

A66 Northern Trans-Pennine Project

TR010062

1.2 Section 55 Checklist

APFP Regulations 5(2)(q)

Planning Act 2008

**Infrastructure Planning (Applications: Prescribed Forms and
Procedure) Regulations 20**

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Planning Act 2008

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

A66 Northern Trans-Pennine project
Development Consent Order 202x

1.2 S55 CHECKLIST

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| Planning Inspectorate Scheme Reference | TR010062 |
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Section 55 Acceptance of Applications Checklist

Section 55 of the Planning Act 2008 can be viewed at 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 | | | | |
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| 1 | Within 28 days (starting day after receipt) the Planning Inspectorate must decide whether or not to accept the application for Examination. | Date received | 28 day due date | Date of decision |
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| Section 55(3) – the Planning Inspectorate may only an application if it concludes that: | | Planning Inspectorate comments accept |
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| Section 55(3)(a) and s55(3)(c): It is an application for an order granting development consent | | |
| 2 | <p>Is the development a Nationally Significant Infrastructure Project¹ (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 Order² (DCO) under the Planning Act 2008 (the PA2008), or equivalent words? Does the application specify the development to which it relates (ie which category or categories in ss14 to 30 does the Proposed Development fall)?</p> <p>If the development does not fall within the categories in ss14 to 30, has a direction been given by the Secretary of State under s35 of the PA2008 for the development to be treated as development for which development consent is required?</p> | <p>Yes. The project is a NSIP within sections 14(1)(h) and 22(1)(a) of the PA 2008. The project is wholly in England. The Applicant, as the strategic highways company, will be the highway authority for the highway. The area of land on which the part of the highway to be upgraded is situated and any adjoining land expected to be used in connection with its upgrade is greater than the relevant limit set out in subsection (4) which in this case is 12.5 hectares. The speed limits on the project will be principally 70 mph, with some parts at 50 mph.</p> <p>This is confirmed by the summary provided in the Application Form (Application Document 1.3) at section 4 which concludes that the application is for an NSIP, and as set out in Schedule 1 of the Draft DCO (Application Document 5.1) and within paragraph 2.7 to 2.11 of the Explanatory Memorandum (Application Document 5.3) confirming that the application comprises development falling within the categories in s14 of the PA2008.</p> |
| 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 PA 2008. |

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

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

| Section 55(3)(e): The Applicant in relation to the application made has complied with Chapter 2 of Part 5 (pre-application procedure) | | |
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| 4 | In accordance with the EIA Regulations ³ , did the Applicant (prior to carrying out consultation in accordance with s42) either (a) request the Planning Inspectorate adopt a Screening Opinion in respect of the development to which the application relates, or (b) notify the Planning Inspectorate in writing that it proposed to provide an Environmental Statement in respect of that development? | <p>Yes.</p> <p>On 11 June 2021 the Applicant notified the Planning Inspectorate in accordance with Regulation 8(1)(b) of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 of its intention to provide an Environmental Statement (ES) in respect of the Proposed Development. The notification was received before the start of statutory consultation on 24 September 2021.</p> <p>A copy of the letter is provided at Annex D of the Consultation Report (Application Document 4.4).</p> |
| 5 | Have any Adequacy of Consultation Representations ⁴ been received from 'A', 'B', 'C' and 'D' local authorities; and if so do they confirm that the Applicant has complied with the duties under s42, s47 and s48? | 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 14. |
| Section 42: Duty to consult | | |
| Did the Applicant consult the applicable persons set out in s42 of the PA2008 about the proposed application? | | |
| 6 | Section 42(1)(a) persons prescribed ⁴ ? | Yes. The Applicant has provided a list of persons consulted under s42(1)(a) as prescribed under Schedule 1 of the APFP Regulations on 20 September 2021 at Annex H of the Consultation Report (Application Document 4.4) . |

³ Regulation 8 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (2017 EIA Regulations), or where Regulation 37 of the 2017 EIA Regulations applies, Regulation 6 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (2009 EIA Regulations) ⁴ Section 55(4) of the PA2008 provides that the Planning Inspectorate must have regard to the Consultation Report, and any Adequacy of Consultation Representations received

⁴ Statutory consultees set out in Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (APFP Regulations) ⁶ In any case where the Proposed Development would affect, or would be likely to affect, any of the areas specified in s42(2) of the PA2008

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| | | <p>The details of each consultation are set out below:</p> <p>Full Statutory Consultation The applicant undertook full statutory consultation between 24 September 2021 and 6 November 2021 on the proposals to improve the A66. A letter and consultation pack were sent to Section 42(1) consultees on the 20 September 2021 as detailed in Section 5 of the Consultation Report (Application Document 4.4). A sample letter sent to s42(1)(a) consultees on 20 September 2021 is provided at Annex I of the Consultation Report (Application Document 4.4).</p> <p>Supplementary Consultation The applicant carried out nine supplementary consultations between 28 January and 3 April 2022 where schemes were amended to reflect feedback from the 2021 statutory consultation and further work undertaken to progress the design. Further detail is provided in Chapter 7 of the Consultation Report (Application Document 4.4).</p> <p>Consultation was undertaken with parties whose land would be affected differently as a result of the changes to the proposals and the host authorities. Copies of the letters and consultation packs are included in Annex O of the Consultation Report (Application Document 4.4).</p> |
| 7 | Section 42(1)(aa) the Marine Management Organisation ⁶ ? | Not applicable, the project does not fall within the UK marine area. As such the Marine Management Organisation is not a relevant consultee in respect of the project. |
| 8 | Section 42(1)(b) each local authority within s43 ⁵ ? | <p>Yes, paragraph 4.1.2 of the Consultation Report (Application Document 4.4) list the relevant local authorities that were identified under s43 and consulted in accordance with s42(1)(b) of the PA 2008.</p> <p>The boundary 'A' authorities consulted were:</p> <ul style="list-style-type: none"> Allerdale Borough Council |

⁵ 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

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| | | <ul style="list-style-type: none">• Carlisle City Council• Craven District Council• Dumfries and Galloway Regional Council• Gateshead Council• Hambleton District Council• Harrogate Borough Council• Hartlepool Borough Council• Lake District National Park Authority• Northumberland National Park Authority• Scottish Borders Council• South Lakeland District Council• Sunderland City Council• Yorkshire Dales National Park Authority <p>The host 'B' authorities consulted were:</p> <ul style="list-style-type: none">• Eden District Council• Richmondshire District Council• Durham County Council <p>The host 'C' authorities consulted were:</p> <ul style="list-style-type: none">• Cumbria County Council• North Yorkshire County Council <p>The boundary 'D' authorities consulted were:</p> <ul style="list-style-type: none">• Bradford Metropolitan Borough Council• Doncaster Metropolitan Borough Council• East Riding of Yorkshire• Lancashire County Council• Lancaster City Council• Leeds City Council• Middlesborough Borough Council• North York Moors National Park Authority• Redcar and Cleveland Borough Council• Wakefield City Council |
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| | | <ul style="list-style-type: none"> • City of York Council <p>The boundary 'D/A' authorities were consulted:</p> <ul style="list-style-type: none"> • Darlington Borough Council • Northumberland County Council • Stockton-on-Tees Borough Council <p>A sample letter sent to s42(1)(b) relevant authorities on 20 September 2021 is provided at Annex I of the Consultation Report (Application Document 4.4).</p> |
| 9 | Section 42(1)(c) the Greater London Authority (if in Greater London area)? | Not applicable – the project does not fall within Greater London and as a result the Greater London Authority is not a relevant consultee in respect of the project. |
| 10 | Section 42(1)(d) each person in one or more of s44 categories ⁶ ? | <p>Yes. Section 5.5 of Chapter 5 of the Consultation Report (Application Document 4.4) confirms that all persons identified under s42(1)(d) of the 2021 statutory consultation were consulted on 20 September 2021.</p> <p>Section 5.4 of Chapter 5 of the Consultation Report (Application Document 4.4) summarises how the Applicant made diligent inquiry to seek to identify and consult persons with an interest in lands affected by the Draft DCO (Application Document 5.1) for the purposes of the 2021 statutory consultation. The full methodology undertaken by the Applicant is provided in Section 4.4 of the Statement of Reasons (Application Document 5.8).</p> <p>The persons consulted under s42(1)(d) are listed at Annex H of the Consultation Report (Application Document 4.4). Persons consulted under s42(1)(d) under the supplementary consultation are listed in Appendix R of the Consultation Report (Application Document 4.4).</p> |

⁶ 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

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| | | Samples of the letters sent on 20 September 2021 are provided at Annex I of the Consultation Report (Application Document 4.4) . |
| Section 45: Timetable for s42 consultation | | |
| 11 | Did the Applicant notify s42 consultees of the deadline for receipt of consultation responses; and if so was the deadline notified by the Applicant 28 days or more starting with the day after receipt of the consultation documents? | <p>Yes. Samples of the letters sent to s42 consultees as part of the 2021 statutory consultation are provided at Annex I of the Consultation Report (Application Document 4.4).</p> <p>The sample letters dated 20 September 2021 confirmed that the statutory consultation commenced on 24 September 2021 and closed on 6 November 2021– a period of more than 28 days starting with the day after the receipt of the consultation documents. The letters therefore provided more than the required minimum time for receipt of responses.</p> <p>Samples of the letters and emails sent to s42 consultees as part of the supplementary consultations are provided in Annex O of the Consultation Report (Application Document 4.4).</p> <p>Three phases of supplementary consultation were undertaken as follows: Phase 1 confirmed the supplementary consultation ran from 28 January 2022, closed 27 February 2022. Phase 2 confirmed the supplementary consultation ran from 16 February 2022 to 20 March 2022. Phase 3 confirmed the supplementary consultation ran from 11 March 2022 to 3 April 2022.</p> |
| Section 46: Duty to notify the Planning Inspectorate of proposed application | | |
| 12 | Did the Applicant supply information to notify the Planning Inspectorate of the proposed application; and if so was the information supplied to the Planning Inspectorate on or before the date it was sent to the s42 consultees? Was this done on or before commencing consultation under s42? | <p>Yes. Pursuant to s46 the Applicant gave notice to the Secretary of State supplying the same information as sent to the s42 consultees on 20 September 2021, which was the same date as sent to the s42 consultees, prior to commencing statutory consultation held between 24 September 2021 and 6 November 2021.</p> <p>A copy of the s46 notification letter dated 20 September 2021 is provided at Annex K of the Consultation Report (Application Document 4.4) and a copy of s46 notification</p> |

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| | | acknowledgement letter from the Planning Inspectorate is provided at Annex K of the Consultation Report (Application Document 4.4) . |
| Section 47: Duty to consult local community | | |
| 13 | Did the Applicant prepare a Statement of Community Consultation (SoCC) on how it intended to consult people living in the vicinity of the land? | Yes. The Applicant prepared a SoCC for the statutory consultation setting out how it proposed to consult about the proposed application with people living in the vicinity of the land. The consultation ran for 28 days from the 21 July 2021. A copy of the final, was published on 24 September 2021. A copy of the SoCC is provided at Annex G of the Consultation Report (Application Document 4.4) . |
| 14 | Were 'B' and (where relevant) 'C' authorities consulted about the content of the SoCC; and if so was the deadline for receipt of responses 28 days beginning with the day after the day that 'B' and (where applicable) 'C' authorities received the consultation documents? | <p>Yes.</p> <p>The Applicant sent the draft SoCC for the first round of informal consultation to the host 'B' and 'C' authorities as listed in the response to question 8. on 18 and 21 June 2021, setting a 14-day period for responses.</p> <p>The Applicant sent the draft SoCC for the second round of informal consultation to the host 'B' and 'C' authorities on 11 June 2021, setting a 14-day period for responses.</p> <p>The Applicant sent the draft SoCC for formal consultation to the host 'B' and 'C' authorities on 12 July 2021, setting a 14-day period for responses.</p> <p>The Applicant sent the final SoCC to the host 'B' and 'C' authorities on 15 September 2021, setting a 30-day period for responses.</p> <p>Copies of the letters are provided in Annex E, of the Consultation Report (Application Document 4.4)</p> |
| 15 | Has the Applicant had regard to any responses received when preparing the SoCC? | Yes. Table 4.2 of the Consultation Report (Application Document 4.4) provides a summary of the consultation responses from the host authorities in respect of the draft SoCC and demonstrates how the Applicant had regard to their content. |

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| 16 | Has the SoCC been made available for inspection in a way that is reasonably convenient for people living in the vicinity of the land; and has a notice been published in a newspaper circulating in the vicinity of the land which states where and when the SoCC can be inspected? | <p>Yes. Section 5.5 of Chapter 5 of the Consultation Report (Application Document 4.4) provides the locations, the dates available and the hours of operation of the venues where the final SoCC was made available for the public to inspect.</p> <p>The published s47(6)(a) notice states where and when the SoCC was available to inspect and is provided in Part 1 (1) of Annex L of the Consultation Report (Application Document 4.4). Copies of the notice in local newspapers is included in Part 1 (2) of Annex L of the Consultation Report (Application Document 4.4).</p> |
| 17 | Does the SoCC set out whether the development is EIA development ⁷ ; and does it set out how the Applicant intends to publicise and consult on the Preliminary Environmental Information? | <p>Yes. Section 3.11 of the final SoCC, at Annex G of the Consultation Report (Application Document 4.4), sets out that the development is EIA development, and confirms that the Preliminary Environmental Information (PEI) Report would be published as part of the consultation material. Chapter 7 sets out how the Applicant intended to consult and to publicise the consultation material, including the PEI Report, and Chapter 8 sets out how to respond to the consultation material.</p> |
| 18 | Has the Applicant carried out the consultation in accordance with the SoCC? | <p>Yes. The Applicant has undertaken consultation in accordance with the proposals set out in the SoCC. Chapter 4 of the Consultation Report (Application Document 4.4) outlines how the Applicant has complied with the commitments set out in the SoCC.</p> |

Section 48: Duty to publicise the proposed application

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| 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 publicised the proposed application in accordance with the requirements of s48 the Planning Act 2008 and Regulation 4 of the APFP Regulations as outlined in Section 5.5 of Chapter 5.5 of the Consultation Report (Application Reference 4.4) and the tables below.</p> <p>Copies of all newspaper notices are included in Annex M of the Consultation Report (Application Document 4.4).</p> |
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| | Newspaper(s) | Date |
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⁷ Regulation 12 of the 2017 EIA Regulations, or where Regulation 37 of the 2017 EIA Regulations applies, Regulation 10 of the 2009 EIA Regulations

| a) | for at least two successive weeks in one or more local newspapers circulating in the vicinity in which the Proposed Development would be situated; | <ul style="list-style-type: none"> Northern Echo Cumberland Westmorland Herald Gazette Live (Evening Gazette in Teeside) Teesdale Mercury Darlington and Stockton Times Cumberland News (News and Star) | 15 September, 22 September 2021 11 September, 18 September 2021 13 September, 20 September 2021 15 September, 22 September 2021 17 September, 24 September 2021 10 September, 17 September 2021 | |
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| b) | | | | |
| c) | once in a national newspaper; | <ul style="list-style-type: none"> The Times | 20 September 2021 | |
| d) | once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and | <ul style="list-style-type: none"> London Gazette | 20 September 2021 | |
| | where the proposed application relates to offshore development – (i) once in Lloyds List; and (ii) once in an appropriate fishing trade journal? | Not applicable as the application does not relate to offshore development. | Not applicable | |
| 20 | Did the s48 notice include the required information set out in Regulation 4(3) of APFP Regulations? | Yes. The s48 notice published for the 2021 statutory consultation provided in Annex M of the Consultation Report (Application Document 4.4) contained the required information as set out below: | | |
| Information | | Paragraph | Information | Paragraph |
| a) | the name and address of the Applicant. | 1 | b) a statement that the Applicant intends to make an application for development consent to the Secretary of State | 1 |

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| c) | a statement as to whether the application is EIA development | 4 | d) | a summary of the main proposals, specifying the location or route of the Proposed Development | 3 |
| 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 | 5 | f) | the latest date on which those documents, plans and maps will be available for inspection | 15 |
| g) | whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge | 13 and 14 | h) | details of how to respond to the publicity | 15 |
| 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 | 15 | | | |
| 21 | Are there any observations in respect of the s48 notice provided above? | | | | |
| | No | | | | |
| 22 | Has a copy of the s48 notice been sent to the EIA consultation bodies and to any person notified to the Applicant in accordance with the EIA Regulations ⁸ ? | Yes. A copy of the s48 notice was sent on 21 September 2021 to the EIA consultation bodies as part of the s42 consultation undertaken 2021, as confirmed in Chapter 5 of the Consultation Report (Application Document 4.4) . No additional persons were notified by | | | |

⁸ Regulation 13 of the 2017 EIA Regulations, or where Regulation 37 of the 2017 EIA Regulations applies, Regulation 11 of the 2009 EIA Regulations

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| | | <p>PINS under Regulation 11(c) of the EIA Regulations as confirmed in Annex D of the Consultation Report (Application Document 4.4).</p> <p>Samples of the s42 consultation letters issued as part of the 2021 statutory consultation are provided at Annex I of the Consultation Report (Application Document 4.4). These letters confirm that a copy of the s48 notice was enclosed.</p> |
| <p>s49: Duty to take account of responses to consultation and publicity</p> | | |
| 23 | <p>Has the Applicant had regard to any relevant responses to the s42, s47 and s48 consultation?</p> | <p>Yes. The Applicant has had regard to any relevant responses received during the statutory consultation period. Chapter 6 of the Consultation Report (Application Document 4.4) provides a summary of matters raised by consultees including which consultee strand raised these matters and describes how regard has been had to these responses in accordance with s49 of the Planning Act 2008. Annex N of the Consultation Report (Application Document 4.4) provides a breakdown of the issues raised by stakeholders and consultees, who raised each issue, and how these were regarded including any changes made to the project as a result.</p> <p>The Applicant has had regard to any relevant responses received during the supplementary consultation periods. Chapter 7 of the Consultation Report (Application Document 4.4) provides a summary of matters raised by consultees including which consultee strand raised these matters and describes how regard has been had to these responses in accordance with s49 of the Planning Act 2008. Annex P of the Consultation Report (Application Document 4.4) provides a breakdown of the issues raised by stakeholders and consultees, who raised each issue, and how these were regarded including any changes made to the project as a result.</p> |
| <p>Guidance about pre-application procedure</p> | | |
| 24 | <p>To what extent has the Applicant had regard to statutory guidance 'Planning Act 2008: Guidance on the pre-application process'⁹?</p> | <p>The Applicant has had regard to the DCLG guidance (and relevant Advice Notes). The Consultation Report (Application Document 4.4) provides full details of the statutory and non-statutory consultation carried out which has been in accordance with the DCLG guidance. Chapter 8 of the Consultation Report (Application Document 4.4) contains a checklist detailing how the Applicant has complied with the pre-application guidance.</p> |

⁹ The Planning Inspectorate must have regard to the extent to which the Applicant has had regard to guidance issued under s50

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| 25 | Summary: Section 55(3)(e) | The Applicant has demonstrated that the Application as submitted has complied with the pre-application procedure under the PA 2008. |
| 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 | <p>Is it made in the prescribed form as set out in Schedule 2 of the APFP Regulations, and does it include:</p> <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 as set out in Schedule 2 of the APFP Regulations. A statement which explains why the application falls within the remit of the Secretary of State is provided in section 4 of the Application Form (Application Document 1.3) and paragraph 2.7 to 2.11 of the Explanatory Memorandum (Application Document 5.3).</p> <p>Section 6 of the Application Form provides a brief statement that describes the location of the proposed route. The location of the proposed project is show on the Location Plan (Application Document 5.12).</p> |
| 27 | Is it accompanied by a Consultation Report? | The Consultation Report is included as Application Document 4.4 . |
| 28 | Where a plan comprises three or more separate sheets, has a key plan been provided showing the relationship between the different sheets? ¹⁰ | Yes, key plans are provided to show the relationship between different sheets. |
| 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: |

¹⁰ Regulation 5(4) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

| Information | | Document | Information | | Document |
|-------------|--|---|-------------|---|--|
| a) | Where applicable, the Environmental Statement required under the EIA Regulations ¹¹ and any scoping or screening opinions or directions | Yes, the application is supported by an Environmental Statement (Application Document 3.2), Environmental Statement Figures (Application Document 3.3), Environmental Statement Appendix (Application Document 3.4) and a Environmental Statement Non-Technical Summary (Application Document 3.1). A copy of the EIA Scoping Report and Scoping Opinion are included in Appendix 4.1 and 4.2 of the Environmental Statement Appendices (Application Document 3.4). | b) | The draft Development Consent Order (DCO) | The Draft Development Consent Order (Application Document 5.1) is provided. |
| c) | Is this of a satisfactory standard? | Yes | | Is this of a satisfactory standard? | Yes |
| | An Explanatory Memorandum explaining the purpose and effect of provisions in the draft DCO | Explanatory Memorandum to draft Development Consent Order (Application Document 5.3) explains the purpose and effect of the provisions of the draft DCO. | | Where applicable, a Book of Reference (where the application involves any Compulsory Acquisition) | A Book of Reference (Application Document 5.7) is provided. |

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

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| e) | Is this of a satisfactory standard? | Yes | d) | Is this of a satisfactory standard? | Yes | |
| | A copy of any Flood Risk Assessment | A Flood Risk Assessment is provided in Appendix 14.2 of the Environmental Statement (Application Document 3.2). | | f) | A statement whether the proposal engages one or more of the matters set out in section 79(1) of the Environmental Protection Act 1990 (statutory nuisances) and if so how the Applicant proposes to mitigate or limit them | A Statement of Statutory Nuisance (Application Document 5.5) is provided. |
| | Is this of a satisfactory standard? | Yes | | | Is this of a satisfactory standard? | Yes |
| h) | A Statement of Reasons and a Funding Statement (where the application involves any Compulsory Acquisition) | A Statement of Reasons (Application Document 5.8) is provided as the proposed order would authorise the compulsory acquisition of land or an interest in land or right over land. A Funding Statement (Application Document 5.6) is provided to indicate | i) | A Land Plan identifying:- (i) the land required for, or affected by, the Proposed Development; | Land Plans (Application Document 5.13), Crown Land Plans (Application Document 5.14) and Special Category Land Plans (Application Document 5.15) are provided. The Land Plans accord with Regulation 5(2)(i) of the APFP Regulations and identify: | |

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| | | <p>how the proposed order that contains the authorisation of compulsory acquisition is proposed to be funded.</p> | | <ul style="list-style-type: none"> (ii) where applicable, any land over which it is proposed to exercise powers of Compulsory Acquisition or any rights to use land; (iii) any land in relation to which it is proposed to extinguish easements, servitudes and other private rights; and (iv) any special category land and replacement land | <ul style="list-style-type: none"> (i) all land that is required for or affected by the project; (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 easements, servitudes or other private rights. <p>The Special Category Land Plans show the special category land and proposed replacement land.</p> |
| j) | <p>Is this of a satisfactory standard?</p> | <p>Yes</p> | k) | <p>Is this of a satisfactory standard?</p> | <p>Yes</p> |

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| | <p>A Works Plan showing, in relation to existing features:-</p> <p>(i) the proposed location or (for a linear scheme) the proposed route and alignment of the development and works; and</p> <p>(ii) the limits within which the development and works may be carried out and any limits of deviation provided for in the draft DCO</p> | <p>Work Plans (Application Document 5.16) 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.</p> | | <p>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</p> | <p>The following plans are provided; Rights of Way and Access Plans (Application Document 5.19) Classification of Roads Plans (Application Document 5.20) De-Trunking Plans (Application Document 5.21) Traffic Regulation Measures (Speed Limits) Plans (Application Document 5.22) Traffic Regulation Measures (Clearways and Prohibitions) Plans (Application Document 5.23). The plans are in accordance with Regulation 5(2)(k) of the APFP Regulations.</p> |
| | <p>Is this of a satisfactory standard?</p> | <p>Yes</p> | | <p>Is this of a satisfactory standard?</p> | <p>Yes</p> |

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| l) | <p>Where applicable, a plan with accompanying information identifying:-</p> <ul style="list-style-type: none"> (i) any statutory/ non-statutory sites or features of nature conservation e.g. sites of geological/ landscape importance; (ii) habitats of protected species, important habitats or other diversity features; and (iii) water bodies in a river basin management plan, <p>together with an assessment of any effects on such sites, features, habitats or bodies likely to be caused by the Proposed Development</p> | <p>The plans are provided in Environmental Statement Volume 2 (Figures) (Application Document 3.3) with the following plans providing the information; Biodiversity 6.1 to 6.18; Geology and Soils 9.1 to 9.6; 3.3; Landscape and Visual 10.1, 10.2, 10.5 to 10.7; and Road Drainage and Water Environment 14.1, 14.3, 14.4</p> <p>The assessment of effects are included in the following sections of the Environmental Statement Volume 1 (Main Report) (Application Document 3.2): Chapter 6 Biodiversity; Chapter 9 Geology and Soils; Chapter 10 Landscape and Visual; Chapter 14 Road Drainage and Water Environment.</p> <p>The Tree Preservation Order Trees Location Plans (Application Document 5.24) provides details of trees which are protected by Tree Preservation Orders but which will be affected by the Project if development consent is granted.</p> | m) | <p>Where applicable, a plan with accompanying information identifying any statutory/ non-statutory sites or features of the historic environment, (eg scheduled monuments, World Heritage sites, listed buildings, archaeological sites and registered battlefields) together with an assessment of any effects on such sites, features or structures likely to be caused by the Proposed Development</p> | <p>The plans are provided in Environmental Statement Volume 2 (Figures) (Application Document 3.3) 8.1 and 8.2, with the assessment of effects included in Chapter 8 of the Environmental Statement Volume 1 (Main Report) (Application Document 3.2).</p> |
| n) | <p>Is this of a satisfactory standard?</p> | <p>Yes</p> | o) | <p>Is this of a satisfactory standard?</p> | <p>Yes</p> |

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| | Where applicable, a plan with any accompanying information identifying any Crown land | The Crown Land Plans (Application Document 5.14) are provided. | | 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 | The following plans are provided: General Arrangement Plans (Application Document 2.5) Rights of Way and Access Plans (Application Document 5.19) Classification of Roads Plans (Application Document 5.20) De-Trunking Plans (Application Document 5.21) Traffic Regulation Measures (Speed Limits) Plans (Application Document 5.22) Traffic Regulation Measures (Clearways and Prohibitions) Plans (Application Document 5.23) Tree Preservation Order Trees Location Plans (Application Document 5.24). |
| | Is this of a satisfactory standard? | Yes | | Are they of a satisfactory standard? | Yes |
| p) | Any of the documents prescribed by Regulation 6 of the APFP Regulations: | The proposed development is Highway related development. The application is therefore required under Regulation 6(2) to be accompanied by (as relevant to the proposed scheme) section drawings to suitable horizontal and vertical scales showing levels of the proposed works including in particular, where relevant: ground levels, heights of every proposed bridge, viaduct, embankment, depths of every proposed cutting and | q) | Any other documents considered necessary to support the application | The following documents are provided in support of the Application: Cover Letter Application (Document 1.1) Section 55 Checklist Application (Document 1.2) Guide to the Application (Application Document 1.4) Application Glossary (Application Document 1.5) Electronic Index (Application Document 1.6) |

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| | <p>drainage outfall details. In addition, section drawings which show a cross-section of every intended tunnel and any altered gradient of a carriageway are required to be provided.</p> <p>This information is provided in: General Arrangement Drawings (Application Document 2.5), Engineering Section Drawings: Plan and Profiles Application (Document 5.17); and the Engineering Section Drawings: Cross-sections (Application Document 5.18).</p> | | <p>Case for the project (Application Document 2.2) Project Design Report (Application Document 2.3) Mitigation Schedule (Application Document 2.9) Transport Assessment (Application Document 3.7) Combined Modelling and Appraisal Report (Application Document 3.8) Legislation and Policy Compliance Statement (Application Document 3.9) Project Development Overview Report (Application Document 4.1) Statement of Commonality and Statement of Common Ground (Application Document 4.5) Compulsory Acquisition and Temporary Possession Schedule (Application Document 5.9) Schedule of Negotiations (Application Document 5.10) Project Design Principles (Application Document 5.11)</p> | |
| | Are they of a satisfactory standard? | Yes | Are they of a satisfactory standard? | Yes |
| 30 | Are there any observations in respect of the documents provided above? | | | |
| | No. | | | |

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| 31 | Is the application accompanied by a report identifying any European site(s) to which Regulation 48 of The Conservation (Natural Habitats, &c.) Regulations 1994 applies; or any Ramsar site(s), which may be affected by the Proposed Development, together with sufficient information that will enable the Secretary of State to make an appropriate assessment of the implications for the site if required by Regulation 48(1)? ¹² | <p>Yes.</p> <p>A Habitat Regulations Assessment (HRA) Screening Report is provided with the Environmental Statement (Application Document 3.2). The HRA Screening Report identifies relevant European sites and the likely effects on those sites as a result of the Proposed Development.</p> <p>A Habitat Regulations Assessment Stage 1: Likely Significant Effects Report (Application Document 3.5) and Assessment of Our Proposals Habitats Regulations Assessment Stage 2: Statement to Inform Appropriate Assessment (Application Document 3.6) have also been provided.</p> |
| 32 | If requested by the Planning Inspectorate, two paper copies of the application form and other supporting documents and plans ¹³ | Not applicable. |
| 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? | Yes, the statutory guidance 'Planning Act 2008: Application form guidance' has been used to prepare the application form. The 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) | Yes, it is considered that the Application and its supporting documents are of a standard that the Secretary of State will find satisfactory, having developed the Application in accordance with sections 37(3) and 37(5) of the PA 2008. |
| The Infrastructure Planning (Fees) Regulations 2010 (as amended) | | |
| Fees to accompany an application | | |

¹² Regulation 5(2)(g) of the APFP Regulations

¹³ Regulation 5(2)(r) of the APFP Regulations

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| 35 | Was the fee paid at the same time that the application was made ¹⁴ ? | Yes. |
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| Role | Electronic signature | Date |
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| Case Manager | | |
| Acceptance Inspector | | |

¹⁴ 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