



The Planning Inspectorate
Yr Arolygiaeth Gynllunio

Section 55

Acceptance of Applications Checklist

Appendix 3 of Advice Note Six: Preparation and submission of application documents

A47 Blofield to North Burlingham

Issued: 27 January 2021

A47 Blofield to North Burlingham 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
		30 December 2020	27 January 2021	27 January 2021
Section 55(3) – the Planning Inspectorate may only accept an application if it concludes that:			Planning Inspectorate comments	
Section 55(3)(a) and s55(3)(c): It is an application for an order granting development consent				
2	Is the development a Nationally Significant Infrastructure Project ¹ (NSIP) (or does it form part of an NSIP); and does the application state on the face of it that it is an application for a Development Consent Order ² (DCO) under the Planning Act 2008 (the PA2008), or equivalent words? Does the application specify the development to which it relates (i.e. which category or categories in ss14 to 30 does the Proposed Development fall)?	<p>Yes.</p> <p>The Proposed Development set out in Schedule 1 and Part 4 of the Draft DCO (Doc 3.1) includes development falling within the categories in s14 of the PA2008. The development is for the alteration of a highway and satisfies section 22 of the PA2008, including s22(1)(b), s22(3), and s22(4).</p> <p>This is consistent with the summary provided in section 4 of the Application Form (Doc 1.3) which states that the application is for an NSIP.</p>		

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

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

3	Summary: Section 55(3)(a) and s55(3)(c)	The Planning Inspectorate is satisfied that the Draft DCO (Doc 3.1) includes development for which development consent is required.
Section 55(3)(e): The Applicant in relation to the application made has complied with Chapter 2 of Part 5 (pre-application procedure)		
4	In accordance with the EIA Regulations ³ , did the Applicant (prior to carrying out consultation in accordance with s42) either (a) request the Planning Inspectorate adopt a Screening Opinion in respect of the development to which the application relates, or (b) notify the Planning Inspectorate in writing that it proposed to provide an Environmental Statement in respect of that development?	<p>Yes.</p> <p>On 6 February 2018 the Applicant notified the Planning Inspectorate in accordance with Regulation 8(1)(b) of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 of its intention to provide an Environmental Statement (ES) in respect of the Proposed Development. The notification was received before the start of statutory consultation on 10 September 2018.</p> <p>A copy of the notification letter is provided at Appendix C of the Consultation Report Appendices (Doc 5.2).</p>
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?	<p>Yes.</p> <p>There are 11 host and neighbouring authorities, of which seven responded to the Planning Inspectorate's invitation to make an Adequacy of Consultation Representation (AoCR).</p> <p>All seven of the responding authorities confirmed in their AoCR that either the Applicant had complied with its duties under s42, s47 and s48 of the PA2008 and/ or that their authority had no comments/ objections to make. These local authorities were:</p> <ul style="list-style-type: none"> • Cambridgeshire County Council ('A/D' authority) • Norfolk County Council ('C' authority') • The Broads Authority ('A/D' authority) • Broadland District Council ('B' authority)

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

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

		<ul style="list-style-type: none"> • South Norfolk District Council ('A' authority) • Suffolk County Council ('D' authority) • Breckland Council ('A' authority) <p>All AoCRs received have been carefully considered and are available to view on the National Infrastructure Planning website: https://infrastructure.planninginspectorate.gov.uk/projects/eastern/a47-blofield-to-north-burlingham/?ipcsection=docs</p>
Section 42: Duty to consult		
Did the Applicant consult the applicable persons set out in s42 of the PA2008 about the proposed application?		
6	Section 42(1)(a) persons prescribed ⁵ ?	<p>Yes.</p> <p>The Applicant has provided a list of persons consulted under s42(1)(a) on 7 September 2018 at Appendix L of the Consultation Report Appendices (Doc 5.2).</p> <p>A sample of the letter sent to s42(1)(a) consultees is provided at Appendix J of the Consultation Report Appendices (Doc 5.2).</p> <p>The Planning Inspectorate has identified the following parties based on a precautionary interpretation of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the APFP Regulations) that were not consulted by the Applicant under s42:</p> <ul style="list-style-type: none"> • Harlaxton Gas Networks Limited* • Murphy Gas Networks Limited* • Eclipse Power Network Limited* • Energy Assets Networks Limited* • Fulcrum Electricity Assets Limited*

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

		<ul style="list-style-type: none"> • Leep Electricity Networks Limited* • Murphy Power Distribution Limited* • Vattenfall Networks Limited* <p>The Applicant's Consultation Report (Doc 5.1) does not explain why the bodies identified above have not been consulted. However, it is noted that the licences held by the bodies identified with an asterisk cover Great Britain or various smaller areas and the operational areas of each are not clear from information in the public domain.</p> <p>The Applicant consulted NHS England and North Norfolk Clinical Commissioning Group, rather than NHS Norfolk and Waveney, and The Homes and Communities Agency rather than Homes England.</p>
7	Section 42(1)(aa) the Marine Management Organisation ⁶ ?	n/a
8	Section 42(1)(b) each local authority within s43 ⁷ ?	<p>Yes.</p> <p>Table 3.4 of the Consultation Report (Doc 5.1) lists the relevant local authorities that were identified and consulted under s43 and s42(1)(b) on 7 September 2018.</p> <p>The host 'B' authority was consulted:</p> <ul style="list-style-type: none"> • Broadland District Council <p>The host 'C' authority was consulted:</p> <ul style="list-style-type: none"> • Norfolk County Council (NCC) <p>The boundary 'A' authorities were consulted:</p> <ul style="list-style-type: none"> • Breckland District 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 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

		<ul style="list-style-type: none"> • Norwich City Council • Great Yarmouth Borough Council • South Norfolk District Council • North Norfolk District Council • The Broads Authority (A and D authority) <p>The boundary 'D' authorities were consulted:</p> <ul style="list-style-type: none"> • Lincolnshire County Council • Suffolk County Council • Cambridgeshire County Council <p>A sample of the letter sent to s42(1)(b) relevant authorities is provided at Appendix J of the Consultation Report Appendices (Doc 5.2).</p>
9	Section 42(1)(c) the Greater London Authority (if in Greater London area)?	n/a
10	Section 42(1)(d) each person in one or more of s44 categories ⁸ ?	<p>Yes.</p> <p>Paragraph 3.3.24 of the Consultation Report (Doc 5.1) states that all persons identified under s42(1)(d) were consulted on 7 September 2018.</p> <p>Paragraphs 3.3.21 to 3.3.33 of the Consultation Report (Doc 5.1) summarise how the Applicant made diligent inquiry to seek to identify and consult persons with an interest in lands affected by the Draft DCO (Doc 3.1). The methodology undertaken by the Applicant is described further in the Statement of Reasons (Doc 4.1).</p> <p>The Applicant's Book of Reference (Doc 4.3) lists the persons consulted under s42(1)(d).</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

		Samples of the two letters sent to Category 1 and 2 persons and to Category 3 persons identified under s42(1)(d) are provided at Appendix J of the Consultation Report Appendices (Doc 5.2) .
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>A sample of the letter sent to s42 consultees is provided at Appendix J of the Consultation Report Appendices (Doc 5.2).</p> <p>The sample letter dated 7 September 2018 confirmed that consultation commenced on 10 September 2018 and closed on 19 October 2018, providing more than the required minimum time for receipt of responses.</p>
Section 46: Duty to notify the Planning Inspectorate of proposed application		
12	Did the Applicant supply information to notify the Planning Inspectorate of the proposed application; and if so, was the information supplied to the Planning Inspectorate on or before the date it was sent to the s42 consultees? Was this done on or before commencing consultation under s42?	<p>Yes.</p> <p>The Applicant gave notice under s46 on 6 September 2018, which was before the beginning of s42 consultation.</p> <p>A copy of the s46 notification letter and a copy of s46 notification acknowledgement letter from the Planning Inspectorate are provided at Appendix I of the Consultation Report Appendices (Doc 5.2).</p>
Section 47: Duty to consult local community		
13	Did the Applicant prepare a Statement of Community Consultation (SoCC) on how it intended to consult people living in the vicinity of the land?	<p>Yes.</p> <p>A copy of the final SoCC is provided at Appendix G of the Consultation Report Appendices (Doc 5.2).</p>
14	Were 'B' and (where relevant) 'C' authorities consulted about the content of the SoCC; and if so, was the deadline for receipt of responses 28 days beginning with the day after the day that 'B' and (where applicable) 'C' authorities received the consultation documents?	<p>Yes.</p> <p>The Applicant sent the draft SoCC to Broadland District Council ('B authority') and Norfolk County Council ('C authority') on 31 July 2018 and set a deadline of 29 August 2018 for responses, providing more than the required minimum time for responses to be received.</p>

15	Has the Applicant had regard to any responses received when preparing the SoCC?	<p>Yes.</p> <p>Table 3.1 of the Consultation Report (Doc 5.1) provides a summary of the consultation response from Norfolk County Council (NCC) in respect of the draft SoCC and demonstrates how the Applicant had regard to its content. On the basis of the information within the Application, a response was not provided by Broadland District Council.</p> <p>Examples of changes from the draft SoCC to the final SoCC include:</p> <ul style="list-style-type: none"> • Additional local authorities were added to the list of non-statutory stakeholders identified in Appendix 2 of the final SoCC that would be informed of the consultation (NCC). • Additional parish councils were added to the list of non-statutory stakeholders identified in Appendix 2 of the final SoCC that would be informed of the consultation (NCC). • An additional heading was added to Appendix 2 of the final SoCC under 'Transport and Road Associations' and the Freight and Transport Association and the Road Haulage Association were added to the list of non-statutory stakeholders that would be informed of the consultation (NCC). <p>The Planning Inspectorate is satisfied that the Applicant had regard to the responses received when preparing the SoCC.</p>
16	Has the SoCC been made available for inspection in a way that is reasonably convenient for people living in the vicinity of the land; and has a notice been published in a newspaper circulating in the vicinity of the land which states where and when the SoCC can be inspected?	<p>Yes.</p> <p>The final SoCC was made available at the following locations, which are reasonably convenient having regard to the location of the Proposed Development:</p> <ul style="list-style-type: none"> • Lingwood Village Hall, Station Road, Lingwood, Norwich, NR13 4AZ • Blofield Library, North Street, Blofield, NR14 4RQ • Blofield Post Office, 10 Church Alley, Blofield, Norwich, NR13 4JJ • Norfolk and Norwich Millennium Library, The Forum, Millennium Plain, Norwich, NR2 1AW • Norwich City Council, City Hall, St Peters Street, Norwich, NR2 1NH

		<ul style="list-style-type: none"> Norfolk County Council, County Hall, Martineau Lane, Norwich, NR1 2DH Broadland District Council, Thorpe Lodge, Yarmouth Road, Norwich, NR7 0DU <p>A notice stating when and where the final SoCC could be inspected was published in:</p> <ul style="list-style-type: none"> Eastern Daily Press - 10 September 2018 <p>The published SoCC notice is provided as a clipping of the published advertisement in Appendix H of the Consultation Report Appendices (Doc 5.2), which states where and when the final SoCC was available to inspect.</p>
17	Does the SoCC set out whether the development is EIA development ⁹ ; and does it set out how the Applicant intends to publicise and consult on the Preliminary Environmental Information?	<p>Yes.</p> <p>Paragraph 4.8 of the final SoCC at Appendix G of the Consultation Report Appendices (Doc 5.2) sets out that the development is EIA development and how the Applicant intended to publicise and consult on the Preliminary Environmental Information.</p>
18	Has the Applicant carried out the consultation in accordance with the SoCC?	<p>Yes.</p> <p>Paragraphs 3.5.1 to 3.5.12 of the Consultation Report (Doc 5.1) set out how the community consultation was carried out in line with the final SoCC.</p> <p>Table 3.8 of the Consultation Report (Doc 5.1) sets out how the Applicant has complied with the commitments set out in the final SoCC.</p> <p>Appendices H, J, K, L and N of the Consultation Report Appendices (Doc 5.2) provide evidence that the commitments within the final SoCC have been carried out.</p> <p>Although the Planning Inspectorate is satisfied that the Applicant has carried out the consultation in line with the final SoCC, the following observations have been noted with regards to certain commitments:</p> <ul style="list-style-type: none"> The final SoCC states the Applicant will “<i>Distribute consultation brochures and feedback forms [...] at key business locations within Peterborough, Cambridgeshire...</i>”. Table 3.8 of the Consultation Report (Doc 5.1) explains that businesses within Peterborough and Cambridgeshire were provided with

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

		<p>information relating to Statutory Consultation for a different scheme being promoted by Highways England; namely A47 Wansford to Sutton.</p> <ul style="list-style-type: none"> • The final SoCC states the Applicant will publish notices “<i>at a number of key businesses within [...] Peterborough, northern Cambridgeshire...</i>”. Table 3.8 of the Consultation Report (Doc 5.1) explains that businesses within Peterborough and Cambridgeshire were provided with information relating to Statutory Consultation for a different scheme being promoted by Highways England; namely A47 Wansford to Sutton. The consultation letter at Annex K of the Consultation Report Appendices (Doc 5.2) also references A47 Wansford to Sutton. • Page 10 of the final SoCC states that “<i>free copies of the consultation documents (listed in Appendix 3) can be provided on a memory stick on request.</i>”. The list of consultation documents identified at Appendix 3 includes a copy the SoCC. However, the suite of documents provided on branded USBs identified in para 1.13 of Annex K of the Consultation Report Appendices (Doc 5.2) does not include a copy of the SoCC. • Page 10 of the final SoCC states the documents that will be made available for inspection will include “<i>previous consultation feedback reports</i>”. Evidence to confirm these documents were included has not been provided. <p>Whilst the bulleted points above are noted, the Planning Inspectorate does not consider that individually or collectively they are of such a degree to alter the Planning Inspectorate’s conclusion that the Applicant has complied with its statutory duties under s47 of the PA2008.</p>
<p>Section 48: Duty to publicise the proposed application</p>		
19	<p>Did the Applicant publicise the proposed application in the prescribed manner set out in Regulation 4(2) of the APFP Regulations?</p>	<p>Yes.</p> <p>The SoCC Compliance Table (Table 3.8) of the Consultation Report (Doc 5.1) states the Applicant:</p> <p><i>“Published Section 48 notices in national and local publications, containing details of the consultation”.</i></p>

		<p>The 'Section 48 newspaper notice publication details' Table (also referenced as Table 3.8) of the Consultation Report (Doc 5.1) displays the newspapers and dates of s48 publicity as set out below.</p> <p>A copy of the s48 notice is provided as clippings of the published advertisements in at Appendix H of the Consultation Report Appendices (Doc 5.2).</p>	
		Newspaper(s)	Date
a)	for at least two successive weeks in one or more local newspapers circulating in the vicinity in which the Proposed Development would be situated;	<ul style="list-style-type: none"> Eastern Daily Press 	10 and 17 September 2018
b)	once in a national newspaper;	<ul style="list-style-type: none"> The Guardian 	10 September 2018
c)	once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and	<ul style="list-style-type: none"> 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?	n/a	n/a
20	Did the s48 notice include the required information set out in Regulation 4(3) of APFP Regulations?	<p>Yes.</p> <p>The published s48 notice, supplied at Appendix H of the Consultation Report Appendices (Doc 5.2), contains the required information as set out below:</p>	
		Information	Paragraph
a)	the name and address of the Applicant.	One	
b)	a statement that the Applicant intends to make an application for development consent to the Secretary of State	One	

c)	a statement as to whether the application is EIA development	Three	d)	a summary of the main proposals, specifying the location or route of the Proposed Development	Two
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	Five	f)	the latest date on which those documents, plans and maps will be available for inspection	Five
g)	whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge	Five	h)	details of how to respond to the publicity	Eight and nine
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	Ten			
21	Are there any observations in respect of the s48 notice provided above?				
	No.				
22	Has a copy of the s48 notice been sent to the EIA consultation bodies and to any person notified to the Applicant in accordance with the EIA Regulations ¹⁰ ?	Yes. A copy of the s48 notice was sent to the EIA consultation bodies as part of the s42 consultation, as confirmed in paragraph 3.3.9 of the Consultation Report (Doc 5.1) . A sample of the s42 consultation letter provided at Appendix J of the Consultation Report Appendices (Doc 5.2) confirms a copy of the s48 notice was enclosed.			
s49: Duty to take account of responses to consultation and publicity					

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

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 the responses received to its s42, s47 and s48 consultation in two tables provided at Appendix O of the Consultation Report Appendices (Doc 5.2).</p> <p>The first table addresses feedback from s42 consultees, which is broken down into the separate strands under s42(1)(a), s42(1)(b), and s42(1)(d). The second table addresses feedback from s47 and s48 consultees. Both tables also provide explanation as to whether a change had been made and details the Applicant's response including how it had regard to the responses.</p> <p>Table 4.11 of the Consultation Report (Doc 5.1) provides a summary of the key design changes that resulted from the consultation.</p> <p>The actions informed by the consultation responses appear to be reflected in the final form of the application as submitted. Where a particular response has not led to a change in the application, it is sufficiently clear that regard was had to it.</p>
Guidance about pre-application procedure		
24	To what extent has the Applicant had regard to statutory guidance 'Planning Act 2008: Guidance on the pre-application process' ¹¹ ?	<p>The compliance checklists provided at Table 5.1 and 5.2 of the Consultation Report (Doc 5.1) set out how the Applicant has had regard to MHCLG guidance (previously DCLG) on the Pre-application process and the Planning Inspectorate's Advice Note Fourteen: Compiling the Consultation Report.</p> <p>Having reviewed the application, the Planning Inspectorate is satisfied that the Applicant has had regard to the relevant statutory guidance.</p>
25	Summary: Section 55(3)(e)	The Applicant has complied with Chapter 2 of Part 5 (pre-application procedure) of the PA2008.
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)		

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

26	Is it made in the prescribed form as set out in Schedule 2 of the APFP Regulations, and does it include: <ul style="list-style-type: none"> a brief statement which explains why it falls within the remit of the Planning Inspectorate; and a brief statement that clearly identifies the location of the application site, or the route if it is a linear scheme? 	<p>Yes.</p> <p>Section 4 of the Application Form (Doc 1.3) explains why the development falls within the remit of the Planning Inspectorate.</p> <p>Section 5 of the Application Form (Doc 1.3) provides a brief non-technical description of the site and section 6 provides the location of the Proposed Development.</p> <p>A Location Plan (Doc 2.1) has been provided.</p>									
27	Is it accompanied by a Consultation Report?	<p>Yes.</p> <p>The application is accompanied by a Consultation Report (Doc 5.1) and Consultation Report Appendices (Doc 5.2).</p>									
28	Where a plan comprises three or more separate sheets, has a key plan been provided showing the relationship between the different sheets? ¹²	Yes.									
29	Is it accompanied by the documents and information set out in APFP Regulation 5(2)?	The documents and information required by APFP Regulation 5(2) are set out in the documents and locations within the application as listed below:									
<table border="1"> <thead> <tr> <th>Information</th> <th>Document</th> </tr> </thead> <tbody> <tr> <td>a) Where applicable, the Environmental Statement required under the EIA Regulations¹³ and any scoping or screening opinions or directions</td> <td> Environmental Statement (Doc 6.1) Environmental Statement Figures (Doc 6.2) Environmental Statement Appendices (Doc 6.3) Environmental Statement Non-Technical Summary (Doc 6.4) </td> </tr> </tbody> </table>		Information	Document	a) Where applicable, the Environmental Statement required under the EIA Regulations ¹³ and any scoping or screening opinions or directions	Environmental Statement (Doc 6.1) Environmental Statement Figures (Doc 6.2) Environmental Statement Appendices (Doc 6.3) Environmental Statement Non-Technical Summary (Doc 6.4)	<table border="1"> <thead> <tr> <th>Information</th> <th>Document</th> </tr> </thead> <tbody> <tr> <td>b) The draft Development Consent Order (DCO)</td> <td>Draft Development Consent Order (Doc 3.1)</td> </tr> </tbody> </table>		Information	Document	b) The draft Development Consent Order (DCO)	Draft Development Consent Order (Doc 3.1)
Information	Document										
a) Where applicable, the Environmental Statement required under the EIA Regulations ¹³ and any scoping or screening opinions or directions	Environmental Statement (Doc 6.1) Environmental Statement Figures (Doc 6.2) Environmental Statement Appendices (Doc 6.3) Environmental Statement Non-Technical Summary (Doc 6.4)										
Information	Document										
b) The draft Development Consent Order (DCO)	Draft Development Consent Order (Doc 3.1)										

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

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

		Scoping Opinion (Doc 6.6) A screening opinion was not requested by the Applicant in respect of the Proposed Development.		
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard? Yes
c)	An Explanatory Memorandum explaining the purpose and effect of provisions in the draft DCO	Explanatory Memorandum (Doc 3.2)	d)	Where applicable, a Book of Reference (where the application involves any Compulsory Acquisition) Book of Reference (Doc 4.3)
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard? Yes
e)	A copy of any Flood Risk Assessment	Flood Risk Assessment (Doc 6.2 Appendix 13.1)	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 A Statement Relating to Statutory Nuisances (Doc 6.7) is provided with the Application with reference to the relevant Chapter assessments in the ES: (i) Air Quality ES Chapter 5 (Doc 6.1) (ii) Noise and Vibration ES Chapter 11 (Doc 6.1) An Environmental Management Plan (EMP) is provided with the Application (Doc 7.7). The Record of Environmental Actions and Commitments, within the EMP, includes commitments to produce a Construction Noise and Dust Management Plan. The EMP is secured by Requirement 4 to the draft DCO.

	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?	Yes
h)	A Statement of Reasons and a Funding Statement (where the application involves any Compulsory Acquisition)	Statement of Reasons (Doc 4.1) Funding Statement (Doc 4.2)	i)	A Land Plan identifying:- (i) the land required for, or affected by, the Proposed Development; (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	Land Plans (Doc 2.2)
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?	Yes
j)	A Works Plan showing, in relation to existing features:- (i) the proposed location or (for a linear scheme) the proposed route and	Works Plans (Doc 2.3)	k)	Where applicable, a plan identifying any new or altered means of access, stopping up of streets or roads or any diversions, extinguishments or	Rights of Way and Access Plans (Doc 2.4)

	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		creation of rights of way or public rights of navigation	
	Is this of a satisfactory standard?	Yes	Is this of a satisfactory standard?	Yes
l)	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 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	Statutory and non-statutory sites/features of nature conservation are assessed in ES Chapter 8 (Doc 6.1) and the Report to Inform Habitats Regulation Assessment (Doc 6.9) and are identified in the following plans: (i) Environmental Statement Figure 8.1 – Designated Sites (Doc 6.3) Priority habitats and other ecological constraints are assessed in ES Chapter 8 and are identified on the following plans: (i) Environmental Statement Figure 8.2 – Priority Habitats (Doc 6.3) (ii) Environmental Statement Figure 8.3 – Ecological Constraints (Doc 6.3)	m)	Where applicable, a plan with accompanying information identifying any statutory/ non-statutory sites or features of the historic environment, (eg scheduled monuments, World Heritage sites, listed buildings, archaeological sites and registered battlefields) together with an assessment of any effects on such sites, features or structures likely to be caused by the Proposed Development (i) Environmental Statement Figure 6.1 – Cultural Heritage Designated Sites (Doc 6.3) (ii) Environmental Statement Figure 6.2 – Cultural Heritage Non-designated Assets (Doc 6.3) (iii) Environmental Statement Figure 6.3 – Cultural Heritage Historic Landscape Character (Doc 6.3) (iv) Environmental Statement Figure 6.4 – Cultural Heritage Archaeological Potential Zones (Doc 6.3) The assessment of effects on the above features caused by the Proposed Development are provided in: (i) ES Chapter 6, section 6.10 (Doc 6.1)

<p>be caused by the Proposed Development</p>	<p>(iii) Environmental Statement Figure 8.4 – Phase 1 Habitat Map Key Plan (Doc 6.3)</p> <p>(iv) Environmental Statement Figure 9.1 – Agricultural Land Classification (Doc 6.3)</p> <p>Water bodies identified are the Witton Run WFD water body and Bure WFD waterbody. These are assessed in ES Chapter 9 and ES Chapter 13 (Doc 6.1) and are identified on the following plans:</p> <p>(i) Environmental Statement Figure 13.1 - Surface Water Features, Consented Discharges and Fluvial Flood Risk Key Plan (Doc 6.3)</p> <p>(ii) Environmental Statement Figure 13.2 - Water Framework Directive (WFD) and Internal Drainage Board (IDB) Surface Waterbodies (Doc 6.3)</p> <p>(iii) Environmental Statement Figure 13.3 - Aquifer Designations (Doc 6.3)</p> <p>(iv) Environmental Statement Figure 13.5 - Water Framework Directive (WFD) groundwater bodies (Doc 6.3)</p> <p>(v) Environmental Statement Figure 13.6 - Groundwater</p>			
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		abstractions and source protection zones (Doc 6.3)		
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard? Yes
n)	Where applicable, a plan with any accompanying information identifying any Crown land	Crown Land Plans (Doc 2.8)	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 Detrunking Plans (Doc 2.10) Traffic Regulation Plans (Doc 2.11) Classification of Road Plans (Doc 2.12)
	Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in box 30)		Are they of a satisfactory standard? Yes
p)	Any of the documents prescribed by Regulation 6 of the APFP Regulations:	Engineering Drawings and Sections (Doc 2.5) General Arrangement (Doc 2.6) Drainage and Surface Water Plans (Doc 2.7)	q)	Any other documents considered necessary to support the application Introduction to the Application (Doc 1.1) Covering Letter and Schedule of Compliance with section 55 (Doc 1.2) Consents and Licences Position Statement (Doc 3.3) Masterplan (Doc 6.8) Case for the Scheme (Doc 7.1) NNNPS Accordance Table (Doc 7.2) Transport Assessment (Doc 7.3)

				Scheme Design Report (Doc 7.6) Environmental Management Plan (Doc 7.7) Outline Traffic Management Plan (Doc 7.8) Equality Impact Assessment (Doc 7.9) Hedgerow Plans (Doc 2.9)	
	Are they of a satisfactory standard?	Yes		Are they of a satisfactory standard?	Yes
30	Are there any observations in respect of the documents provided at Box 29 (a) to (q) above?				
	Crown Land Plans (Doc 2.8) The Crown Land Plans include two plots named 3/3c. The Planning Inspectorate assumes one of these should be called 3/3d to be consistent with the Land Plans (Doc 2.2) . The location of plot 3/4d is inconsistent between the Land Plans (Doc 2.2) and Crown Land Plans. Crown Land Plans include two plots named 4/9. The Planning Inspectorate assumes one of these should be called 4/9a to be consistent with the Land Plans (Doc 2.2) .				
31	Is the application accompanied by a report identifying any European site(s) to which Regulation 48 of The Conservation (Natural Habitats, &c.) Regulations 1994 applies; or any Ramsar site(s), which may be affected by the Proposed Development, together with sufficient information that will enable the Secretary of State to make an appropriate assessment of the implications for the site if required by Regulation 48(1)? ¹⁴	Yes. A Report to Inform Habitat Regulations Assessment (HRA) Report (Doc 6.9) is provided as a separate document to the Environmental Statement (Doc 6.1) . The HRA Report identifies relevant European sites and the likely effects on those sites. It is considered that the information provided in the report is adequate for acceptance. However, there are a number of inconsistencies throughout the HRA Report, including: <ul style="list-style-type: none"> - Paragraph 4.1.10 appears to be in the wrong location and references other sections incorrectly - Incorrect referencing between text in section 4 and Tables 4.1 to 4.6 - Figure 1 does not contain all sites from the assessment 			

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

		<ul style="list-style-type: none"> - The fen orchid (<i>Liparis loeselli</i>) and Molinia meadows on calcareous, peaty or clayey-silt-laden soils (<i>Molinion caeruleae</i>) are included in the assessment in section 4 of the HRA Report but are omitted as a feature for designation in the relevant matrices for the Broads SAC <p>Note: The Examining Authority will be able to ask questions during the Examination. This may result in additional information being required to inform the HRA Report and the competent authority. Depending upon the type and availability of information required it may not be possible to obtain this during the statutory timetable of the Examination.</p>
32	If requested by the Planning Inspectorate, two paper copies of the application form and other supporting documents and plans ¹⁵	No hard copies requested.
33	Has the Applicant had regard to statutory guidance 'Planning Act 2008: Application form guidance', and has this regard led to the application being prepared to a standard that the Planning Inspectorate considers satisfactory?	<p>Yes.</p> <p>The Introduction to the Application (Doc 1.1) and Covering Letter and s55 Checklist (Doc 1.2) explains how the Applicant has had regard to statutory guidance on the form of the application.</p> <p>The Planning Inspectorate is satisfied that the Applicant has demonstrated regard to the guidance principles.</p>
34	Summary - s55(3)(f) and s55(5A)	The Planning Inspectorate concludes that the application (including accompaniments) has been prepared to a standard that it considers satisfactory.
The Infrastructure Planning (Fees) Regulations 2010 (as amended)		
Fees to accompany an application		
35	Was the fee paid at the same time that the application was made ¹⁶ ?	The fee was received on 11 December 2020; before the application was made.

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

Role	Electronic signature	Date
Case Manager	<i>Dee Allen</i>	27 January 2021
Acceptance Inspector	<i>Alex Hutson</i>	27 January 2021

