



# Department for Transport

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To: The Applicant, Heritage  
England and All Interested  
Parties

Date: 18 October 2023

Dear Sir/Madam

## **PLANNING ACT 2008 AND THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES 2010**

Application by National Highways (“the Applicant”) for an Order granting Development Consent for the proposed A66 Northern Trans-Pennine Project.

### **CONSULTATION SEEKING COMMENTS FROM THE APPLICANT and ALL INTERESTED PARTIES**

#### **REQUEST FOR INFORMATION**

Following the completion of the Examination on 29 May 2023, the Examining Authority (“ExA”) submitted to the Secretary of State on 7 August 2023 a report and recommendation in respect of its findings and conclusions on the above application. In accordance with section 107 of the Planning Act 2008, the Secretary of State must make his decision on the application by 7 November 2023.

1. On 28 September 2023 the Secretary of State initiated a [consultation](#) on a number of outstanding issues. The deadline for response information from the Applicant at paragraphs 2, 3, 4 and 6 and Natural England at paragraph 2 was 5 October 2023. The representations received from the [Applicant](#) and [Natural England](#) have now been published and the Secretary of State invites such comments that **other Interested Parties** might wish to provide.

2. The Secretary of State notes from the Statement of Common Ground between the Applicant and Historic England at point 3-2.20 World Heritage Site of the Lake District of [REP8-024](#) that reference is made to supporting technical information provided by the Applicant which explains why a Heritage Impact Assessment was not required. **The Applicant** is requested to provide the Secretary of State with a copy of the supporting technical information supplied to Heritage England on 2 May 2023 together with the specific comments that Heritage England made on that information. **Heritage England** is invited to provide any further information should that be felt to be needed or helpful.
3. The Secretary of State notes the update provided by the Applicant in its response of [5 October 2023](#) in relation to the outstanding side agreements with various parties and requests that **the Applicant** provides a final update on these. If no agreement has been reached or is likely to be reached shortly, the Applicant is requested to consider whether any draft wording is needed for inclusion in the draft Development Consent Order; and if needed then to provide the required wording.
4. The Secretary of State is unclear whether the references to the Parts of Schedule 8 (traffic regulation measures etc.) contained in articles 41 (clearways) and 42 (traffic regulation measures) of the Applicant's final version of the [draft development consent order](#) are correct. Each Part within Schedule 8 covers one scheme and contains within it a number of separate tables. It is not clear whether the intention is to refer to each Part as a whole or to a separate table contained within the Part referred to. **The Applicant** is requested to provide clarification on this issue and to consider whether additional wording for inclusion in these articles is required so as to ensure there is no uncertainty about what is intended.

#### The **DEADLINE FOR RESPONSES**

Responses to the requested information should be submitted by email only to [A66Dualling@planninginspectorate.gov.uk](mailto:A66Dualling@planninginspectorate.gov.uk) by 23.59 on 28 October 2023.

Responses will be published on the A66 Northern Trans-Pennine project page of the National Infrastructure Planning website as soon as possible after 28 October 2023:

[A66 Northern Trans-Pennine Project | National Infrastructure Planning \(planninginspectorate.gov.uk\)](#)

This letter is without prejudice to the Secretary of State's consideration of whether to grant or withhold development consent for the proposed A66 Northern Trans-Pennine Project. Nothing in this letter is to be taken to imply what the eventual decision might be or what final conclusions the Secretary of State may reach on any particular issue which is relevant to the determination of the application.

Yours faithfully,

Transport Infrastructure Planning Unit