

A417 Missing Link  
TR010056

1.2 Cover Letter

Planning Act 2008

APFP Regulation 5(2)(q)  
Infrastructure Planning (Applications: Prescribed Forms and  
Procedure) Regulations 2009

Volume 1

May 2021

Infrastructure Planning

Planning Act 2008

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

**A417 Missing Link**

Development Consent Order 202[x]

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**1.2 Cover Letter**

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<b>Regulation Number:</b>	5(2)(q)
<b>Planning Inspectorate Scheme Reference</b>	TR010056
<b>Application Document Reference</b>	1.2
<b>Author:</b>	A417 Missing Link

<b>Version</b>	<b>Date</b>	<b>Status of Version</b>
C01	May 2021	Application Submission

National Infrastructure Planning  
The Planning Inspectorate  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN

Highways England  
Temple Quay House  
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Bristol  
BS1 6HA

28 May 2021

Dear Sir/Madam,

## **Planning Act 2008**

### **Application for a Development Consent Order for the A417 Missing Link Scheme**

#### **Highways England**

#### **Application Reference TR010056**

I am pleased to enclose an application on behalf of Highways England (the Applicant) under section 37 of the Planning Act 2008 (the Act) for a Development Consent Order (DCO) granting development consent for the A417 Missing Link (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)(a) of the Act.
- 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 1.3) and in the Explanatory Memorandum (Document Reference 3.2).

### **2 Application fee and documentation enclosed**

- 2.1 A fee of £7,263.00 has been submitted by BACS transfer to the account of the Planning Inspectorate (PINS).
- 2.2 One electronic file transfer copy of the full DCO Application as listed in Appendix A is provided as stated in the PINS Advice Note Six: Preparation and submission of application documents (December 2020) and agreed with PINS.
- 2.3 A number of additional documents have been included in support of the application. These include:
  - Environmental Management Plan (Document Reference 6.4, Appendix 2.1)
  - Design Summary Report (Document Reference 7.7)
  - Equality Impact Assessment (Document Reference 7.8)

- Transport Report (Document Reference 7.10)

2.4 A completed section 55 checklist accompanies this letter in Appendix B.

2.5 The electronic application index was provided to PINS on 26 May and the Geographic Information System (GIS) shape file was submitted to PINS on 18 May.

### **3 Application formalities**

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

- The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the APFP Regulations);
- The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017;
- The Department for Communities and Local Government's 'Planning Act 2008: Nationally significant infrastructure projects – Application form guidance' (June 2013); and
- The Planning Inspectorate's 'Advice Note Six: Preparation and submission of application documents' (December 2020).

3.2 We request that PINS publish (with the exception of any identified documents requiring redaction due to sensitive nature) the application documents on the A417 Missing Link project page of the National Infrastructure website from acceptance of the DCO Application.

3.3 The Applicant requests that PINS does not publish the documents listed below due to their sensitive content:

- Confidential: Habitats of Protected Species: Location of Badger Setts Plans (Document Reference 2.11);
- ES Appendix 8.9 Badger Survey Report;
- ES Appendix 8.12 Stage 1 & 2 Barn Owl Survey Report;
- ES Appendix 8.13 Barn Owl Survey Report;
- ES Appendix 8.5 Bat Roost Surveys Technical Report; and
- ES Appendix 8.8 Bat Advanced Survey Technical Report.

### **4 Description of the scheme**

4.1 A non-technical description of the scheme is provided in the Introduction to the Application (Document Reference 1.1). A more detailed and technical description is provided in ES Chapter 2 The project (Document Reference 6.2).

## **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 DCO Application 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 PINS ‘Advice Note Nine: Rochdale Envelope’. It is the Applicant’s view that the inclusion of flexibility provided for in the draft DCO (Document Reference 3.1) is required to deliver the scheme.
- 5.3 An important element of the flexibility sought within the DCO relates to the positioning of the highway. Flexibility in this regard is necessary to allow for optimal siting of the highway against factors identified during the detailed pre-construction design stage of the project; such factors could include unexpected ground conditions or other unforeseen conditions on site which were not identified prior to an application for development consent.
- 5.4 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 2.4). This allows a lateral deviation of 2m from the extent of the scheme earthworks and a vertical deviation of 0.5m upwards or downwards. There are a number of exceptions to these standard limits due to environmental constraints or where increased flexibility is required. These exceptions are described further in the draft DCO (Document Reference 3.1).
- 5.5 These LoD 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.
- 5.6 Further detail on the Applicant’s approach to the Rochdale Envelope and flexibility within the draft DCO is provided within ‘Chapter 4 – Environmental assessment methodology’ of the ES (Document Reference 6.2).

## **6 Habitats Regulations Assessment**

- 6.1 This DCO Application includes a Habitats Regulation Assessment (HRA) Report (Document Reference 6.5) as required by Regulation 5(2)(g) of the APFP Regs. The HRA Report was prepared in consultation with the Planning Inspectorate’s ‘Advice Note Ten: Habitats Regulations Assessments’ (November 2017). 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.
- 6.2 The HRA Report was prepared in consultation with PINS ‘Advice Note 10: Habitats Regulations Assessments’.

- 6.3 The Applicant has undertaken screening for the purposes of the habitats regulations and concluded that it cannot rule out likely significant effects on one of the European sites considered. Therefore, this DCO Application is accompanied by a Statement to Inform the Appropriate Assessment (Document Reference 6.5) to inform the Appropriate Assessment to be undertaken by the Secretary of State.

## **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 of the powers sought and negotiations to date, including those relating to any special category land, 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 proposed scheme and associated development, are set out in the Consents and Agreements Position Statement (Document Reference 7.2).

**9 Pre-application consultation**

- 9.1 As required by section 37(3)(c) of the Act, a Consultation Report (Document Reference 5.1) and Consultation Report Appendices (Document Reference 5.2) accompany this application. These documents detail compliance with sections 42, 47, 48 and 49 of the Act.

**10 Pre-application engagement with PINS**

- 10.1 A meeting was held with PINS on 2 October 2018 to introduce the scheme. The Applicant described the scheme, including the environmental considerations and engagement with key stakeholders. PINS asked for another meeting with them to be held in advance of the statutory consultation.
- 10.2 Following the Preferred Route Announcement in March 2019, a further meeting with the Inspectorate was held on 24 July 2019. As requested, this was in advance of the statutory consultation that commenced on 27 September 2019. The Applicant provided an update on the progress of the scheme and gave a brief overview of potential land interests and commercial interests that could be affected by the proposed scheme. The Applicant also confirmed that Statements of Common Ground were being prepared with key stakeholders.
- 10.3 A meeting was held with PINS on 17 March 2020. An update was provided on the project following the consideration of consultation comments, further design work and further assessment work.
- 10.4 In response to the first round of statutory consultation, a number of design changes were made to the scheme and a subsequent round of statutory consultation commenced on 13 October 2020. This supplementary consultation was held on a digital-led basis given the restrictions associated with the COVID-19 pandemic.
- 10.5 Following this consultation, the Applicant held a meeting with PINS on 9 December 2020. A summary of the consultation was provided along with an update on the project and programme to submission.
- 10.6 A number of draft documents were issued to PINS on 25 February 2021. Comments were received and have been addressed in the preparation of the application.
- 10.7 Following these comments, a further meeting was held with PINS on 17 May 2021 which provided feedback on the comments received and also 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 on the General Arrangement Plans and Engineering Drawings and Sections (Document Reference 2.6).
- 11.2 Under Regulation 5(3) of the APFP Regulations, any plans, drawings or sections shall be 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 APFP regulations have been followed for the plans prepared and submitted as part of this DCO Application.
- 11.3 The Location Plan (Document Reference 2.1) is provided at a scale of 1:10,000 in order to provide greater context to the landscape 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; and
  - (iii) water bodies in a river basin management plan, together with an assessment of any effects on such sites, features, habitats or bodies likely to be caused by the proposed development.
- 11.5 The information required by Regulation 5(2)(l)(i) is contained in Volume 2, Environmental Features – Statutory or Non-Statutory Sites or Features of Nature Conservation (Document Reference 2.9). The information required by Regulation 5(2)(l)(ii) and Regulation 5(2)(l)(iii) is contained in Volume 2, Habitats of Protected Species, Important Habitats or Other Diversity Features and Water Bodies in a River Basin Management Plan -Plans (Document Reference 2.10) and Confidential: Habitats of Protected Species: Location of Badger Setts Plans (Document Reference 2.11).
- 11.6 The assessment of any effects on such sites, features, habitats or bodies likely to be caused by the scheme is presented in ES Chapter 7 Landscape and Visual Effects, ES Chapter 8 Biodiversity, and ES Chapter 13 Road Drainage and Water Environment (all Document Reference 6.2). A Water Framework Directive Assessment is included at ES Appendix 13.2 (Document Reference 6.4).
- 11.7 There is an equivalent requirement under Regulation 5(2)(m) in relation to certain historic sites and features. The information in relation to Regulation 5(2)(m) is included on Heritage Designation Plans (Document Reference 2.12). The assessment of any effects on such sites, features or structures likely to be

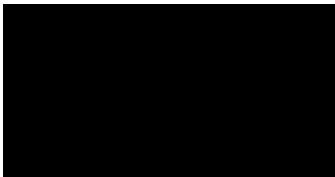


caused by the scheme is presented in 'Chapter 6- Cultural Heritage' of the Environmental Statement (Document Reference 6.2).

- 11.8 In accordance with Regulation 5(5) of the APFP Regulations, the Applicant has retained all responses to the consultations carried out under Part 5 of the Act and can make them available at the request of PINS.
- 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 DCO 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,



Michael Goddard

Senior Project Manager  
Highways England

Enclosures:

**Appendix A:** Overview of the Application Documents and Table of 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 the Table A-1.
- A.2 The 7 Volumes are explained in further detail in the Introduction to the Application (Document Reference 1.1).

**Table A-1 DCO application volumes**

	<b>Volume</b>	<b>Content</b>
<b>1</b>	Application Information	Details of the specific application information required by the Planning Inspectorate.
<b>2</b>	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.
<b>3</b>	Draft Development Consent Order	This is the document that sets out the legal powers that Highways England is seeking to enable it to build, operate and maintain the scheme, together with the Explanatory Memorandum, explaining the provisions of the Order.
<b>4</b>	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.
<b>5</b>	Consultation Report	Reports including the Consultation Report and other Reports / Statements relevant for the specific DCO and not dealt with elsewhere in the application.
<b>6</b>	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.
<b>7</b>	Other Reports	Additional documents that support the DCO application; these are not legally required but provide useful information on the case for the scheme.

- A.3 A list of documents within the DCO 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 A417 Missing Link Project Team. A USB memory stick containing these documents will be provided free of charge; a reasonable charge for printing and distribution of hard copies may be made.

Table A-2 DCO application documents

Volume	Document reference	Document title
<b>Volume 1: Application Information</b>	1.1a	Introduction to the Application
	1.1b	Application Document Tracker
	1.2	Application Covering Letter (including section 55 checklist)
	1.3	Application Form
<b>Volume 2: Plans, Drawings and Sections</b>	2.1	Location Plan
	2.2	Land Plans
	2.3	Special Category Land Plans
	2.4	Works Plans
	2.5	Rights of Way and Access Plans
	2.6a	General Arrangement Plans
	2.6b	Engineering Drawings and Sections
	2.7a	Traffic Regulation Measures - Speed Limits
	2.7b	Traffic Regulation Measures - Clearways and Prohibitions
	2.7c	Traffic Regulation Measures - Classification of Roads
	2.8	De-Trunking Plans
	2.9	Environmental Features—Statutory or Non-Statutory Sites or Features of Nature Conservation
	2.10	Habitats of Protected Species, Important Habitats or Other Diversity Features and Water Bodies in a River Basin Management Plan -Plans
2.11	Confidential: Habitats of Protected Species: Location of Badger Setts Plans	
2.12	Heritage Designation Plans	
2.13	Trees and Hedgerows to be Removed or Managed Plans	
<b>Volume 3: Draft Development Consent Order</b>	3.1	Draft Development Consent Order
	3.2	Explanatory Memorandum
<b>Volume 4: Compulsory Acquisition Information</b>	4.1	Statement of Reasons
	4.2	Funding Statement
	4.3	Book of Reference
<b>Volume 5: Consultation Report</b>	5.1	Consultation Report
	5.2	Consultation Report Appendices
<b>Volume 6: Environmental</b>	6.1	Non-Technical Summary
	6.2	Environmental Statement

Volume	Document reference	Document title
<b>Statement</b>	6.3	Environmental Statement – Figures
	6.4	Environmental Statement – Appendices
	6.5	Habitats Regulations Assessment: Screening Report and Statement to Inform Appropriate Assessment
	6.6	Statement of Statutory Nuisance
<b>Volume 7: Other Reports</b>	7.1	Case for the Scheme
	7.2	Consents and Agreements Position Statement
	7.3	Statement of Commonality
	7.4	Scheme Assessment Report (March 2019)
	7.5	Route Options Consultation Report (March 2019)
	7.6	Combined Modelling and Appraisal Report
	7.7	Design Summary Report
	7.8	Equality Impact Assessment
	7.9	Technical Appraisal Report
	7.10	Transport Report
	7.11	Cotswold National Trail Diversion Report

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

## Section 55 Acceptance of Applications Checklist<sup>1</sup>

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 (PINS) to complete. Completion or self-assessment by the Applicant does not hold weight at the Acceptance stage.

Section 55(2) Acceptance of Applications				
1	Within 28 days (starting day after receipt) the PINS must decide whether or not to accept the application for Examination.	Date received	28 day due date	Date of decision
Section 55(3) – the PINS may only accept an application if it concludes that:				
				PINS comments
Section 55(3)(a) and section 55(3)(c): It is an application for an order granting development consent				
2	Is the development a Nationally Significant Infrastructure Project <sup>2</sup> (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 <sup>3</sup> (DCO) under the Planning Act 2008 (the PA2008), or equivalent words? Does the application specify the development to which it relates (i.e. which	<p>Yes.</p> <p>The proposed development set out in Schedule 1 of the draft Development Consent Order (Document Reference 3.1) is a Nationally Significant Infrastructure Project (NSIP), which is a development falling within sections 14(1)(h) and 22(1)(a) of the Planning Act 2008 (the Act).</p> <p>Section 14(1)(h) of the Act defines an NSIP as highway-related development subject to falling within the criteria set out in section 22 of the Act.</p>		

<sup>1</sup> References in this document to the Secretary of State include references (where applicable) to the Planning Inspectorate Major Applications and Plan Directorate which carries out functions related to consenting nationally significant infrastructure projects on behalf of the Secretary of State

<sup>2</sup> NSIP is defined generally in s14 with the detailed thresholds for each of the specified categories being set out in ss15 to 30

<sup>3</sup> Development consent is required for development to the extent that the development is or forms part of an NSIP (s31 of the PA2008)

	<p>category or categories in ss 14 to 30 does the Proposed Development fall)?</p> <p>If the development does not fall within the categories in ss 14 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>Under section 22(1) of the Act, an NSIP for highway-related development must fall within one of three specified categories, construction, improvement or alteration of a highway.</p> <p>The scheme is a new offline section of dual carriageway and therefore constitutes the “construction” of a highway within the meaning of section 22(1)(a) and meets the requirements of this definition under section 22(2) and 22(4) as follows:</p> <ul style="list-style-type: none"> <li>• The highway will (when constructed) be wholly in England (section 22(2)(a));</li> <li>• Highways England (as the strategic highways company), will be the highway authority for the highway (section 22(2)(b)); and</li> <li>• The speed limit on the section of the A417 in the DCO boundary exceeds 50 mph and the area of development within the DCO boundary is 198.2 hectares, which is greater than 12.5 hectares (sections 22(2)(c) and 22(4)(b)).</li> </ul> <p>As the scheme is an NSIP, development consent must be obtained from the Secretary of State to authorise it, and an application for a DCO must be made to the PINS who administer the DCO process on behalf of the Secretary of State for Transport, under section 37 of the Act.</p> <p>This is consistent with the summary provided in the Application Form (Document Reference 1.3) in Box 4 which concludes that the application is for an NSIP.</p>
3	<p><b>Summary: Section 55(3)(a) and s55(3)(c)</b></p>	<p>The Applicant submits that the application submitted is an application for an order granting development consent under the Act and that development consent is required for the proposed development and associated matters described in Box 4 of the Application Form (Document Reference 1.3) and set out in Schedule 1 of the draft Development Consent Order (Document Reference 3.1).</p>

**Section 55(3)(e): The Applicant in relation to the application made has complied with Chapter 2 of Part 5 (pre-application procedure)**

4	<p>In accordance with the EIA Regulations<sup>4</sup>, 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>	<p><b>Yes.</b></p> <p>On 14 May 2019 the Applicant notified the PINS in accordance with Regulation 8(1)(b) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (2017 EIA Regulations) of its intention to provide an Environmental Statement in respect of the scheme.</p> <p>The notification was received before the start of its statutory consultation on 27 September 2019, which was carried out in accordance with section 42 of the Act. A second supplementary statutory consultation was carried out in accordance with section 42 of the Act in 2020, between 13 October 2020 and 12 November 2020.</p> <p>A copy of the Regulation 11 schedule (provided by PINS) confirms that a scoping request under Regulation 8 was received by PINS on the date stated above, 14 May 2019. This is provided in the Consultation Report Appendices (Document Reference 5.2, Appendix C).</p>
5	<p>Have any Adequacy of Consultation Representations<sup>5</sup> 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>	<p>No such Adequacy of Consultation Representations have been received.</p> <p>It is anticipated that following submission of the application for development consent the PINS will invite relevant local authorities to provide a statement relating to the adequacy of the consultation. This is set out in the PINS Advice Note Fourteen (April 2012).</p>

**Section 42: Duty to consult**

Did the Applicant consult the applicable persons set out in s42 of the PA2008 about the proposed application?

<sup>4</sup> 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)

<sup>5</sup> 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 <sup>6</sup> ?	<p><b>Yes.</b></p> <p>A sample of the letters sent to section 42(1)(a) consultees for the 2019 statutory consultation and 2020 supplementary statutory consultation are provided in the Consultation Report Appendices (Document Reference 5.2, Appendix 6.4 and Appendix 9.3, respectively).</p> <p>The Applicant has provided a list of persons consulted in 2019 and again in 2020 under section 42(1)(a) in the Consultation Report Appendices (Document Reference 5.2, Appendix 6.1 and Appendix 9.1, respectively).</p>
7	Section 42(1)(aa) the Marine Management Organisation <sup>7</sup> ?	<p><b>Not Applicable.</b></p> <p>No part of the scheme is below Mean High-Water Springs.</p>
8	Section 42(1)(b) each local authority within s43 <sup>8</sup> ?	<p><b>Yes.</b></p> <p>Paragraphs 6.2.7 to 6.2.12 and paragraphs 9.2.28 to 9.2.12 of the Consultation Report (Document Reference 5.1) identify the relevant local authorities that were consulted under section 43 and section 42(1)(b) of the Act in the 2019 statutory consultation and 2020 supplementary consultation.</p> <p>Chapter 6 of the Consultation Report (Document Reference 5.1) illustrates how the relevant local authorities were identified.</p> <p>The host 'B' authorities consulted were:</p> <ul style="list-style-type: none"> <li>• Cotswold District Council; and</li> <li>• Tewkesbury Borough Council</li> </ul> <p>The host 'C' authority consulted was:</p>

<sup>6</sup> Statutory consultees set out in Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (APFP Regulations)

<sup>7</sup> 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

<sup>8</sup> 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"> <li>• Gloucestershire County Council</li> </ul> <p>The boundary 'A' authorities consulted were:</p> <ul style="list-style-type: none"> <li>• Stroud District Council;</li> <li>• Gloucester City Council;</li> <li>• Forest of Dean District Council;</li> <li>• Cheltenham Borough Council;</li> <li>• Wychavon District Council;</li> <li>• Malvern Hills District Council;</li> <li>• South Gloucestershire Council (also a "D" authority);</li> <li>• Wiltshire Council (also a "D" authority);</li> <li>• Swindon Borough Council (also a "D" authority);</li> <li>• Vale of White Horse District Council;</li> <li>• West Oxfordshire District Council; and</li> <li>• Stratford-on-Avon District Council.</li> </ul> <p>The boundary 'D' authorities consulted were:</p> <ul style="list-style-type: none"> <li>• Worcestershire County Council;</li> <li>• Warwickshire County Council;</li> <li>• Oxfordshire County Council;</li> <li>• Monmouthshire County Council; and</li> <li>• Herefordshire County Council.</li> </ul> <p>A sample of the letters sent to section 42(1)(b) relevant authorities for the 2019 statutory consultation and 2020 supplementary statutory consultation are provided in the Consultation Report Appendices (Document Reference 5.2, Appendix 6.4 and Appendix 9.3, respectively).</p>
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9	Section 42(1)(c) the Greater London Authority (if in Greater London area)?	<p><b>Not Applicable.</b></p> <p>The scheme is not located within the Greater London area.</p>
10	Section 42(1)(d) each person in one or more of s44 categories <sup>9</sup> ?	<p><b>Yes.</b></p> <p>Paragraphs 6.2.15 to 6.2.18 of the Consultation Report (Document Reference 5.1) provides 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, whilst 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) Persons with an Interest in the Land (PIL) that Highways England consulted with for the purposes of the 2019 statutory consultation and 2020 supplementary statutory consultation is provided in the Consultation Report Appendices (Document Reference 5.2, Appendix 6.3 and Appendix 9.2, respectively). The PILs have been assigned an identification number for the purposes of the report, in accordance with PINS Advice Note 6 and the Data Protection Act 2018.</p> <p>A sample of the letters sent to section 42(1)(d) consultees for the purposes of the 2019 statutory consultation and the 2020 supplementary statutory consultation are provided in the Consultation Report Appendices (Document Reference 5.2, Appendix 6.4 and Appendix 9.3, respectively).</p> <p>Chapter 11 of the Consultation Report (Document Reference 5.1) sets out how additional ‘targeted’ consultation was undertaken following further development and refinement of the scheme. Additional periods of targeted consultation took place to consult PILs identified following amendments to the scheme and additional category 3 interests identified:</p> <ul style="list-style-type: none"> <li>• 13 January 2020 to 11 February 2020</li> <li>• 19 March 2020 to 16 April 2020</li> <li>• 11 March 2020 to 9 April 2020</li> <li>• 22 April 2020 to 21 May 2020</li> </ul>

<sup>9</sup> 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

		<ul style="list-style-type: none"> <li>8 February 2021 to 9 March 2021</li> </ul> <p>A list of the section 42(1)(d) PIL that Highways England consulted with for the purposes of the targeted consultation periods is provided in the Consultation Report Appendices (Document Reference 5.2, Appendix 11.2, 11.4, 11.6, 11.8 and 11.10). Samples of the letters sent for the targeted statutory consultations have been provided in the Consultation Report Appendices (Document Reference 5.2, Appendix 11.1, 11.3, 11.5, 11.7 and 11.9).</p>
<b>Section 45: Timetable for s42 consultation</b>		
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><b>Yes.</b></p> <p>A sample of the letters sent to section 42 consultees for the purposes of the 2019 statutory consultation and 2020 supplementary statutory consultation are provided in the Consultation Report Appendices (Document Reference 5.2, Appendix 6.4 and Appendix 9.3, respectively).</p> <p>The correspondence dated the 27 September 2019 confirmed a deadline of responses being 23:59 on the 8 November 2019. This is more than the 28 days after the date of the section 42 notification letter.</p> <p>The correspondence dated 13 October 2020 confirmed a deadline of responses being 23:59 on the 12 November 2020. This is more than the 28 days after the date of the section 42 letter.</p>
<b>Section 46: Duty to notify the Planning Inspectorate of proposed application</b>		
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><b>Yes.</b></p> <p>The Applicant gave notice under section 46 on 26 September 2019, the day before consultation commenced under section 42 on 27 September 2019, and again on the 12 October 2020, the day before consultation commenced under section 42 on 13 October 2020.</p> <p>A copy of the section 46 notification letters are provided in the Consultation Report Appendices (Document Reference 5.2, Appendix 6.5 and Appendix 9.4, respectively). A copy of the notification acknowledgement letters from PINS are provided in the</p>

		Consultation Report Appendices (Document Reference 5.2, Appendix 6.6 and Appendix 9.5, respectively).
<b>Section 47: Duty to consult local community</b>		
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><b>Yes.</b></p> <p>Chapter 5 of the Consultation Report (Document Reference 5.1) outlines the Applicant's approach to developing the draft SoCC for the 2019 statutory consultation in consultation with the host authorities and summarises the activities carried out by the Applicant in accordance with section 47 of the Act .</p> <p>Chapter 8 of the Consultation Report (Document Reference 5.1) outlines the Applicant's approach to developing the draft SoCC for the 2020 supplementary statutory consultation in consultation with the host authorities and summarises the activities carried out by the Applicant in accordance with section 47 of the Act.</p> <p>A copy of the finalised SoCC for each consultation is provided in the Consultation Report Appendices (Document Reference 5.2, Appendix 5.4 and Appendix 8.4, respectively).</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><b>Yes.</b></p> <p>The relevant 'B' and 'C' authorities consulted about the content of the SoCC were as follows:</p> <ul style="list-style-type: none"> <li>• Cotswold District Council (Category B)</li> <li>• Tewkesbury Borough Council (Category B)</li> <li>• Gloucestershire County Council (Category C)</li> </ul> <p>The Applicant confirms in paragraph 5.3.1 of the Consultation Report (Document Reference 5.1) that a draft SoCC was shared for consultation with Gloucestershire County Council, Tewkesbury Borough Council and Cotswold District Council on 09 July 2019. A deadline of the 08 August provided 30 days for responses to be received.</p>

		<p>Paragraph 5.3.5 of the Consultation Report (Document Reference 5.1) outlines that Gloucestershire County Council responded to the consultation on 06 August 2019. A copy of the email received can be found in the Consultation Report Appendices (Document Reference 5.2, Appendix 5.2).</p> <p>Paragraph 5.3.5 of the Consultation Report (Document Reference 5.1) outlines that Cotswold District Council responded to the consultation on 08 August 2019. A copy of the email received can be found in the Consultation Report Appendices (Document Reference 5.2, Appendix 5.2).</p> <p>Paragraph 5.3.5 of the Consultation Report (Document Reference 5.1) outlines that Tewkesbury Borough Council responded to the consultation on 15 August 2019. A copy of the email received can be found at Consultation Report Appendices (Document Reference 5.2, Appendix 5.3). Although this was received after the deadline for responses, Highways England still considered Tewkesbury Borough Council's comments when finalising the draft SoCC.</p> <p>This approach was replicated for the 2020 supplementary statutory consultation. The Applicant confirms in Paragraph 8.4.1 of the Consultation Report (Document Reference 5.1) that a draft SoCC was shared for consultation with Gloucestershire County Council, Tewkesbury Borough Council and Cotswold District Council on 10 August 2020. A deadline of the 08 September provided 29 days for responses to be received.</p> <p>Paragraph 8.4.3 of the Consultation Report (Document Reference 5.1) outlines that Gloucestershire County Council, Cotswold District Council and Tewkesbury Borough Council jointly responded to the consultation on 04 September 2020. A copy of the emails received can be found in the Consultation Report Appendices (Document Reference 5.2, Appendix 8.3).</p>
15	Has the Applicant had regard to any responses received when preparing the SoCC?	<p><b>Yes.</b></p> <p>Table 5.2 in the Consultation Report (Document Reference 5.1) provides a summary of the consultation response from Cotswold District Council, Tewkesbury Borough Council and Gloucestershire County Council in respect of the draft 2019 SoCC and demonstrates how regard was had to its content.</p> <p>Table 8-3 in the Consultation Report (Document Reference 5.1) provides a summary of the consultation response from Cotswold District Council, Tewkesbury Borough Council</p>

		and Gloucestershire County Council in respect of the draft 2020 SoCC and demonstrates how regard was had to its content.
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><b>Yes.</b></p> <p>Table 5.4 of the Consultation Report (Document Reference 5.1) lists the following publications within which the SoCC notice pertaining to the 2019 statutory consultation was published:</p> <ul style="list-style-type: none"> <li>• Western Daily Press on 20 September 2019 and 27 September 2019</li> <li>• Gloucestershire Echo on 19 September 2019 and 26 September 2019</li> </ul> <p>A copy of the 2019 SoCC notice is provided in Consultation Report Appendices (Document Reference 5.2, Appendix 5.5).</p> <p>Clippings of the published advertisements are provided in the Consultation Report Appendices (Document Reference 5.2, Appendix 5.5).</p> <p>Table 5.3 of the Consultation Report (Document Reference 5.1) lists the following public libraries that printed copies of the SoCC were placed for inspection throughout the 2019 statutory consultation period:</p> <ul style="list-style-type: none"> <li>• Brockworth Community Library;</li> <li>• Cheltenham Library;</li> <li>• Churchdown Library;</li> <li>• Cirencester Library;</li> <li>• Coleford Library;</li> <li>• Crickley Hill Visitor Centre;</li> <li>• Gloucester Library;</li> <li>• Hucclecote Library;</li> <li>• Moreton Area Centre;</li> <li>• National Star College;</li> </ul>

		<ul style="list-style-type: none"> <li>• Stroud Library; and</li> <li>• Tewkesbury Library.</li> </ul> <p>Table 8-5 of the Consultation Report (Document Reference 5.1) lists the following publications within which the SoCC notice pertaining to the 2020 supplementary statutory consultation was published:</p> <ul style="list-style-type: none"> <li>• Western Daily Press on the 02 October 2020 and 09 October 2020</li> <li>• Gloucestershire Echo on the 01 October 2020 and 08 October 2020</li> </ul> <p>A copy of the 2020 SoCC notice is provided in Consultation Report Appendices (Document Reference 5.2, Appendix 8.5).</p> <p>Clippings of the published advertisements are provided in the Consultation Report Appendices (Document Reference 5.2, Appendix 8.5).</p> <p>Due to the ongoing COVID-19 pandemic, it was not possible for the Applicant to make hard copies of the 2020 SoCC available at convenient locations for people who live in the vicinity of the land. In accordance with the Infrastructure Planning (Publication and Notification of Applications (Coronavirus) (Amendment) Regulations 2020, the Applicant agreed with the Category B and Category C authorities to host the relevant information on their websites, in addition to the project website which is owned and operated by the Applicant. The Applicant also made clear that hard copies of documents could be provided on request. This is set out in section 8.3 of the Consultation Report (Document Reference 5.1).</p>
17	Does the SoCC set out whether the development is EIA development <sup>10</sup> ; and does it set out how the Applicant intends to publicise and consult on the Preliminary Environmental Information?	<p><b>Yes.</b></p> <p>The SoCCs which are provided in the Consultation Report Appendices (Document Reference 5.2, Appendix 5.4 and Appendix 8.4), set out that the development is EIA development and how the Applicant intended to publicise and consult on the preliminary environmental information in 2019 and again in 2020.</p>
18	Has the Applicant carried out the consultation in accordance with the SoCC?	<p><b>Yes.</b></p>

<sup>10</sup> 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>Chapter 6 of the Consultation Report (Document Reference 5.1) sets out how the Applicant's consultation in 2019 was carried out in accordance with the 2019 SoCC.</p> <p>The following methods were used to raise awareness of the consultation and the availability of the consultation documents in accordance with the 2019 SoCC.</p> <ul style="list-style-type: none"> <li>• Postcard mail out</li> <li>• Media releases</li> <li>• Emails and letters</li> <li>• Statutory notices</li> <li>• Media adverts</li> <li>• Social media</li> <li>• Posters</li> </ul> <p>The Applicant has provided a table of compliance in the Consultation Report Appendices (Document Reference 5.2, Appendix 5.6) which confirms how each commitment within the finalised 2019 SoCC has been carried out.</p> <p>Chapter 9 of the Consultation Report (Document Reference 5.1) sets out how the Applicant's consultation in 2020 was carried out in accordance with the 2020 SoCC.</p> <p>The following methods were used to raise awareness of the consultation and the availability of the consultation documents in accordance with the 2020 SoCC.</p> <ul style="list-style-type: none"> <li>• Postcard mail out</li> <li>• Media releases</li> <li>• Emails and letters</li> <li>• Statutory notices</li> <li>• Social media</li> <li>• Website updates</li> <li>• Third party communications</li> </ul>
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		The Applicant has provided a table of compliance in the Consultation Report Appendices (Document Reference 5.2, Appendix 8.6) which confirms how each commitment within the finalised 2020 SoCC has been carried out.
<b>Section 48: Duty to publicise the proposed application</b>		
19	Did the Applicant publicise the proposed application in the prescribed manner set out in Regulation 4(2) of the APFP Regulations?	<p><b>Yes.</b></p> <p>Paragraphs 6.2.64 – 6.2.69 of the Consultation Report (Document Reference 5.1) confirms that the notice was published in the prescribed manner in 2019. Table 6-2 lists the local and national newspapers the section 48 notice was published in and the dates they were published. The Consultation Report Appendices (Document Reference 5.2, Appendix 6.11) contains scanned copies of the notices in the different publications.</p> <p>Paragraphs 9.1.76 – 9.1.82 of the Consultation Report (Document Reference 5.1) confirms that the notice was published in the prescribed manner in 2020. Table 9-2 lists the local and national newspapers the section 48 notice was published in and the dates they were published. The Consultation Report Appendices (Document Reference 5.2, Appendix 9.10) contains scanned copies of the notices in the different publications.</p>
<b>Newspaper(s)</b> <span style="float: right;"><b>Date</b></span>		
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;	<p><b>Yes.</b></p> <ul style="list-style-type: none"> <li>• Western Daily Press</li> </ul>
	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"> <li>• Gloucestershire Echo</li> </ul>
b)	once in a national newspaper;	<p><b>Yes.</b></p> <ul style="list-style-type: none"> <li>• The Guardian (2019)</li> <li>• The Telegraph (2020)</li> </ul>
		20 September 2019 & 27 September 2019 02 October 2020 & 09 October 2020
		19 September 2019 & 26 September 2019 01 October 2020 & 08 October 2020
		20 September 2019 & 27 September 2019 14 October 2020

c)	once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and	<b>Yes.</b> • London Gazette	20 September 2019 & 27 September 2019 09 October 2020		
d)	where the proposed application relates to offshore development – (i) once in Lloyds List; and (ii) once in an appropriate fishing trade journal?	Not applicable.	N/A		
20	Did the s48 notice include the required information set out in Regulation 4(3) of APFP Regulations?	<b>Yes</b> The published section 48 notices for the 2019 statutory consultation and 2020 supplementary statutory consultation are supplied in the Consultation Report Appendices (Document Reference 5.2, Appendix 6.11 and Appendix 9.10, respectively) and contain the required information as prescribed by Regulation 4(3) of the APFP Regulations.			
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 at the places (including at least one address	Yes – see fourth paragraph of the notice which states that consultation documents were made available and the Table which provides the locations of the deposited documents in the vicinity of	f)	the latest date on which those documents, plans and maps will be available for inspection	Yes –the fifth paragraph confirms that the consultation materials were made available between 27 September 2019 to 8 November 2019 for the 2019 statutory consultation, and 13 October 2020 to 12 November 2020 for the 2020

g)	in the vicinity of the Proposed Development) and times set out in the notice	the scheme. The fifth paragraph confirms that the consultation documents were available free of charge online and could be requested using the contact details set out.	h)		supplementary statutory consultation.
	whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge	Yes – the sixth paragraph states that paper copies of the consultation brochure, feedback questionnaire and SoCC could be supplied free of charge. It also stated that there may be a charge for paper copies of other consultation materials of up to £200.		details of how to respond to the publicity	Yes – the eighth paragraph states how consultees could respond to the consultation and provided a list of contact details by post, email, online.
	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 ninth paragraph (in bold text) states that responses to the consultation should be received by the Applicant by 8 November 2019 at 23:59 for the 2019 statutory consultation, and by 11 November 2020 at 23:59 for the 2020 supplementary statutory consultation.	
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 <sup>11</sup> ?	<p><b>Yes.</b></p> <p>Chapter 12 of the Consultation Report (Document Reference 5.1) sets out that a copy of the section 48 notice was sent to the EIA bodies (and to any person notified in accordance with the EIA Regulations) for the 2019 statutory consultation and the 2020 supplementary statutory consultation.</p> <p>A sample copy of the letters sent to prescribed consultees in 2019 and in 2020, which enclosed a copy of the section 48 notice and made reference to the Applicant's duty under Regulation 13 of the EIA Regulations, is provided in the Consultation Report Appendices (Document Reference 5.2, Appendix 6.4 and Appendix 9.3, respectively). This letter was also sent to the West of England Combined Authority, which was identified by PINS as an additional EIA consultation body in the Scoping Opinion.</p>
<b>s49: Duty to take account of responses to consultation and publicity</b>		
23	Has the Applicant had regard to any relevant responses to the s42, s47 and s48 consultation?	<p><b>Yes.</b></p> <p>Section 7.3 of the Consultation Report (Document Reference 5.1) and related appendices (Appendix 7.1 to 7.4, Document Reference 5.2) provides a summary of how the Applicant had regard to matters raised in responses from all consultees in response to the 2019 statutory consultation, including section 42(1)(a)(b) prescribed consultees; section 42(1)(d) persons with an interest in the land (PILS), and those consulted under section 47.</p> <p>Section 7.4 of the Consultation Report (Document Reference 5.1) summarises the design changes as a result of the 2019 statutory consultation process. It also summarises the key matters raised during statutory consultation that did not result in design changes and provides justification as to why.</p> <p>Section 10.3 of the Consultation Report (Document Reference 5.1) and related appendices (Appendix 10.1 to 10.4, Document Reference 5.2) provides a summary of how the Applicant had regard to matters raised in responses from all consultees in response to the 2020 statutory consultation, including section 42(1)(a)(b) prescribed</p>

<sup>11</sup> Regulation 13 of the 2017 EIA Regulations, or where Regulation 37 of the 2017 EIA Regulations applies, Regulation 11 of the 2009 EIA Regulations

		<p>consultees; section 42(1)(d) persons with an interest in the land (PILS), and those consulted under section 47.</p> <p>Section 10.4 of the Consultation Report (Document Reference 5.1) summarises the design changes as a result of the 2020 statutory consultation process. It also summarises the key matters raised during statutory consultation that did not result in design changes and provides justification as to why.</p> <p>Chapter 11 of the Consultation Report (Document Reference 5.1) and related appendices (Appendix 11.1, Document Reference 5.2) provides a summary of how the Applicant had regard to matters raised in responses from section 42(1)(d) persons with an interest in the land (PILS) that were consulted through additional targeted consultation during 2020 and 2021.</p>
<b>Guidance about pre-application procedure</b>		
24	To what extent has the Applicant had regard to statutory guidance 'Planning Act 2008: Guidance on the pre-application process' <sup>12</sup> ?	In carrying out pre-application consultation for the scheme, Highways England 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 Highways England, with feedback sought at different stages of the scheme's development. The Consultation Report itself has been prepared in accordance with the guidance and sets out how Highways England has consulted in accordance with the statutory requirements of the Act and with regard to the contents of the guidance. Paragraph 1.1.6 of the Consultation Report (Document Reference 5.1) states 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 Ministry of Housing, Communities and Local Government, MHCLG) guidance on pre-application consultation and the PINS Advice Note 14: Compiling the Consultation Report.'
25	<b>Summary: Section 55(3)(e)</b>	The application as made by the Applicant has complied with Chapter 2 of Part 5 (pre-application procedure) of the Act. All relevant duties have been complied with.

<sup>12</sup> The Planning Inspectorate must have regard to the extent to which the Applicant has had regard to guidance issued under s50

**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"> <li>a brief statement which explains why it falls within the remit of the Planning Inspectorate; and</li> <li>a brief statement that clearly identifies the location of the application site, or the route if it is a linear scheme?</li> </ul>	<p><b>Yes.</b></p> <p>Box 4 of the Application Form (Document Reference 1.3) explains why the development falls within the remit of PINS.</p> <p>Box 5 of the Application Form provides a brief non-technical description of the site, whilst Box 6 provides the location of the proposal. A Location Plan (Document Reference 2.1) has been provided, which shows the route of the linear development.</p>								
27	Is it accompanied by a Consultation Report?	<p><b>Yes.</b></p> <p>The application is accompanied by a Consultation Report (Document Reference 5.1) and Consultation Report Appendices (Document Reference 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? <sup>13</sup>	<p><b>Yes.</b> Each type of plan including Works Plans (Document Reference 2.4) and Land Plans (Document Reference 2.2) come in sets of six with a key plan. In addition, each 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><b>Yes.</b></p> <p>The documents and information required by APFP regulation 5(2) are set out in the documents and locations within the application as listed below:</p>								
<table border="1"> <thead> <tr> <th>Information</th> <th>Document</th> <th>Information</th> <th>Document</th> </tr> </thead> <tbody> <tr> <td>a) Where applicable, the Environmental Statement required under the EIA</td> <td>Environmental Statement (Document Reference 6.2)</td> <td>b) The Draft Development Consent Order (DCO)</td> <td>Draft DCO (Document Reference 3.1)</td> </tr> </tbody> </table>		Information	Document	Information	Document	a) Where applicable, the Environmental Statement required under the EIA	Environmental Statement (Document Reference 6.2)	b) The Draft Development Consent Order (DCO)	Draft DCO (Document Reference 3.1)	
Information	Document	Information	Document							
a) Where applicable, the Environmental Statement required under the EIA	Environmental Statement (Document Reference 6.2)	b) The Draft Development Consent Order (DCO)	Draft DCO (Document Reference 3.1)							

<sup>13</sup> Regulation 5(4) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

	Regulations <sup>14</sup> and any scoping or screening opinions or directions	The Scoping Opinion is included as ES Appendix (Document Reference 6.4, Appendix 4.1).		
	Is this of a satisfactory standard?	Yes		Yes
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)
	Is this of a satisfactory standard?	Yes		Yes
e)	A copy of any Flood Risk Assessment	Document Reference 6.4, Appendix 13.3	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
	Is this of a satisfactory standard?	Yes		Yes
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;
				Land Plans (Document Reference 2.2) (i) and (ii) Right of Way and Access Plans (Document Reference 2.5) (iii)

<sup>14</sup> The 2017 EIA Regulations, or where Regulation 37 of the 2017 EIA Regulations applies, the 2009 EIA Regulations



				(ii) where applicable, any land over which it is proposed to exercise powers of Compulsory Acquisition or any rights to use land;	Special Category Land Plans (Document Reference 2.3) (iv)
				(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?	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 alignment of the development and works; and  (ii) the limits within which the development and works may be carried out and any limits of	Works Plans (Document Reference 2.4) (i) and (ii)	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 2.5)  Traffic Regulation Measures Plans (Document Reference 2.7)

deviation provided for in the draft DCO					
Is this of a satisfactory standard?	Yes	Is this of a satisfactory standard?	Yes		
l)	<p>Where applicable, a plan with accompanying information identifying:-</p> <p>(i) any statutory/ non-statutory sites or features of nature conservation eg sites of geological/ landscape importance;</p> <p>(ii) habitats of protected species, important habitats or other diversity features; and</p> <p>(iii) water bodies in a river basin management plan,</p> <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>(i) Environmental Features– Statutory or Non-Statutory Sites or Features of Nature Conservation (Document Reference 2.9)</p> <p>ES Chapter 7 Landscape and Visual Effects (Document Reference 6.2)</p> <p>ES Chapter 8 Biodiversity (Document Reference 6.2)</p> <p>ES Chapter 9 Geology and Soils (Document Reference 6.2)</p> <p>(ii) Habitats of Protected species, important habitats or other diversity features and water bodies in a river basin management plan-plans (Document Reference 2.10)</p> <p>Confidential: Habitats of Protected Species: Location of Badger Setts</p>	m)	<p>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</p>	<p>Heritage Designation Plans (Document Reference 2.12)</p> <p>Environmental Features–Statutory or Non-Statutory Sites or Features of Nature Conservation (Document Reference 2.9)</p> <p>Environmental Statement, Chapter 6: Cultural Heritage (Document Reference 6.2)</p>

		<p>Plans (Document Reference 2.11)</p> <p>Trees and Hedgerows to be removed or managed plans (Document Reference 2.13)</p> <p>(iii) Habitats of Protected species, important habitats or other diversity features and water bodies in a river basin management plan-plans (Document Reference 2.10)</p> <p>ES Chapter 13 Road Drainage and the Water Environment (Document Reference 6.2)</p>			
	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	N/A	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	<p>General Arrangement Plans (Document Reference 2.6a)</p> <p>Traffic Regulation Measures - Speed Limits (Document Reference 2.7a)</p> <p>Traffic Regulation Measures - Clearways and Prohibitions (Document Reference 2.7b)</p> <p>Traffic Regulation Measures - Classification of Roads (Document Reference 2.7c)</p>

			access, any car parking and landscaping	De-trunking plans (Document Reference 2.8) Trees and Hedgerows to be Removed or Managed Plans (Document Reference 2.13) Environmental Masterplan (Document Reference 6.3, Figure 7.9)
	Is this of a satisfactory standard?	Yes	Are they of a satisfactory standard?	Yes
p)	Any of the documents prescribed by Regulation 6 of the APFP Regulations:	Engineering Drawings and Sections (Document Reference 2.6b)	q) Any other documents considered necessary to support the application	Environmental Management Plan (EMP) (Document Reference 6.4, Appendix 2.1) EMP Annex A Environmental Constraints Plan (Document Reference 6.4, Appendix 2.1) EMP Annex B Construction Traffic Management Plan (Document Reference 6.4, Appendix 2.1) EMP Annex C Detailed Archaeological Mitigation Strategy and Overarching WSI (Document Reference 6.4, Appendix 2.1) EMP Annex D Landscape and Ecological Management Plan (Document Reference 6.4, Appendix 2.1) EMP Annex E Materials Management Plan (Document Reference 6.4, Appendix 2.1) EMP Annex F Public Rights of Way Management Plan (Document Reference 6.4, Appendix 2.1)

				<p>EMP Annex G Ground and Surface Water Management Plan (Document Reference 6.4, Appendix 2.1)</p> <p>EMP Annex H Site Waste Management Plan (Document Reference 6.4, Appendix 2.1)</p> <p>Case for the Scheme (Document Reference 7.1)</p> <p>Consents and Agreements Position Statement (Document Reference 7.2)</p> <p>Statements of Commonality (Document Reference 7.3)</p> <p>Scheme Assessment Report (Document Reference 7.4)</p> <p>Route Options Consultation Report (March 2019) (Document Reference 7.5)</p> <p>Combined Modelling and Appraisal (ComMA) Report (Document Reference 7.6)</p> <p>Design Summary Report (Document Reference 7.7)</p> <p>Equality Impact Assessment (Document Reference 7.8)</p> <p>Technical Appraisal Report (February 2018) (Document Reference 7.9)</p> <p>Transport Report (Document Reference 7.10)</p> <p>Cotswold Way National Trail Diversion Report (Document Reference 7.11)</p>
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	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?				
	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)? <sup>15</sup>	<p><b>Yes.</b></p> <p>A Habitat Regulations Assessment is provided in the Statement to Inform an Appropriate Assessment Report and the associated Screening Report (Document Reference 6.5).</p> <p>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.</p>			
32	If requested by the Planning Inspectorate, two paper copies of the application form and other supporting documents and plans <sup>16</sup>	<p><b>Yes.</b></p> <p>One electronic file transfer copy of the full application is provided as stated in the PINS Advice Note Six: Preparation and submission of application documents (December 2020) and agreed with PINS.</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><b>Yes.</b></p> <p>The Applicant has had regard to the statutory guidance and the application has been prepared to a standard that PINS considers satisfactory. Paragraph 1.1.6 in the Consultation Report (Document Reference 5.1) describes the relevant Government guidance the Applicant has had regard to in preparing the application.</p> <p>The Introduction to the Application (Document Reference 1.1) 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 APFP Regulation 6(2) - matters prescribed for</p>			

<sup>15</sup> Regulation 5(2)(g) of the APFP Regulations

<sup>16</sup> Regulation 5(2)(r) of the APFP Regulations

		<p>applications for highways projects - is identified on relevant plans and drawings. Prescribed application documents have also had regard to PINS advice notes, including:</p> <ul style="list-style-type: none"> <li>• Advice Note Six: Preparation and submission of application documents;</li> <li>• Advice Note Nine: Rochdale Envelope;</li> <li>• Advice Note Ten: Habitats Regulations Assessments;</li> <li>• Advice Note Thirteen: Advice Note Thirteen: Preparation of a draft Development Consent Order and Explanatory Memorandum;</li> <li>• Advice Note Fourteen: Compiling the Consultation Report; and</li> <li>• Advice Note Fifteen: Drafting Development Consent Orders.</li> </ul>
34	<b>Summary - s55(3)(f) and s55(5A)</b>	[PINS considers that the application as submitted is of a satisfactory standard.]
<b>The Infrastructure Planning (Fees) Regulations 2010 (as amended)</b>		
<b>Fees to accompany an application</b>		
35	Was the fee paid at the same time that the application was made <sup>17</sup> ?	The Application Fee (£7,263.00) was received before submission of the application on 28 May 2021.

<b>Role</b>	<b>Electronic signature</b>	<b>Date</b>
Case Manager		
Acceptance Inspector		

<sup>17</sup> 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