

M3 Junction 9 Improvement

Scheme Number: TR010055

1.1 Cover letter and Section 55 Acceptance of Applications Checklist

APFP Regulation 5(2)(q)

Planning Act 2008

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

Volume 1

November 2022

Infrastructure Planning

Planning Act 2008

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

M3 Junction 9 Improvement Development Consent Order 202[x]

1.1 COVER LETTER AND SECTION 55 ACCEPTANCE OF APPLICATIONS CHECKLIST

Regulation Number:	Regulation 5(2)(q)
Planning Inspectorate Scheme Reference:	TR010055
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Author:	M3 Junction 9 Improvement Project Team, National Highways

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21 November 2022

Dear Sir/Madam,

Planning Act 2008

Application for a Development Consent Order for the M3 Junction 9 Improvement Scheme

National Highways

Application Reference TR010055

I am pleased to enclose an application on behalf of National Highways (the “Applicant”) under Section 37 of the Planning Act 2008 for a Development Consent Order (“DCO”) for the M3 Junction 9 Improvement 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 Planning Act 2008.
- 1.2 Further detail concerning the Scheme’s qualification as a NSIP can be found in the prescribed form within the **Application Form (Document Reference 1.2)** and in the **Explanatory Memorandum (Document Reference 3.2)**.

2. Application fee and documentation enclosed

- 2.1 A fee of £7,488.00 has been submitted by BACS transfer to the account of the Planning Inspectorate.
- 2.2 One electronic file transfer copy of the full application as listed in **Appendix A** is provided as stated in the Planning Inspectorate's Advice Note Six: Preparation and submission of application documents and agreed with the Planning Inspectorate.
- 2.3 A number of additional documents have been included in support of the application in Volume 7 including a **Design and Access Statement (Document Reference 7.9)** given the Scheme's location partly within the South Downs National Park.
- 2.4 A completed section 55 checklist accompanies this letter in **Appendix B**.
- 2.5 The electronic application index was provided to the Planning Inspectorate on 14 November 2022 and GIS shapefile was submitted to the Planning Inspectorate on 7 November 2022.

3. Application formalities

- 3.1 This DCO application is made in the form required by Section 37(3)(b) of the Planning Act 2008 and the application documents comply with the requirements in Section 37 of the Planning Act 2008 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 EIA Infrastructure Regulations').
 - The Department for Communities and Local Government's (DCLG) 'Planning Act 2008: Nationally significant infrastructure projects – Application form guidance' (June 2013).
 - The Planning Inspectorate's 'Advice Note Six: Preparation and submission of application documents' (August 2022).
- 3.2 We request that the Planning Inspectorate publish (with the exception of any identified documents requiring redaction due to sensitive nature) the application documents on the M3 Junction 9 project page of the National Infrastructure website from acceptance of the application.
- 3.3 The Applicant requests that the Planning Inspectorate does not publish the documents listed below because their publication could adversely affect the protection of the environment to which the information contained with the documents relates:

- **Appendix 8.1a (Badger Survey Report) of the Environmental Statement ('ES') (Document Reference 6.3)**
- **Appendix 8.1g (Otter Survey Report) of the ES (Document Reference 6.3)**
- **Appendix 8.1n (Aquatic Ecology Survey Report) of the ES (Document Reference 6.3)**
- **Appendix 8.1p (Preliminary Ecological Appraisal: Proposed Deposition Areas & Compound) of the ES (Document Reference 6.3)**
- **Appendix 8.1u (Badger Survey Report – 2021) of the ES (Document Reference 6.3)**
- **Appendix 8.1x (Otter Survey – 2021) of the ES (Document Reference 6.3)**

4. Description of the Scheme

- 4.1 A non-technical description of the Scheme is provided in the **Introduction to the Application (Document Reference 1.3)**. A more detailed and technical description is provided in **Chapter 2 (The Scheme and its Surroundings)** of the **Environmental Statement ('ES') (Document Reference 6.1)**.

5. Consent flexibility – Rochdale Envelope

- 5.1 The design has been developed to a level of detail that is sufficient to provide confidence during the Examination and to enable Environmental Impact Assessment (EIA) to take place. As expected for a NSIP, there are aspects of the design that have not yet been fixed.
- 5.2 The Applicant has considered the National Policy Statement for National Networks and the Planning Inspectorate's Advice Note Nine: Rochdale Envelope. It is the Applicant's view that the inclusion of flexibility provided for in the **draft Development Consent Order (DCO) (Document Reference 3.1)** is required to deliver the Scheme.
- 5.3 The Limits of Deviation (LoD) included allow for a small tolerance with respect to any distances and points shown on the **Works Plans (Document Reference 2.3)**. This allows a lateral LoD as shown on the **Works Plans (Document Reference 2.3)** and a vertical LoD upwards or downwards for various works items, e.g retaining walls, is contained within the **draft DCO (Document Reference 3.1)**.
- 5.4 These LoDs have been determined based on various design and construction factors and the EIA for the Scheme has considered the LoD sought within the draft DCO.

5.5 Further detail on the Applicant's approach to the Rochdale Envelope and flexibility within the draft DCO is provided within **Chapter 4 (EIA Methodology)** of the **ES (Document Reference 6.1)**.

6. Habitats Regulations Assessment

6.1 This application includes a **Habitats Regulations Assessment (Document Reference 7.5)** as required by Regulation 5(2)(g) of the APFP Regulations. The **Habitats Regulations Assessment (Document Reference 7.5)** was prepared in consultation with the Planning Inspectorate's Advice Note Ten: Habitats Regulations Assessments. It 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. The Applicant has engaged with Natural England during the preparation of the **Habitats Regulations Assessment (Document Reference 7.5)**.

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.

7.2 Details on the powers sought and negotiations to date are provided in the **Book of Reference (Document Reference 4.3)** and the **Statement of Reasons (Document Reference 4.1)**.

7.3 Adequacy of the funding for compensation is provided in the **Funding Statement (Document Reference 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 Scheme and associated development, are set out in the **Consents and Agreements Position Statement (Document Reference 3.3)**.

9. Pre-application consultation

9.1 As required by Section 37(3)(c) of the Planning Act 2008 a **Consultation Report** and associated appendices (**Document Reference 5.1**) accompany this application. These documents detail compliance with Sections 42, 47, 48 and 49 of the Planning Act 2008.

10. Pre-Application engagement with the Planning Inspectorate

10.1 The Applicant has sought to actively discuss the Scheme with the Planning Inspectorate since December 2018. 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 Planning Inspectorate in October 2021 and in August 2022. Following these comments, further meetings were held with the Planning Inspectorate on 8 December 2021 and on 3 October 2022 which provided feedback on the comments received and a forward look on programme toward DCO application submission.

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 Plans and Sections (Document Reference 2.6)** and **Structures Plans and Sections (Document Reference 2.7)**.

11.2 Under Regulation 5(3) of the APFP Regulations, any plans, drawings or sections shall be scaled at 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. These requirements have been followed for the plans prepared and submitted as part of this application.

11.3 The **Location Plan (Document Reference 2.1)** is provided at a scale of 1:20,000 in order to provide context of the setting of the Scheme.

11.4 Under Regulation 5(2)(l) of the APFP Regulations, an Applicant is required to provide, where applicable, a plan with accompanying information identifying:

- i. any statutory or non-statutory sites or features of nature conservation such as sites of geological or landscape importance
- ii. habitats of protected species, important habitats or other diversity features
- 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

11.5 The information required by Regulation 5(2)(l) is contained within the **Environmental Statement Figures (Document Reference 6.2)** at the references provided below:

- i. Statutory/non-statutory sites or features of nature conservation
 - **Figure 7.1 (Landscape Designations)**
 - **Figure 9.1 (Environmental Information)**
 - **Figure 9.2 (Agricultural Land Classification)**

- ii. Habitats of protected species, important habitats or other diversity features
 - **Figure 8.1 (Statutory Designated Areas – 2km)**
 - **Figure 8.2 (Internationally Designated Areas – 10km)**
 - **Figure 8.3 (Internationally Designated Areas for Bats – 30km)**
 - **Figure 8.4 (Non-statutory Designated Areas)**
 - **Figure 8.5 (Habitats of Principal Importance)**
 - iii. Water bodies in a river basin management plan
 - **Figure 13.1 (Study Area and Receptors)**
- 11.6 The assessment of any effects on such sites, features, habitats or bodies likely to be caused by the Scheme is presented in **Chapter 7 (Landscape and Visual)** of the **ES (Document Reference 6.1)**, **Chapter 8 (Biodiversity)** of the **ES (Document Reference 6.1)**, **Chapter 9 (Geology and Soils)** of the **ES (Document Reference 6.1)** and **Chapter 13 (Road Drainage and Water Environment)** of the **ES (Document Reference 6.1)**. A **Water Framework Directive Assessment** is also included in the application (**Document Reference 7.7**).
- 11.7 There is an equivalent requirement under Regulation 5(2)(m) of the APFP Regulations in relation to certain historic sites and features. The information in relation to Regulation 5(2)(m) of the APFP Regulations is included on **Figures 6.1 to 6.12** of the **ES (Document Reference 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)** of the **ES (Document Reference 6.1)**.
- 11.8 In accordance with Regulation 5(5) of the APFP Regulations, the Applicant retained responses to the consultation carried out under Part 5 of the Planning Act 2008 and can make them available at the request of the Planning Inspectorate.
- 11.9 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. This will take into consideration the 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,

Anne-Marie Palmer
Project Manager

Enclosures:

Appendix A: Overview of the application documents

Appendix B: Section 55 acceptance of applications checklist (completed by the Applicant)

Appendix A Overview of the application documents

- A.1 The reports, drawings and plans that make up the DCO application have been organised into 7 Volumes as listed in **Table A.1**.
- A.2 The 7 Volumes are explained in further detail in the **Introduction to the Application (Document Reference 1.3)**.

Table A.1: DCO application volumes

	Volume	Content
1	Application Information	Details of the specific application information required by the Planning Inspectorate.
2	Plans, Drawings and 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. This volume also includes the Consents and Agreements Position Statement which sets out the strategy for obtaining the consents and associated agreements needed to implement the 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	Reports	The Consultation Report and associated appendices provide an account of the pre-application consultation activities undertaken by the Applicant.
6	Environmental 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.
7	Other Documents	Additional documents that support the DCO application which include information on the case for the Scheme and the Habitats Regulations Assessment.

- A.3 A list of documents within the application is set out in **Table A.2**. If you require a copy of any of the application documents, or parts of them, please contact the M3 Junction 9 Project Team. A USB memory stick containing these documents will be provided free of charge.

Table A.2: DCO application documents

Volume	Document Reference	Document Title
1 – Application Information	1.1	Covering Letter and Section 55 Acceptance of Applications Checklist
	1.2	Application Form
	1.3	Introduction to the Application
	1.4	Electronic Application Index
2 – Plans, Drawings and Sections	2.1	Location Plan
	2.2	Land Plans
	2.3	Works Plans
	2.4	Rights of Way and Access Plans
	2.5	General Arrangement Plans
	2.6	Engineering Plans and Sections
	2.7	Structures Plans and Sections
	2.8	Classification of Road Plans
	2.9	Speed Limits Plans
	2.10	De-Trunking Plans
	2.11	Traffic Regulation Measures Plans
	2.12	Drainage and Surface Water Plans
	2.13	Protected Trees and Hedgerows to be Removed Plans
	2.14	Revoking Existing Clearway Orders Plans

Volume	Document Reference	Document Title
3 – Draft Development Consent Order	3.1	Draft Development Consent Order
	3.2	Explanatory Memorandum
	3.3	Consents and Agreements Position Statement
4 – Compulsory Acquisition Information	4.1	Statement of Reasons
	4.2	Funding Statement
	4.3	Book of Reference
5 – Reports	5.1	Consultation Report
6 – Environmental Information	6.1	Environment Statement Chapter 1: Introduction
	6.1	Environment Statement Chapter 2: The Scheme and its Surroundings
	6.1	Environment Statement Chapter 3: Assessment of Alternatives
	6.1	Environment Statement Chapter 4: Environmental Impact Assessment Methodology
	6.1	Environment Statement Chapter 5: Air Quality
	6.1	Environment Statement Chapter 6: Cultural Heritage
	6.1	Environment Statement Chapter 7: Landscape and Visual
	6.1	Environment Statement Chapter 8: Biodiversity
	6.1	Environment Statement Chapter 9: Geology and Soils
	6.1	Environment Statement Chapter 10: Material Assets and Waste

Volume	Document Reference	Document Title
	6.1	Environment Statement Chapter 11: Noise and Vibration
	6.1	Environment Statement Chapter 12: Population and Human Health
	6.1	Environment Statement Chapter 13: Road Drainage and the Water Environment
	6.1	Environment Statement Chapter 14: Climate
	6.1	Environment Statement Chapter 15: Cumulative Effects
	6.1	Environment Statement Chapter 16: Summary of Effects
	6.1	Environment Statement Chapter 17: Abbreviations and Glossary
	6.1	Environment Statement Chapter 18: References
	6.2	Environment Statement Figures
	6.3	Environment Statement Appendices
	6.4	Non-Technical Summary
7 – Other Documents	7.1	Case for the Scheme
	7.2	National Policy Statement for National Networks Accordance Table
	7.3	First Iteration Environmental Management Plan
	7.4	Flood Risk Assessment
	7.5	Habitats Regulations Assessment
	7.6	Statement Relating to Statutory Nuisance
	7.7	Water Framework Directive Assessment
	7.8	Outline Traffic Management Plan

Volume	Document Reference	Document Title
	7.9	Design and Access Statement
	7.10	Combined Modelling and Appraisal Report
	7.11	Ground Investigation Report
	7.12	Progress with Statements of Common Ground
	7.13	Transport Assessment Report
	7.14	Equality Impact Assessment

Appendix B

**Section 55 acceptance of applications checklist
(completed by the Applicant)**



The Planning Inspectorate
Yr Arolygiaeth Gynllunio

Section 55

Acceptance of Applications Checklist

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

Version: August 2022

Section 55 Acceptance of Applications Checklist

Section 55 of the Planning Act 2008 can be viewed at legislation.gov.uk, here:

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	<p>Yes.</p> <p>The proposed development set out in Schedule 1 of the draft Development Consent Order (“DCO”) (Document Reference 3.1) is a nationally significant infrastructure project (“NSIP”). The Scheme is an NSIP within Sections 14(1)(h) and 22(1)(b) of the Planning Act 2008 (as amended). Under Section 22(1) of the Planning Act 2008, an NSIP for a</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)

	<p>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>highway-related development must fall within one of the three categories specified, namely construction, improvement or alteration of a highway.</p> <p>The Scheme constitutes an “alteration” to a highway within the meaning of Section 22(1)(b) and meets the requirements of this definition under Section 22(3) and 22(4) as follows:</p> <ul style="list-style-type: none"> • The highway is wholly in England (Section 22(3)(a)). • National Highways (as the strategic highways company) is the highway authority for the highway (Section 22(3)(b)). • The area of development within the order limits is greater than 15 hectares (Sections 22(3)(c) and 22(4)(a), the latter relating to construction or alteration of a motorway). <p>This is consistent with the summary provided in Section 4 of the Application Form (Document Reference 1.2) which concludes that the application is for a NSIP.</p>
3	<p>Summary: Section 55(3)(a) and s55(3)(c)</p>	<p>The Applicant has demonstrated that the application, as submitted, is an application for an order granting development consent under the Planning Act 2008 and that development consent is required for the proposed development and associated matters described in Section 4 of the Application Form (Document Reference 1.2) and set out in Schedule 1 of the draft DCO (Document Reference 3.1).</p>
<p>Section 55(3)(e): The Applicant in relation to the application made has complied with Chapter 2 of Part 5 (pre-application procedure)</p>		

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 19 October 2020, the Applicant notified the Planning Inspectorate in accordance with Regulation 8(1)(b) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 ('the Infrastructure EIA Regulations') of its intention to provide an Environmental Statement ('ES') in respect of the Scheme (see Appendix E.4 of the Consultation Report).</p> <p>The notification was received before the start of its statutory consultation on 27 May 2021, which was carried out in accordance with Section 42 of the Planning Act 2008.</p> <p>A scoping opinion was received from the Planning Inspectorate on 27 November 2020 (see Appendix E.3 of the Consultation Report (Document Reference 5.1)).</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?	N/A – the adequacy of consultation representations will be requested by the Planning Inspectorate.
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.</p> <p>A sample of the letter sent to Section 42(1)(a) consultees for the 2021 statutory consultation is provided in Appendix J.2 of the Consultation Report (Document Reference 5.1).</p> <p>The Applicant has provided a list of persons consulted in 2021 under Section 42(1)(a) in Appendix B.1 of the Consultation Report (Document Reference 5.1).</p>
7	Section 42(1)(aa) the Marine Management Organisation ⁶ ?	N/A – no part of the Scheme is below Mean High-Water Springs.
8	Section 42(1)(b) each local authority within s43 ⁷ ?	<p>Yes.</p> <p>Table 11.1 of the Consultation Report (Document Reference 5.1) identifies the relevant local authorities that were consulted under Section 42(1)(b) of the Planning Act 2008 as part of the 2021 statutory consultation.</p> <p>Paragraphs 11.2.12 to 11.2.17 of the Consultation Report (Document Reference 5.1) illustrate how the relevant local authorities were identified.</p> <p>As stated in Table 11.1 of the Consultation Report (Document Reference 5.1), the host 'B' authorities consulted were:</p> <ul style="list-style-type: none"> • Winchester City Council; and • South Downs National Park Authority. <p>The host 'C' authority was:</p>

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

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"> • Hampshire County Council. <p>A list of the ‘A’ and ‘D’ neighbouring authorities consulted is provided in Table 11.1 of the Consultation Report (Document Reference 5.1).</p> <p>A sample of the letter sent to Section 42(1)(b) relevant authorities for the 2021 statutory consultation is provided in Appendix J.3 of the Consultation Report (Document Reference 5.1).</p>
9	Section 42(1)(c) the Greater London Authority (if in Greater London area)?	N/A – the Scheme is not located within the Greater London area.
10	Section 42(1)(d) each person in one or more of s44 categories ⁸ ?	<p>Yes.</p> <p>Paragraphs 11.2.18 to 11.2.24, Chapter 13 and Chapter 15 of the Consultation Report (Document Reference 5.1) provide a summary of how the Applicant made diligent inquiry to identify and consult persons with an interest in the land subject to the DCO application. A full account of the methodology is provided in the Statement of Reasons (Document Reference 4.1).</p> <p>A list of the Section 42(1)(d) consultees that the Applicant consulted with for the purposes of the 2021 statutory consultation is provided in Appendix B.2 of the Consultation Report (Document Reference 5.1). The Section 42(1)(d) consultees have been assigned an identification number for the purposes of the Consultation Report in accordance with the Planning Inspectorate’s Advice Note 6 and the Data Protection Act 2018.</p> <p>A sample of the letter sent to Section 42(1)(d) consultees for the purposes of the 2021 statutory consultation is provided in Appendix J.4 of the Consultation Report (Document Reference 5.1).</p> <p>Chapter 13 of the Consultation Report (Document Reference 5.1) sets</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>out how additional ‘targeted’ consultation was undertaken following development and refinement of the Scheme. The 2021 targeted consultation took place between 17 November 2021 and 22 December 2021 to consult the Section 42(1)(d) consultees identified following amendments to the Scheme. A list of the Section 42(1)(d) consultees that the Applicant consulted with for the purposes of the targeted consultation period is provided in Appendix B.3 of the Consultation Report (Document Reference 5.1). A sample of the letter sent for targeted statutory consultation is provided in Appendices L.1 to L.3 of the Consultation Report (Document Reference 5.1).</p> <p>Chapter 15 of the Consultation Report (Document Reference 5.1) set out a further ‘targeted consultation’ was undertaken prior to submission. The 2022 targeted consultation took place between 25 October 2022 and 21 November 2022 to consult new land interests identified as a result of ongoing diligent inquiries. A list of the Section 42(1)(d) consultees that the Applicant consulted with for the purposes of the targeted consultation period is provided in Appendix B.4 of the Consultation Report (Document Reference 5.1). A sample of the letter sent for targeted statutory consultation is provided in Appendices N.1 to N.4 of the Consultation Report (Document Reference 5.1).</p>
Section 45: Timetable for s42 consultation		
11	<p>Did the Applicant notify s42 consultees of the deadline for receipt of consultation responses; and if so was the deadline notified by the Applicant 28 days or more starting with the day after receipt of the consultation documents?</p>	<p>Yes.</p> <p>A sample of the letters sent to Section 42 consultees for the purpose of the 2021 statutory consultation is provided in Appendix J.2 to J.4 of the Consultation Report (Document Reference 5.1). The correspondence dated the 27 May 2021 confirmed a deadline of responses being 23.59 on the 8 July 2021. This is more than the 28 days after the date of the Section 42 notification letter. Appendix B.1 to B.2 of the Consultation Report (Document Reference 5.1) confirms the date each Section 42 consultee received the Section 42 notification letter.</p>

		<p>A sample of the letters sent to Section 42 consultees for the purposes of the 2021 targeted consultation is provided in Appendix L.1 to L.3 of the Consultation Report (Document Reference 5.1). The correspondence dated the 17 November 2021 confirmed a deadline of responses being 23.59 on the 22 December 2021. This is more than the 28 days after the date of the Section 42 notification letter. Appendix B.3 of the Consultation Report (Document Reference 5.1) confirms the date each Section 42 consultee received the Section 42 notification letter.</p> <p>A sample of the letters sent to Section 42 consultees for the purposes of the 2022 targeted consultation is provided in Appendix N.1 to N.4 of the Consultation Report (Document Reference 5.1). The correspondence dated the 25 October 2022 confirmed a deadline of responses being 23.59 on the 21 November 2021. This allowed for a 28-day consultation period. Due to the imminence of the submission of the Application, the Applicant has not been able to consider any responses received prior to submission. However, to ensure that no person is excluded from presenting their comments the Applicant made it clear that if the application is accepted for Examination they would be notified and they could participate in the Examination.</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 Section 46 on 26 May 2021, the day before consultation under Section 42 on 27 May 2021. A copy of the Section 46 notification letter and a copy of the notification acknowledgement letter from the Planning Inspectorate are provided in Appendix J.6 and Appendix J.7 of the Consultation Report (Document Reference 5.1) respectively.</p>
Section 47: Duty to consult local community		
13	Did the Applicant prepare a Statement of Community Consultation (SoCC) on how it intended	<p>Yes.</p> <p>Chapter 10 of the Consultation Report (Document Reference 5.1) outlines</p>

	to consult people living in the vicinity of the land?	<p>the Applicant's approach to developing the draft 2021 SoCC for the 2021 statutory consultation in consultation with the host authorities and summarises the activities carried out by the Applicant in accordance with Section 47 of the Planning Act 2008.</p> <p>A copy of the finalised 2021 SoCC for the 2021 statutory consultation is provided in Appendix I.8 of the Consultation Report (Document Reference 5.1).</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 relevant 'B' and 'C' authorities consulted about the content of the 2021 SoCC were:</p> <ul style="list-style-type: none"> • Winchester City Council (Category B) • South Downs National Park Authority (Category B) • Hampshire County Council (Category C) <p>The Applicant confirms at Paragraphs 10.4.8 to 10.4.9 of the Consultation Report (Document Reference 5.1) that a draft SoCC was shared for consultation with Winchester City Council, South Downs National Park Authority and Hampshire County Council on 10 November 2020 (see Appendix I.3). A deadline of the 9 December 2020 provided a 28-day response period from the day after receipt of the draft SoCC.</p> <p>Paragraph 10.4.10 of the Consultation Report (Document Reference 5.1) confirms that Winchester City Council, South Downs National Park Authority and Hampshire County Council all responded to the SoCC consultation on 9 December 2020. Copies of the emails received can be found in Appendix I.4 of the Consultation Report (Document Reference 5.1).</p>
15	Has the Applicant had regard to any responses received when preparing the SoCC?	<p>Yes.</p> <p>Tables 10.2 and 10.3 of the Consultation Report (Document Reference 5.1) provide details of the consultation responses from Winchester City Council, South Downs National Park Authority and Hampshire County</p>

		Council in respect of the draft 2021 SoCC and demonstrates how regard was had to their responses and the SoCC updated accordingly.
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>Table 10.5 of the Consultation Report (Document Reference 5.1) lists the following publications within which the 2021 SoCC notice pertaining to the 2021 statutory consultation was published:</p> <ul style="list-style-type: none"> • Mid Hampshire Observer (12 May 2021 and 19 May 2021) • Hampshire Chronicle (13 May 2021 and 20 May 2021) • Hampshire Independent (14 May 2021 and 21 May 2021) <p>A copy of the 2021 SoCC notice is provided in Appendix I.9 of the Consultation Report (Document Reference 5.1). Clippings of the published advertisements are provided in Appendices I.10-I.15 of the Consultation Report (Document Reference 5.1).</p> <p>Due to the COVID-19 pandemic ongoing at the time, it was not possible for the Applicant to make hard copies of the 2021 SoCC available at convenient locations for people living in the vicinity of the land. In accordance with the Infrastructure Planning (Publication and Notification of Applications etc.) (Coronavirus) (Amendment) Regulations 2020, the Applicant published the 2021 SoCC on the Scheme webpage which is owned and operated by the Applicant. The 2021 SoCC Notice provided details of where the SoCC could be found on the Scheme webpage. The Applicant also made clear that hard copies of the 2021 SoCC and consultation documents could be provided on request. This is set out in Section 10.5 of the Consultation Report (Document Reference 5.1).</p>
17	Does the SoCC set out whether the development is EIA development ⁹ ; and does it set out how the	<p>Yes.</p> <p>Section 4 of the 2021 SoCC (see Appendix I.8 of the Consultation Report</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

	Applicant intends to publicise and consult on the Preliminary Environmental Information?	(Document Reference 5.1) sets out that the development is EIA development and how the Applicant intended to publicise and consult on the preliminary environmental information in the 2021 statutory consultation.
18	Has the Applicant carried out the consultation in accordance with the SoCC?	<p>Yes.</p> <p>Chapter 11 of the Consultation Report (Document Reference 5.1) sets out how the Applicant's 2021 statutory consultation was carried out in accordance with the 2021 SoCC.</p> <p>The following methods were used to raise awareness of the 2021 statutory consultation and the availability of the consultation documents in accordance with the 2021 SoCC:</p> <ul style="list-style-type: none"> • Consultation flyer mail out within the consultation target area • Posters • Media releases • Emails and letters • Statutory notices • Social media • Website updates <p>The Applicant has provided a table of compliance in Appendix I.18 of the Consultation Report (Document Reference 5.1) which confirms how each commitment within the finalised 2021 SoCC has addressed.</p> <p>The Applicant carried out further promotional and communications activities in addition to those committed to in the published 2021 SoCC, comprising site notices and National Highways' Engagement Van. Further details are provided in Appendix I.18 of the Consultation Report (Document Reference 5.1).</p>
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>Section 11.5 of the Consultation Report (Document Reference 5.1) confirms that the Section 48 notice was published in the prescribed manner in 2021. Table 11.6 of the Consultation Report (Document Reference 5.1) lists the local and national newspapers the Section 48 notice was published in and the dates they were published. A copy of the Section 48 notice is provided in Appendix J.20 of the Consultation Report (Document Reference 5.1). Clippings of the published advertisements are provided in Appendices J.21-J.28 of the Consultation Report (Document Reference 5.1).</p>
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		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;	Mid Hampshire Observer	19 May 2021 and 26 May 2021
		Hampshire Chronicle	20 May 2021 and 27 May 2021
		Hampshire Independent	21 May 2021 and 28 May 2021
b)	once in a national newspaper;	The Times	3 June 2021
c)	once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and	London Gazette	27 May 2021
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 Section 48 notice for the 2021 statutory consultation is enclosed in Appendix J.20 of the Consultation Report (Document Reference 5.1) and contains the required information as prescribed by Regulation 4(3) of the APFP Regulations.</p>	
Information Paragraph		Information Paragraph	
a)	the name and address of the Applicant.	Yes – see first paragraph of the notice which provides the name and address of the Applicant.	b) a statement that the Applicant intends to make an application for development consent to the Secretary of State Yes – see first paragraph of the notice.
c)	a statement as to whether the application is EIA development	Yes – see third paragraph of the notice.	d) a summary of the main proposals, specifying the location or route of the Proposed Development Yes – see second paragraph and bullet points in the notice containing a description of the Scheme.
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 on a website maintained by or on behalf of the Applicant, including the address of the website; the place on the website where the documents, plans and maps may be inspected; and a telephone number which can be used to contact the Applicant for enquiries in relation to the	Yes – see fourth paragraph of the notice. Due to the ongoing COVID-19 pandemic, it was not possible for the Applicant to place consultation documents, plans and maps at an address in the vicinity of the Proposed Development. In accordance with the Infrastructure Planning (Publication and Notification of	f) the latest date on which those documents, plans and maps will be available for inspection on the website Yes – the fourth paragraph of the notice confirms that the consultation documents were made available between 27 May 2021 to 8 July 2021.

	documents, plans and maps	Applications etc.) (Coronavirus) (Amendment) Regulations 2020, the Applicant confirmed the address of the webpage where the documents, plans and maps could be inspected, free of charge. The ninth paragraph of the notice provides a telephone number that could be used to contact the Applicant for enquiries in relation to the documents, plans and maps.		
g)	whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge	Yes – the tenth paragraph of the notice states that there was a charge of up to £200 (including postage) for a paper copy of the Preliminary Environmental Information Report (PEIR) and all other paper copies of the consultation documents would be supplied free of charge. The tenth paragraph also confirms	h)	details of how to respond to the publicity Yes – the twelfth paragraph and bullet points state how consultees could respond to the consultation and provided a list of contact details by post, email and online.

		that a digital copy on a USB drive of all the consultation documents would be supplied free of charge.		
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	Yes – the eleventh paragraph (in bold text) states that responses to the consultation should be received by the Applicant by 8 July 2021 at 11.59pm.		
21	Are there any observations in respect of the s48 notice provided above?			
	N/A			
22	Has a copy of the s48 notice been sent to the EIA consultation bodies and to any person notified to the Applicant in accordance with the EIA Regulations ¹⁰ ?	<p>Yes.</p> <p>Paragraphs 11.2.28-11.2.29 of the Consultation Report (Document Reference 5.1) states that a copy of the Section 48 notice was sent to the EIA consultation bodies (and to any person notified in accordance with the Infrastructure EIA Regulations) for the 2021 statutory consultation.</p> <p>A sample copy of the letters sent to prescribed consultees, which enclosed a copy of the Section 48 notice and made reference to the Applicant’s duty under Regulation 13 of the Infrastructure EIA Regulations, is provided in Appendices J.2 to J.4 of the Consultation Report (Document Reference 5.1).</p> <p>The Section 48 notice was also sent to Section 42(1)(d) consultees as part</p>		

¹⁰ Regulation 13 of the 2017 EIA Regulations, or where Regulation 37 of the 2017 EIA Regulations applies, Regulation 11 of the 2009 EIA Regulations

of the 2021 statutory consultation.

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.

Chapter 12 and **Section 13.4** of the **Consultation Report (Document Reference 5.1)** provide a summary of the issues raised in the consultation responses received during the 2021 statutory consultation and 2021 targeted consultation. **Sections 12.5, 12.6** and **13.4** and **Appendices K.1 to K.3** of the **Consultation Report (Document Reference 5.1)** details how the Applicant has had regard to any relevant responses received to the Sections 42, 47 and 48 consultation in 2021.

Section 12.6 of the **Consultation Report (Document Reference 5.1)** provides an overview of how consultation activities have informed the ongoing process of developing the proposals and influenced the iterative nature of the consultation approach and mitigation commitments, including informing development of the Scheme design and approach to environmental assessments and commitment to mitigation measures.

As explained in **Chapter 15** of the **Consultation Report (Document Reference 5.1)**, due to the imminence of the submission of the Application, the Applicant has not been able to consider any responses received during the 2022 targeted consultation prior to submission. However, to ensure that no person is excluded from presenting their comments the Applicant made it clear that if the application is accepted for Examination they would be notified and they could participate in the Examination. Taken together with the extensive consultation the Applicant carried out under Section 47 (see **Section 11.4** of the **Consultation Report (Document Reference 5.1)**), the Applicant considers that the newly identified land interests have been afforded an opportunity to make their views on the Scheme known and were not prejudiced by the stage that the Applicant became aware of their interest in the land or right of access.

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 ?	In carrying out pre-application consultation for the Scheme, the Applicant has had regard to the relevant guidance. This is reflected in the contents of the Consultation Report (Document Reference 5.1) which sets out the iterative approach to consultation undertaken by the Applicant, with feedback sought at different stages of the Scheme's development. The Consultation Report (Document Reference 5.1) itself has been prepared in accordance with the guidance and sets out how the Applicant has consulted in accordance with the statutory requirements of the Planning Act 2008 and with regard to the contents of the guidance. Annex 1 of the Consultation Report (Document Reference 5.1) confirms that the pre-application consultation for the Scheme, and the preparation of this report, has been carried out with regard to Department for Communities and Local Government (DCLG) (now the Department for Levelling Up, Housing and Communities) guidance on pre-application consultation and the Planning Inspectorate's Advice Note 14: Compiling the Consultation Report.
25	Summary: Section 55(3)(e)	The Application, as made by the Applicant, has complied with Chapter 5 of Part 5 (pre-application procedure) of the Planning Act 2008. All relevant duties have been complied with.
s55(3)(f) and s55(5A): The application (including accompaniments) achieves a satisfactory standard having regard to the extent to which it complies with section 37(3) (form and contents of application) and with any standards set under section 37(5) and follows any applicable guidance under section 37(4)		
26	Is it made in the prescribed form as set out in Schedule 2 of the APFP Regulations, and does it include: <ul style="list-style-type: none"> a brief statement which explains why it falls 	Yes. Paragraph 4 of the Application Form (Document Reference 1.2) explains why the Scheme falls within the remit of the Planning Inspectorate. Paragraph 5 of the Application Form (Document Reference 1.2) provides

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

	<p>within the remit of the Planning Inspectorate; and</p> <ul style="list-style-type: none"> a brief statement that clearly identifies the location of the application site, or the route if it is a linear scheme? 	<p>a brief non-technical description of the Site, whilst Paragraph 6 of the Application Form (Document Reference 1.2) provides the location of the proposal. A Location Plan (Document Reference 2.1) has been provided which shows the route of the linear scheme.</p>	
27	Is it accompanied by a Consultation Report?	<p>Yes.</p> <p>The application is accompanied by a Consultation Report (Document Reference 5.1).</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>Each type of relevant plan, including Works Plans (Document Reference 2.3) and Land Plans (Document Reference 2.2), is presented in sets of 10 with a key plan. In addition, each relevant plan contains a key plan insert indicating the section of the Scheme it covers.</p>	
29	Is it accompanied by the documents and information set out in APFP Regulation 5(2)?	<p>Yes.</p> <p>The documents and information required by Regulation 5(2) of the APFP Regulations are set out in the documents and locations within the application, as listed below.</p>	
Information		Document	
a)	Where applicable, the Environmental Statement required under the EIA Regulations ¹³ and any scoping or screening opinions or directions	<p>Environmental Statement (Document Reference 6.1).</p> <p>The Scoping Opinion is included in Appendix E.3 of the Consultation Report</p>	b)
		<p>The draft Development Consent Order (DCO)</p>	<p>Draft DCO (Document Reference 3.1)</p>

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

		(Document Reference 5.1).			
	Is this of a satisfactory standard?			Is this of a satisfactory standard?	
c)	An Explanatory Memorandum explaining the purpose and effect of provisions in the draft DCO	Explanatory Memorandum (Document Reference 3.2)	d)	Where applicable, a Book of Reference (where the application involves any Compulsory Acquisition)	Book of Reference (Document Reference 4.3)
	Is this of a satisfactory standard?			Is this of a satisfactory standard?	
e)	A copy of any Flood Risk Assessment	Flood Risk Assessment (Document Reference 7.4)	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	Statement Relating to Statutory Nuisance (Document Reference 7.6)
	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)	Statement of Reasons (Document Reference 4.1) Funding Statement (Document Reference 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	(i) Land Plans (Document Reference 2.2) (ii) Land Plans (Document Reference 2.2) (iii) Rights of Way and Access Plans (Document Reference 2.4)

			Acquisition or any rights to use land;	(iv) N/A
			(iii) any land in relation to which it is proposed to extinguish easements, servitudes and other private rights; and	
			(iv) any special category land and replacement land	
	Is this of a satisfactory standard?		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	(i) Works Plans (Document Reference 2.3) (ii) Works Plans (Document Reference 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 creation of rights of way or public rights of navigation	Rights of Way and Access Plans (Document Reference 2.4) Traffic Regulation Measures Plans (Document Reference 2.11)
	Is this of a satisfactory standard?		Is this of a satisfactory standard?	
l)	Where applicable, a plan with accompanying	(i) Figure 7.1 (Landscape Designations) of the ES	m) Where applicable, a plan with accompanying	Chapter 6 (Cultural Heritage) of the ES (Document

<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>- Figures (Document Reference 6.2)</p> <p>Figure 9.1 (Environmental Information) of the ES Figures (Document Reference 6.2)</p> <p>Figure 9.2 (Agricultural Land Classification) of the ES (Document Reference 6.2)</p> <p>Chapter 7 (Landscape and Visual Effects) of the ES (Document Reference 6.1)</p> <p>Chapter 9 (Geology and Soils) of the ES (Document Reference 6.1)</p> <ul style="list-style-type: none"> (ii) Figure 8.1 (Statutory Designated Areas - 2 km) of the ES (Document Reference 6.2) Figure 8.2 (Internationally Designated Areas - 10 km) of the ES (Document Reference 6.2) 	<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>Reference 6.1),</p> <p>Figure 6.1 (Site Location and Geology) of the ES (Document Reference 6.2)</p> <p>Figure 6.2 (Designated Heritage Assets) of the ES (Document Reference 6.2)</p> <p>Figure 6.3 (Previous Archaeological Investigations) of the ES (Document Reference 6.2)</p> <p>Figure 6.4 (Prehistoric Heritage Assets) of the ES (Document Reference 6.2)</p> <p>Figure 6.5 (Roman and Early Medieval Heritage Assets) of the ES (Document Reference 6.2)</p> <p>Figure 6.6 (Medieval and Post Medieval Heritage Assets) of the ES (Document Reference 6.2)</p> <p>Figure 6.7 (Modern and Undated Heritage Assets) of the ES (Document Reference 6.2)</p> <p>Figure 6.8 (National Mapping Programme) of the ES (Document Reference 6.2)</p> <p>Figure 6.9 (Historic Landscape</p>
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	<p>Figure 8.3 (Internationally Designated Areas for Bats - 30 km) of the ES (Document Reference 6.2)</p> <p>Figure 8.4 (Non-statutory Designated Areas) of the ES (Document Reference 6.2)</p> <p>Figure 8.5 (Habitats of Principal Importance) of the ES (Document Reference 6.2)</p> <p>Protected Trees and Hedgerows to be Removed Plans (Document Reference 2.13)</p> <p>Chapter 8 (Biodiversity) of the ES (Document Reference 6.1)</p> <p>(iii) Figure 13.1 (Study Area and Receptors) of the ES Figures (Document Reference 6.2)</p> <p>Chapter 13 (Road Drainage and the Water Environment) of the ES (Document Reference</p>		<p>Characterisation) of the ES (Document Reference 6.2)</p> <p>Figure 6.10 (Eighteenth Century Kings Worthy) of the ES (Document Reference 6.2)</p> <p>Figure 6.11 (Sir Charles Ogle Estate Map (1823)) of the ES (Document Reference 6.2)</p> <p>Figure 6.12 (Important Hedgerows) of the ES (Document Reference 6.2)</p>
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		6.1)	
Is this of a satisfactory standard?			
n)	Where applicable, a plan with any accompanying information identifying any Crown land	N/A	
			o)
			Is this of a satisfactory standard?
			<p>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</p> <p>General Arrangement Plans (Document Reference 2.5)</p> <p>Engineering Plans and Sections (Document Reference 2.6)</p> <p>Structures Plans and Sections (Document Reference 2.7)</p> <p>Classification of Road Plans (Document Reference 2.8)</p> <p>Speed Limits Plans (Document Reference 2.9)</p> <p>De-Trunking Plans (Document Reference 2.10)</p> <p>Traffic Regulation Measures Plans (Document Reference 2.11)</p> <p>Drainage and Surface Water Plans (Document Reference 2.12)</p> <p>Protected Trees and Hedgerows to be Removed Plans (Document Reference 2.13)</p> <p>Revoking Existing Clearway Orders Plans (Document</p>

			Reference 2.14) Figure 2.3 (Environmental Masterplan) of the ES (Document Reference 6.2)
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:	Engineering Plans and Sections (Document Reference 2.6) Structures Plans and Sections (Document Reference 2.7)	q) Any other documents considered necessary to support the application	Consents and Agreements Position Statement (Document Reference 3.3) Case for the Scheme (Document Reference 7.1) National Policy Statement for National Networks Accordance Table (Document Reference 7.2) First Iteration Environmental Management Plan (Document Reference 7.3) Water Framework Directive Assessment (Document Reference 7.7) Outline Traffic Management Plan (Document Reference 7.8) Design and Access Statement (Document Reference 7.9) Combined Modelling and Appraisal Report (Document Reference 7.10)

				Ground Investigation Report (Document Reference 7.11) Progress with Statements of Common Ground (Document Reference 7.12) Transport Assessment Report (Document Reference 7.13) Equality Impact Assessment (Document Reference 7.14) Appendix 7.6 (Outline Landscape and Ecological Management Plan) of the ES (Document Reference 6.3)
	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?			
	N/A			
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 Habitats Regulations Assessment is provided (Document Reference 7.5). The report identifies relevant European sites and the likely effects on those sites. It is considered that the information provided in the report provides information that will allow the Secretary of State to undertake their duty as the competent authority.	

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

32	If requested by the Planning Inspectorate, two paper copies of the application form and other supporting documents and plans ¹⁵	<p>Yes.</p> <p>One electronic file transfer copy of the full application is provided as stated in the Planning Inspectorate’s Advice Note Six: Preparation and submission of application documents and agreed with the Planning Inspectorate.</p>
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>Chapter 3 and Annex 1 of the Consultation Report (Document Reference 5.1) describe the relevant Government guidance the Applicant has had regard to in preparing the application.</p> <p>The Introduction to the Application (Document Reference 1.3) explains the structure of the application and lists the application documents. It identifies prescribed applications documents and explains additional reports and plans that support the application. In particular, information related to Regulation 6(2) of the APFP Regulations - matters prescribed for applications for highways projects - is identified on relevant plans and drawings.</p> <p>Prescribed application documents have also had regard to the Planning Inspectorate’s advice notes, including:</p> <ul style="list-style-type: none"> • Advice Note Six: Preparation and submission of application documents; • Advice Note Seven: Environmental Impact Assessment: Preliminary Environmental Information, Screening and Scoping; • Advice Note Nine: Rochdale Envelope; • Advice Note Ten: Habitats Regulations Assessments; • Advice Note Thirteen: Advice Note Thirteen: Preparation of a draft Development Consent Order and Explanatory Memorandum;

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

		<ul style="list-style-type: none"> • Advice Note Fourteen: Compiling the Consultation Report; • Advice Note Fifteen: Drafting Development Consent Orders; • Advice Note Seventeen: Cumulative Effects Assessment; and • Advice Note Eighteen: The Water Framework Directive.
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 ?	The Applicant has paid the sum of £7,488 via BACS transfer to the Planning Inspectorate on 14 November 2022.

Role	Electronic signature	Date
Case Manager		
Acceptance Inspector		

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