

A1 Northumberland: Morpeth to Ellingham

Scheme Number: TR010041

1.2 Covering letter and Schedule of Compliance with Section 55

APFP Regulation 5(2)(q)

Planning Act 2008

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

Volume 1

June 2020

Infrastructure Planning

Planning Act 2008

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

**The A1 in Northumberland: Morpeth to
Ellingham**
Development Consent Order 20[xx]

COVERING LETTER AND SCHEDULE OF COMPLIANCE WITH SECTION 55

Regulation Reference	APFP Regulation 5(2)(q)
Planning Inspectorate Scheme Reference	TR010041
Application Document Reference	TR010041/APP/1.2
Author	A1 in Northumberland Project Team, Highways England

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Rev 0	June 2020	Application issue

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

30 June 2020

Dear Sir / Madam,

Planning Act 2008
Application for a Development Consent Order for the A1 Northumberland: Morpeth to Ellingham
Highways England
Application Reference: TR010041

I am pleased to enclose an application on behalf of Highways England (the 'Applicant') made under section 37 of the Planning Act 2008 (the '2008 Act') for an order granting development consent for the A1 in Northumberland: Morpeth and Ellingham (the 'Scheme'). The Scheme comprises two sections known as Part A: A1 Morpeth to Felton (Part A) and Part B: Alnwick to Ellingham (Part B).

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), 22(1)(a) and 22(1)(b) of the 2008 Act.
- 1.2 Further detail concerning the Scheme's qualification as an NSIP can be found in the prescribed form within the **Application Form (Application Document Reference: TR010041/APP/1.3)**, **Explanatory Memorandum (Application Document Reference: TR010041/APP/3.2)** and in the **Case for the Scheme (Application Document Reference: TR010041/APP/7.1)**.

2. Application fee and documentation enclosed

- 2.1 A fee of £7,227 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 **Annex A** is provided as agreed with the Planning Inspectorate as stated in Advice Note Six.
- 2.3 A completed section 55 checklist is attached as **Annex B**.

2.4 The electronic application index and GIS shape file has been submitted to the Planning Inspectorate two weeks prior to formal Development Consent Order application submission, as advised by the Planning Inspectorate's Advice Note Six.

3. Application formalities

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

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

3.2 The Applicant does not consider that there are any departures from the above legislation, guidance and advice, and request that the Planning Inspectorate publish the application documents on the Scheme page of the National Infrastructure website, with the exception of the documents set out below.

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

- Figure 9.2: Ecological Mitigation Plan, Volume 5 of the Environmental Statement (Application Document Reference: TR010041/APP/6.5)** – both a figure which is confidential and figure for publication are included in the application. These are clearly marked as to which is which;
- Figure 9.4: Badger Survey Results (2016 & 2019), Volume 6 of the Environmental Statement (Application Document Reference: TR010041/APP/6.6);**
- Appendix 2.1; Lighting Assessment, Volume 1 of the Environmental Statement (Application Document Reference: TR010041/APP/6.1);**
- Appendix 9.10: Badger Survey Report, Volume 7 of the Environmental Statement (Application Document Reference: TR010041/APP/6.7);**
- Appendix 9.11: Badger Bait Marking Survey Report, Volume 7 of the Environmental Statement (Application Document Reference: TR010041/APP/6.7);**
- Appendix 9.23: Badger Method Statement, Volume 7 of the Environmental Statement (Application Document Reference: TR010041/APP/6.7);**
- Appendix 12.1: Agricultural Assessment, Volume 7 of the Environmental Statement (Application Document Reference: TR010041/APP/6.7); and**
- Appendix 9.2: Badger Survey Report, Volume 8 of the Environmental Statement (Application Document Reference: TR010041/APP/6.8).**

4. Description of the Scheme

- 4.1 A non-technical description of the Scheme is provided in the **Introduction to the Application (Application Document Reference: TR010041/APP/1.1)**. A more detailed and technical description is provided **Chapter 2: The Scheme, Volume 1** of the **Environmental Statement (Application Document Reference: TR010041/APP/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 Development Consent Order (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 the Planning Inspectorate's Advice Note Nine: '*Rochdale Envelope*' together with pre-application advice provided by the Planning Inspectorate. It is our view that the inclusion of the flexibility provided for in the **draft DCO (Application Document Reference: TR010041/APP/3.1)** is fundamental to whether the Scheme is deliverable.
- 5.3 Flexibility is required for Part A in relation to the new bridge over the River Coquet which would be constructed parallel and to the eastern side of the existing bridge. The new bridge would comprise a three-span composite weathering steel / concrete continuous bridge deck with two upright supports, referred to as piers. The proposed piers would be on the same alignment as the existing piers on the existing northbound bridge. However, there is the potential for the proposed piers to be off-set so the northern pier would move up to 6 m to the north (from the current proposed location) and the southern pier would move up to 2 m to the north (from the current proposed location). In addition, there would be an allowance to move the proposed piers by a further 2 m in any other direction. This is to allow for engineering and environmental constraints to be accommodated for in the construction although the proposed pier construction methodology would not alter within this potential movement. For further details refer to **Chapter 2: The Scheme, Volume 1** of the **Environmental Statement (Application Document Reference: TR010041/APP.6.1)**. third-party landowners.
- 5.5 An element of this proposed flexibility for Part B includes a Northern Powergrid circuit from Denwick to Middlemoor Windfarm Teed that would need to be diverted as part of the Scheme. The circuit comprises of a 66kV Extra High Voltage (EHV) underground cable and associated fibre optic pilot cables. The existing EHV cable extends in a north south direction, roughly parallel to the proposed alignment, crossing the proposed alignment at Chainage 60520 (north of West Lodge). Refer to the **Works Plans (Application Document Reference: TR010041/APP/2.3)** for further details.
- 5.4 Approximately 7.5 km of 66 kV EHV transmission cable would need to be diverted from within the proposed highway boundary to a utilities trench. Provision is made in

the Application for the utilities trench to be offset up to 14 m from the edge of proposed earthworks within private land adjacent to the proposed highway boundary, with rights for its retention and maintenance being secured under the proposed **draft DCO (Application Document Reference: TR010041/APP/3.1)** from the third-party landowners.

- 5.5 However, the 66kV cable and its trench may be provided within the new highway boundary, this would entail a greater amount of permanent land take, but remove the need to interfere with private land after completion of the works as a result of the operation or maintenance of the cable. This option would mean a slightly different landscaping treatment within the wider highway boundary that has been amended within Volume 3 of the Environmental Statement (**Application Document Reference: TR010041/APP/6.3**).
- 5.6 The **draft DCO (Application Document Reference: TR010041/APP/3.1)** contains powers of lateral and vertical deviation as shown on the **Works Plan (Application Document Reference: TR010041/APP/2.3)**. However, the existing geometry of the A1 within the Order limits is such that it can be expected that the design shown on the **Engineering Section Drawings (Application Document Reference: TR010041/APP/2.7)** and **General Arrangement Plan (Application Document Reference: TR010041/APP/2.4)** will not vary materially in either the horizontal or vertical plane. As such, the reference design shown on those drawings has been assessed for the purposes of EIA.
- 5.7 Further details on the Applicant's approach to the Rochdale Envelope and limits of deviation in the EIA is provided within **Chapter 2: The Scheme** and **Chapter 4: Environmental Assessment Methodology, Volume 1** of the **Environmental Statement (Application Document Reference: TR010041/APP.6.1)**.
- 5.8 A full justification of why the flexibility is essential to the Scheme is provided in the **Explanatory Memorandum (Application Document Reference: TR010041/APP/3.2)** and the **Statement of Reasons (Application Document Reference: TR010041/APP/4.1)**.

6. Habitats Regulation Assessment

- 6.1 This Application includes a **Habitats Regulation Assessment (HRA) Report (Application Document Reference: TR010041/APP/6.14)** that is submitted as required by Regulation 5(2)(g) of the APFP Regulations. This HRA Report was prepared in consultation with the Planning Inspectorate's Advice Note Ten: 'Habitats Regulations Assessments' and 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 Applicant has undertaken Screening for the purposes of the habitats regulations and concluded that there are no likely significant effects on any European sites and their features.

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 (Application Document Reference: TR010041/APP/4.3)** and the **Statement of Reasons (Application Document Reference: TR010041/APP/4.1)**.
- 7.3 Adequacy of the funding for compensation is provided in the **Funding Statement (Application Document Reference: TR010041/APP/4.2)**.

8. Other Consents

- 8.1 Details of other consents and licences not forming part of the DCO which the Applicant (or others) may be seeking in relation to the construction and operation of the Scheme and associated development are set out in the **Consents and Agreements Position Statement (Application Document Reference: TR010041/APP/3.3)**.

9. Pre-application Consultation

- 9.1 As required by section 37(3)(c) a **Consultation Report (Application Document Reference: TR010041/APP/5.1)** and **Consultation Report Appendices (Application Document Reference TR010041/APP/5.2)** accompanies this application which details compliance with sections 42, 47, 48 and 49 of the 2008 Act.

10. Other matters

- 10.1 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 **General Arrangement Plans (Application Document Reference: TR010041/APP/2.4)**; **Engineering Section Drawings (Application Document Reference: TR010041/APP/2.7)**; and the **Structures Engineering Drawings and Sections (Application Document Reference: TR010041/APP/2.8)**.
- 10.2 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.
- 10.3 The **Location Plan (Application Document Reference: TR010041/APP/2.1)** is at a scale smaller than 1:2500 to show the location of the Scheme in its wider geographical context.
- 10.4 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.

- 10.5 The information required by Regulation 5(2)(l)(i) is contained in **Figure 9.3: Statutory Designated Sites** and **9.4: Non-Statutory Designated Sites, Volume 5** of the Environmental Statement (**Application Document Reference: TR010041/APP/6.5**) for Part A and **Figure 9.1: Statutory Designation Sites** and **9.2 Non-Designated Sites and Habitats of Priority Importance, Volume 6** of the Environmental Statement (**Application Document Reference: TR010041/APP/6.6**) for Part B.
- 10.6 The information in relation to Regulation 5(2)(l)(ii), is detailed on **Figure 9.1: Final Phase 1 Plan, Volume 5** of the Environmental Statement (**Application Document Reference: TR010041/APP/6.5**) for Part A and **Figure 9.3: Phase 1 Habitat Survey, Volume 6** of the Environmental Statement (**Application Document Reference: TR010041/APP/6.6**) for Part B.
- 10.7 The information in relation to Regulation 5(2)(l)(iii) is detailed on **Figure 10.1: Water Constraints Plan, Volume 5** of the Environmental Statement (**Application Document Reference: TR010041/APP/6.5**) for Part A and **Figure 10.1: Water Constraints Plan, Volume 6** of the Environmental Statement (**Application Document Reference: TR010041/APP/6.6**) for Part B.
- 10.8 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, Chapter 9: Biodiversity**, and **Chapter 10: Road Drainage and Water Environment, Volume 2** of the Environmental Statement (**Application Document Reference: TR010041/APP/6.2**) for Part A and **Chapter 7: Landscape and Visual, Chapter 9: Biodiversity**, and **Chapter 10: Road Drainage and Water Environment, Volume 3** of the Environmental Statement (**Application Document Reference: TR010041/APP/6.3**) for Part B. A **Water Framework Directive Assessment** is included at **Appendix 10.2, Volume 7** of the Environmental Statement (**Application Document Reference: TR010041/APP/6.7**) for Part A and **Appendix 10.2, Volume 8** of the Environmental Statement (**Application Document Reference: TR010041/APP/6.8**) for Part B.
- 10.9 There is an equivalent requirement under Regulation 5(2)(m) in relation to certain historic sites and features, as follows:

“(m) where applicable, a plan with accompanying information identifying any statutory or non-statutory sites or features of the historic environment, including scheduled monuments, World Heritage sites, listed buildings and other historic structures, 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”;

- 10.10 The information required in relation to Regulation 5(2)(m) is included on **Figure 8.1: Designated Heritage Assets** and **Figure 8.2: Non-Designated Heritage Assets, Volume 5** of the **Environmental Statement (Application Document Reference: TR010041/APP/6.5)** for Part A and **Figure 8.1: Designated Heritage Assets within 1km** and **Figure 8.2: Non-Designated Heritage Assets within 500m, Volume 6** of the **Environmental Statement (Application Document Reference: TR010041/APP/6.6)** for Part B. The assessment of any effects on such sites, features or structures likely to be caused by the Scheme is presented in **Chapter 8: Cultural Heritage, Volume 2** of the **Environmental Statement (Application Document Reference: TR010041/APP/6.2)** for Part A and **Chapter 8: Cultural Heritage, Volume 3** of the **Environmental Statement (Application Document Reference: TR010041/APP/6.3)** for Part B.
- 10.11 In accordance with Regulation 5(5) of the APFP Regulations, the Applicant retains all responses to the consultation carried out under Part 5 of the 2008 Act and can make them available at the request of the Planning Inspectorate.
- 10.12 The Applicant will keep all application documents under review and will endeavour to provide updates (where it considers it necessary to do so) during the examination of the application considering and responding to 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,

Mark Stoneman

Project Manager
Highways England

Enclosures:

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

Annex A: Overview of the Application Documents

The reports, drawings and plans that make up the Development Consent Order application have been organised into seven volumes as listed in the table below. The seven volumes are explained in further detail in the **Introduction to the Application (Application Document Reference: TR010041/APP/1.1)**.

Table of Application Documents

	VOLUME	CONTENT
1	Application Form / Information / Background	This document, the completed application form and an Introduction to the Scheme.
2	Plans / Drawings / Sections	These include plans that illustrate the location of the Scheme, the proposed works, the land that will be acquired or used, and engineering details.
3	Draft Development Consent Order	This is the document that sets out the legal powers that 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, and the Consents and Agreements Position Statement which sets out the strategy for obtaining the consents and associated agreements needed to implement the proposed Scheme.
4	Compulsory Acquisition Information	Documents setting out in tabular form the land to be acquired or used, and reports justifying the seeking of compulsory acquisition powers over this land.
5	Report / Statements	Reports including the Consultation Report and other Reports / Statements relevant for the specific Development Consent Order and not dealt with elsewhere in the application.
6	Environmental Impact Assessment 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 Development Consent Order application; these are not legally required but provide useful information on the case for the Scheme.

A list of documents within the application is set out below. If you require a copy of any of the application documents, or parts of them, please contact the A1 in Northumberland Project Team. A USB containing these documents will be provided free of charge. A reasonable charge for printing and distribution of hard copies will be made.

VOLUME	DOC REF	DOCUMENT TITLE	FOLDER NUMBER
Information/ Background	1.1	Introduction to the Application	Volume 1
	1.2	Covering Letter and Completed Section 55 Checklist	
	1.3	Application Form	
	1.4	Guide to the Documents to be Certified	
VOLUME 2: Plans / Drawings / Sections	2.1	Location Plan	Volume 2
	2.2	Land Plans	
	2.3	Works Plans	
	2.4	General Arrangement Plans	
	2.5	Rights of Way and Access Plans	
	2.6	Traffic Regulation Measures Plan	
	2.7	Engineering Section Drawings	
	2.8	Structures Engineering Drawings and Sections	
	2.9	Vegetation Clearance Plan	
VOLUME 3: Draft Development Consent Order	3.1	Draft Development Consent Order	Volume 3
	3.2	Explanatory Memorandum	
	3.3	Consents and Agreements Position Statement	
VOLUME 4: Compulsory Acquisition Information	4.1	Statement of Reasons	Volume 4
	4.2	Funding Statement	
	4.3	Book of Reference	
VOLUME 5: Reports / Statements	5.1	Consultation Report	Volume 5
	5.2	Consultation Report Appendices	
VOLUME 6:	6.1	Environmental Statement Introductory Chapters, Figures and Appendices	Volume 6 Folder 1 (of 9)

Environmental Assessment Information	Impact (EIA)	6.2	Environmental Statement Chapters – Part A	Volume 6 Folder 2 (of 9)
		6.3	Environmental Statement Chapters – Part B	Volume 6 Folder 3 (of 9)
		6.4	Environmental Statement – Cumulative Assessment and Summary	Volume 6 Folder 4 of 9)
		6.5	Environmental Statement – Part A Figures	Volume 6 (Folder 5 of 9)
		6.6	Environmental Statement – Part B Figures	Volume 6 (Folder 6 of 9)
		6.7	Environmental Statement – Part A Appendices	Volume 6 (Folder 7 of 9)
		6.8	Environmental Statement – Part B Appendices	Volume 6 (Folder 8 of 9)
		6.9	Environmental Statement (Non-Technical Summary)	Volume 6 (Folder 9 of 9)
		6.10	Part A Scoping Opinion	
		6.11	Part A Scoping Report	
		6.12	Part B Scoping Opinion	
		6.13	Part B Scoping Report	
		6.14	Habitats Regulations Assessment	
		6.15	Statement Relating to Statutory Nuisance	
		VOLUME 7: Other Documents	7.1	Case for the Scheme
7.2	National Policy Statement for National Networks (NPS NN) Accordance Table			
7.3	Outline Construction Environmental Management Plan			
7.4	Construction Traffic Management Plan			

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

The Planning Act 2008 **Section 55 Acceptance of Applications***

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

- (1) The following provisions of this section apply where the Secretary of State receives an application that purports to be an application for an order granting development consent.
- (2) The Secretary of State must, by the end of the period of 28 days beginning with the day after the day on which the Secretary of State receives the application, decide whether or not to accept the application.
- (3) The Secretary of State may accept the application only if the Secretary of State concludes
 - (a) that it is an application for an order granting development consent,
 - (b) deleted
 - (c) that development consent is required for any of the development to which the application relates,
 - (d) deleted
 - (e) that the applicant has, in relation to a proposed application that has become the application, complied with Chapter 2 of Part 5 (pre-application procedure), and
 - (f) that the application (including accompaniments) is of a standard that the Secretary of State considers satisfactory.
- (4) The Secretary of State, when deciding whether the Secretary of State may reach the conclusion in subsection (3)(e), must have regard to -
 - (a) the consultation report received under section 37(3)(c), Section 55 Acceptance of Applications Checklist August 2017
 - (b) any adequacy of consultation representation received by the Secretary of State from a local authority consultee, and
 - (c) the extent to which the applicant has had regard to any guidance issued under section 50.
- (5) In subsection (4) - "local authority consultee" means -
 - (a) a local authority consulted under section 42(1)(b) about a proposed application that has become the application, or
 - (b) the Greater London Authority if consulted under section 42(1)(c) about that proposed application;

“adequacy of consultation representation” means a representation about whether the applicant complied, in relation to that proposed application, with the applicant’s duties under sections 42, 47 and 48.

- (5A) The Secretary of State when deciding whether the Secretary of State may reach the conclusion in subsection (3)(f) must have regard to the extent to which –
- a) the application complies with the requirements in section 37(3) (form and contents of application) and any standards set under section 37(5) and
 - b) any applicable guidance given under section 37(4) has been followed in relation to the application.
- (6) If the Secretary of State accepts the application, the Secretary of State must notify the applicant of the acceptance.
- (7) If the Secretary of State is of the view that the application cannot be accepted, the Secretary of State must -
- (a) notify that view to the applicant, and
 - (b) notify the applicant of the Secretary of State’s reasons for that view.
- (8) If in response the applicant modifies (or further modifies) the application, subsections (2) to (7) then apply in relation to the application as modified.

*Section 55 of the Planning Act 2008 as amended by the Localism Act 2011

Section 55 Acceptance of Applications

A1 Northumberland: Morpeth to Ellingham Scheme Section 55 Application Checklist¹

Section 55 Acceptance of Applications Checklist

Section 55 of the Planning Act 2008 can be viewed at [legislation.gov.uk](http://www.legislation.gov.uk), here: <http://www.legislation.gov.uk/ukpga/2008/29/section/55>

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

Section 55(2) Acceptance of Applications			
1	Within 28 days (starting day after receipt) the Planning Inspectorate must decide whether or not to accept the application for Examination.	Date received	28 day due date
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 ² (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 ³ under the Planning Act 2008 (the PA2008), or equivalent words? Does the application specify the development to which it relates (i.e. which category or categories in ss14 to 30 does the Proposed Development fall)? 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	The Scheme is a Nationally Significant Infrastructure Project (NSIP) within sections 14(1)(h) and 22(1) of the 2008 Act. The Scheme is the “construction” and “alteration” of a highway within the meaning of section 22(1)(a) and 22(1)(b) of the 2008 Act. The speed limit will be 50mph or more and the area of development is 362 hectares which exceeds the 12.5 hectares threshold. The Scheme is wholly located in England and Highways England, a strategic highways company, will be the highway authority for the highway to be altered by the Scheme. The Scheme therefore complies with the requirements of sections 22(2). This is consistent with the summary provided in the Application Form (Application Document TR010041/APP/1.3) at Section 4 which concludes that the application is an NSIP.	

¹ References in this document to the Secretary of State include references (where applicable) to the Planning Inspectorate Major Casework Directorate which carries out functions related to consenting nationally significant infrastructure projects on behalf of the Secretary of State.

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

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

	for the development to be treated as development for which development consent is required?	
3	Summary: Section 55(3)(a) and s55(3)(c)	The Applicant has demonstrated that the application as submitted is an application for an order granting development consent under the 2008 Act.
Section 55(3)(e): The Applicant in relation to the application made has complied with Chapter 2 of Part 5 (pre-application procedure)		
4	In accordance with the EIA Regulations⁴, 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 25 January 2017 the Applicant notified the Secretary of State in writing under Regulation 8(1)(b) of the EIA Regulation 2017 that it proposed to provide an Environmental Statement in respect of the development which at that time related to Part A; and</p> <p>On 7 November 2018 the Applicant notified the Secretary of State in writing under Regulation 8(1)(b) of the EIA Regulations 2017 that it proposed to provide an Environmental Statement in respect of the development which at that time related to Part B; and</p> <p>On 16 April 2020 the Applicant sought to send the Inspectorate notification under Regulation 8(1)(b) in respect of the Scheme as a precautionary measure as the Applicant did not believe there was a legal requirement to do so but would have been effective as a submission nonetheless. Unfortunately, due to technical issues the notification was not sent. The Regulation 8(1)(b) notification letter was sent on 15 May 2020. This notification also informed the Inspectorate of the requirement for an ES.</p> <p>The following reasons set out why the Applicant considers there was no legal requirement to notify the Inspectorate under Regulation 8(1)(b):</p> <ol style="list-style-type: none"> i. Regulation 8 notifications and shape files were submitted for each of the component Parts A and B of the Scheme on 10th January 2018 and 24th October 2018 respectively; ii. The requirement is for the notifications to relate to “the development” in relation to an application, which has plainly happened already in relation to both Part A and Part B of the Scheme;

⁴ 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)

		<p>iii. As such, we know that the Inspectorate will have complied with Regulation 11 of the EIA regulations in respect of both parts and all statutory bodies that you would have notified will already be on notice – for Part A and Part B of the Scheme;</p> <p>iv. The provisions of Regulation 8(1) are positively, as opposed to negatively worded. It says that notice should be given “before” section 42 consultation, rather than that section 42 consultation must not occur until notice has been given. Construed purposively, this means that even if notice is not given prior to the consultation the position can be remedied.</p> <p>A copy of the notification letters is provided at Appendix B of the Consultation Report Appendices (Application Document Reference: TR010041/APP/5.2).</p>
5	<p>Have any Adequacy of Consultation Representations⁵ 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>It is anticipated that following submission of the application for development consent the Planning Inspectorate will invite relevant local authorities to provide a statement relating to the adequacy of the consultation. This is set out in the Planning Inspectorate’s Advice Note Fourteen (April 2012).</p>
<p>Section 42: Duty to consult</p>		
<p>Did the Applicant consult the applicable persons set out in s42 of the PA2008 about the proposed application?</p>		
6	<p>Section 42(1)(a) persons prescribed⁶?</p>	<p>Yes.</p> <p>The Applicant has carried out 3 rounds of statutory consultation and 5 targeted statutory consultations with s42(1)(a) consultees prescribed under Schedule 1 of the APFP Regulations. The details of each consultation are set out below:</p> <p>Full Statutory Consultation</p> <p><u>18 June 2018 to 29 July 2018</u></p> <p>The Applicant undertook full statutory consultation between 18 June 2018 and 29 July 2018 on the proposals to upgrade the A1 between Morpeth and Felton. A letter and consultation pack were sent to section 42(1) consultees on 15 June 2018 as detailed in</p>

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

	<p>Chapter 3 of the Consultation Report (Application Document Reference: TR010041/APP/5.1).</p> <p><u>25 February 2019 to 8 April 2019</u></p> <p>The Applicant undertook full statutory consultation between 25 February 2019 and 8 April 2019 on the proposals to upgrade the A1 between Alnwick and Ellingham. A letter and consultation pack were sent to section 42(1)(a) consultees on 22 February 2019 as detailed in Chapter 3 of the Consultation Report (Application Document Reference: TR010041/APP/5.1)</p> <p><u>16 April 2020 to 21 May 2020</u></p> <p>The Applicant undertook full statutory consultation between 16 April 2020 and 21 May 2020 on the proposals to upgrade the A1 between Morpeth and Ellingham. A letter and consultation pack were sent to section 42(1)(a) consultees on 14 April 2020.</p> <p>A list of the statutory persons consulted under section 42(1)(a) as part of the statutory consultation is provided at Appendix G of the Consultation Report Appendices (Application Document Reference: TR010041/APP/5.2). A copy of the letter sent to section 42(1)(a) consultees can be found at Annex H of the Report.</p> <p>Targeted Statutory Consultation</p> <p><u>7 January 2019 to 4 February 2019</u></p> <p>The Applicant carried out targeted statutory consultation between 7 January 2019 and 4 February 2019 relating to mitigation identified to offset the environmental impacts of the Scheme. A letter and consultation information were sent to section 42(1)(a) consultees on 4 January 2019 as detailed in Chapter 3 of the Consultation Report (Application Document Reference: TR010041/APP/5.1).</p> <p><u>9 August 2019 to 9 September 2019</u></p> <p>The Applicant carried out targeted statutory consultation between 9 August 2019 to 9 September 2019 with the Secretary of State for Transport and Northumbria Local Resilience Forum who were omitted from the statutory consultation held between 18 June 2018 to 29 July 2018. Further details can be found in Chapter 3 of the Consultation Report (Application Document Reference: TR010041/APP/5.1).</p>
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		<p><u>16 August 2019 to 16 September 2019</u></p> <p>The Applicant carried out targeted statutory consultation between 16 August 2019 to 16 September with Newton-on-the Moor and Swarland Parish Council as they were identified as being in close proximity to the proposals although not directly affected. Further details can be found in Chapter 3 of the Consultation Report (Application Document Reference: TR010041/APP/5.1)</p> <p><u>16 March 2019 to 15 April 2019</u></p> <p>The Applicant carried out targeted statutory consultation between 16 March 2019 and 15 April 2019. This was completed following a refresh of the Land Registry information covering the Scheme extent. 37 potential new land interests were identified. A letter and consultation information were sent to s42(1)(a) consultees on 15 March 2019 as detailed in Chapter 3 of the Consultation Report (Application Document Reference: TR010041/APP/5.1).</p> <p><u>23 May 2020 to 22 June 2020</u></p> <p>The Applicant carried out targeted statutory consultation between 23 May 2020 and 22 June 2020. This was in recognition of an error made in relation to the statutory consultation held between 16 April 2020 and 21 May 2020 whereby 48 section 42(1)(1) consultees were missed. A letter and the PEIR were sent on 22 May 2020 as detailed in Chapter 3 of the Consultation Report (Application Document Reference: TR010041/APP/5.1)</p>
7	Section 42(1) (aa) the Marine Management Organisation⁷?	Not applicable – the Marine Management Organisation is not a relevant consultee in respect of the Scheme.
8	Section 42(1)(b) each local authority within s43⁸?	Yes

⁷ 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

⁸ 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

		<p>The Applicant has consulted with local authorities within s42(1)(b) of the 2008 Act, between 18 June 2018 and 29 July 2018; between 25 February 2019 and 8 April 2019; and between 16 April 2020 and 21 May 2020. A letter and consultation pack were sent to section 43 consultees on 15 June 2019, 22 February 2019 and 14 April 2020. These are:</p> <ul style="list-style-type: none"> i. Northumberland County Council (the host authority). ii. Northumberland National Park Authority. iii. Scottish Borders Authority. iv. Carlisle District Council. v. Eden District Council. vi. Cumbria County Council. vii. County Durham Council. viii. Newcastle upon Tyne City Council. ix. North Tyneside Council. x. Gateshead Council. <p>Targeted Statutory Consultation</p> <p><u>7 January 2019 to 4 February 2019</u></p> <p>The Applicant carried out targeted statutory consultation between 7 January 2019 and 4 February 2019 relating to mitigation identified to offset the environmental impacts of the Scheme. A letter and consultation information were sent to Northumberland County Council on 4 January 2019 as detailed in Chapter 3 of the Consultation Report (Application Document Reference: TR010041/APP/5.1).</p> <p>Further details of how section 43 has been applied to identify the relevant local authorities is set out in Chapter 3 of the Consultation Report (Application Document Reference: TR010041/APP/5.1)</p>
9	<p>Section 42(1)(c) the Greater London Authority (if in Greater London area)?</p>	<p>Not applicable – the Scheme does not fall within Greater London and as a result Greater London Authority is not a relevant consultee in respect of the Scheme.</p>

10	<p>Section 42(1)(d) each person in one or more of s44 categories⁹?</p>	<p>Yes</p> <p><u>18 June 2019 to 29 July 2018</u></p> <p>The Applicant has consulted each person in one or more section 44(1)(d) categories between 18 June 2019 to 29 July 2019, as outlined in Chapter 3 of the Consultation Report (Application Document Reference: TR010041/APP/5.1).</p> <p><u>25 February 2019 to 8 April 2019</u></p> <p>The Applicant has consulted each person in one or more section 44(1)(d) categories between 25 February 2019 to 8 April 2019, as outlined in Chapter 3 of the Consultation Report (Application Document Reference: TR010041/APP/5.1).</p> <p><u>16 April 2020 to 21 May 2020</u></p> <p>The Applicant has consulted each person in one or more section 44(1)(d) categories between 16 April 2020 to 21 May 2020, as outlined in Chapter 3 of the Consultation Report (Application Document Reference: TR010041/APP/5.1)</p> <p>Targeted Statutory Consultations</p> <p><u>7 January 2019 to 4 February 2019</u></p> <p>The Applicant carried out targeted statutory consultation between 7 January 2019 and 4 February 2019 relating to mitigation identified to offset the environmental impacts of the Scheme. A letter and consultation information were sent to section 42(1)(d) consultees on 4 January 2019 as detailed in Chapter 3 of the Consultation Report (Application Document Reference: TR010041/APP/5.1).</p> <p><u>16 March 2019 to 15 April 2019</u></p> <p>The Applicant carried out targeted statutory consultation between 16 March 2019 to 15 April 2019 as a result of new land interests identified under section 42(1)(d) consultees</p>
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⁹ 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>following a refresh of land registry data. Further details about this targeted statutory consultation can be found in Chapter 3 of the Consultation Report (Application Document Reference: TR010041/APP/5.1).</p> <p><u>25 May 2019 to 22 June 2019</u></p> <p>The Applicant carried out targeted statutory consultation between 25 May 2019 to 22 June 2019 as a result of new land interests identified under section 42(1)(d) consultees following a refresh of land registry data. Further details about this targeted statutory consultation can be found in Chapter 3 of the Consultation Report (Application Document Reference: TR010041/APP/5.1).</p> <p><u>4 June 2019 to 2 July 2019</u></p> <p>The Applicant carried out targeted statutory consultation between 4 June 2019 to 2 July 2019 as a result of new land interests identified under section 42(1)(d) consultees following a refresh of land registry data. Further details about this targeted statutory consultation can be found in Chapter 3 of the Consultation Report (Application Document Reference: TR010041/APP/5.1).</p> <p><u>11 July 2019 to 8 August 2019</u></p> <p>The Applicant carried out targeted statutory consultation between 11 July 2019 to 8 August 2019 as a result of new land interests identified under section 42(1)(d) consultees following a refresh of land registry data. Further details about this targeted statutory consultation can be found in Chapter 3 of the Consultation Report (Application Document Reference: TR010041/APP/5.1).</p> <p><u>25 November 2019 to 10 January 2020</u></p> <p>The Applicant carried out targeted statutory consultation between 25 November 2019 to 10 January 2020 as a result of new land interests identified under section 42(1)(d) consultees following a refresh of land registry data. Further details about this targeted statutory consultation can be found in Chapter 3 of the Consultation Report (Application Document Reference: TR010041/APP/5.1).</p> <p>A Book of Reference (Application Document Reference: TR010041/APP/4.3) of all</p>
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		<p>land interests is provided as part of the Development Consent Order; all consultees under section 42(1)(d) are identified in the document.</p> <p>The Statement of Reasons (Application Document Reference: TR010041/APP/4.1) sets out how the Applicant has undertaken diligent inquiry to identify those consultees defined by section 44 of the 2008 Act.</p>
<p>Section 45: Timetable for s42 consultation</p>		
<p>11</p>	<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><u>18 June 2018 to 29 July 2018</u></p> <p>A letter was sent to all section 42 consultees on 15 June 2018 as set out in Chapter 3 of the Consultation Report (Application Document Reference: TR010041/APP/5.1). The letter gave a deadline of 29 July 2019 for receipt of responses providing a total of 42 days.</p> <p><u>25 February 2019 to 8 April 2019</u></p> <p>A letter was sent to all section 42 consultees on 22 February 2019 as set out in Chapter 3 of the Consultation Report (Application Document Reference: TR010041/APP/5.1). The letter gave a deadline for receipt of responses of 8 April 2019, providing a total of 43 days in which to respond.</p> <p>Between 15 April 2019 to 13 May 2019 Statutory consultation under section 44(1)(d) was extended due to an omission of Question 3 in the online response form as set out in Chapter 3 of the Consultation Report (Application Document Reference: TR010041/APP/5.1). An email was sent to consultees which gave a deadline for receipt of responses of 13 May 2019, providing a total of 28 days in which to respond.</p> <p><u>16 April 2020 to 21 May 2020</u></p> <p>A letter was sent to all section 42 consultees on 14 April 2019 as set out in Chapter 3 of the Consultation Report (Application Document Reference: TR010041/APP/5.1). The letter gave a deadline of 14 May 2020 for receipt of responses providing a total of 28 days. However, this was extended to 21 May 2020 in recognition that the 28 days</p>

	<p>consultation period should have commenced following the second publication of the section 48 Notice in a local newspaper on 23 April 2020. Therefore, a total of 35 days was given for responses to be received. Further details can be found in Chapter 3 of the Consultation Report.</p> <p>Sample letters are provided at Appendix H of the Consultation Report Appendices (Application Document Reference: TR010041/APP/5.2)</p> <p>Targeted Statutory Consultation</p> <p><u>7 January 2019 to 4 February 2019</u></p> <p>On 4 January 2019, a letter was sent to all section 42(1)(a) consultees and section 42(1)(d) consultees, as set out in Chapter 3 of the Consultation Report (Application Document Reference: TR010041/APP/5.1). The letter gave a deadline for receipt of responses of 4 February 2019, providing a total of 29 days in which to respond.</p> <p><u>16 March 2019 to 15 April 2019</u></p> <p>On 15 March 2019, a letter was sent to identified section 42(1)(a) consultees and section 42(1)(d) consultees, as set out in Chapter 3 of the Consultation Report (Application Document Reference: TR010041/APP/5.1). The letter gave a deadline for receipt of responses of 15 April 2019, providing a total of 31 days in which to respond</p> <p><u>25 May 2019 to 22 June 2019</u></p> <p>On 24 May 2019, a letter was sent to section 42(1)(d) consultees, as set out in Chapter 3 of the Consultation Report (Application Document Reference: TR010041/APP/5.1). The letter gave a deadline for receipt of responses of 22 June 2019, providing a total of 28 days in which to respond.</p> <p><u>4 June 2019 to 2 July 2019</u></p> <p>On 3 June 2019, a letter was sent to section 42(1)(d) consultees, as set out in Chapter 3 of the Consultation Report (Application Document Reference: TR010041/APP/5.1). The letter gave a deadline for receipt of responses of 2 July</p>
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	<p>2019, providing a total of 28 days in which to respond.</p> <p><u>11 July 2019 to 8 August 2019</u></p> <p>On 3 June 2019, a letter was sent to section 42(1)(d) consultees, as set out in Chapter 3 of the Consultation Report (Application Document Reference: TR010041/APP/5.1). The letter gave a deadline for receipt of responses of 8 August 2019, providing a total of 28 days in which to respond.</p> <p><u>9 August 2019 to 9 September 2019</u></p> <p>On 8 August 2019 a letter was issued to two section 42(1)(a) consultees omitted from the statutory consultation held between 18 June 2018 and 29 July 2019 as set out in Chapter 3 of the Consultation Report (Application Document Reference: TR010041/APP/5.1). The letter gave a deadline for receipt of responses of 9 September 2019 providing a total of 29 days in which to respond.</p> <p><u>16 August 2019 to 16 September 2019</u></p> <p>On 16 August 2019 a letter was issued to one section 42(1)(a) consultee omitted from the statutory consultation held between 18 June 2018 and 29 July 2019 as set out in Chapter 3 of the Consultation Report (Application Document Reference: TR010041/APP/5.1). The letter gave a deadline of receipt of responses of 16 September 2019 providing a total of 29 days in which to respond.</p> <p><u>22 August 2019 to 19 September 2019</u></p> <p>Due to an error of omission the section 48 Notice was not published in the London Gazette during the statutory consultation between 25 February and 8 April 2019. The section 48 Notice was published on 22 August 2019 and the Notice gave a deadline for receipt of responses of 19 September 2019 providing a total of 28 days in which to respond. Further details can be found in Chapter 3 of the Consultation Report (Application Document Reference: TR010041/APP/5.1).</p> <p><u>25 November 2019 to 10 January 2020</u></p> <p>As a result of new land interests identified under section 42(1)(d) consultees following a</p>
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		<p>refresh of land registry data, a letter was sent on 22 November 2019, as set out in Chapter 3 of the Consultation Report (Application Document Reference: TR010041/APP/5.1). The letter gave a deadline for receipt of responses of 10 January 2020, providing a total of 47 days in which to respond</p> <p><u>23 May 2020 to 22 June 2020</u></p> <p>Due to an error 48 section 42(1)(a) section 42 consultees were missed from the statutory consultation held between 16 April 2020 and 21 May 2020. Letters and the PEIR were sent on 22 May 2020 with a deadline of 22 June 2020 therefore allowing 31 days for a response to be received. Further details can be found in Chapter 3 of the Consultation Report (Application Document Reference: TR010041/APP/5.1)</p> <p>Sample letters are provided at Appendix H of the Consultation Report Appendices (Application Document Reference: TR010041/APP/5.2).</p>
<p>Section 46: Duty to notify the Planning Inspectorate of proposed application</p>		
12	<p>Did the Applicant supply information to notify the Planning Inspectorate of the proposed application; and if so was the information supplied to the Planning Inspectorate on or before the date it was sent to the s42 consultees? Was this done on or before commencing consultation under s42?</p>	<p>Yes.</p> <p>The Applicant gave notice under section 46 of the 2008 Act on 15 June 2018; 23 February 2019 and 15 April 2020 prior to the start of each respective section 42 consultation on 18 June 2018; 25 February 2019 and 16 April 2020. This is set out in Chapter 3 of the Consultation Report (Application Document Reference: TR010041/APP/5.1).</p> <p>A copy of the section 46 notification is provided at Appendix I of the Consultation Report Appendices (Application Document Reference:TR010041/APP/5.2).</p>
<p>Section 47: Duty to consult local community</p>		
13	<p>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>	<p>Yes.</p> <p>A copy of the published SoCC for each of the statutory consultations held can be found at Appendix F of the Consultation Report Appendices (Application Document Reference: TR010041/APP/5.2).</p>
14	<p>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</p>	<p>Yes.</p> <p>18 June 2018 to 29 July 2018</p>

<p>beginning with the day after the day that 'B' and (where applicable) 'C' authorities received the consultation documents?</p>	<p>The Applicant sent the draft SoCC to Northumberland County Council by email on 22 November 2017 requesting comments be returned by 22 December 2017, allowing 31 days to respond. A copy of the draft SoCC is provided in Appendix C and a copy of the email to Northumberland County Council is provided in Appendix D of the Consultation Report Appendices (Application Document Reference: TR010041/APP/5.2). Northumberland County Council provided feedback on the draft SoCC via a telephone call on 28 November 2017, which was followed up by an email on 28 December 2017. A copy of the phone log and response email is provided in Appendix E of the Consultation Report Appendices (Application Document Reference: TR010041/APP/5.2) includes copies of the correspondence by email sent to the relevant local authorities.</p> <p><u>25 February 2019 to 8 April 2019</u></p> <p>The Applicant sent the draft SoCC to Northumberland County Council (the 'B' authority for the Scheme) on 16 November 2018 requesting that comments be returned by 17 December 2018, allowing 31 days to respond. A copy of the draft SoCC is provided in Appendix C and a copy of the email to NCC is provided in Appendix D of the Consultation Report Appendices (Application Document Reference: TR010041/APP/5.2).</p> <p>NCC provided feedback on the draft SoCC via an email on 3 January 2019. Their response email is provided in Appendix E of the Consultation Report Appendices (Application Document Reference: TR010041/APP/5.2) and includes copies of the correspondence by email sent to all the relevant local authorities.</p> <p><u>16 April 2020 to 21 May 2020</u></p> <p>The Applicant sent the draft SoCC to Northumberland County Council (the 'B' authority for the Scheme) on 3 April 2020 requesting that comments be returned by 1 May 2020, allowing 28 days to respond. A copy of the draft SoCC is provided in Appendix C and a copy of the email to NCC is provided in Appendix D of the Consultation Report Appendices (Application Document Reference: TR010041/APP/5.2).</p> <p>NCC provided feedback on the draft SoCC via an email on 15 April 2020 allowing the consultation to commence on 16 April 2020. Their response email is provided in</p>
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		<p>Appendix E of the Consultation Report Appendices (Application Document Reference: TR010041/APP/5.2) and includes copies of the correspondence by email sent to all the relevant local authorities.</p>
15	<p>Has the Applicant had regard to any responses received when preparing the SoCC?</p>	<p>Yes, the Applicant has explained in Chapter 3 of the Consultation Report (Application Document Reference: TR010041/APP/5.1) how the responses received as a result of consultation on the SoCC were taken into account when finalising the SoCC.</p>
16	<p>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>	<p>Yes, the SoCC was made available at places which are reasonably convenient having regard to the location of the Scheme. Details of the locations and dates that the SoCC was available to view is provided in Chapter 3, of the Consultation Report (Application Document Reference: TR010041/APP5.1).</p> <p><u>18 June 2018 to 29 July 2018</u></p> <p>Notices stating when and where it could be inspected were published in the Northumberland Gazette and Newcastle Journal (newspapers circulating in the vicinity of the land) on 7 June 2018 and 14 June 2018.</p> <p>Details are listed in Chapter 3 of the Consultation Report (Application Document Reference: TR010041/APP5.1). Copies of the newspaper notices are included in Appendix K of the Consultation Report Appendices (Application Document Reference: TR010041/APP/5.2).</p> <p><u>25 February 2019 to 8 April 2019</u></p> <p>Notices stating when and where it could be inspected were published in the Northumberland Gazette (a newspaper circulating in the vicinity of the land) on 21 February 2019 and 28 February 2019.</p> <p>Details are listed in Chapter 3 of the Consultation Report (Application Document Reference: TR010041/APP5.1). Copies of the newspaper notices are included in Appendix K of the Consultation Report Appendices (Application Document Reference: TR010041/APP/5.2).</p> <p><u>16 April 2020 to 21 May 2020</u></p>

		<p>Notices stating when and where it could be inspected were published in the Northumberland Gazette (a newspaper circulating in the vicinity of the land) on 16 April 2020 and 23 April 2020.</p> <p>Details are listed in Table Chapter 3 of the Consultation Report (Application Document Reference: TR010041/APP5.1). Copies of the newspaper notices are included in Appendix K of the Consultation Report Appendices (Application Document Reference: TR010041/APP/5.2).</p>
17	Does the SoCC set out whether the development is EIA development¹⁰; and does it set out how the Applicant intends to publicise and consult on the Preliminary Environmental Information?	<p>Yes, the SoCCs produced for all three statutory consultations sets out that the Scheme is EIA development and how the Applicant proposes to consult on the preliminary environmental information. These are provided in Appendix L (the Preliminary Environmental Information Report) of the Consultation Report Appendices (Application Document Reference: TR010041/APP/5.2).</p>
18	Has the Applicant carried out the consultation in accordance with the SoCC?	<p>Yes (but see below), the Applicant has set out in Chapter 3 of the Consultation Report (Application Document Reference: TR010041//APP/5.1) the activities that have been carried out and how the commitments in the SoCC have been met.</p> <p>A commitment was given in the SoCC to publish the section 48 Notice in all publications on 21 February 2019. However, due to an omission whereby the section 48 Notice was not published in the London Gazette during the statutory consultation period of 25 February to 8 April 2019 the section 48 Notice was subsequently published on 22 August 2019 in the London Gazette and consultation took place between 22 August 2019 to 19 September 2019. Further details are out in Chapter 3 of the Consultation Report (Application Document Reference: TR010041/APP/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, the Applicant has described the newspapers and dates of section 48 publicity in Chapter 3 of the Consultation Report (Application Document Reference: TR010041/APP5.1) and as set out below. Copies of all newspaper notices are included in Appendix K of the Consultation Report Appendices (Application Document Reference: TR010041/APP/5.2).</p>

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

		Newspaper(s)	Date
		<u>18 June 2018 to 29 July 2018</u>	
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;	Northumberland Gazette & Newcastle Journal	7 June 2018 and 14 June 2018
b)	once in a national newspaper;	The Times	14 June 2018
c)	once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and	London Gazette	7 June 2018
d)	where the proposed application relates to offshore development – (i) once in Lloyds List; and (ii) once in an appropriate fishing trade journal? Note: where an application will contain a draft Deemed Marine Licence, the Planning Inspectorate will consider that the proposed application relates to offshore development	Not applicable	Not applicable
		<u>25 February 2019 to 8 April 2019</u>	
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	Northumberland Gazette	21 February 2019 and 28 February 2019.
b)	once in a national newspaper;	The Times	21 February 2019
c)	once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and	London Gazette	22 August 2019
d)	where the proposed application relates to offshore development – (i) once in Lloyds List; and (ii) once in an appropriate fishing trade journal? Note: where an application will contain a draft Deemed Marine Licence, the Planning Inspectorate	Not applicable	Not applicable

	will consider that the proposed application relates to offshore development		
	<u>16 April 2020 to 21 May 2020</u>		
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	Northumberland Gazette	16 April 2020 and 23 April 2020
b)	once in a national newspaper;	The Times	16 April 2020
c)	once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and	London Gazette	16 April 2020
d)	where the proposed application relates to offshore development – (i) once in Lloyds List; and (ii) once in an appropriate fishing trade journal? Note: where an application will contain a draft Deemed Marine Licence, the Planning Inspectorate will consider that the proposed application relates to offshore development	Not applicable	Not applicable
20	Did the s48 notice include the required information set out in Regulation 4(3) of APFP Regulations?	Yes, the section 48 notice for all the statutory consultations is provided at Appendix K of the Consultation Report Appendices (Application Document Reference: TR010041/APP/5.2) and contains the required information as set out below.	
	Information	Paragraph	
a)	the name and address of the Applicant.	1	b)
c)	a statement as to whether the application is EIA development	4	d)
e)	a statement that the documents, plans and maps showing the nature and location of the Proposed Development are available for inspection free of charge at the places (including at least one address in the vicinity of the Proposed Development) and times set out in the notice	6 (page 2)	f)
g)	whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge	5	h)
			a statement that the Applicant intends to make an application for development consent to the Secretary of State
			a summary of the main proposals, specifying the location or route of the Proposed Development
			the latest date on which those documents, plans and maps will be available for inspection
			details of how to respond to the publicity
			1
			3
			8 (page 2)
			8 (page 2)

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	8 (page 2)	
21	Are there any observations in respect of the s48 notice provided above?		
22	Has a copy of the s48 notice been sent to the EIA consultation bodies and to any person notified to the Applicant in accordance with the EIA Regulations ¹¹ ?	<p>Yes</p> <p><u>18 June 2018 to 29 July 2018</u></p> <p>The notice was sent to the EIA consultation bodies and any persons notified to the Applicant in accordance with the EIA Regulations on 14 June 2018 as part of the statutory consultation. Details can be found in Chapter 3 of the Consultation Report (Application Document Reference: TR010041/APP/5.1).</p> <p>A copy of the section 48 Notice is provided at Appendix K of the Consultation Report Appendices (Application Document Reference: TR010041/APP/5.2).</p> <p><u>25 February 2019 to 8 April 2019</u></p> <p>Yes, the notice was sent to the EIA consultation bodies and any persons notified to the Applicant in accordance with the EIA Regulations on 22 February 2019 as part of the statutory consultation. Details can be found in Chapter 3 of the Consultation Report (Application Document Reference: TR010041/APP/5.1).</p> <p>A copy of the section 48 Notice is provided at Appendix K of the Consultation Report Appendices (Application Document Reference: TR010041/APP/5.2).</p> <p><u>16 April 2020 to 21 May 2020</u></p> <p>Yes, the notice was sent to the EIA consultation bodies and any persons notified to the Applicant in accordance with the EIA Regulations on 14 April 2020 as part of the statutory consultation. Details can be found in Chapter 3 of the Consultation Report (Application Document Reference: TR010041/APP/5.1).</p>	

¹¹ 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>A copy of the section 48 Notice is provided at Appendix K of the Consultation Report Appendices (Application Document Reference: TR010041/APP/5.2).</p>
<p>s49: Duty to take account of responses to consultation and publicity</p>		
<p>23</p>	<p>Has the Applicant had regard to any relevant responses to the s42, s47 and s48 consultation?</p>	<p><u>18 June 2018 to 29 July 2018</u></p> <p>The Applicant has set out in Chapter 4 of the Consultation Report (Application Document Reference: TR010041/APP/5.1) and Appendix N of the Consultation Report Appendices (Application Document Reference: TR010041/APP/5.2) how the Applicant has had regard to the consultation responses received. It has also described, in Chapter 4 of the Consultation Report, the consideration given to responses that lead to a change in the Scheme design and the consideration given to responses that did not lead to a change in the Scheme design.</p> <p><u>25 February 2019 to 8 April 2019</u></p> <p>The Applicant has set out in Chapter 4 of the Consultation Report (Application Document Reference: TR010041/APP/5.1) and Appendix N of the Consultation Report Appendices (Application Document Reference: TR010041/APP/5.2) how the Applicant has had regard to the consultation responses received. It has also described, in Chapter 4 of the Consultation Report, the consideration given to responses that lead to a change and the consideration given to responses that did not lead to a change in the Scheme design.</p> <p><u>16 April 2020 to 21 May 2020</u></p> <p>The Applicant has set out in Chapter 4 of the Consultation Report (Application Document Reference: TR010041/APP/5.1) and Appendix N of the Consultation Report Appendices (Application Document Reference: TR010041/APP/5.2) how the Applicant has had regard to the consultation responses received. It has also described, in Chapter 4 of the Consultation Report, the consideration given to responses that lead to a change in the Scheme design, and the consideration given to responses that did not lead to a change in the Scheme design.</p> <p><u>Targeted Statutory Consultations</u></p>

		The Applicant has set out in Chapter 4 of the Consultation Report (Application Document Reference: TR010041/APP/5.1) and Appendix N of the Consultation Report Appendices (Application Document Reference: TR010041/APP/5.2) how the Applicant has had regard to the consultation responses received.
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’¹²?	Chapter 5 of the Consultation Report (Application Document Reference: TR010041/APP/5.1) explains how the Applicant has had regard to the statutory guidance on the pre-application process and the Applicant’s approach to consultation.
25	Summary: Section 55(3)(e)	
s55(3)(f) and s55(5A): The application (including accompaniments) achieves a satisfactory standard having regard to the extent to which it complies with section 37(3) (form and contents of application) and with any standards set under section 37(5) and follows any applicable guidance under section 37(4)		
26	Is it made in the prescribed form as set out in Schedule 2 of the APFP Regulations, and does it include: <ul style="list-style-type: none"> • a brief statement which explains why it falls within the remit of the Planning Inspectorate; and • a brief statement that clearly identifies the location of the application site, or the route if it is a linear scheme? 	<p>The application is made in the prescribed form and explains why it falls within the remit of the Planning Inspectorate in Section 4 of the Application Form (Application Document Reference: TR010041/APP/1.3).</p> <p>Section 6 of the Application Form provides a brief statement that describes the location of the proposed route and a more detailed description is provided in Chapter 2: The Scheme, Volume 1 of the Environmental Statement (Application Document Reference: TR010041/APP/6.1).</p> <p>The location of the Scheme is shown on the Location Plan (Application Document Reference: TR010041/APP/2.1).</p>
27	Is it accompanied by a Consultation Report?	Yes, a Consultation Report (Application Document Reference: TR010041/APP/5.1) and Consultation Report Appendices (Application Document Reference: TR010041/APP/5.2) accompanies the application.
28	Where a plan comprises three or more separate sheets, has a key plan been provided showing the relationship between the different sheets?¹³	Yes, Key Plans are provided for all plans within Volume 2 of the Development Consent Order application which comprises three or more separate sheets and those Key Plans show the relationship between the different sheets.

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

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

29	Is it accompanied by the documents and information set out in APFP Regulation 5(2)?	Yes, the documents and information required by APFP Regulation 5(2) are set out in the documents and locations within the application as listed below:	
Information		Document	
a)	Where applicable, the Environmental Statement required under the EIA Regulations¹⁴ and any scoping or screening opinions or directions	Yes. The application is accompanied by an Environmental Statement, Environmental Statement Figures, Environmental Statement Appendices and an Environmental Statement Non-Technical Summary (Application Document Reference: TR010041/APP/6.1 to 6.9). A copy of the Scoping Opinion (Application Document Reference; TR010041/APP/6.10) for Part A, the Scoping Opinion (Application Document Reference: TR010041/APP/6.11) for Part B and the Scoping Opinion Response Tracker (Appendix 4.1, Volume 1 of the Environmental Statement (Application Document Reference: TR010041/APP/6.1)) is also submitted with the application.	b) The draft Development Consent Order Yes. The application is accompanied by the draft Development Consent Order (Application Document Reference: TR010041/APP/3.1) in the validated statutory instrument template.
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 Development Consent Order	Yes. The application is accompanied by the Explanatory Memorandum (Application Document Reference: TR010041/APP/3.2) to the Draft Development Consent Order	d) Where applicable, a Book of Reference (where the application involves any Compulsory Acquisition) Yes. The application is accompanied by the Book of Reference (Application Document Reference: TR010041/APP/4.3) which meets the requirements of the statutory guidance 'Planning Act 2008: guidance related to

¹⁴ The 2017 EIA Regulations, or where Regulation 37 of the 2017 EIA Regulations applies, the 2009 EIA Regulations

		(Application Document Reference: TR010041/APP/3.1).			procedures for the compulsory acquisition of land'.
	Is this of a satisfactory standard?			Is this of a satisfactory standard?	
e)	A copy of any Flood Risk Assessment	Yes. The application is accompanied by a Flood Risk Assessment at Appendix 10.1, Volume 7 of the Environmental Statement (Application Document Reference: TR010041/APP/6.7) for Part A and at Appendix 10.1, Volume 8 of the Environmental Statement (Application Document Reference: TR010041/APP/6.8) for Part B.	f)	A statement whether the proposal engages one or more of the matters set out in section 79(1) of the Environmental Protection Act 1990 (statutory nuisances) and if so how the Applicant proposes to mitigate or limit them	Yes. The application is accompanied by a Statement relating to Statutory Nuisance (Application Document Reference: TR010041/APP/6.15) .
	Is this of a satisfactory standard?			Is this of a satisfactory standard?	
h)	A Statement of Reasons and a Funding Statement (where the application involves any Compulsory Acquisition)	Yes. The application is accompanied by a Statement of Reasons (Application Document Reference: TR010041/APP/4.1) and a Funding Statement (Application Document Reference: TR010041/APP/4.2) .	i)	A Land Plan identifying:- (i) the land required for, or affected by, the Proposed Development; (ii) where applicable, any land over which it is proposed to exercise powers of Compulsory Acquisition or any rights to use land; (iii) any land in relation to which it is proposed to extinguish easements, servitudes and	Yes. Land Plans (Application Document Reference: TR010041/APP/2.2) are provided. The Land Plans accord with Regulation 5(2)(i) of APFP Regulations. The Land Plans identify: (i) all land that is required for or affected by the proposed Scheme; (ii) any land over which it is proposed to exercise powers of compulsory acquisition or rights to use land; and (iii) any land in relation to which it is proposed to extinguish

j)			(iv) other private rights; and any special category land and replacement land	easements, servitudes or other private rights. Coordinates within the land plans are consistent with any coordinates provided with the Draft Development Consent Order (Application Document Reference: TR010041/APP/3.1) . Plots and descriptions listed within the Book of Reference (Application Document Reference: TR010041/APP/4.3) are consistent with the plots shown on the Land Plans.
	Is this of a satisfactory standard?		Is this of a satisfactory standard?	
	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 development consent order	Yes. Works Plans (Application Document Reference: TR010041/APP/2.3) are provided. The Works Plans accord with Regulation 5(2)(j) of the APFP Regulations, and show the proposed route and alignment of the development and the limits within which the works are proposed to be carried out.	Where applicable, a plan identifying any new or altered means of access, stopping up of streets or roads or any diversions, extinguishments or creation of rights of way or public rights of navigation	Yes. Rights of Way and Access Plans (Application Document Reference: TR010041/APP/2.5) are provided. The plans accord with Regulation 5(2)(k) of the APFP Regulations.
Is this of a satisfactory standard?		Is this of a satisfactory standard?		

<p>l) Where applicable, a plan with accompanying information identifying:-</p> <p>(i) any statutory/ non-statutory sites or features of nature conservation e.g. 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, together with an assessment of any effects on such sites, features, habitats or bodies likely to be caused by the Proposed Development</p>	<p>The information in relation to Regulation 5(2)(l)(i) is within Figure 9.3: Statutory Designated Sites and Figure 9.4: Non-Statutory Designated Sites, Volume 5 of the Environmental Statement (Application Document Reference: TR010041/APP/6/5) for Part A and Figure 9.1: Designated Sites for Nature Conservation and Figure 9.2: Non-Statutory Sites, Volume 6 of the Environmental Statement (Application Document Reference: TR010041/APP/6.6) for Part B</p> <p>The information in relation Regulation 5(2)(l)(ii) is within the Figure 9.1: Final Phase 1 Plan Volume 5 of the Environmental Statement (Application Document Reference: TR010041/APP/6.5) for Part A and Figure 9.3: Phase 1 Habitat Survey, Volume 6 of the Environmental Statement (Application Document Reference: TR010041/APP/6/6) for Part B.</p> <p>The information in relation Regulation 5(2)(l)(iii) is within Figure 10.1: Water Constraints Plan, Volume 5 of the Environmental Statement (Application Document Reference: TR010041/APP/6.5) for</p>	<p>m) Where applicable, a plan with accompanying information identifying any statutory/ non-statutory sites or features of the historic environment, (e.g. 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>The information in relation to 5(2)(m) is within Figure 8.1: Designated Heritage Assets and Figure 8.2: Non-Designated Heritage Assets, Volume 5 of the Environmental Statement (Application Document Reference: TR010041/APP/6.5) for Part A and Figure 8.1: Designated Heritage Assets within 1km and Figure 8.2: Non-Designated Heritage Assets within 500m, Volume 6 of the Environmental Statement (Application Document Reference: TR010041/APP/6.6) for Part B.</p> <p>The assessment of any effects on such sites, features or structures likely to be caused by the Scheme is presented in Chapter 8: Cultural Heritage, Volume 2 of the Environmental Statement (Application Document Reference: TR010041/APP/6.2) for Part A and Chapter 8: Cultural Heritage, Volume 3 of the Environmental Statement (Application Document Reference: TR010041/APP/6.3) for Part B.</p>
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	<p>Part A and Figure 10.1: Water Constraints Plan, Volume 6 of the Environmental Statement (Application Document Reference: TR010041/APP/6.6) for Part B.</p> <p>The assessment of any effects on such sites, features, habitats or bodies likely to be caused by the Scheme is presented in Chapter 7: Landscape and Visual, Chapter 9 Biodiversity, and Chapter 10: Road Drainage and Water Environment, Volume 2 of the Environmental Statement (Application Document Reference: TR010041/APP/6.2) for Part A and Chapter 7: Landscape and Visual, Chapter 9 Biodiversity, and Chapter 10: Road Drainage and Water Environment, Volume 3 of the Environmental Statement (Application Document Reference: TR010041/APP/6.3) for Part B .</p> <p>A Water Framework Directive Assessment is provided at Appendix 10.2, Volume 7 of the Environmental Statement (Application Document Reference: TR010041/APP/6.7) for Part A and Appendix 10.2, Volume 8 of the Environmental Statement (Application Document Reference: TR010041/APP/6.8) for Part B.</p>		
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n)	Is this of a satisfactory standard?		o)	Is this of a satisfactory standard?	
	Where applicable, a plan with any accompanying information identifying any Crown land	Not applicable – No Crown Land has been identified to be acquired for the Scheme.		Any other plans, drawings and sections necessary to describe the development consent proposal showing details of design, external appearance, and the preferred layout of buildings/ structures, drainage, surface water management, means of vehicular and pedestrian access, any car parking and landscaping	Yes. The application is accompanied by General Arrangement Plans (Application Document Reference TR010041/APP /2.4); Traffic Regulation Plans (Application Document Reference TR010041/APP2.6) and Engineering Section Drawings (Application Document Reference TR010041/APP/2.7); Structures Engineering Drawings and Sections (Application Document Reference: TR010041/APP/2.8); and Vegetation Clearance Plan (Application Document Reference: TR010041/APP/2.9).
p)	Is this of a satisfactory standard?		q)	Are they of a satisfactory standard?	
	Any of the documents prescribed by Regulation 6 of the APFP Regulations:	As the proposed Scheme is highway related development, the application is required to supply section drawings in accordance with Regulation 6(2) APFP Regulations. This information is provided in the Engineering Section Drawings (Application Document Reference TR010041/APP/2.7)		Any other documents considered necessary to support the application	Yes. The application comprises other documents considered necessary to support the application, as listed in Section 23 of the Application Form (Application Document Reference: TR010041/APP/1.3) . These are: Introduction to the Application (Application Document Reference TR010041/APP/1.1). Covering letter and schedule of compliance with Section 55 (Application Document Reference TR010041/APP/1.2).

				<p>Guide to Documents to be certified (Application Document Reference TR010041/APP/1.4).</p> <p>Consents and Agreements Position Statement (Application Document Reference TR010041/APP/3.3).</p> <p>Case for the Scheme (Application Document Reference TR010041/APP/7.1).</p> <p>National Policy Statement for National Networks Accordance Table (Application Document Reference TR010041/APP/7.2).</p> <p>Outline Construction Environmental Management Plan (Outline CEMP) (Application Document Reference TR010041/APP/7.3).</p> <p>Construction Traffic Management Plan (Application Document Reference TR010041/APP/7.4).</p>
	<p>Are they of a satisfactory standard?</p>		<p>Are they of a satisfactory standard?</p>	
30	<p>Are there any observations in respect of the documents provided above?</p>			
31	<p>Is the application accompanied by a report identifying any European site(s) to which Regulation 48 of The Conservation (Natural Habitats, &c.) Regulations 1994 applies; or any Ramsar site(s), which may be affected by the Proposed Development, together with sufficient information that will enable the Secretary of State to make an appropriate assessment of the</p>	<p>Yes, a Habitats Regulation Assessment (HRA) Report (Application Document Reference: TR010041/APP/6.14) accompanies the application.</p> <p>No significant impacts on European Sites are anticipated as a result of the Scheme.</p>		

	implications for the site if required by Regulation 48(1)?¹⁵	
32	If requested by the Planning Inspectorate, two paper copies of the application form and other supporting documents and plans¹⁶	
33	Has the Applicant had regard to statutory guidance 'Planning Act 2008: Application form guidance', and has this regard led to the application being prepared to a standard that the Planning Inspectorate considers satisfactory?	The statutory guidance 'Planning Act 2008: Application form guidance' has been used to prepare the application form. Applicant believes that the application has been prepared to the standards that the Planning Inspectorate considers satisfactory.
34	Summary - s55(3)(f) and s55(5A)	
The Infrastructure Planning (Fees) Regulations 2010 (as amended)		
Fees to accompany an application		
35	Was the fee paid at the same time that the application was made¹⁷?	

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

¹⁶ Regulation 5(2)(r) of the APFP Regulations

¹⁷ 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