



The Planning Inspectorate
Yr Arolygiaeth Gynllunio

Section 55

Acceptance of Applications Checklist

A46 Newark Bypass

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

A46 Newark Bypass - 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 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 Department for Levelling Up, Housing and Communities.

Section 55(2) Acceptance of Applications				
1	Within 28 days (starting day after receipt) the Planning Inspectorate must decide whether or not to accept the application for Examination.	Date received	28-day due date	Date of decision
		26 April 2024	24 May 2024	23 May 2024
Section 55(3) – the Planning Inspectorate may only accept an application if it concludes that:		Planning Inspectorate comments		
Section 55(3)(a) and s55(3)(c): It is an application for an order granting development consent				
2	Is the development a Nationally Significant Infrastructure Project ¹ (NSIP) (or does it form part of an NSIP); and does the application state on the face of it that it is an application for a Development Consent Order ² (DCO) under the Planning Act 2008 (the PA2008), or equivalent words? Does the application specify the development to which it relates (i.e. which category or categories in Sections (s)14 to 30 does the Proposed Development fall)?	<p>Yes</p> <p>The Proposed Development set out in Schedule 1 of the Draft DCO (Doc 3.1) includes development falling within the categories in s14 of the PA2008. The development is for the construction of an alteration to a Highway and satisfies Section 14(1)(h) of the PA2008 and Section 22(1)(b)</p> <p>This is consistent with the summary provided in Section 4 of the Application Form (Doc 1.1) which states that the application is for an NSIP.</p> <p>Section 4 of the Application Form (Doc 1.2) states:</p>		

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)

	If the development does not fall within the categories in s14 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>“The Scheme is classified as a Nationally Significant Infrastructure Project (NSIP) as defined under Sections 14(1)(h) and 22(1)(b) of the 2008 Act as it comprises the alteration of a highway:</p> <ul style="list-style-type: none"> • The highway to be altered is wholly within England. • National Highways Company Limited is the Strategic Highway Authority for the highway. • The speed limit will be greater than 50mph and the area of development at 211 hectares exceeds the 12.5 hectares threshold.”
3	Summary: Section 55(3)(a) and s55(3)(c)	The Planning Inspectorate is satisfied that the Draft DCO (Doc 3.1) includes development for which development consent is required.
Section 55(3)(e): The Applicant in relation to the application made has complied with Chapter 2 of Part 5 (pre-application procedure)		
4	In accordance with the EIA 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 12 September 2022 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 26 October 2022.</p> <p>A copy of the notification letter is provided at Appendix B of the Consultation Report (Doc 5.2).</p>
5	Have any Adequacy of Consultation Representations ⁴ been received from ‘A’, ‘B’, ‘C’ and ‘D’ local authorities; and if so, do they	Yes.

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

<p>confirm that the Applicant has complied with the duties under s42, s47 and s48?</p>	<p>There are 18 host and neighbouring authorities, of which 12 responded to the Planning Inspectorate's invitation to make an Adequacy of Consultation Representation (AoCR) dated 26 April 2024.</p> <p>All 12 responding authorities confirmed in their AoCR that either the Applicant had complied with its duties under s42, s47 and s48 of the PA2008 and/ or that their authority had no comments/ objections to make. These local authorities were:</p> <ul style="list-style-type: none">• Ashfield District Council (A Authority)• Gedling Borough Council (A Authority)• Melton Borough Council (A Authority)• North Kesteven District Council (A Authority)• Rushcliffe Borough Council (A Authority)• South Kesteven District Council (A Authority)• Newark and Sherwood District Council (B Authority)• Nottinghamshire County Council (C Authority)• Rotherham Metropolitan Borough Council (D Authority)• Leicestershire County Council (D Authority)• North Lincolnshire Council (D Authority)• Lincolnshire County Council (D Authority) <p>All AoCRs received have been carefully considered and are available to view on the National Infrastructure Planning website: https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/TR010065/documents</p>
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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 prescribed⁵?

Yes.

The Applicant has provided a list of persons consulted under s42(1)(a) on **21 October 2022** (email) and **18 November 2022** (post) at **Appendix G** of the **Consultation Report (Doc 5.2)**.

A sample of the letter sent to s42(1)(a) consultees is provided at **Appendix H** of the **Consultation Report (Doc 5.2)**.

The Planning Inspectorate has identified the following parties based on a precautionary interpretation of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the APFP Regulations) that were not consulted by the Applicant under s42:

- CNG Services Ltd
- Aidien Ltd
- Independent Distribution Connection Specialists Ltd
- Scotland Gas Networks PLC

The Applicant's **Consultation Report (Doc 5.2)** does not explain why three of the bodies, identified above, have not been consulted. The Report explains that Scotland Gas Networks PLC was not consulted as the project is not in Scotland. However, it is noted that the licences held by these bodies cover Great Britain or various smaller areas and the operational areas of each are not clear from information in the public domain.

None of the bodies listed above have been identified by the Applicant as having an interest in the Order lands and are not listed in the **Book of Reference (Doc 4.3)**.

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

		Section 51 advice will be issued to the Applicant in respect of the above matter: https://infrastructure.planninginspectorate.gov.uk/document/TR010065-000319
7	Section 42(1)(aa) the Marine Management Organisation ⁶ ?	Yes , consulted on a precautionary basis.
8	Section 42(1)(b) each local authority within s43 ⁷ ?	<p>Yes.</p> <p>Table 4-4 of the Consultation Report (Doc 5.1) lists the relevant local authorities that were identified and consulted under s43 and s42(1)(b) on 21 October 2022 (email) and 18 November 2022 (post).</p> <p>The host 'B' authority was consulted:</p> <ul style="list-style-type: none"> • Newark and Sherwood District Council <p>The host 'C' authority was consulted:</p> <ul style="list-style-type: none"> • Nottinghamshire County Council <p>The boundary 'A' authorities were consulted:</p> <ul style="list-style-type: none"> • Ashfield District Council • Bassetlaw District Council • Gedling Borough Council • Mansfield District Council • Melton Borough Council • North Kesteven District Council • Rushcliffe Borough Council • South Kesteven District Council • West Lindsey District Council

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

⁷ Definition of 'local authority' in s43(3) of the PA2008: The 'B' authority where the application land is in the authority's area; the 'A' authority where any part of the boundary of A's area is also a part of the boundary of B's area; the 'C' authority (upper tier) where the application land is in that authority's area; the 'D' authority (upper tier) where such an authority shares a boundary with a 'C' authority

		<p>The boundary 'D' authorities were consulted:</p> <ul style="list-style-type: none"> • City of Doncaster Council • Derbyshire County Council • Leicestershire County Council • Lincolnshire County Council • North Lincolnshire Council • Nottingham County Council • Rotherham Metropolitan Borough Council <p>A sample of the letter sent to s42(1)(b) relevant authorities is provided at Appendix H of the Consultation Report (Doc 5.2).</p>
9	Section 42(1)(c) the Greater London Authority (if in Greater London area)?	N/A
10	Section 42(1)(d) each person in one or more of s44 categories ⁸ ?	<p>Yes</p> <p>Paragraphs 4.3.11 – 4.3.12 of the Consultation Report (Doc 5.1) states that all persons identified under s42(1)(d) were consulted on 18 October 2022 and 21 October 2022.</p> <p>The applicant is required to make diligent inquiry to seek to identify and consult persons with an interest in lands affected by the Draft DCO (Doc 3.1). The full methodology undertaken by the Applicant is provided in Chapter 4 of the Statement of Reasons (Doc 4.1)</p> <p>In paragraph 4.3.5 the Applicant explains that the persons consulted under s42(1)(d) are listed in the Book of Reference (Doc 4.3)</p> <p>A sample of the letter is provided at Appendix H of the Consultation Report (Doc 5.2).</p>
Section 45: Timetable for s42 consultation		

⁸ 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.

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</p> <p>A sample of the letter sent to s42 consultees is provided at Appendix H of the Consultation Report (Doc 5.2).</p> <p>The sample letter dated 21 October 2022 confirmed that consultation commenced on 26 October 2022 and closed on 12 December 2022, providing more than the required minimum time for receipt of responses.</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</p> <p>The Applicant gave notice under s46 on 17 October 2022, which was before the beginning of s42 consultation.</p> <p>A copy of the s46 notification letter is provided at Appendix I of the Consultation Report (Doc 5.2).</p>
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?	<p>Yes.</p> <p>A copy of the final SoCC is provided at Appendix E of the Consultation Report (Doc 5.2).</p>
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 to Newark and Sherwood District Council ('B Authority') and Nottinghamshire County Council ('C' Authority) between 27 and 29 June 2022 and set a deadline of 1 August 2022 for responses; providing more than the required minimum time for responses to be received.</p>

15	Has the Applicant had regard to any responses received when preparing the SoCC?	<p>Yes.</p> <p>Table 4-1 of the Consultation Report (5.1) provides a summary of the consultation responses from Lincolnshire County Council, Newark and Sherwood District Council, North Kesteven District Council, Nottinghamshire County Council and Nottingham City Council in respect of the draft SoCC and demonstrates how the Applicant had regard to their content.</p> <p>Examples of changes from the draft SoCC to the final SoCC include:</p> <ul style="list-style-type: none"> • Further text added within Section 5 of the SoCC under paragraphs 5.8, 5.9 and 5.10, providing further detail. • Further text added within Section 7 of the SoCC. • Text updated within Section 7 of the SoCC under paragraph 7.1, adding fly-through videos to the list of consultation materials. <p>The Planning Inspectorate is satisfied that the Applicant had regard to the responses received when preparing the SoCC.</p>
16	Has the SoCC been made available for inspection on a website maintained by or on behalf of the Applicant; 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.</p> <p>The final SoCC was made available at the following locations, which is reasonably convenient having regard to the location of the Proposed Development:</p> <ul style="list-style-type: none"> • Online: https://nationalhighways.co.uk/our-roads/east-midlands/a46-newark-bypass/#documents • Newark Indoor Bowls Centre, Lincoln Road, Newark-on-Trent, NG24 2NY • The Lord Nelson, Gainsborough Road, Winthorpe, Newark-on-Trent, NG24 2NN • Bridge Community Centre, Lincoln Road, Newark-on-Trent, NG24 2DQ • Newark and Sherwood District Council, Castle House, Newark -on-Trent, NG24 1BY • The Fox Inn, Main Street, Newark-on-Trent, NG23 5QP

		<ul style="list-style-type: none"> • Newark Library, Balderton Gate, Town Centre, Newark-on-Trent, NG24 1UW • The Lord Ted, Farndon Road, Newark-on-Trent, NG24 4SW <p>A notice stating when and where the final SoCC could be inspected was published in:</p> <ul style="list-style-type: none"> • Newark Advertiser – 13 October 2022 and 20 October 2022 • Nottingham Post – 13 October 2022 and 20 October 2022 • The Times – 20 October 2022 • London Gazette – 20 October 2022 <p>The published SoCC notice, provided at Appendix E of the Consultation Report (Doc 5.2) states where and when the final SoCC was available to inspect.</p> <p>Clippings of the published advertisements are provided at Appendix K of the Consultation Report (Doc 5.2).</p>
17	Does the SoCC set out whether the development is EIA development ⁹ ; and does it set out how the Applicant intends to publicise and consult on the Preliminary Environmental Information?	<p>Yes.</p> <p>Paragraph 3.5 of the final SoCC at Appendix E of the Consultation Report (Doc 5.2) sets out that the development is EIA development and sets out how the Applicant intended to publicise and consult on the Preliminary Environmental Information.</p>
18	Has the Applicant carried out the consultation in accordance with the SoCC?	<p>Yes.</p> <p>Paragraph 4.5 of the Consultation Report (Doc 5.1) set out how the community consultation was carried out in line with the final SoCC.</p> <p>Table 4.7 of the Consultation Report (Doc 5.1) sets out how the Applicant has complied with the commitments set out in the final SoCC.</p>

⁹ Regulation 12 of the 2017 EIA Regulations, or where Regulation 37 of the 2017 EIA Regulations applies, Regulation 10 of the 2009 EIA Regulations

		<p>Appendices E, J and N of the Consultation Report (Doc 5.2) provide evidence that the commitments within the final SoCC have been carried out.</p> <p>Although the Planning Inspectorate is satisfied that the Applicant has carried out the consultation in line with the final SoCC, the following observations have been noted with regards to certain commitments:</p> <ul style="list-style-type: none"> The Lord Ted was not used as a deposit location for the entire duration of the consultation as it was inaccessible due to refurbishment. The Applicant took action to direct the public to other locations, two of which were within 2 miles of the Lord Ted. 						
Section 48: Duty to publicise the proposed application								
19	Did the Applicant publicise the proposed application in the prescribed manner set out in Regulation 4(2) of the (as amended) APFP Regulations 2009?	<p>Yes.</p> <p>Paragraph 4.6 of the Consultation Report (Doc 5.1) states:</p> <p><i>“Section 48 of the 2008 Act requires the Applicant to publicise the proposed application in the prescribed manner, in national and local newspapers, as set out in Regulation 4 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009.”</i></p> <p>Table 4.8 of the Consultation Report (Doc 5.1) displays the newspapers and dates of s48 publicity as set out below.</p> <p>A copy of the s48 notice is provided at Appendix K of the Consultation Report (Doc 5.2).</p> <p>Clippings of the published notices set out below are provided at Appendix K of the Consultation Report (Doc 5.2):</p>						
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;"></th> <th style="width: 60%;">Newspaper(s)</th> <th style="width: 30%;">Date</th> </tr> </thead> <tbody> <tr> <td>a)</td> <td>for at least two successive weeks in one or more local newspapers circulating in the vicinity in which the Proposed Development would be situated;</td> <td> <ul style="list-style-type: none"> Nottingham Post Newark Advertiser </td> </tr> </tbody> </table>				Newspaper(s)	Date	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"> Nottingham Post Newark Advertiser
	Newspaper(s)	Date						
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"> Nottingham Post Newark Advertiser 						

			13 and 20 October 2022
b)	once in a national newspaper;	<ul style="list-style-type: none"> The Times 	20 October 2022
c)	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 October 2022
d)	where the proposed application relates to offshore development – (i) once in Lloyds List; and (ii) once in an appropriate fishing trade journal?	N/A	N/A
20	Did the s48 notice include the required information set out in Regulation 4(3) of the (as amended) APFP Regulations 2009?	Yes. The published s48 notice, supplied at Appendix K of the Consultation Report (Doc 5.1) , contains the required information as set out below:	
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	
c)	a statement as to whether the application is EIA development	5	
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 were available on a website maintained by or on behalf of the Applicant. The statement must include:	10, 2, 15	
f)	the latest date on which those documents, plans and maps will be available for inspection	11	

	<ul style="list-style-type: none"> the nature and location of the Proposed Development The address of the website The place on the website A telephone number which can be used to contact the Applicant for enquiries in relation to the documents, plans and maps. 				
g)	whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge	9 and 10	h)	details of how to respond to the publicity	7
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	6			
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 ¹⁰ ?	Yes A copy of the s48 notice was sent to the EIA consultation bodies as part of the s42 consultation, as confirmed in paragraph 4.3.6 of the Consultation Report (Doc 5.2) .			

¹⁰ Regulation 13 of the 2017 EIA Regulations, or where Regulation 37 of the 2017 EIA Regulations applies, Regulation 11 of the 2009 EIA Regulations

		A sample of the s42 consultation letter provided at Appendix H of the Consultation Report (Doc 5.2) confirms a copy of the s48 notice was enclosed.
s49: Duty to take account of responses to consultation and publicity		
23	Has the Applicant had regard to any relevant responses to the s42, s47 and s48 consultation?	<p>Yes</p> <p>Annex N of the Consultation Report (Doc 5.2) sets out how the Applicant had regard to the consultation responses received; including whether or not responses led to changes to the application.</p> <p>The actions informed by the consultation responses appear to be reflected in the final form of the application as submitted. Where a particular response has not led to a change in the application, it is sufficiently clear that regard was had to it.</p>
Guidance about pre-application procedure		
24	To what extent has the Applicant had regard to statutory guidance 'Planning Act 2008: Guidance on the pre-application process' ¹¹ ?	<p>Chapter 6 of the Consultation Report (Doc 5.1) states that the Applicant has taken into consideration all relevant statutory and other guidance.</p> <p>Having reviewed the application, the Planning Inspectorate is satisfied that the Applicant has identified and had regard to the relevant statutory guidance.</p>
25	Summary: Section 55(3)(e)	The Applicant has complied with Chapter 2 of Part 5 (pre-application procedure) of the PA2008.
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)		

¹¹ The Planning Inspectorate must have regard to the extent to which the Applicant has had regard to guidance issued under s50

26	Is it made in the prescribed form as set out in Schedule 2 of the APFP Regulations, and does it include: <ul style="list-style-type: none"> a brief statement which explains why it falls within the remit of the Planning Inspectorate; and a brief statement that clearly identifies the location of the application site, or the route if it is a linear scheme? 	<p>Yes</p> <p>Section 4 of the Application Form (Doc 1.2) explains why the development falls within the remit of the Planning Inspectorate.</p> <p>Section 5 of the Application Form (Doc 1.2) provides a brief non-technical description of the site and Section 6 provides the location of the Proposed Development.</p> <p>A Location Plan (Doc 2.1) has been provided.</p>									
27	Is it accompanied by a Consultation Report?	<p>Yes</p> <p>The application is accompanied by a Consultation Report (Doc 5.1) and Consultation Report Appendices (Doc 5.2).</p>									
28	Where a plan comprises three or more separate sheets, has a key plan been provided showing the relationship between the different sheets? ¹²	Yes									
29	Is it accompanied by the documents and information set out in APFP Regulation 5(2)?	The documents and information required by APFP Regulation 5(2) are set out in the documents and locations within the application as listed below:									
<table border="1"> <thead> <tr> <th>Information</th> <th>Document</th> </tr> </thead> <tbody> <tr> <td>a) Where applicable, the Environmental Statement required under the EIA Regulations¹³ and any</td> <td> Environmental Statement (ES) Chapters 1 to 17 (Doc 6.1). ES Figures (Doc 6.2). ES Appendices (Doc 6.3). </td> </tr> </tbody> </table>		Information	Document	a) Where applicable, the Environmental Statement required under the EIA Regulations ¹³ and any	Environmental Statement (ES) Chapters 1 to 17 (Doc 6.1). ES Figures (Doc 6.2). ES Appendices (Doc 6.3).	<table border="1"> <thead> <tr> <th>Information</th> <th>Document</th> </tr> </thead> <tbody> <tr> <td>b) The draft Development Consent Order (DCO)</td> <td>Draft Development Consent Order (Doc 3.1)</td> </tr> </tbody> </table>		Information	Document	b) The draft Development Consent Order (DCO)	Draft Development Consent Order (Doc 3.1)
Information	Document										
a) Where applicable, the Environmental Statement required under the EIA Regulations ¹³ and any	Environmental Statement (ES) Chapters 1 to 17 (Doc 6.1). ES Figures (Doc 6.2). ES Appendices (Doc 6.3).										
Information	Document										
b) The draft Development Consent Order (DCO)	Draft Development Consent Order (Doc 3.1)										

¹² Regulation 5(4) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

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

c)	scoping or screening opinions or directions	ES Non-Technical Summary (Doc 6.4). Scoping Opinion (Doc 6.10)	d)		
	Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)		Is this of a satisfactory standard?	Yes
	An Explanatory Memorandum explaining the purpose and effect of provisions in the draft DCO	Explanatory Memorandum (Doc 3.2)		Where applicable, a Book of Reference	Book of Reference (Doc 4.3)
e)	Is this of a satisfactory standard?	Yes	f)	Is this of a satisfactory standard?	Yes
	A copy of any Flood Risk Assessment	ES Appendix 13.2: Flood Risk Assessment (Doc 6.3)		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	Statement Relating to Statutory Nuisances (Doc 6.7) – this addresses dust emissions (Section 3.2), artificial light (Section 3.3) and noise and vibration (Section 3.4).
	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	Statement of Reasons (Doc 4.1) Funding Statement (Doc 4.2)	i)	A Land Plan identifying:- (i) the land required for, or affected by,	Land Plans (Doc 2.2) Special Category Land Plans (Doc 2.12)

	involves any Compulsory Acquisition)			the Proposed Development;	
				(ii) where applicable, any land over which it is proposed to exercise powers of Compulsory Acquisition or any rights to use land;	
				(iii) any land in relation to which it is proposed to extinguish easements, servitudes and other private rights; and	
				(iv) any special category land and replacement land	
	Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)		Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)
j)	A Works Plan showing, in relation to existing features:- (i) the proposed location or (for a linear scheme) the proposed route and alignment of the	Works Plan (Doc 2.3)		k) 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	Streets, Rights of Way and Access Plans (Doc 2.4)

	development and works; and (ii) the limits within which the development and works may be carried out and any limits of deviation provided for in the draft DCO		or public rights of navigation	
	Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)	Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)
l)	Where applicable, a plan with accompanying information identifying: (i) any statutory or non-statutory sites or features of nature conservation eg sites of geological or landscape importance; (ii) habitats of protected species, important habitats or other diversity features; and (iii) water bodies in a river basin management plan,	(i) ES Figure 2.2: Environmental Constraints Plan (Doc 6.2) ES Figure 7.2: Landscape Character Areas (Doc 6.2) Habitats Regulations Assessment, Appendix C (Doc 6.6) The assessment of effects on such sites is provided in: ES Chapter 7: Landscape and Visual Effects (Doc 6.1)	m)	Where applicable, a plan with accompanying information identifying any statutory or 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 ES Figure 2.2: Environmental Constraints Plan (Doc 6.2) (Doc 6.2) ES Figure 6.3: Heritage Assets with Significant Effects (construction and operation) (Doc 6.2) The assessment of effects on such sites is provided in: ES Chapter 6: Cultural Heritage (Doc 6.1) ES Appendices 6.1 to 6.4 (Doc 6.3)

<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>ES Chapter 8: Biodiversity (Doc 6.1)</p> <p>ES Chapter 9: Geology and Soils (Doc 6.1)</p> <p>Habitats Regulations Assessment (Doc 6.6)</p> <p>(ii) ES Figure 2.2: Environmental Constraints Plan (Doc 6.2)</p> <p>ES Figure 8.2: Nitrogen Sensitive Ecological Receptors (Doc 6.2)</p> <p>The assessment of effects on such habitats is provided in:</p> <p>ES Chapter 8: Biodiversity (Doc 6.1)</p> <p>ES Appendices 8.1 to 8.15 (Doc 6.3)</p> <p>(iii) ES Figure 2.2: Environmental Constraints Plan (Doc 6.2)</p>			
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		<p>ES Figure 13.1: Surface Water Constraints (Doc 6.2)</p> <p>The assessment of effects on such waterbodies is provided in:</p> <p>ES Chapter 13: Road Drainage and the Water Environment (Doc 6.1)</p> <p>ES Appendix 13.1: Water Framework Directive Compliance Assessment (Doc 6.3)</p>		
	Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)		Is this of a satisfactory standard? Yes (with minor discrepancies as noted in Box 30)
n)	Where applicable, a plan with any accompanying information identifying any Crown land	Crown Land Plans (Doc 2.11)	o)	<p>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</p> <p>Location Plan (Doc 2.1)</p> <p>General Arrangement Plans (Doc 2.5)</p> <p>Traffic Regulation Measures Plans (Doc 2.7)</p> <p>Permanent Speed Limit Order Plans (Doc 2.8)</p> <p>Classification of Roads Plans (Doc 2.9)</p> <p>Utilities Works Plans (Doc 2.10)</p>

			access, any car parking and landscaping	
	Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)	Are they of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)
p)	Any of the documents prescribed by Regulation 6 of the APFP Regulations:	Engineering Plans and Sections Part 1 - Typical Cross Sections (Doc 2.6) Engineering Plans and Sections Part 2 - Plan and Profiles (Doc 2.6) Engineering Plans and Sections Part 3 - Plan and Profiles (Doc 2.6) Engineering Plans and Sections Part 4 - Plan and Profiles (Doc 2.6) Engineering Plans and Sections Part 5 - Drainage Engineering Plans (Doc 2.6) Engineering Plans and Sections Part 6 - Structures General Arrangements (Doc 2.6)	q) Any other documents considered necessary to support the application	Covering Letter and Schedule of Compliance with Section 55 (Doc 1.1) Application Form (Doc 1.2) Introduction to the Application (Doc 1.3) Consents and Agreements Position Statement (Doc 3.3) DCO Validation Report (Doc 3.4) First Iteration Environmental Management Plan (Doc 6.5) Archaeological Management Plan (Doc 6.8) Pre-Commencement Plan (Doc 6.9) Scoping Opinion (Doc 6.10) Case for the Scheme (Doc 7.1) National Policy Statement for National Networks Accordance Tables (Doc 7.2) Draft National Policy Statement for National Networks Accordance Tables (Doc 7.3)

				Transport Assessment Report (Doc 7.4) Scheme Design Report (Doc 7.5) Equality Impact Assessment (EqIA) Screening, Analysis and Monitoring (Doc 7.6) Outline Traffic Management Plan (Doc 7.7)
	Are they of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)	Are they of a satisfactory standard?	Yes
30	Are there any observations in respect of the documents provided at Box 29 (a) to (q) above?			
	<p>Environmental Statement (ES) Chapter 5 (Doc ref 6.1) and Transport Assessment (Doc ref 7.4)</p> <p>ES Chapter 5, paragraph 5.5.11 states that there would be a maximum of 131 two-way heavy-duty vehicle (HDV) annual average daily traffic (AADT) movements on any road across the study area associated with the construction phase. However, Table 8-2 of the Transport Assessment states that during the peak year of construction there would be 1,484 two-way heavy goods vehicle (HGV) movements per day. No clear reasoning was initially identified to explain how the figures used in ES Chapter 5 had been derived from those cited in the Transport Assessment. However, following the receipt of a signposting document from the Applicant, Section 1.2 refers to relevant information within the application that makes it sufficiently clear as to how the numbers have been derived and explains the discrepancy between them.</p> <p>All plans</p> <p>The plans are not consistent in terms of searchability, and readability. For example: In the Land Plans (Doc 2.2) plots 1/5p, 2/2l, 3/11f, 4/7a and Work Plans (Doc 2.3) Work No.1 is not searchable. There are other examples but these have not been listed.</p> <p>Several documents relating to the Environmental Statement were slow to download, open and were not searchable. Some examples are provided below.</p> <ul style="list-style-type: none"> • TR010065 A46 Newark Bypass 6.2 Figure 2.3 Environmental Masterplan.pdf • TR010065 A46 Newark Bypass 6.2 Figure 7.4 - Visual Receptor Location Plan CAD.pdf 			

- TR010065_A46 Newark Bypass_6.2 Figure 7.5 - Visual Effects plan.pdf

Within the Works Plans the Applicant may wish to look at the boundary lines between Work numbers 12A, 12B, 13 which may not be sufficiently clear.

All documents

Documents were identified that are without cover pages. For example:

- 6.2 ES - Figure 10.1 - Material Assets and Waste Management First Study Area,
- 6.2 ES - Figure 10.2 - Material Assets and Waste Management Second Study Area
- 6.2 ES - Figure 11.1 - Operational Noise Study Area
- 6.2 ES - Figure 11.2 - Construction Noise Study Area

These matters will be raised in Section 51 advice issued to the Applicant in respect of the above matters:

<https://infrastructure.planninginspectorate.gov.uk/document/TR010065-000319>

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)? ¹⁴	<p>Yes</p> <p>A Habitat Regulations Assessment (HRA) Report has been provided (Doc 6.6). The HRA Report identifies relevant European sites and the likely effects on those sites. It is considered that the information provided in the report is adequate for acceptance.</p> <p>Note: The Examining Authority will be able to ask questions during the Examination. This may result in additional information being required to inform the HRA Report and the competent authority. Depending upon the type and availability of information required it may not be possible to obtain this during the statutory timetable of the Examination.</p>
32	If requested by the Planning Inspectorate, two paper copies of the application form and other supporting documents and plans ¹⁵	<p>No hard copies requested.</p>

¹⁴ Regulation 5(2)(g) of the APFP Regulations

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

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?	<p>Yes</p> <p>Chapter 1, para 1.3 of the Covering Letter and Schedule of Compliance with Section 55 (Doc 1.1) explains that the Applicant has had regard to statutory guidance on the form of the application.</p> <p>The Planning Inspectorate is satisfied that the Applicant has demonstrated regard to the guidance principles.</p>
34	Summary - s55(3)(f) and s55(5A)	<p>The Planning Inspectorate concludes that the application (including accompaniments) has been prepared to a standard that it considers satisfactory.</p> <p>In respect of the discrepancies identified in Box 30 of this checklist, to help facilitate an efficient and effective examination of the application Section 51 advice will be provided to the Applicant in conjunction with the decision to accept the application. That advice is published on the National Infrastructure Planning website, here: https://infrastructure.planninginspectorate.gov.uk/document/TR010065-000319</p>
The Infrastructure Planning (Fees) Regulations 2010 (as amended)		
Fees to accompany an application		
35	Was the fee paid at the same time that the application was made ¹⁶ ?	The fee was received on 3 April 2024 before the application was made.

Role	Electronic signature	Date
Case Manager	<i>Deborah Allen</i>	23 May 2024

¹⁶ 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.

Acceptance Inspector	<i>Rynd Smith</i>	23 May 2024
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