

# **A66 Northern Trans-Pennine Project**

**TR010062**

## **1.4 Guide to the Application (Rev 3)**

**APFP Regulations 5(2)(q)**

**Planning Act 2008**

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

**Volume 1**

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**The Infrastructure Planning  
(Applications: Prescribed  
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A66 Northern Trans-Pennine Project  
Development Consent Order 202x

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**1.4 Guide to the Application**

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## **CONTENTS**

<b>1</b>	<b>Introduction</b>	<b>3</b>
1.1	Purpose of this document	3
1.2	Structure of this document	3
<b>2</b>	<b>The Project</b>	<b>4</b>
2.1	Project Overview	4
2.2	Project Objectives	4
2.3	Project History	5
2.4	Qualification as a Nationally Significant Infrastructure Project (“NSIP”)	6
<b>3</b>	<b>The Applicant</b>	<b>7</b>
<b>3.1</b>	<b>National Highways</b>	<b>7</b>
<b>4</b>	<b>Application Documents</b>	<b>8</b>
<b>5</b>	<b>Volume 1: Application Information</b>	<b>9</b>
<b>6</b>	<b>Volume 2: Our Proposals</b>	<b>10</b>
<b>7</b>	<b>Volume 3: Assessment of Our Proposals</b>	<b>12</b>
<b>8</b>	<b>Volume 4: Development of Our Proposals</b>	<b>16</b>
<b>9</b>	<b>Volume 5: Authorisation of Our Proposals</b>	<b>17</b>

## 1 Introduction

### 1.1 Purpose of this document

1.1.1 National Highways (the “Applicant”) has submitted an application under Section 37 of the Planning Act 2008 (the “PA 2008”) to the Secretary of State (“SoS”) via the Planning Inspectorate (“PINS”) for an order to grant development consent (“DCO”) for the A66 Northern Trans-Pennine Project between M6 Junction 40 at Penrith and the A1 junction at Scotch Corner (the “Project”).

1.1.2 This document provides an accessible guide to the Project, Applicant and the DCO application, and it will assist those in reviewing the Application Document Tracker (Application Document 1.7, Rev 9).

1.1.3 This updated document (Rev 3) has additional text added that identifies the revisions that have been made to the documents during the Examination of the DCO. These happened as a result of:

- **New technical work undertaken during the course of the Examination to provide further explanation or clarity to the findings set out within application documents.** These were principally provided in response to issues raised by the Examining Authority (“the ExA”) or by interested parties, that have resulted in revisions to some application documents. These amendments do not change the findings, as reported in the original documents, but provide greater clarity, context or background information to support the findings.
- **Changes to the Project during the course of the Examination.** These are principally associated with the Procedural Decision of the ExA (PD-014) made on the 18 April 2023 accepting a total of 22 Project changes (as requested by the Applicant on 24 March 2023 (Application Document 8.1, CR1-002) into the Examination. The changes to individual documents associated with each of the 22 accepted changes are identified in the Application Document Tracker (Application Document 1.7, Rev 9).
- **Corrections to errors or discrepancies in the information presented in the Documents.** These have been identified by the Applicant, the ExA or interested parties during the course of the Examination and have been corrected through submission of revised corrected documents. This includes the Errata Report (Document Reference 6.1, Rev 2, REP3-042).

1.1.4 Certain documents have not been updated as they have not been affected by the material provided by the Applicant and any changes accepted during the course of the Examination. They remain as originally submitted in June 2022.

1.1.5 All the changes to documents made during the course of the Examination are listed in the Application Document Tracker (Document Reference 1.7, Rev 9) which also identifies the deadline date on which the revised versions were submitted. As well as an Application Document Reference, each document has an Examination Library Reference. The examination library reference

commences with 'APP' if the originally submitted version (of June 2022) has not been revised or commences with 'REP' followed by the deadline number, for documents that have been revised and submitted during the course of the Examination (these references are included in this document where complete sets of the Examination references are available for the Application Document). Certain documents were submitted with 'clean' and 'tracked' versions to make it clear what has changed from the previous revision.

- 1.1.6 This document was updated at Deadline 8 to support the ExA and others as part of the end of the Examination process. The Applicant intends to update this document at the final Examination Deadline.

## **1.2 Structure of this document**

- 1.2.1 The document comprises nine chapters as described below:

- Chapter 1 – introduces this document;
- Chapter 2 – provides a high-level description of the Project;
- Chapter 3 – introduces the Applicant;
- Chapter 4 – gives an overview of the application documentation;
- Chapters 5 to 9 – explain the purpose of each of the documents submitted.

- 1.2.2 The Application Document Tracker is provided alongside this document (Document Reference 1.7, Rev 9) in order to help the ExA and interested parties understand the DCO application as it evolves through the examination process by identifying the latest version of any DCO application document.

## 2 The Project

### 2.1 Project Overview

- 2.1.1 The existing A66 corridor is a key national and regional strategic transport corridor. It carries high levels of freight traffic and is an important route for tourism and connectivity for nearby communities. There are no direct rail alternatives for passenger or freight movements in this location.
- 2.1.2 Despite the strategic importance of the A66 corridor, the route between the M6 at Penrith and the A1(M) at Scotch Corner is only intermittently dualled and has six separate sections of single carriageway. The route carries local slow moving agricultural and other traffic making short journeys, which impacts road speeds and capacity, detrimentally impacting on other users, especially on the single carriageway sections. The variable road standards, together with the lack of available diversionary routes when incidents occur, affects road safety, reliability, resilience and attractiveness of the route.
- 2.1.3 If the existing A66 route is not improved, it will continue to constrain national and regional connectivity and may threaten the transformational growth envisaged by the Northern Powerhouse initiative and the achievement of the Government ‘Levelling Up’ agenda.
- 2.1.4 The need for improvements to the A66 corridor was identified in the Northern Trans-Pennine Routes Strategic Study (NTPRSS) announced as part of the first Road Investment Strategy (RIS1) in December 2014 (Department for Transport, 2015a) (“DfT”). The study was one of six national strategic studies. Funding for the A66 corridor improvements was committed to in the Road Investment Strategy 2 (RIS2) in March 2020 (DfT, 2020a).
- 2.1.5 The Project proposes dualling all of the remaining single sections of carriageway to create a continuous 70mph dual carriageway (other than at Kemplay Bank with a speed limit of 50mph) across the North Pennines, between the A1 and M6 motorways.

### 2.2 Project Objectives

- 2.2.1 In upgrading the A66 corridor, and in being chosen as part of the RIS programmes, the Project is required to demonstrate that it can meet the specified project objectives as defined by the Department for Transport (DfT). Table 1: below further provides a summary of the project’s objectives:

**Table 1 – Summary of project objectives**

Theme	Project objectives
Economic	Regional: Support the economic growth objectives of the Northern Powerhouse and Government ‘Levelling Up’ agenda <sup>1</sup> .
	Ensure the improvement and long-term development of the Strategic Road Network (“SRN”) through providing better national connectivity including freight.

<sup>1</sup> The Northern Powerhouse is a vision for joining up the North’s great towns, cities and counties, pooling their strengths, and tackling major barriers to productivity to unleash the full economic potential of the North. Its objective is to achieve a sustained increase in productivity across the whole of the North. It is at the heart of the government’s ambition for an economy that works for everyone. (Northern Powerhouse Strategy – November 2016, HM Government)

Theme	Project objectives
	Maintain and improve access for tourism served by the A66.
	Seek to improve access to services and jobs for local road users and the local community.
Transport	Improve road safety, during construction, operation and maintenance for all, including road users, Non-Motorised Users (NMU), road workers, local businesses and local residents.
	Improve journey time reliability for road users.
	Improve and promote the A66 as a strategic connection for all traffic and users.
	Improve the resilience of the route to the impact of events such as incidents, roadworks and severe weather events.
	Seek to improve NMU provision along the route.
Community	Reduce the impact of the route on severance for local communities.
Environment	Minimise adverse impacts on the environment and where possible optimise environmental improvement opportunities.

2.2.2 The Project will achieve the objectives, as confirmed in section 5.5 of the Case for the Project (Document Reference 2.2, APP-008).

## 2.3 Project History

2.3.1 The key dates of the Project history are summarised in Table 2. A full and detailed history of the Project is set out within the Project Development Overview Report (Document Reference 4.1, APP-244).

**Table 2 - History of the Scheme**

Year	Activity
2017	Project begins following the Government announced that the A66 presented the strongest case for an upgrade and that plans for full dualling between the M6 junction 40 and the A1(M) at Scotch Corner would be developed for the next RIS.
2017 - 2019	Several options were identified and appraised resulting in taking a number of potential route options to public consultation.
May – July 2019	Options consultation to understand views towards the proposed route options. The public consultation ran from 16 May to 11 July 2019.
May 2020	Preferred Route announced with proposals to upgrade the single carriageway of the A66 over 18 miles of route in total. The Preferred Route was developed following an analysis of the responses to the non-statutory options consultation alongside other information including additional environmental and site considerations and relevant policy.
September to November 2021	Statutory consultation on the proposed upgrades to the eight schemes within the Project. The public consultation ran from 24 September to 6 November 2021.
January to April 2022	Supplementary consultations following changes to the design based on feedback to the Statutory Consultation.

Year	Activity
May 2022	Submission of the DCO application, with the application having had regard to the responses to the statutory and supplementary consultations. Further detail of how the application has had regard to those responses is provided in Section 6 of the Consultation Report (Application Document 4.4)
July 2022	The Examining Authority accepted the application for examination on 19 July 2022.
July 2022 – November 2022	Registration of interested parties began on 31 July 2022 and closed on 4 September 2022. The Preliminary Meeting was held on 29 November.
November 2022 – May 2023	The Examination commenced on 29 November at the close of the Preliminary Meeting and the Examination Timetable was published on 17 October 2022 which detailed each of the 9 Deadlines.
January to February 2023	Non-statutory consultation on 32 potential proposed changes to the DCO application. The public consultation ran from 28 January to 27 February 2023.
March 2023	DCO Change Application seeking 24 changes to the accepted application, having had regard to the responses to the non-statutory consultation. Further detail of how the application has had regard to those responses is provided in the Consultation Statement (CR1-007).
May 2023	Submission by the Applicant of revised DCO application documents for the 22 changes that were accepted into the Examination by the ExA as set out in the <i>Examining Authority's Procedural Decision in response to the Applicant's proposed changes</i> (PD-014)

## 2.4 Qualification as a Nationally Significant Infrastructure Project (“NSIP”)

- 2.4.1 The Project lies wholly within England and involves the construction of a highway for which the Applicant is the strategic highway authority. On that basis and given the speed limit will be 50mph or more and the area of development exceeds the 12.5 hectares threshold, the Project is therefore an NSIP as defined within sections 14(1)(h), 22(1)(a) of the Planning Act 2008 (PA 2008). Further detail is provided within the Explanatory Memorandum (Application Document 5.3, Rev 4).
- 2.4.2 Pursuant to the PA 2008, development consent must be obtained from the SoS to authorise the Project, and an application for a DCO must be made to PINS who administer the DCO process on behalf of the SoS, under section 37 of the PA 2008. If granted by the SoS, the DCO will provide the necessary authorisation to allow the scheme to be constructed, operated and maintained.



## **3 The Applicant**

### **3.1 National Highways**

3.1.1 The Applicant is appointed and licensed by the SoS as the strategic highways company for England. It is responsible for operating, maintaining and improving the SRN in England. The SRN is made up of England's motorways and all-purpose trunk roads (the major "A" roads) and the existing A417 is part of the trunk road network for which National Highways is responsible. Following construction of the scheme, National Highways will be responsible for operating, maintaining and improving (under its general statutory powers in respect of the latter) the improved dualled A66.

3.1.2 The Project contact details are:

**A66 Northern Trans-Pennine Project Team**  
**Regional Investment Programme, Major Projects**

National Highways

5<sup>th</sup> Floor

3 Piccadilly Place

Manchester

M1 3BN

**Email:** A66NTP@nationalhighways.co.uk

**Telephone:** 0300 090 1192

**The A66 Northern Trans-Pennine Project Team**

3.1.3 The Project is managed by the Applicant through its A66 Northern Trans-Pennine Project Team, which is responsible for delivering the Project in accordance with the Project's requirements.

## 4 Application Documents

- 4.1.1 A list of documents within the original application is set out in the Cover Letter (Application Document 1.1, APP-001) the completed Section 55 Checklist (Application Document 1.2, APP-002) and the updated Application Document Tracker (Application Document 1.7, Rev 9).
- 4.1.2 The Application Document Tracker (Application Document 1.7, Rev 9) also notes at which point a document has been revised, and the latest revision number for that document.
- 4.1.3 Further detail on the documents within the DCO application is provided in the following chapters, which includes a description of the documents within each Volume and an explanation of whether they have been revised during the course of the Examination in relation to the three categories set out in paragraph 1.1.3 above. The reasons as to why each document has changed is set out in the corresponding Cover Letter to each deadline submission, as included in the Application Document Tracker (Application Document 1.7, Rev 9). Documents submitted and published during the Examination provide context for the Applicants Application Documents.

**Table 3 - History of the Scheme**

Volume	Content
1 Application Information	The completed application form, Section 55 Checklist and an introduction to the Project
2 Our Proposals	Plans, drawings and sections that illustrate the location of the Project, the proposed works, the land to be acquired and provide local geographical information.
3 Assessment of our Proposals	An assessment of the likely significant effects (both positive and negative) of the Project on the environment and a description of mitigation measures proposed to reduce any negative impacts.
4 Development of our Proposals	Details of the pre-application consultation that National Highways has undertaken on the Project and how consultation feedback has been taken into account.
5 Authorisation of our Proposals	The draft Statutory Instrument containing the legal powers that National Highways is seeking to enable it to build, operate and maintain the Project, together with separate documents explaining the provisions of the DCO and how other required consents will be obtained. Evidence of why National Highways requires legal powers to compulsorily acquire land, how the Project will be funded and details of the land interests that are required for the construction and use of the Project.
6 Pre-Examination Submission	All documents submitted at the pre-examination stage, including a response to the ExA's Rule 6 Letter and the Applicant's Response to Relevant Representations.
7 Examination Submissions	All new documents which were submitted into the Examination at each of the nine Deadlines. Please note that any existing application documents which were revised during the Examination remain within their original Volume, with the revision number and Deadline clearly noted on the front cover.
8 Change Application	Details of the Change Application that were submitted into the Examination process, including Environmental Statement Addendum, Habitat Regulation Assessment and Consultation Statement.

- 4.1.4 If you require a copy of any of the application documents, or parts of them, please contact the A66 Northern Trans-Pennine Project Team (contact details in section 3.1.2). A reasonable charge for printing and distribution of hard copies may be made.

## 5 Volume 1: Application Information

- 5.1.1 **Application Document 1.1: Cover Letter (APP-001).** The letter provides a brief overview of the Project and an introduction to the application. Whilst no revisions have been made to this document during the course of the Examination, at each Deadline a Cover Letter has been provided to give an overview of the documents submitted into the Examination at each stage.
- 5.1.2 **Application Document 1.2: Section 55 Checklist (APP-002).** A checklist completed by the Applicant to evidence how the application fulfils the conditions for acceptance by the PINS under section 55 of the PA 2008. The Schedule of Compliance with section 55 will also be completed by the PINS on receipt of the DCO application. No revisions have been made to this document during the course of the Examination.
- 5.1.3 **Application Document 1.3: Application Form (APP-003).** A completed version of the PINS standard form, which provides a high-level summary of the scheme and the documents that have been submitted. It is a form that originates from Schedule 2 of the Infrastructure Planning (Applications: Prescribed Forms and Procedures) Regulations 2009. No revisions have been made to this document during the course of the Examination.
- 5.1.4 **Application Document 1.4, Rev 3: Guide to the Application (i.e. this document).** This document acts as a guide to the Applicant's DCO application, providing a brief description of the volumes and documents that make up the DCO application. Appendix A of this document provides an Application Document Tracker, this is a 'live' document which will track document versions as and when documents are updated. The tracker will be updated throughout the examination period and submitted at each deadline. The latest version of this document was submitted at Deadline 9 (Rev 3).
- 5.1.5 **Application Document 1.5: Application Glossary (APP-005).** A glossary of the abbreviations and definitions used within the application. No revisions have been made to this document during the course of the Examination.
- 5.1.6 **Application Document 1.6: Electronic Index (APP-006).** A list of the electronic file names for all of the DCO application documentation. No revisions have been made to this document during the Examination.
- 5.1.7 **Application Document 1.7, Rev 9: Application Tracker.** As a number of the original application documents have been revised (shown in grey on the tracker) and new documents have been produced - this document tracks the submission of these documents to the Planning Inspectorate. This document has been a live document and has been updated throughout the Examination period and submitted at each deadline. It also indicates those documents revised following the ExA's acceptance of the Change Application. The latest version of this document was submitted at Deadline 9.

## 6 Volume 2: Our Proposals

- 6.1.1 **Application Document 2.1: Understanding the DCO Application (APP-007).** This provides a guide to facilitate navigation of the DCO application documentation and to support the understanding of the nature of the Project for which National Highways seeks development consent, and of the ‘consent envelope’ within which the Project could be brought forward. In addition, it highlights the relationships between certain key DCO application documents and the concepts which underpin those documents and the relationships between them. No revisions have been made to this document during the course of the Examination.
- 6.1.2 **Application Document 2.2: Case for the Project (APP-008).** This sets out the need for the Project, the objectives that it seeks to address, options and alternatives considered and an explanation of the Project over time. It sets out how the Project meets its objectives and how it accords with government policy in the National Policy Statement for National Networks. No revisions have been made to this document during the course of the Examination.
- 6.1.3 **Application Document 2.3: Project Design Report (APP-009).** This report explains how the designs have been evolved, consulted upon and how the principles of good design have been applied. It explains the narrative behind the development of the preliminary design, the factors relevant to the development of that design and gives the reader a visually rich tour of the vision for the preliminary design and its key features. No revisions have been made to this document during the course of the Examination.
- 6.1.4 **Application Document 2.4: Walking, Cycling and Horse-Riding Proposals (APP-010).** This report shows the design proposals for improving routes and facilities for walking, cycling and horse-riding. No revisions have been made to this document during the course of the Examination.
- 6.1.5 **Application Document 2.5: General Arrangement Drawings (REP7-003 - REP7-006).** These drawings comprise general arrangement plans of all the highway works proposed, with information on the engineering features of the Project. No revisions have been made to four of the eight of these drawings in this document during the course of the Examination, with the following plans revised during the Examination:
- General Arrangement Drawings Scheme 03 Penrith to Temple Sowerby
  - General Arrangement Drawings Scheme 06 Appleby to Brough
  - General Arrangement Drawings Scheme 07 Bowes Bypass
  - General Arrangement Drawings Scheme 09 Stephen Bank to Carkin Moor
- 6.1.6 **Application Document 2.6:** Application Document not used.
- 6.1.7 **Application Document 2.7: Environmental Management Plan (EMP) (APP-020, APP-026, APP-028, APP-030, APP-032, APP-034, APP-039, REP3-007 – REP3-008, REP3-011 – REP3-024, REP8-005 - REP8-018).** This plan sets out the management actions that need to be implemented to mitigate the environmental effects of the Project as identified in the Environment Statement (“ES”) and to demonstrate compliance with relevant environmental legislation. It

sets out the measures, commitments and actions needed to manage and mitigate environmental effects identified within the ES during construction and operation of the Project. The latest version of this document was submitted at Deadline 8. A number of the Annexes have also been updated during the course of the Examination, namely Annexes B1-B5, B7, B9, B11, B13, B15, C1-C3 and D. No revisions have been made to the remaining Annexes during the course of the Examination.

6.1.8 **Application Document 2.8: Environmental Mitigation Maps (REP7-011).**

These maps show the locations and types of environmental mitigation proposed as part of the Project. The latest version of this document was submitted at Deadline 7.

6.1.9 **Application Document 2.9: Mitigation Schedule (REP7-012 - REP7-013).** This

schedule sets out the mitigation controls and other best practice measures identified in the ES and identifies the means by which these controls and measures will be secured. It provides a unique reference number for each item included and identifies the paragraph number of the ES where the mitigation measure is referenced and the potential impact or topic which the mitigation measure is intended to address or relates. The Schedule also summarises the mitigation measures, as set out in the ES, identifies the 'control document' within which mitigation measure will be implemented, and the means by which the mitigation measure will be secured. The latest version of this document was submitted at Deadline 7.

## 7 Volume 3: Assessment of Our Proposals

- 7.1.1 **Application Document 3.1: Environmental Statement Non-Technical Summary (APP-043).** A concise summary of the main findings. of the ES in terms of the likely significant environmental effects of the scheme in non-technical language. No revisions have been made to this document during the course of the Examination (when read with the Environmental Statement Addendum (Application Document 8.3, REP7-167 – REP7-171).
- 7.1.2 **Application Document 3.2: Environmental Statement Volume 1 (Main Report) (APP-044 – APP-058 and AS-010 – AS-011).** The EIA and the Environmental Statement are legal requirements and accord with relevant legislation and current guidance. Both the Scoping Opinion and comments provided by statutory consultees to the Inspectorate have been considered in undertaking the EIA and in preparing the Environmental Statement. The Scoping Report and Scoping Opinion has been included in Environmental Statement Appendix 4.1 and 4.2).
- 7.1.3 The Environmental Statement also provides general information on the Scheme including context, description of the Scheme and its construction, alternatives considered and technical information and assessment on a range of topics. The ES includes the following chapters:

**Table 4 – Environmental Statement Chapters**

Chapter	Title / topic
1	Introduction
2	The Project
3	Assessment of Alternatives
4	EIA Methodology
5	Air Quality
6	Biodiversity
7	Climate
8	Cultural Heritage
9	Geology and Soils
10	Landscape and Visual
11	Materials and Waste
12	Noise and Vibration
13	Population and Human Health
14	Road Drainage and the Water Environment
15	Cumulative Effects
16	Summary

- 7.1.4 No revisions have been made to this document during the course of the Examination (when read with the Environmental Statement Addendum (Application Document 8.3, REP7-167 – REP7-171), other than Chapter 16 Summary of which the latest version was submitted on 6 September 2022.

- 7.1.5 **Application Document 3.3: Environmental Statement Volume 2 (Figures) (APP-060, APP-063, APP-092, APP-109, APP-111, APP-113, APP-116, APP-120 and REP7-014 – REP7-090).** The diagrams, plans and figures referred to within the ES. A number of the diagrams, plans and figures in this document have been updated during the course of the Examination, namely Figures 2.1-2.2, 2.4, 5.1-8.8.2, 8.9.2-10.7, 10.9, 12.1, 12.3-12.4, 12.6-12.8, 13.1-15.2. No revisions have been made to the remaining Figures during the course of the Examination (when read with the Environmental Statement Addendum (Application Document 8.3, REP7-167 – REP7-171).
- 7.1.6 **Application Document 3.4: Environmental Statement Volume 3 (Appendices) (APP-146 – APP-152, APP-154- APP-186, APP-188- APP-195, APP-197- APP-201, APP-203- APP-217, APP-219- APP-233, REP3-027 – REP3-030, and REP4-005 – REP4-010).** The ES is accompanied by a series of appendices which provide further information and detail to support the EIA. A list of the ES appendices is included Table 4, and this identifies which appendices have been updated during the course of the Examination, with no revisions been made to the remaining appendices since the DCO submission (when read with the Environmental Statement Addendum (Application Document 8.3, REP7-167 – REP7-171).

**Table 5 Environmental Statement Appendices**

Appendix	Title	Latest Version
1.1	Evidence Plan	21/06/2022
2.1	Traffic Modelling Report	21/06/2022
4.1	EIA Scoping Report	21/06/2022
4.2	EIA Scoping Opinion	21/06/2022
5.1	Legislation, Policy, Guidance	21/06/2022
5.2	Air Quality Assessment Methodology	21/06/2022
5.3	Air Quality Baseline Monitoring	21/06/2022
5.4	Air Quality Assessment Results	Deadline 4
6.1	Non-Significant Effects	21/06/2022
6.2	Designated Sites	21/06/2022
6.3	Phase 1 Habitat Survey	21/06/2022
6.4	Hedgerows	21/06/2022
6.5	Phase 2 National Vegetation Classification	21/06/2022
6.6	Amphibians	21/06/2022
6.7	Reptiles	21/06/2022
6.8	Terrestrial Invertebrates	21/06/2022
6.9	Badger <b>CONFIDENTIAL</b>	21/06/2022
6.10	Red Squirrels	21/06/2022
6.11	Bats <b>CONFIDENTIAL</b>	21/06/2022
6.12	Other Terrestrial Mammals	21/06/2022
6.13	Breeding Birds	21/06/2022
6.14	Wintering Birds	21/06/2022
6.15	Barn Owls <b>CONFIDENTIAL</b>	21/06/2022



Appendix	Title	Latest Version
6.16	Otters	21/06/2022
6.17	Water Voles	21/06/2022
6.18	Fish Habitat Assessment and MorPH	21/06/2022
6.19	Fish	21/06/2022
6.20	Aquatic Macrophyte and River Corridor Survey	21/06/2022
6.21	Aquatic Invertebrate	21/06/2022
6.22	White Clawed Crayfish	21/06/2022
7.1	Greenhouse Gas Assessment	21/06/2022
7.2	Climate Change Resilience Assessment	21/06/2022
8.1	Archaeological and Historical Background	21/06/2022
8.2	Historic Landscape Baseline Report	21/06/2022
8.3	Geoarchaeological Desk Based Assessment	21/06/2022
8.4	AP and LiDAR Assessment	21/06/2022
8.5	Geophysical Survey Report	21/06/2022
8.6	Trenching Report(s)	21/06/2022
8.7	Geochemical survey report	21/06/2022
8.8	Gazetteer	21/06/2022
8.9	Historic Environment Research Framework	21/06/2022
8.10	Impact Assessment Table	Deadline 4
9.1	Non-Significant Effects	21/06/2022
9.2	Ground Investigation Reports (GIR)	21/06/2022
9.3	Geology and Soils Detailed Risk Assessment and Conceptual Site Models	21/06/2022
9.4	Preliminary Source Study Report (PSSR)	21/06/2022
9.5	Agricultural Land Classification (ALC) Factual Soil Survey Report	Deadline 3
10.1	Landscape and Visual Policy and Consultation Tables	21/06/2022
10.2	Landscape and Visual Impact Assessment (LVIA) Methodology	21/06/2022
10.3	Landscape and Visual Study Area	21/06/2022
10.4	Landscape Character Assessments	21/06/2022
10.5	Schedule of Landscape Effects	21/06/2022
10.6	Schedule of Visual Effects	Deadline 4
10.7	Landscape Mitigation Schedule	21/06/2022
10.8	Zone of Theoretical Visibility (ZTV) and Visualisation Methodology	21/06/2022
10.9	Limits of Deviation Assessment	21/06/2022
11.1	Operational Materials Consumption and Waste Generation Estimates	21/06/2022
11.2	Demolition Waste Estimates	21/06/2022
11.3	Excavation Waste Estimates	21/06/2022
11.4	Construction Waste Estimates	21/06/2022
11.5	Non-Significant Effects	21/06/2022
12.1	Baseline Noise Survey Results	21/06/2022
12.2	Construction Assessment Assumptions	21/06/2022

Appendix	Title	Latest Version
12.3	Construction Assessment Results	21/06/2022
12.4	Operational Assessment Results	21/06/2022
12.5	Non-significant Effects	21/06/2022
12.6	Noise and Vibration Results at Ecology Receptors	21/06/2022
13.1	Population and Human Health Non-Significant Effects	21/06/2022
13.2	Agricultural Land Holding Baseline Summary	Deadline 3
13.3	Health Evidence Literature Review	21/06/2022
14.1	WFD Compliance Assessment	21/06/2022
14.2	Flood Risk Assessment and Outline Drainage Strategy	21/06/2022
14.3	Water Quality Assessment	21/06/2022
14.4	Hydromorphology Assessment	21/06/2022
14.5	Spillage Risk Assessment	21/06/2022
14.6	Hydrogeological Impact Assessment	21/06/2022
14.7	Groundwater Dependant Terrestrial Ecosystem Assessment	21/06/2022
14.8	Desk Study Karst Risk Assessment	21/06/2022
14.9	Detailed Geomorphological Modelling	21/06/2022
14.10	Assessment of Value	21/06/2022
14.11	Non-Significant Effects	21/06/2022
15.1	Consideration of Cumulative Effects	21/06/2022
15.2	Cumulative Assessment	21/06/2022
15.3	In-Combination Effects Table	21/06/2022

7.1.7 **Application Document 3.5: Habitat Regulations Assessment Stage 1: Likely Significant Effects Report (APP-234).** This report has been produced to inform the Habitats Regulations Assessment (HRA) process for the Project. No revisions have been made to this document during the course of the Examination (when read with the Habitat Regulation Assessment Technical Note (Application Document 8.4, REP7-172 – REP7-173)).

7.1.8 **Application Document 3.6: Habitat Regulations Assessment Stage 2: Statement to Inform Appropriate Assessment (APP-235).** This report has been produced to inform the HRA process for the Project. No revisions have been made to this document during the course of the Examination (when read with the Habitat Regulation Assessment Technical Note (Application Document 8.4, REP7-172 – REP7-173)).

7.1.9 **Application Document 3.7: Transport Assessment (REP2-003 – REP2-004).** This report assesses the impact of the Project on the strategic and local highway network, road safety, and local sustainable modes of transport. It consists of:

- an overview of relevant planning policy;
- detail on the development of the various traffic models;
- forecasts of the strategic and local network performance;
- a road safety assessment;
- a sustainable transport assessment; and
- an assessment of the construction impacts.

7.1.10 The latest version of this document was submitted at Deadline 2.

- 7.1.11 **Application Document 3.8: Combined Modelling and Appraisal Report (APP-237 – APP-241).** This report details the traffic data collection, traffic modelling, traffic forecasting and economic appraisal in relation to the Project. No revisions have been made to this document during the course of the Examination.
- 7.1.12 **Application Document 3.9: Legislation and Policy Compliance Statement (APP-242).** This statement provides an assessment of the Project against relevant legislation and policy in line with the requirements of the Planning Act 2008. Specifically, it includes an assessment against the National Policy Statement for National Networks and the adopted local development plans. No revisions have been made to this document during the course of the Examination, other than to Appendix A which was submitted at Deadline 9 (when read with the Assessment of Conformity with Consultation Draft National Networks National Policy Statement (Application Document 7.41, REP7-161).
- 7.1.13 **Application Document 3.10: Equalities Impact Assessment (APP-243).** This report details how the Project considers protected characteristic groups, paying particular attention to vulnerable users of the highway network and those protected characteristic groups that are affected by the construction and operation of the Project. No revisions have been made to this document during the course of the Examination.

## 8 Volume 4: Development of Our Proposals

- 8.1.1 **Application Document 4.1: Project Development Overview Report (APP-244 – APP-251).** The report provides a summary of design development up to Statutory Consultation, with a key focus on the principal changes to the route or locations of junctions to ensure that the Project continues to meet its objectives. The report describes the rigorous process of evaluation of options and alternatives at earlier stages of the Project as part of the Trans-Pennine Route Strategic Study (2014-16) and evaluated alternative route alignments during 2016 to 2020 as part of PCF stages 1 and 2. It also describes in detail the evaluation of route alignments for some schemes that were undertaken more recently in 2021 (the findings of which were presented at Statutory Consultation in Autumn 2021). No revisions have been made to this document during the course of the Examination.
- 8.1.2 **Application Document 4.2:** Application Document not used.
- 8.1.3 **Application Document 4.3:** Application Document not used.
- 8.1.4 **Application Document 4.4: Consultation Report (APP-252 – APP-275).** This provides an account of the pre-application consultation undertaken on the Project. The report includes details of the statutory consultation which the Applicant is required to undertake in accordance with the PA 2008, the informal engagement (Options consultation), and the supplementary consultation that has taken place, and how the comments received have been taken into account when developing the Project including changes made in response to feedback. No revisions have been made to this document during the course of the Examination. This document should be read with the Change Application Consultation Statement (Application Document 8.2, CR1-007 – CR1-015).
- 8.1.5 **Application Document 4.5: Statement of Commonality for Statements of Common Ground.** This document provides a summary of the principal issues covered in the Statements of Common Ground (SoCGs) and demonstrates where there is commonality in the topics or matters. The document also provides the latest position on SoCGs between the Applicant and statutory consultees in relation to the scheme. This is a 'living' document that will be updated during the examination stage. The draft SoCGs with a range of stakeholders were appended to the Statement of Commonality at the time the DCO Application was submitted. The latest version of this document was submitted at Deadline 9, with the list below identifying which statutory consultees have SoCGs with the latest versions submitted either at Deadline 8 or 9 (these should be read with the SoCGs for the additional statutory consultees submitted during the Examination (Application Documents 7.22-7.23):
- Durham County Council.
  - Westmorland and Furness District Council (previously known as Cumbria County Council and Eden District Council).
  - North Yorkshire Council (previously known as North Yorkshire County Council and Richmondshire District Council).
  - Environment Agency.
  - Natural England.
  - Historic England.

- North Pennines AONB Partnership.
- Gypsy and Travellers Representatives.

## 9 Volume 5: Authorisation of Our Proposals

9.1.1 **Application Document 5.1, Rev 6: Draft Development Consent Order.** This sets out the powers that the Applicant is seeking to enable it to construct and maintain the scheme. It sets out the parameters for what development would be permitted. It consists of five parts and is accompanied by nine schedules as outlined below.

**Table 6 – Structure of the Draft DCO**

Part/Schedule	Contents
Part 1	Preliminary
Part 2	Works provisions
Part 3	Powers of acquisition and possession of land
Part 4	Operational provisions
Part 5	Miscellaneous and general
Schedule 1	Authorised development – lists the works that would be authorised by the grant of development consent, which are shown on the works plans and to which the schedule refers.
Schedule 2	Permanent stopping up of highways and private means of access and provisions of new highways and private means of access – sets out the highways and accesses which National Highways would permanently stop up as a result of the Scheme and provides how National Highways would replace them (where necessary). Should be read in conjunction with the Rights of Way and Access Plans.
Schedule 3	Trees subject to tree preservation orders – lists the trees which are subject to tree preservation orders within Schemes 0102, 06 and 09.
Schedule 4	Land in which only new rights etc. may be acquired – sets out the land over which National Highways is seeking to acquire new land rights only (such as the rights to maintain infrastructure) rather than acquiring the entire freehold interest in that land. Should be read in conjunction with the Land Plans.
Schedule 5	Modification of compensation and compulsory purchase enactments for the creation of new rights – amends relevant compulsory purchase legislation to ensure that it can apply to the DCO (particularly in connection with land and rights compulsorily acquired under the DCO)
Schedule 6	Land of which only temporary possession may be taken – sets out the land which National Highways is seeking to possess temporarily for the purpose of constructing the Scheme.
Schedule 7	Classification of roads etc. – lists the road classification (for example road numbers) by which the new and altered highways would be identified and sets out how the Scheme would be integrated into the existing network of highway classifications. Should be read in conjunction with the Classification of Roads Plan and the De-trunking Plans.
Schedule 8	Traffic regulation measures – sets out the traffic regulation measures (for example speed limits, clearways etcetera) to which the Scheme would be subject and which would be required on the surrounding highway network in consequence of the Scheme. Should be read in conjunction with the Traffic Regulation Measures Plans.

Part/Schedule	Contents
Schedule 9	Protective provisions – includes provisions to protect the interests of various bodies (for example statutory undertakers) in the context of the Scheme.
Schedule 10	Documents to be certified – contains a list of documents that would be ‘certified’ under the relevant article of the DCO, if the DCO is made by the Secretary of State.

- 9.1.2 The latest version of the Draft Development Consent Order was submitted at Deadline 9 of the Examination.
- 9.1.3 **Application Document 5.2, Rev 2: Development Consent Order Statutory Instrument (SI) Validation Report.** The document will provide a report to confirm that the draft DCO complies with the rules for drafting a SI. The latest version of this document was submitted at Deadline 9.
- 9.1.4 **Application Document 5.3, Rev 5: Explanatory Memorandum.** This explains the purpose and effect of each provision in the draft order including why it is considered necessary. This explains the purpose and effect of each provision in the draft order including why it is considered necessary. The latest version of this document was submitted at Deadline 9.
- 9.1.5 **Application Document 5.4: Consents and Agreements Position Statement (APP-287).** This sets out the intended strategy for obtaining the consents and associated agreements needed to implement the Project. No revisions have been made to this document during the course of the Examination.
- 9.1.6 **Application Document 5.5: Statement of Statutory Nuisance (APP-288).** This identifies the matters set out in section 79 of the Environmental Protection Act 1990 in respect of statutory nuisances and considers, whether the Project would engage one or more of those matters. Where any matters may be potentially engaged, this statement sets out its proposals for mitigating or limiting them. No revisions have been made to this document during the course of the Examination.
- 9.1.7 **Application Document 5.6: Funding Statement (APP-289).** This explains how the Project, including any compulsory purchase acquisition, would be funded. No revisions have been made to this document during the course of the Examination.
- 9.1.8 **Application Document 5.7: Book of Reference.** This identifies all parties who own or occupy land and/or have an interest in or right over the land affected by the scheme, and/or who may be entitled to make a ‘relevant claim’ as defined in section 57 of the PA 2008. It is structured in eight parts (reflecting each scheme within the Project) in accordance with relevant regulatory requirements. The five parts are:
- Part 1: Names and addresses for service of each person/organisation within Categories 1 and 2 as defined in section 57 of the Act in respect of any land which it is proposed shall be subject to powers of compulsory acquisition; rights to use land; or rights to carry out protective works to buildings.
  - Part 2: Names and addresses for service of each person/organisation within Category 3. These are interests who might be entitled to make a relevant claim if the DCO were consented and implemented, e.g. potential claimants under Part 1 of the Land Compensation Act 1973 (c. 26), section 10 of the Compulsory Purchase Act 1965, section 152(3) of the Act.

- Part 3: Names of all those entitled to enjoy easements or other private rights over land (including private rights of navigation over water) which it is proposed shall be extinguished, suspended or interfered in the draft DCO.
- Part 4: Owner of any Crown interest in the land which it is proposed to be used for the purposes of the order for which application is being made.
- Part 5: Land for which the acquisition could be subject to special parliamentary procedure, is special category land, or is replacement land.

The latest version of this document was submitted at Deadline 9, and this included a Book of Reference Scheme of Changes document to set out amendments during the Examination.

- 9.1.9 **Application Document 5.8, Rev 5: Statement of Reasons.** This statement explains that there is a compelling case in the public interest which would justify the Applicant's exercise of powers of compulsory acquisition in order to acquire land and rights permanently and to use land temporarily to enable it to construct, operate and maintain the Project. The latest version of this document was submitted at Deadline 9.
- 9.1.10 **Application Document 5.9: Compulsory Acquisition and Temporary Possession Schedule (REP8-059 – REP8-060).** This schedule provides evidence of why and where legal powers of compulsory acquisition and temporary possession is being sought, as well as information on how the Project is to be funded. The latest version of this document was submitted at Deadline 7.
- 9.1.11 **Application Document 5.10: Schedule of Negotiations (APP-301).** The schedule details the discussions undertaken and ongoing with all freeholders who have an interest in the order lands. No revisions have been made to this document during the course of the Examination.
- 9.1.12 **Application Document 5.11: Project Design Principles (REP8-062).** This report sets out the project-wide and scheme-specific design principles by which the detailed design of the Project will be carried out. The latest version of this document was submitted at Deadline 8.
- 9.1.13 **Application Document 5.12: Location Plans (APP-303).** These plans identify the location of the Project in its wider context. No revisions have been made to this document during the course of the Examination.
- 9.1.14 **Application Document 5.13: Land Plans.** These plans correspond to the Book of Reference (Application Document 5.7, APP-290) and set out:
- the limits of land to be acquired or used permanently or temporarily for the scheme.
  - the land to be acquired or used permanently for construction, operation and maintenance works for the scheme.
  - any land over which temporary possession may be taken for the scheme.
  - any land to be used temporarily and for rights in the land to be acquired permanently for the scheme.

No revisions have been made to three of the eight of plans in this document during the course of the Examination, with the following plans revised since their original submission:



- Scheme 0102 M6 Junction to Kemplay Bank
- Scheme 0405 Temple Sowerby to Appleby
- Scheme 06 Appleby to Brough
- Scheme 07 Bowes Bypass
- Scheme 09 Stephen Bank to Carkin Moor

9.1.15 **Application Document 5.14: Crown Land Plans.** These plans show the boundaries of any Crown land. No revisions have been made to Crown Land Plan Scheme 07 Bowes Bypass in this document during the course of the Examination. The latest version of Crown Land Plan Scheme 06 Appleby to Brough was revised during the Examination at Deadline 9.

9.1.16 **Application Document 5.15: Special Category Land Plans (APP-317 and REP7-108).** These plans show the boundaries of any special category land. No revisions have been made to two of the four plans in this document during the course of the Examination, with the following plans revised during the Examination:

- Scheme 0102 M6 Junction to Kemplay Bank
- Scheme 06 Appleby to Brough

9.1.17 **Application Document 5.16: Works Plans (APP-323, APP-325, REP7-110 – REP7-115).** These plans show the centre line of the proposed works and the limits of deviation within which the development and works may be carried out. Most importantly, the plans will show the extent of the individual works. No revisions have been made to two of the eight plans in this document during the course of the Examination, with the following plans revised during the Examination:

- Scheme 0102 M6 Junction to Kemplay Bank
- Scheme 03 Penrith to Temple Sowerby
- Scheme 0405 Temple Sowerby to Appleby
- Scheme 06 Appleby to Brough
- Scheme 07 Bowes Bypass
- Scheme 09 Stephen Bank to Carkin Moor

9.1.18 **Application Document 5.17: Engineering Section Drawings: Plans and Profiles (RE7-117 – REP7-119, REP8-065, REP7-120, APP-331, REP7-121, APP-333).** These plans and profiles show the levels of the proposed works including the ground levels, the height of certain structures and the depths of any cuttings required for the Project and any drainage details. No revisions have been made to two of the eight plans in this document during the course of the Examination, with the following plans revised during the Examination:

- Scheme 0102 M6 Junction to Kemplay Bank
- Scheme 03 Penrith to Temple Sowerby
- Scheme 0405 Temple Sowerby to Appleby
- Scheme 06 Appleby to Brough
- Scheme 07 Bowes Bypass
- Scheme 09 Stephen Bank to Carkin Moor

9.1.19 **Application Document 5.18: Engineering Section Drawings: Cross-sections (APP-339, APP-341, REP7-122 – REP7-127).** These sections show the levels of the proposed works including the ground levels, the height of certain structures and the depths of any cuttings required for the Project and any drainage details. No revisions have been made to two of the eight plans in this document during the course of the Examination, with the following plans revised during the Examination:

- Scheme 0102 M6 Junction to Kemplay Bank
- Scheme 03 Penrith to Temple Sowerby
- Scheme 0405 Temple Sowerby to Appleby
- Scheme 06 Appleby to Brough
- Scheme 07 Bowes Bypass
- Scheme 09 Stephen Bank to Carkin Moor

9.1.20 **Application Document 5.19: Rights of Way and Access Plans (APP-342, REP8-066, APP-344, REP7-129, REP7-131, APP-347, REP7-130, APP349).** These plans show any new or altered means of access, stopping up of streets, roads and any diversions, extinguishment or creation of rights of way. No revisions have been made to four of the eight plans in this document during the course of the Examination, with the following plans revised during the Examination:

- Scheme 03 Penrith to Temple Sowerby
- Scheme 06 Appleby to Brough
- Scheme 07 Bowes Bypass
- Scheme 09 Stephen Bank to Carkin Moor

9.1.21 **Application Document 5.20: Classification of Roads Plans (APP-350 – APP-352, REP8-067, REP7-132, APP-355 – APP-356).** These plans show the classification of roads to be applied to the Project. No revisions have been made to five of the seven plans in this document during the course of the Examination, with the following plans revised during the Examination:

- Scheme 06 Appleby to Brough
- Scheme 07 Bowes Bypass

9.1.22 **Application Document 5.21: De-Trunking Plans (APP-357, APP-359, REP7-134 – REP7-137).** These plans show the downgrading from trunk road to the local road network of the existing A66. These sections would be operated and maintained by Cumbria County Council, Durham County Council and, North Yorkshire County Council as the local highway authorities. No revisions have been made to four of the seven plans in this document during the course of the Examination, with the following plans revised during the Examination:

- Scheme 03 Penrith to Temple Sowerby
- Scheme 06 Appleby to Brough
- Scheme 07 Bowes Bypass
- Scheme 09 Stephen Bank to Carkin Moor

**9.1.23 Application Document 5.22: Traffic Regulation Measures (Clearways and Prohibitions) Plans (APP-364, APP-366, APP-369, REP7-139 – REP7-141).**

These plans show the clearways and prohibitions of roads and restrictions on vehicles proposed to be applied to the scheme. No revisions have been made to four of the seven plans in this document during the course of the Examination, with the following plans revised during the Examination:

- Scheme 03 Penrith to Temple Sowerby
- Scheme 06 Appleby to Brough
- Scheme 07 Bowes Bypass
- Scheme 09 Stephen Bank to Carkin Moor

**9.1.24 Application Document 5.23: Traffic Regulation Measures (Speed Limits) Plans (APP-376, APP-378, REP7-142 – REP7-147).**

These plans show the speed limits of roads and restrictions on vehicles proposed to be applied to the scheme. No revisions have been made to one of the seven plans in this document during the course of the Examination, with the following plans revised during the Examination:

- Scheme 0102 M6 Junction to Kemplay Bank
- Scheme 03 Penrith to Temple Sowerby
- Scheme 0405 Temple Sowerby to Appleby
- Scheme 06 Appleby to Brough
- Scheme 07 Bowes Bypass
- Scheme 09 Stephen Bank to Carkin Moor

**9.1.25 Application Document 5.24: Tree Preservation Order Trees and Important Hedgerows Location Plans (REP7-144 and – REP7-149).**

These plans detail the trees subject to a preservation order and important hedgerows, including those affected by development. No revisions have been made to one of the three plans in this document during the course of the Examination, with the following plans revised during the Examination:

- Scheme 06 Appleby to Brough
- Scheme 09 Stephen Bank to Carkin Moor

## 10 Volume 6: Pre-Examination Submission

- 10.1.1 **Application Document 6.1: Errata Report (REP8-068).** This was submitted in response to the commitment in the Applicant's Deadline 2 Submission – 7.9 Comments on Local Impact Reports (REP2-018) and to provide an update to the Errata Report (AS-009) submitted in response to Procedural Decisions concerning requests for additional information. The latest version of this document was submitted at Deadline 8.
- 10.1.2 **Application Document 6.2: Response to Procedural Decisions concerning requests for additional information: Covering Letter dated 2 September 2022 (AS-008).** This document outlines the response of the Applicant to the matters raised in the ExA's Rule 9 Letter. No revisions have been made to this document since it was submitted into the Examination on 2 September 2022.
- 10.1.3 **Application Document 6.3: Responses to the Rule 6 Letter (PDL-001).** This document outlines the Applicant's response to the matters raised in the ExA's Rule 6 Letter. No revisions have been made to this document since it was submitted into the Examination on 16 October 2022.
- 10.1.4 **Application Document 6.4: Response to ExA's Procedural Decision PD-006 in Rule 6 Letter – General Scheme Outline Plans – Submission of additional or updated drawings as requested in Annex D (PDL-004, PDL-007, PDL-009 and REP7-150 – REP7-153).** This document contains General Scheme Outline Plans, initially provided in response to the request in paragraph 2 of the Procedural Decision in Annex D to the ExA's Rule 6 Letter. These General Scheme Outline Plans are provided across eight drawing files. No revisions have been made to four of the eight plans in this document during the course of the Examination, with the following plans revised during the Examination at Deadline 7:
- Scheme 03 Penrith to Temple Sowerby
  - Scheme 06 Appleby to Brough
  - Scheme 07 Bowes Bypass
  - Scheme 09 Stephen Bank to Carkin Moor
- 10.1.5 **Application Document 6.5: Applicant's Response to Relevant Representations (PDL-010 – PDL-013).** This document provides the Applicant's response to the Relevant Representations submitted to the ExA by Interested Parties following the notification of acceptance of the project DCO Application. No revisions have been made to this document since it was submitted into the Examination on 16 October 2022.
- 10.1.6 **Application Document 6.6: Applicant's Response to Relevant Representations Addendum and Errata (PDL-013.1).** This document provides the Applicants response to some Relevant Representations that were unintentionally omitted from the submitted version of the Applicant's Response to the Relevant Representations, which was issued to the Planning Inspectorate (on 16 November 2022). The document also includes an errata to address that some of the Relevant Representation references are not included in Chapter 2 of the Applicant's Response to the Relevant Representations. No revisions have been made to this document since it was submitted into the Examination on 28 November 2022.

## 11 Volume 7: Examination Submissions

- 11.1.1 **Application Document 7.1: Applicant’s Responses to the Examining Authority’s Issue Specific Hearing 2 Additional Questions (REP1-005).** This document sets out the Applicant’s written responses to the ExA’s Issue Specific Hearing 2 Supplementary Agenda Additional Questions issued on 22 November 2022. No revisions have been made to this document since it was submitted into the Examination at Deadline 1.
- 11.1.2 **Application Document 7.2: Issue Specific Hearing 1 (ISH1) Post Hearing Submissions (including written submissions of oral case) (REP1-006).** This document sets out the post hearing submissions and summarises the oral submissions made by the Applicant at ISH1 dealing with alternative route options, held on 30 November 2022. No revisions have been made to this document since it was submitted into the Examination at Deadline 1.
- 11.1.3 **Application Document 7.3: Issue Specific Hearing 2 (ISH2) Post Hearing Submissions (including written submissions of oral case) (REP1-009).** This document summarises the oral submissions made by the Applicant at ISH2 dealing with the EMP, other environmental matters, the draft the DCO and Brough Hill Fair, held on 1 December 2022. No revisions have been made to this document since it was submitted into the Examination at Deadline 1.
- 11.1.4 **Application Document 7.4: Compulsory Acquisition Hearing 1 (CAH1) Post Hearing Submissions (including written submissions of oral case) (REP1-007).** This document summarises the oral submissions made by the Applicant at CAH1 dealing with issues relating to compulsory acquisition, held on 2 December 2022. No revisions have been made to this document since it was submitted into the Examination at Deadline 1.
- 11.1.5 **Application Document 7.5: Letter notifying the Examining Authority of the intention to make design changes (REP1-008).** The purpose of this document was to notify the ExA in writing of the Applicant’s intention to request proposed changes to the DCO application. No revisions have been made to this document since it was submitted into the Examination at Deadline 1.
- 11.1.6 **Application Document 7.6: Applicant’s Response to Written Representations made by Affected Persons at Deadline 1 (REP2-015).** This document provides the Applicant’s response to Written Representations submitted to the ExA by Affected Persons at Deadline 1 (an Affected Person is defined in Rule 2(1) of the Infrastructure Planning (Examination Procedure) Rules 2010. No revisions have been made to this document since it was submitted into the Examination at Deadline 2.
- 11.1.7 **Application Document 7.7: Applicant’s Response to Written Representations made by Interested Parties subject to a SoCG at Deadline 1 (REP2-016).** This document provides the Applicant’s response to Written Representations submitted to the ExA by Interested Parties subject to a SoCG at Deadline 1. No revisions have been made to this document since it was submitted into the Examination at Deadline 2.
- 11.1.8 **Application Document 7.8: Applicant’s Response to Written Representations made by other Interested Parties at Deadline 1 (REP2-017).** This document provides the Applicant’s response to Written Representations

submitted to the ExA by any other Interested Parties at Deadline 1. No revisions have been made to this document since it was submitted into the Examination at Deadline 2.

- 11.1.9 **Application Document 7.9: Applicant’s Comments on Local Impact Reports (LIRs) (REP2-018).** This document sets out the comments of the Applicant on the LIRs submitted by the ‘hosting authorities’ (Cumbria County Council and Eden District Council, Durham County Council and Yorkshire County Council and Richmondshire District Council) to the Examination. No revisions have been made to this document since it was submitted into the Examination at Deadline 2.
- 11.1.10 **Application Document 7.10: Applicant’s Examination Responses Navigator (REP2-019).** This document was designed to provide a signposting reference to where a matter raised in a Written Representation has already been addressed by the Applicant in its response to Relevant Representations and / or in its Deadline 1 submissions. No revisions have been made to this document since it was submitted into the Examination at Deadline 2.
- 11.1.11 **Application Document 7.11, Rev 5: Final Compulsory Acquisition Status of Negotiations Schedule.** This document contains a schedule that has been prepared and submitted in accordance with requests from the ExA during the Examination. The latest version of this document was submitted at Deadline 9.
- 11.1.12 **Application Document 7.12, Rev 4: Statutory Undertakers Status of Negotiations Schedule.** This document contains a schedule that has been prepared and submitted in accordance with requests from the ExA during the Examination. The latest version of this document was submitted at Deadline 9.
- 11.1.13 **Application Document 7.13: Applicant’s Draft Itinerary for the Accompanied Site Inspection (ASI) (REP2-023).** This document sets out the Applicant’s proposed itinerary for the ASI, which took place on Tuesday 28 February 2023. The applicant made no revisions to this document since it was submitted into the Examination at Deadline 2, and the ExA publish the final itinerary on the 22 February 2023.
- 11.1.14 **Application Document 7.14: Outline Carbon Strategy (REP3-043).** This was submitted in response to the commitment in the Applicant’s Deadline 1 Submission – 7.3 Issue Specific Hearing 2 (ISH2) Post Hearing Submissions (REP1-009), as outlined under Agenda Item 3.4. No revisions have been made to this document since it was submitted into the Examination at Deadline 3.
- 11.1.15 **Application Document 7.15: Issue Specific Hearing 1 (ISH1) Post Hearing Submission – Response to Examining Authority’s Request Under Agenda Item 2.1: The Sills Complementary Environmental Consideration (REP3-044).** This was submitted in response to the commitment in the Applicant’s Deadline 1 Submission – 7.3 Issue Specific Hearing 1 (ISH1) Post Hearing Submissions (REP1-006), as outlined under Agenda Item 2.1. No revisions have been made to this document since it was submitted into the Examination at Deadline 3.
- 11.1.16 **Application Document 7.16: Brough Hill Fair Technical Note (REP3-045).** This was submitted in response to the commitment in the Applicant’s Deadline 1 Submission – 7.3 ISH2 Post Hearing Submissions, as outlined under Agenda Item 5.0. Whilst no revisions have been made to this Application Document since

it was submitted into the Examination at Deadline 3, it should be read alongside documents 7.32 and 7.37.

- 11.1.17 **Application Document 7.17: Overview of Design Process for Trout Beck Bridge, Cringle Beck Viaduct and Moor Beck Viaduct (REP3-046)**. This was submitted in response to the commitment in the Applicant's Deadline 1 Submission – 7.3 Issue Specific Hearing 2 (ISH2) Post Hearing Submissions (REP1-009), as outlined under Agenda Item 3.1. No revisions have been made to this document since it was submitted into the Examination at Deadline 3.
- 11.1.18 **Application Document 7.18: Environmental Management Plan (1<sup>st</sup> Iteration) Change Log (REP8-072)**. This was submitted to set out and explain the changes to the EMP that have been made in Revision 3 when compared to the version of the EMP submitted as part of the DCO application (Revision 1) and the version revised and submitted at Deadline 3 (Revision 2). The latest version of this document was submitted at Deadline 8 and it should be read alongside Application Document 2.7.
- 11.1.19 **Application Document 7.19: Project Design Principles Change Log (REP6-018)**. This was submitted to set out and explain the changes to the Project Design Principles that have been made in Revision 3 when compared to the version of the Project Design Principles submitted as part of the DCO application (Revision 1), and the version revised and submitted at Deadline 3 (Revision 2). The latest version of this document was submitted at Deadline 6 and it should be read alongside Application Document 5.11, Project Design Principles.
- 11.1.20 **Application Document 7.20: National Vegetation Classification Survey Report (REP3-049 – REP3-050)**. This was submitted, including Figures 1-15, in response to the commitment in the Applicant's Deadline 2 submission – 7.9 Comments on Local Impact Reports (REP2-018), at paragraph 2.11.9. No revisions have been made to this document since it was submitted into the Examination at Deadline 3.
- 11.1.21 **Application Document 7.21: National Vegetation Classification Report Supporting Technical Note (REP3-051)**. This was a supporting Technical Note for Application Document 7.20. No revisions have been made to this document since it was submitted into the Examination at Deadline 3.
- 11.1.22 **Application Document 7.22: Statement of Common Ground with Defence Infrastructure Organisation (REP6-019)**. This Application Document provides the latest position on SoCGs between the Applicant and the Defence Infrastructure Organisation in relation to the scheme. The latest version of this document was submitted at Deadline 6.
- 11.1.23 **Application Document 7.23: Final Statement of Common Ground with Sport England (REP8-073)**. This document provides the latest position on SoCGs between the Applicant and the Defence Infrastructure Organisation in relation to the scheme. The latest version of this document was submitted at Deadline 8.
- 11.1.24 **Application Document 7.24: Applicant's Response to the Examining Authority's Written Questions (REP4-011)**. This document sets out the Applicant's written responses to the ExA's Written Questions issued on 31 January 2023. No revisions have been made to this document since it was submitted into the Examination at Deadline 4.

- 11.1.25 **Application Document 7.25: Tree Loss and Compensation Planting Report (REP4-012)**. This was submitted following the Applicant's commitment stated in 7.3 Issue Specific Hearing 2 ISH2 Post Hearing Submissions (including written submissions of oral case) (REP1-009), as outlined under Agenda Item 3.5. No revisions have been made to this document since it was submitted into the Examination at Deadline 4.
- 11.1.26 **Application Document 7.26: Statement of Significance of Human Health Effects (REP4-013)**. This was submitted following the Applicant's commitment stated in 7.9 Applicant's Comments on Local Impact Report (REP2-018), submitted at Deadline 2, in which it was identified under Section 2.8 that the Human Health aspect of the assessment in Chapter 13 of the Environmental Statement did not assess the likely significant effects (as per DMRB LA 112). No revisions have been made to this document since it was submitted into the Examination at Deadline 4.
- 11.1.27 **Application Document 7.27: Applicant's Response to Deadline 3 Submissions (REP4-014)**. This document captures how the Applicant reviewed the submissions made by Interested Parties at Deadline 3 and how the Applicant has responded to those submissions where new matters have been raised or where clarification of a point would be beneficial. Where a matter has been addressed previously it was not responded to in the document. No revisions have been made to this document since it was submitted into the Examination at Deadline 4.
- 11.1.28 **Application Document 7.28: Viaduct Visualisations Technical Note (REP4-015 – REP4-020)**. This was submitted following the Applicant's commitment stated in the Applicant's Deadline 1 Submission – 7.3 Issue Specific Hearing 2 (ISH2) Post Hearing Submissions (including written submissions of oral case) (REP1-009), as outlined under Agenda Item 3.1. No revisions have been made to this document since it was submitted into the Examination at Deadline 4.
- 11.1.29 **Application Document 7.29: Compulsory Acquisition Hearing 2 (CAH2) Post Hearing Submissions (including written submissions of oral case) (REP5-023)**. This document sets out the post hearing submissions and summarises the oral submissions made by the Applicant at CAH2 dealing with compulsory acquisition and temporary possession powers, held on 1 March 2023. No revisions have been made to this document since it was submitted into the Examination at Deadline 5.
- 11.1.30 **Application Document 7.30: Issue Specific Hearing 3 (ISH3) Post Hearing Submissions (including written submissions of oral case) (REP5-024 – REP5-026)**. This document sets out the post hearing submissions and summarises the oral submissions made by the Applicant at ISH3 dealing with design and landscape, biodiversity, climate effects, flooding and drainage, traffic and access, heritage, Principal Areas of Disagreement Summary Statements and the draft DCO, held on 2 March 2023. No revisions have been made to this document since it was submitted into the Examination at Deadline 5.
- 11.1.31 **Application Document 7.31: Issue Specific Hearing 3 (ISH3) Post Hearing Submission – Response to Examining Authority's Request Under Agenda Item 3.2: Environmental Mitigation Area Sizes and Locations (REP5-027 – REP5-028)**. This was submitted in response to the Examining Authority's request



under Agenda Item 3.2 of the Issue Specific Hearing 3 (ISH3) held on Thursday 2 March 2023. No revisions have been made to this document since it was submitted into the Examination at Deadline 5.

- 11.1.32 **Application Document 7.32: Issue Specific Hearing 3 (ISH3) Post Hearing Submission – Response to Examining Authority’s Request Under Agenda Item 10: Replacement Sites Considered for Brough Hill Fair (REP5-029).** This was submitted in response to the Examining Authority’s request under Agenda Item 10 of the ISH3 held on Thursday 2 March 2023. Whilst no revisions have been made to this document since it was submitted into the Examination at Deadline 5, it should be read alongside Application Documents 7.16 and 7.37.
- 11.1.33 **Application Document 7.33: Applicant’s Response to Deadline 3 and 4 Submissions (REP5-030).** This document captures how the Applicant reviewed the submissions made by Interested Parties at Deadline 4, and references where these submissions are responded to in other documents submitted by the Applicant. This document also includes the Applicant’s response to the submission made by Climate Emergency Policy and Planning at Deadline 3. No revisions have been made to this document since it was submitted into the Examination at Deadline 5.
- 11.1.34 **Application Document 7.34: Applicant’s Responses to the Examining Authority’s Further Written Questions (REP6-020).** This document sets out the Applicant’s written responses to the ExA’s Further Written Questions issued on 24 March 2023. No revisions have been made to this document since it was submitted into the Examination at Deadline 6.
- 11.1.35 **Application Document 7.35: Applicant’s Response to Deadline 5 Submissions (REP6-021).** This document sets out the Applicants response to some of the submissions made at Deadline 5 of the Examination, where the Applicant considers that they require a response, where new matters have been raised or where a clarification of a point would be beneficial. Where a matter has been addressed previously it is not responded to in this document. No revisions have been made to this document since it was submitted into the Examination at Deadline 6.
- 11.1.36 **Application Document 7.36: Summary Statement on Land Acquisition Requirements and Process (REP6-022).** This was submitted in response to the submissions of affected persons and their representatives at Deadline 5 in relation to the process by which the Applicant has sought to negotiate the acquisition of the interests in, and rights over, the land that it requires to deliver the Project. Whilst no revisions have been made to this document since it was submitted into the Examination at Deadline 6, it should be read alongside Application Documents 7.16 and 7.32.
- 11.1.37 **Application Document 7.37: Summary Statement on Brough Hill Fair Relocation (REP7-156 – REP7-157).** This was submitted in response to submissions made at Deadline 5 by the Brough Hill Fair Community Association (REP5-031) and George F White LLP on behalf of J Heron, Mrs D and I Heron, Mr J and Mrs M Heron, Mr S and Mrs C Heron and Mr D and Mrs M Heron (REP5-044) regarding issues related to the proposed replacement site for Brough Hill Fair. The latest version of this document was submitted at Deadline 7, and it should be read alongside Application Documents 7.16 and 7.32.

- 11.1.38 **Application Document 7.38: Applicant’s Response to the Report on the Implications for European Sites (RIES) (REP7-158).** This document provides the Applicants response to the ExA’s REIS questions. The RIES is issued to ensure that Interested Parties including the appropriate nature conservation body, Natural England is consulted formally on Habitats Regulations Matters. No revisions have been made to this document since it was submitted into the Examination at Deadline 7.
- 11.1.39 **Application Document 7.39: Applicant’s Response to the Examining Authority’s Procedural Decision PD-014 (REP7-159).** This Application Document provides the Applicant’s responses to the Examining Authority’s Annex A questions from its Procedural Decision, and identifies the updated documents submitted into the Examination as a result of the accepted changes. No revisions have been made to this document since it was submitted into the Examination at Deadline 7.
- 11.1.40 **Application Document 7.40: Applicant’s Response to Deadline 6 Submissions (REP7-160).** This Application Document sets out the Applicants response to some of the submissions made at Deadline 6 of the Examination, where the Applicant considers that they require a response, where new matters have been raised or where a clarification of a point would be beneficial. Where a matter has been addressed previously it is not responded to in this document. No revisions have been made to this document since it was submitted into the Examination at Deadline 7.
- 11.1.41 **Application Document 7.41: Assessment of Conformity with Consultation Draft National Networks National Policy Statement (REP7-161).** This This document sets out the policies within the draft NNNPS published for consultation on 14 March 2023 and provides a consideration of the draft revised NNNPS and the compliance of the Project with it. No revisions have been made to this document since it was submitted into the Examination at Deadline 7.
- 11.1.42 **Application Document 7.42: Departures from Standard Limits of Deviation (LoDs) (REP7-162).** This purpose of this report is to provide an updated summary and explanation of the departures from standard LoDs following the acceptance of the 22 changes. No revisions have been made to this document since it was submitted into the Examination at Deadline 7. This document should be read alongside the explanation of all proposed departures from the standard LoDs as Appendix 2 to the Applicant’s CAH1 Post Hearing Submissions (including written submissions of oral case) submitted at Deadline 1 (REP1-007).
- 11.1.43 **Application Document 7.43: Metric Calculation Report (REP7-163 - REP7-169).** This document provides the findings of the Metric Calculation (Defra Metric 3.1) undertaken to inform the Project and updates the Metric 2.0 calculations that were used to inform the preparation of the mitigation design presented in the DCO application. Appendix B: Metric Calculation Tool, and Appendix D: Rivers Opportunities Metric were provided as separate macro-enabled Microsoft Excel spreadsheets. No revisions have been made to this document since it was submitted into the Examination at Deadline 7.
- 11.1.44 **Application Document 7.44: Applicant’s Response to the ExA’s Comments on and Schedule of Changes to the Draft DCO (REP7-166).** This document was prepared to provide the Applicant’s response to the Examining Authority’s

Schedule of recommended amendments to the Applicant's draft DCO submitted at Deadline 5 (PD-015). No revisions have been made to this document since it was submitted into the Examination at Deadline 7.

- 11.1.45 **Application Document 7.45: Deadline 8 – Closing Submission (REP8-074).** This document summarises the Applicant's final submissions on key matters that have been subject to submissions by Interested Parties and the Applicant during the course of the Examination. It was provided to ensure that the ExA is clear on the Applicant's position in relation to these matters and the remaining points of dispute that arise from them, alongside signposting further documentation submitted into the Examination as appropriate. No revisions have been made to this document since it was submitted into the Examination at Deadline 8.
- 11.1.46 **Application Document 7.46: Applicant's Response to Deadline 7 Submissions (REP8-075).** This document sets out the Applicants response to some of the submissions made at Deadline 6 of the Examination, where the Applicant considers that they require a response, where new matters have been raised or where a clarification of a point would be beneficial. Where a matter has been addressed previously it is not responded to in this document. No revisions have been made to this document since it was submitted into the Examination at Deadline 8.
- 11.1.47 **Application Document 7.47: Deadline 8 Submission on Climate Matters (REP8-076).** This document provides the Applicants response to representations made by Climate Emergency Planning & Policy (CEPP) at Deadline 6 and 7 during the Examination. No revisions have been made to this document since it was submitted into the Examination at Deadline 8.
- 11.1.48 **Application Document 7.48: Applicant's Response to Deadline 8 Submissions.** This document sets out the Applicant's response to the submissions made at Deadline 8 of the Examination, where the Applicant considers that they require a response, where new matters have been raised or where a clarification of a point would be beneficial. Where a matter has been addressed previously it is not responded to in this document. No revisions have been made to this document since it was submitted into the Examination at Deadline 9.
- 11.1.49 **Application Document 7.49: Deadline 9 Submission on Climate Matters.** This document provides the Applicant's response to representations made in Dr Boswell's Deadline 8 submission (REP8-087 and REP8-089) during the Examination. No revisions have been made to this document since it was submitted into the Examination at Deadline 9.
- 11.1.50 **Application Document 7.50: Applicant's Response to the Examining Authority's Rule 17 Request.** This document sets out the Applicant's response to the Rule 17 request ('the R17'), published by the Planning Inspectorate, on behalf of the Examining Authority (ExA) on 19 May 2023, addressed to the Applicant, Environment Agency, Natural England and Historic England. No revisions have been made to this document since it was submitted into the Examination at Deadline 9.

- 11.1.51 **Application Document 7.51: Crown Authority Consent from the Secretary of State for Defence.** This letter provides Crown Authority consent by the Ministry of Defence in respect of the Crown land on Scheme 06. No revisions have been made to this document since it was submitted into the Examination at Deadline 9.
- 11.1.52 **Application Document 7.52: Habitats Regulations Assessment Supplementary Note – North Pennine Moors SAC/SPA.** This document has been prepared in response to comments received from Natural England on the HRA Stage 2 Statement to Inform Appropriate Assessment (APP-235). The comments relate to the assessment of potential air quality impacts on North Pennine Moors Special Area of Conservation. No revisions have been made to this document since it was submitted into the Examination at Deadline 9.
- 11.1.53 **Application Document 7.53: Update on land owned by the Public Trustee.** This document has been prepared in response to correspondence received by the Applicant on 24 and 25 May 2023 regarding the status of land owned by the Public Trustee. Its purpose is to explain the Applicant’s understanding of the Public Trustee’s position in relation to the Applicant’s request for Crown authority consent. No revisions have been made to this document since it was submitted into the Examination at Deadline 9.

## 12 Volume 8: Change Application

12.1.1 **Application Document 8.1: Change Application – Application Report (CR-002 – CR-006).** This report sets out the case for the Applicant's request to the ExA to accept into the examination of the DCO Application 24 changes to the Project for which development consent is sought. It includes the rationale and pressing need for making the changes, a clear description of each of the proposed changes, a full schedule of all of the application documents and plans listing required consequential revisions, a track change version of the draft DCO and Explanatory Memorandum, the position in relation to additional land, and a summary of environmental assessment of the proposed changes. Whilst no revisions have been made to this document since it was submitted on 24 March 2023, the ExA accepted a total of 22 of the 24 Project changes into the Examination as set out in the Procedural Decision of the ExA (PD-014).

12.1.2 **Application Document 8.2: Change Application – Consultation Statement (CR-007 – CR-015).** This document supports the Change Application by providing information on the proposed changes consultation, in that it sets out:

- the consultation carried out in respect of the proposed changes, including justification for the scope and approach of that consultation;
- the responses received to the consultation; and
- how the Applicant has had regard to the responses received and how they have informed the Change Application that has been submitted, including proposed changes that are not being taken forward.

No revisions have been made to this document since it was submitted into the ExA on 24 March 2023.

12.1.3 **Application Document 8.3: Change Application – Environmental Statement Addendum (REP7-167 – REP7-171).** The document reports an environmental assessment of the Project changes proposed and then accepted into the Examination, specifically how, if at all, they change or alter the conclusions of the ES. This is to ensure the likely significant effects of the Project (as altered by the accepted changes) are fully reported and available to the Examining Authority and Secretary of State. There are three Volumes to the Addendum, which should all be read with the Environmental Statement (Application Document 3.1-3.4) as these documents together report the likely significant effects of the Project for the purposes of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017:

- Volume I: Reports, by way of an assessment table, an initial scoping exercise undertaken for each change, to explain and confirm whether or not each environmental topic is scoped in or out of a detailed assessment, having regard to the assessments originally undertaken and reported in the Environmental Statement. The latest version of this document was submitted at Deadline 7 to account for those Project changes which were accepted into the Examination.
- Volume II: Detailed Assessments – Outlines and reports the detailed assessments for the topics and changes scoped in for further assessment (as reported in Volume I). The latest version of this document was submitted at

Deadline 7 to account for those Project changes which were accepted into the Examination.

- Volume III: Updated Project Description – Contains an updated description of the Project following the acceptance of the 22 Project changes. This document was not originally part of the Change Application, and no revisions have been made to this document since it was submitted into the Examination at Deadline 7.

12.1.4 **Application Document 8.4: Change Application – Habitat Regulation Assessment (HRA) Technical Note (REP7-172 – REP7-173)**. This document supplements the HRA Stage 2 Statement to Inform Appropriate Assessment (APP-235) in relation to the potential impacts of the construction and operation of the 22 Project changes accepted into the Examination. The latest version of this document was submitted at Deadline 7.