



## Meeting note

<b>Project name</b>	A358 Taunton to Southfields
<b>File reference</b>	TR010061
<b>Status</b>	Final
<b>Author</b>	The Planning Inspectorate
<b>Date</b>	4 October 2022
<b>Meeting with</b>	National Highways
<b>Venue</b>	Teams meeting
<b>Meeting objectives</b>	Project Update Meeting
<b>Circulation</b>	All attendees

### Summary of key points discussed, and advice given

The Planning Inspectorate (the Inspectorate) advised that a note of the meeting would be taken and published on its website in accordance with section 51 of the Planning Act 2008 (the PA2008). Any advice given under section 51 would not constitute legal advice upon which applicants (or others) could rely.

### Review of comments on draft documents

The Applicant thanked the Inspectorate for the review of their draft documents which were sent to the Inspectorate on 2 August 2022. The Applicant said that it has taken the Inspectorate's comments on board and will amend the documents and add further clarity where necessary. The Applicant explained how they plan to respond to comments made on the draft Environmental Statement chapters.

The Applicant acknowledged the suggestion to submit a draft DCO signposting document but felt that their Introduction to the Application document would address this information.

The Inspectorate explained that it could request the consultation responses from the Applicant during the Acceptance stage and the Applicant should consider how they would provide these if required. The Inspectorate reiterated that filenames need to be clear for administrative purposes.

### Project Update

The Applicant explained since the last meeting, it continues to have DCO working Group meetings with the officers of Somerset County Council (SCC), Somerset West and Taunton Council (SWT) and South Somerset District Council (SSDC). The Applicant had a Local Authorities Strategic Meeting to update on scheme progress.

- Supplementary Consultation

The Applicant explained that after the proposed changes were made to the preliminary design having regard to the feedback from Applicants Statutory Consultation in October/ November 2021, a Supplementary Consultation was carried out from 24 May to 26 June 2022.

- Response to Supplementary Consultation

The Applicant received 700 responses to the Consultation. The full details of this consultation can be found on Applicant's website. The Applicant clarified that the results of the consultation will be compiled into a consultation report but noted that local access remains a key challenge.

The Applicant has taken the following steps since the supplementary consultation:

- Reviewing and analysing all consultation feedback
- Ongoing engagement
- Speaking to impacted landholders and further targeted consultation
- Responded to SCC comments on local road assessment, including review of cycle provision
- Ecological, archaeological and land surveys
- Design refinement, considering consultation feedback as well as survey and assessment data

The Applicant explained that the preliminary design is being reviewed to ensure that regard has been had to responses on:

- Transport, traffic flows and safety
- Environment, including in relation to off-site mitigation proposals
- Walking, cycling, horse-riding, and disabled users
- Landowner engagement
- Construction and buildability

- Targeted Consultation

The Applicant mentioned that feedback from the supplementary consultation, led to changes to the scheme boundary to address.

- Environmental mitigation, following environmental surveys (including woodland improvements and to support translocation of dormice)
- Discussions with landowners
- Accommodate statutory undertaker requests

The Applicant had targeted landowner Consultation from 5 August to 24 October 2022 with newly affected landowners and existing landowners affected by the changes to the red line boundary.

### **Next steps**

The Applicant is looking to submit the DCO Application in December 2022.



## **A358 Taunton to Southfields – TR010061**

### **Section 51 advice regarding draft application documents submitted by National Highways**

On 02 August 2022 National Highways submitted the following draft documents for review by the Planning Inspectorate as part of its Pre-application Service<sup>1</sup>:

1. Draft Introduction to the Application
2. Draft General Arrangement Plans
3. Draft Chapters 1-4 of the Environmental Statement

The advice recorded in the table comprising this document relates solely to matters raised upon the Planning Inspectorate's review of the draft application documents, and not the merits of the proposal. The advice is limited by the time available for consideration and is raised without prejudice to the acceptance or otherwise of the eventual application.

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<sup>1</sup> See <https://infrastructure.planninginspectorate.gov.uk/application-process/pre-application-service-for-applicants/>



## Draft Introduction to the Application

Ref No.	Paragraph or Section	Comment or question
		Could the Applicant consider the numbering scheme of the consultation annexes. It's not clear why they start at 3.1. Does the numbering follow Chapter numbering in the Report? If it does, it appears to be a useful method of categorising the appendices. It would be helpful to provide the Chapter name in the table.

## Draft General Arrangement Plans

Ref No.	Article, Requirement or Schedule	Comment or question
		No comments

## Chapter 3: Assessment of Alternatives

Ref No.	Article, Requirement or Schedule	Comment or question
		No comments



Draft Chapters 1 to 4 of the Environmental Statement		
Ref No.	Paragraph or Section	Comment or question
1.	<b>Chapter 1, 2nd page header</b> <b>Titles above 1.3.27 and its text</b> <b>Title above 1.3.28, line 1 and bullets below it</b> <b>1.3.29 bullets</b>	All refer to Highways England instead of National Highways. 1.3.28 refers to National Highways' OMM while the title above it refers to Highways England's OMM. Naming of documents needs to be consistent throughout the ES.
2.	<b>1.6.9 &amp; 1.6.12</b>	Refers to 'National Highways England'.
3.	<b>1.3.8, line 2</b>	Suggest 'An EIA will be carried out' is changed to 'has been'.
4.	<b>1.3.10, line 3</b>	Some text is in a different font.
5.	<b>1.3.11, line 4</b>	Should 'our' be 'its'?
6.	<b>1.3.27, bullet 9</b>	Text appears to be missing from the end of the sentence.
7.	<b>1.3.28, bullet 1</b>	This reads as a statistic to date rather than a performance indicator, is that intended?
8.	<b>1.3.28 and 1.3.29</b>	The statement in the last sentence of 1.3.28 is repeated although worded differently in 1.3.29; should all the bullets under 1.3.29 be under 1.3.28?
9.	<b>1.8.4</b>	References to the opening year of the Proposed Development are confusing. The opening year is described in Ch 2 as 2028 while it is described as 2029 in ES Ch 1, para 1.8.4 (and in the 'Introduction to the Application'). The design year is stated to be 15 years after opening and refers to 2043 throughout Ch 2, which would be 2044 if the opening year is 2029. It is not explained until Ch 4



Draft Chapters 1 to 4 of the Environmental Statement		
Ref No.	Paragraph or Section	Comment or question
	<b>2.4.19, bullet 1 and subsequently in ES Ch 2</b> <b>4.3.13 – 4.3.18</b>	(para 4.3.13) that the opening year changed from 2028 to 2029 following supplementary consultation, and that as this change occurred after the majority of the EIA had been completed the EIA is based on an opening year of 2028. This will need to be fully explained in the ES. In addition, it is unclear if the sensitivity test described in 4.3.17 was applied to all the environmental aspects or just those mentioned. This needs further explanation. As a consequence, on the basis of the information provided at this time, it is unclear whether the assessments that will be contained in the ES reflect the Proposed Development the subject of the DCO application.
<b>10.</b>	<b>2.5.56, line 1</b>	Refers to the 'DCO boundary; while 2.5.58 refers to the 'scheme boundary'. Both terms are used throughout ES Ch 2, but presumably refer to the same area. Terminology should be consistent throughout the ES (and other documents) so that it is clear what is meant.
<b>11.</b>	<b>2.5.75</b>	Could you consider rewording to add further clarity.
<b>12.</b>	<b>2.5.76 and Table 2-4</b>	Suggest it is stated whether the specified culvert dimensions are the maximums (and would therefore form the basis of the worst case scenarios for the relevant assessments).
<b>13.</b>	<b>2.5.81, line 1</b>	For clarity, suggest plain English is used rather than 'sinuous planform', or the term is explained.
<b>14.</b>	<b>2.5.81, line 5</b>	Could you consider rewording to add further clarity.
<b>15.</b>	<b>2.5.96 – 2.5.98</b>	Use of 'offsite' suggests the mitigation works are not on land within the application site. Presumably the reference in para 2.5.98 to confirmation of any offsite works at the detailed design stage refers only to offsite works proposed in the application.
<b>16.</b>	<b>2.6</b>	It might be useful to state here that the design EMP will be updated during the DCO Examination (assuming that it will).



Draft Chapters 1 to 4 of the Environmental Statement		
Ref No.	Paragraph or Section	Comment or question
		The reference to the former titles of the various iterations of the EMP doesn't seem necessary and could be confusing.
17.	2.7.3, line 3	As 'embedded mitigation' has been explained here, so too could 'essential mitigation', although it is explained in ES Ch 4.
18.	2.7.3, line 7	It is not clear from the text whether it is embedded and/or essential and enhancement measures that are identified on the Masterplans.
19.	2.8.13	For clarity, the elements identified here could instead be included in the bullet points in 2.8.8.
20.	2.8.15, bullet 3	Refers to 11 bridleways; 2.5.85 refers to 16.
21.	2.8.31	It would be helpful to indicate the estimated period/number of days of peak vehicle movements.
22.	2.8.46	Refers to 12 statutory undertakers but only lists 10.
23.	2.8.76 – 2.8.78	It would be helpful to specify the quantity of land required for temporary and permanent land take here.
24.	4.2.11, line 1	Reference should instead be to paragraph 2.3.2 of the Scoping Opinion.
25.	4.4.2 – 4.4.4	Suggest cross-reference is included to the relevant dDCO Article.
26.	4.6.2, line 1	'Habitat' should be 'Habitats'.
27.	4.7.11	This para seems to conflict with 4.7.6 which states that embedded mitigation, ie design measures, are not proposed or reported in the ES as mitigation. Should this para instead explain that the assessment of residual effects is based on the likely effectiveness of the essential mitigation only?



## Draft Chapters 1 to 4 of the Environmental Statement

Ref No.	Paragraph or Section	Comment or question
28.	4.7.13	The wording suggests that the EMP only covers construction stage mitigation.
29.	4.7.17, line 3	Following the first sentence, it is unclear what this sentence means.

## General comments on submission or preparation of application documents

Ref No.	Comment
30.	<p>Consultation reports:</p> <ol style="list-style-type: none"><li>i. Please clearly demonstrate how you addressed the criteria for all statutory consultations. The Report should make it clear whether any targeted consultation was considered statutory or not, and if not, why that wasn't required.</li><li>ii. If any personal data is to be included in the Consultation Report, please flag on submission as this will not be published during the Acceptance period. It would be preferable to keep any personal data in a separate annex to reduce the need for redaction.</li><li>iii. The Inspectorate must test that all relevant local authorities were consulted – host and neighbouring. Please can you make it clear who you have consulted for each consultation</li><li>iv. Please carefully cross-reference between the Annexes and the Report and ensure that Annexes are fully searchable to help us locate the information required by the PA2008.</li></ol>
31.	<p>Document file names.</p> <ol style="list-style-type: none"><li>i. The file names need to identify the document eg use “ES 6.2 Chapter 7 - Land and Visual”, rather than a reference numbers.</li></ol>





## General comments on submission or preparation of application documents

Ref No.	Comment
	<p>ii. The file names must be replicated into the <a href="#">application index</a>. It would be useful if we could comment on a draft index a few weeks in advance of submission.</p>



## General comments

The following are general comments and are not related to any documents received

## Consultation

The Inspectorate must test that all relevant local authorities were consulted – host and neighbouring. Please can you make it clear who you have consulted for each consultation.

If you have amended the red line boundary at any stage, please show clearly in the Consultation Report that you have identified and consulted additional statutory consultees.

Please clearly demonstrate how you addressed the criteria for statutory consultations. Could the Report make it clear whether any targeted consultation was considered statutory or not, and if not, why that wasn't required.

If any personal data is to be included in the Consultation Report, please flag on submission as this will not be published during the Acceptance period. It would be preferable to keep any personal data to a separate annex to reduce redaction.

Please carefully cross-reference between the Annexes and the Report and ensure that Annexes are fully searchable to help us locate the information required by the PA2008.

Clearly set out the method of 'diligent enquiry' carried out to identify landowners.

Be prepared to submit all pre-application consultation responses in case the Inspectorate requests them during Acceptance.

## Design

It would be useful to have a note explaining how the DCO will secure compliance with each of the design principles.



<b>Suggestions for additional documents and other comments on documents to aid the efficient Examination of the application</b>	
Draft DCO signposting Document	<p>A 'Navigation Document' should include information highlighting the relationships between certain key application documents, the concepts which underpin those documents and the relationship between them.</p> <p>The signposting document should include the following information for each Work number:</p> <ul style="list-style-type: none"><li>• The project descriptions for each Work. There are often numerous descriptions in various documents, please provide each location.</li><li>• The geographic location of each Work if this is expanded within other documents, eg which plan it appears on.</li><li>• The controls which regulate the parameters assessed in the ES for each work.</li><li>• The location within the ES of the assessments for each Work.</li></ul>
Guide to the Application	<p>To facilitate IPs' understanding of the application. This should be updated during the Examination. This should set out in tabular form the master documents list to provide a full list of all the documents submitted and indicating either the latest revision (if applicable) or when a new document was submitted. For ease of navigation, these documents should be grouped in colour coded sections with the latest documents clearly identified in each update. There is a Guide to the Application 'good example document' on the <a href="#">National Infrastructure Planning website</a>.</p>
Status of Negotiations with Owners of the Order Land	<p>A separate document listing outstanding CA/TP objections. This document should be updated at each deadline and cross-refer to other documents where the objections are discussed.</p>



	Additionally a separate list of Statutory Undertakers which summarises progress in agreeing Protective Provisions and whether there are outstanding objections should be provided. It is appreciated that this detail might also contained in SoCGs, however, a summary table would assist the Examination.
A comprehensive NPS Accordance Table or Tracker	The document would be used for any relevant NPSs setting out the relevant NPS paragraph number, the requirement of the NPS, the compliance with the NPS by way of reference to submitted documentation and summary explanation, together with any subsequent update. The updated tracker to be submitted at each Examination deadline as specified in the Examination Timetable. This should record any changes and supplements to the Applicant's position on NPS compliance demonstrated by submissions during the Examination.
Documents of a reasonable size	Keep size of electronic files for documents reasonable (including plans) – consider splitting into parts if necessary to aid ExA and IPs to download and view them.

## General

1. Where references are provided to other draft application documents it would be beneficial to provide the full title thereof inclusive of document reference number. Should further draft documents be provided for review, the Applicant may wish to consider providing a full list of known application documents (for purpose of signposting) as well as their respective reference number.
2. [\[MHCLG\] Application form guidance](#), paragraph 3, states: *“The application must be of a standard which the Secretary of State considers satisfactory: Section 37(3) of the Planning Act requires the application to specify the development to which it relates, be made in the prescribed form, be accompanied by the consultation report, and be accompanied by documents and information of a prescribed description. The Applications Regulations set out the prescribed form at Schedule 2, and prescribed documents and information at regulations 5 and 6.”*