p>The Applicant carried out targeted statutory consultation between 16 October 2020 and 16 November 2020 with the Blofield Allotment Holders. A letter and consultation pack were sent to section 42(1)(d) consultees on the 14 October 2020 Further details can be found in Chapter 3 of the Consultation Report (TR010040/APP/5.1).</p> <p>A Book of Reference (TR010040/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 (TR010040/APP/4.1) sets out how the Applicant has undertaken diligent inquiry to identify those consultees defined by section 44 of</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

the 2008 Act.

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>10 September 2018 to 19 October 2018</i></p> <p>A letter was sent to all section 42 consultees on 7 September 2018 as detailed in Chapter 3 of the Consultation Report (TR010040/APP/5.1). The letter gave a deadline of the 19 October 2018 for receipt of responses providing a total of 40 days.</p> <p>Sample letters are provided at Annex J of the Consultation Report Appendices (TR010040/APP/5.2).</p> <p>Targeted Statutory Consultation</p> <p><i>11 September 2020 to 9 October 2020</i></p> <p>A letter was sent to the section 42(1)(d) on 8 September 2020 as detailed in Chapter 3 of the Consultation Report (TR010040/APP/5.1). The letter gave a deadline of the 9 October 2020 for receipt of responses providing a total of 29 days.</p> <p>Sample letters are provided at Annex J of the Consultation Report Appendices (TR010040/APP/5.2).</p> <p><i>16 October 2020 to 16 November 2020</i></p> <p>A letter was sent to the Blofield Allotment Holders (section 42(1)(d)) on 14 October 2020 as detailed in Chapter 3 of the Consultation Report (TR010040/APP/5.1). The letter gave a deadline of the 16 November 2020 for receipt of responses providing a total of 31 days.</p> <p>A sample letter is provided at Annex J of the Consultation Report Appendices (TR010040/APP/5.2).</p>
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Section 46: Duty to notify the Planning Inspectorate of proposed application

12	Did the Applicant supply information to notify the Planning Inspectorate of the proposed application; and if so, was the information supplied to the Planning Inspectorate on or before the date it was sent to the s42 consultees? Was this done on or before commencing consultation under s42?	<p>Yes.</p> <p>The Applicant gave notice under section 46 of the 2008 Act on 6 September 2018 prior to the start of the section 42 consultation on 10 September 2018. This is set out in Chapter 3 of the Consultation Report (TR010040/APP/5.1).</p> <p>A copy of the section 46 notification is provided at Annex I of the Consultation Report Appendices (TR010040/APP/5.2).</p>
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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 G of the Consultation Report Appendices (TR010040/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 delivered the draft SoCC to Broadland District Council and Norfolk County Council in person by on 31 July 2018 and requested comments within a formal consultation, beginning on 1 August 2018 and ending on 29 August 2018. Therefore, the authority was provided with at least 28 calendar days to provide their comments.</p> <p>A copy of the letter requesting comments with proof of delivery is provided in Annex E of the Consultation Report Appendices (TR010040/APP/5.2).</p> <p>A copy of the Draft SOCC is provided in Annex D of the Consultation Report Appendices (TR010040/APP/5.2).</p> <p>Broadlands District Council did not provide any comments on the Draft SOCC.</p> <p>Norfolk County Council provided feedback on the Draft SoCC on 28 August 2018. A copy of the response is provided in Annex F of the Consultation Report Appendices (TR010040/APP/5.2).</p>

15	Has the Applicant had regard to any responses received when preparing the SoCC?	<p>Yes.</p> <p>The Applicant has set out in Chapter 3 of the Consultation Report (TR010041/APP/5.1) how the responses received as a result of consultation on the SoCC were taken into account when finalising the SoCC.</p>
16	Has the SoCC been made available for inspection in a way that is reasonably convenient for people living in the vicinity of the land; and has a notice been published in a newspaper circulating in the vicinity of the land which states where and when the SoCC can be inspected?	<p>Yes</p> <p>The 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 (TR010041/APP5.1).</p> <p><i>10 September 2018 to 19 October 2018</i></p> <p>Notices stating when and where it could be inspected were published in the Eastern Daily Press (the newspaper circulating in the vicinity of the land) on 10 September 2018. Details are provided in Chapter 3 of the Consultation Report (TR010040/APP5.1).</p> <p>Copies of the newspaper notices are included in Annex H of the Consultation Report Appendices (TR010040/APP/5.2).</p> <p>.</p>
17	Does the SoCC set out whether the development is EIA development ⁹ ; and does it set out how the Applicant intends to publicise and consult on the Preliminary Environmental Information?	<p>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.</p>
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 (TR010040/APP/5.1) the activities that have been carried out and how the</p>

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

commitments in the SoCC have been met.

A commitment was given in the SoCC to publish the section 48 Notice at a number of key business locations within Norwich, Peterborough, northern Cambridgeshire and Great Yarmouth. The Applicant instead sent a letter enclosing the consultation brochure (which in turn included an enclosed feedback form) to business covering the Norwich and Great Yarmouth areas. These are identified in Appendix 2 of the SoCC (provided in Annex G of the Consultation Report Appendices **(TR010040/APP/5.2)**).

ON 14th September 2018 the Applicant sent information to business location in Peterborough and Cambridgeshire as part of its statutory consultation for the A47 Wansford to Sutton Scheme. These locations are in closer proximity to the Wansford to Sutton Scheme. The Application has set this out in Chapter 3 of the Consultation Report **(TR010040/APP/5.1)**.

Section 48: Duty to publicise the proposed application

19	Did the Applicant publicise the proposed application in the prescribed manner set out in Regulation 4(2) of the APFP Regulations?	<p>Yes</p> <p>The Applicant has provided details of the newspapers and dates of section 48 publicity in Chapter 3 of the Consultation Report (TR010040/APP5.1) and as listed out below. Copies of all newspaper notices are included in Annex H of the Consultation Report Appendices (TR010041/APP/5.2).</p>
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Newspaper(s)

Date

		Newspaper(s)	Date
a)	for at least two successive weeks in one or more local newspapers circulating in the vicinity in which the Proposed Development would be situated;	Eastern Daily Press	10 September 2018 and 17 th September 2018
b)	once in a national newspaper;	The Guardian	10 September 2018
c)	once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and	London Gazette	10 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	
20	Did the s48 notice include the required information set out in Regulation 4(3) of APFP Regulations?	Yes The section 48 notice for all the statutory consultations is provided at Annex H of the Consultation Report Appendices (TR010040/APP/5.2) and contains the required information as set out below.	
	Information	Paragraph	Information
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
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
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
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
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	11	

	published		
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	<p>The notice was sent to the EIA consultation bodies and any persons notified to the Applicant in accordance with the EIA Regulations on 7 September 2018 as part of the statutory consultation. Details can be found in Chapter 3 of the Consultation Report (TR010040/APP/5.1).</p> <p>A copy of the section 48 Notice is provided at Annex J of the Consultation Report Appendices (TR010040/APP/5.2).</p>
s49: Duty to take account of responses to consultation and publicity			
23	Has the Applicant had regard to any relevant responses to the s42, s47 and s48 consultation?	Yes	<p>The Applicant has set out in Chapter 4 of the Consultation Report (TR010040/APP/5.1) and Annex O of the Consultation Report Appendices (TR010040/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, the consideration given to responses that lead to a change in the Scheme design and in Annex 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 (TR010040/APP/5.1) explains how the Applicant has had regard to the statutory guidance on the pre-application process

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

		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	<p>Is it made in the prescribed form as set out in Schedule 2 of the APFP Regulations, and does it include:</p> <ul style="list-style-type: none"> • a brief statement which explains why it falls within the remit of the Planning Inspectorate; and • a brief statement that clearly identifies the location of the application site, or the route if it is a linear scheme? 	<p>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 (TR010041/APP/1.3).</p> <p>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 (TR010040/APP/6.1).</p> <p>The location of the Scheme is shown on the Location Plan (TR010040/APP/2.1).</p>
27	Is it accompanied by a Consultation Report?	<p>Yes</p> <p>The application is accompanied by a Consultation Report (TR010040/APP/5.1) and Consultation Report Appendices (TR010040/APP/5.2).</p>
28	Where a plan comprises three or more separate sheets, has a key plan been provided showing the relationship between the different sheets? ¹²	<p>Yes,</p> <p>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.</p> <p>Key plans are also provide for Figures in the ES (TR01004/APP/6.3) which comprise three or more separate sheets.</p>

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

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

29	Is it accompanied by the documents and information set out in APFP Regulation 5(2)?		
	Information	Document	Information
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 (TR010040/APP/6.1) , Environmental Statement Appendices (TR010040/APP/6.2) , Environmental Statement Figures (TR010040/APP/6.3) , and a Non Technical Summary (TR010040/APP/6.4) . A copy of the Scoping Opinion is provided (TR01004/APP/6.6) .	b)
	Is this of a satisfactory standard?		
c)	An Explanatory Memorandum explaining the purpose and effect of provisions in the draft DCO	Yes. The application is accompanied by the Explanatory Memorandum (TR010040/APP/3.2) to the Draft Development Consent Order (TR010040/APP/3.1) .	d)
	Is this of a satisfactory standard?		

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

			acquisition of land'.
	Is this of a satisfactory standard?		Is this of a satisfactory standard?
e)	A copy of any Flood Risk Assessment	Yes. The application is accompanied by a Flood Risk Assessment at Appendix 13.1 of the Environmental Statement (TR010040/APP/6.2) .	f) A statement whether the proposal engages one or more of the matters set out in section 79(1) of the Environmental Protection Act 1990 (statutory nuisances) and if so how the Applicant proposes to mitigate or limit them Yes. The application is accompanied by a Statement relating to Statutory Nuisances (TR010040/APP/6.7) .
	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 (TR010040/APP/4.1) and a Funding Statement (TR010040/APP/4.2) .	i) A Land Plan identifying:- (i) the land required for, or affected by, the Proposed Development; (ii) where applicable, any land over which it is proposed to exercise powers of Compulsory Acquisition or any rights to use land; (iii) any land in relation to which it is proposed to extinguish easements, servitudes and other Yes. Land Plans (TR010040/APP/2.2) are provided. The Land Plans accord with Regulation 5(2)(i) of APFP Regulations. The Land Plans identify: (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

			private rights; and (iv) any special category land and replacement land	which it is proposed to extinguish easements, servitudes or other private rights. Plots and descriptions listed within the Book of Reference (TR010040/APP/4.3) are consistent with the plots shown on the Land Plans.
	Is this of a satisfactory standard?		Is this of a satisfactory standard?	
j)	A Works Plan showing, in relation to existing features:- (i) the proposed location or (for a linear scheme) the proposed route and alignment of the development and works; and (ii) the limits within which the development and works may be carried out and any limits of deviation provided for in the draft DCO	Yes. Works Plans (TR010040/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.	k) Where applicable, a plan identifying any new or altered means of access, stopping up of streets or roads or any diversions, extinguishments or creation of rights of way or public rights of navigation	Yes. Rights of Way and Access Plans (TR010040/APP/2.5) are provided. The plans accord with Regulation 5(2)(k) of the APFP Regulations.
	Is this of a satisfactory standard?		Is this of a satisfactory standard?	
l)	Where applicable, a plan with accompanying	The information in relation to Regulation 5(2)(l)(i) is within	m) Where applicable, a plan with accompanying	The information in relation to 5(2)(m) is within Figure 6.1: Cultural Heritage

<p>information identifying:-</p> <ul style="list-style-type: none"> (i) any statutory/ non-statutory sites or features of nature conservation eg sites of geological/ landscape importance; (ii) habitats of protected species, important habitats or other diversity features; and (iii) water bodies in a river basin management plan, <p>together with an assessment of any effects on such sites, features, habitats or bodies likely to be caused by the Proposed Development</p>	<p>Figure 8.1: A47 Blofield to North Burlingham: Designated Sites of the Environmental Statement (TR010040/APP/6.3).</p> <p>The information in relation Regulation 5(2)(l)(ii) is within the Figure 8.2: A47 Blofield to North Burlingham: Priority Habitats and Figure 8.3: A47 Blofield to North Burlingham: Ecological Constraints of the Environmental Statement (TR010040/APP/6.3).</p> <p>The information in relation Regulation 5(2)(l)(iii) is within Figure 13.1 of the Environmental Statement: Surface Water Features, Consented Discharges and Fluvial Flood Risk (TR010040/APP/6.2).</p> <p>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 (TR010041/APP/6.1).</p>	<p>information identifying any statutory/ non-statutory sites or features of the historic environment, (eg scheduled monuments, World Heritage sites, listed buildings, archaeological sites and registered battlefields) together with an assessment of any effects on such sites, features or structures likely to be caused by the Proposed Development</p>	<p>Designated and Figure 6.2 Cultural Heritage Non-designated Assets of the Environmental Statement (TR010040/APP/6.5).</p> <p>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 the Environmental Statement (TR010040/APP/6.1).</p>
<p>Is this of a satisfactory</p>		<p>Is this of a satisfactory</p>	

	standard?			standard?	
n)	Where applicable, a plan with any accompanying information identifying any Crown land	Crown Land Plans (TR010040/APP/2.8) are provided.	o)	Any other plans, drawings and sections necessary to describe the development consent proposal showing details of design, external appearance, and the preferred layout of buildings/ structures, drainage, surface water management, means of vehicular and pedestrian access, any car parking and landscaping	Yes. The application is accompanied by: <ul style="list-style-type: none"> • Engineering Drawings and Sections (TR010040/APP/2.5); • General Arrangement Plans (TR010040/APP/2.6); • Drainage and Surface Water Plans (TR010040/APP/2.7); • De-trunking Plans (TR010040/APP/2.10); • Traffic Regulation Plans (TR010040/APP2.11) • Classification of Roads Plans (TR010040/APP/2.12); and • Masterplan (TR010041/APP/6.8).
	Is this of a satisfactory standard?			Are they of a satisfactory standard?	
p)	Any of the documents prescribed by Regulation 6 of the APFP Regulations:	As the proposed Scheme is highway related development, the application is required to supply section drawings in accordance with Regulation 6(2) APFP Regulations. This information is provided in the Engineering Drawings and	q)	Any other documents considered necessary to support the application	The application comprises other documents considered necessary to support the application, as listed in Section 23 of the Application Form (TR010040/APP/1.1) . These are: <ul style="list-style-type: none"> • Covering letter and schedule of compliance with Section 55

		<p>Sections (TR010040/APP/2.5) and the Drainage and Surface Water Plans (TR010040/APP/2.7).</p>			<p>(TR010040/APP/1.2)</p> <ul style="list-style-type: none"> • Introduction to the Application (TR010040/APP/1.1) • Masterplan (TR010040/APP/6.8). • Case for the Scheme • National Policy Statement for National Networks Accordance Table (TR010041/APP/7.2) • Transport Assessment (TR010040/APP/7.3) • Scheme Design Report (TR010040/APP/7.6) • Environmental Management Plan (TR010040/APP/7.7) • Outline Traffic Management Plan (TR010040/APP/7.8) • Equality Impact Assessment (TR010040/APP/7.9)
	<p>Are they of a satisfactory standard?</p>			<p>Are they of a satisfactory standard?</p>	
<p>30</p>	<p>Are there any observations in respect of the documents provided at Box 29 (a) to (q) above?</p>				
<p>31</p>	<p>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</p>	<p>Yes A Report to Inform a Habitats Regulation Assessment (HRA) (TR010040/APP/6.9) accompanies the application.</p>			

	affected by the Proposed Development, together with sufficient information that will enable the Secretary of State to make an appropriate assessment of the implications for the site if required by Regulation 48(1)? ¹⁴	No significant impacts on European Sites are anticipated as a result of the Scheme
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
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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 PA2008. If the Applicant fails to pay the fee, the Planning Inspectorate need not consider the application until payment is received. The fee must be paid at the same time that the application is made

Case Manager		
Acceptance Inspector		