



MetroWest+

Portishead Branch Line (MetroWest Phase 1)

TR040011

Applicant: North Somerset District Council

1.1 Cover Letter to the Planning Inspectorate (including draft s55 Checklist)

Infrastructure Planning (Applications: Prescribed Forms and Procedure)

Regulations 2009, regulation 5(1)

Planning Act 2008

Author: Womble Bond Dickinson (UK) LLP

Date: November 2019



Document Purpose

This document accompanies the DCO Application and introduces the DCO Scheme.

North Somerset District Council

Portishead Branch Line (MetroWest Phase 1)

Cover letter to the Planning Inspectorate (including draft s55 Checklist)

Document Reference	1.1
APFP Regulation	5(2)(q)
Author	Womble Bond Dickinson LLP
Date	15 th November 2019
Revision History	Version 1

Date: 15th November 2019
My ref: MetroWest Phase 1
Your ref:
Contact: James Willcock
Direct dial: 01934 426414
Email: James.Willcock@n-somerset.gov.uk

The Planning Inspectorate
National Infrastructure Directorate
Temple Quay House
Temple Quay
Bristol
BS1 6PN

Corporate Services
North Somerset Council
Town Hall
Weston-super-Mare
BS23 1UJ

DX 8411 Weston-super-Mare

Dear Sir/Madam

Planning Act 2008

North Somerset District Council

The proposed Portishead Branch Line (MetroWest Phase 1) Order

We enclose an application for an Order granting development consent (the **Application**) pursuant to section 37 of the Planning Act 2008 (the **2008 Act**) on behalf of North Somerset District Council (the **Applicant**).

1 Subject of the Application

- 1.1 The Application is for development consent to reopen the Portishead to Parson Street, Bristol, railway for passenger use (the **DCO Scheme**).
- 1.2 Development consent is required to the extent that development is or forms part of a Nationally Significant Infrastructure Project (**NSIP**) pursuant to sections 14(1)(k) and 25 of the 2008 Act. The Application relates to the construction of a new railway. The development to be authorised will be wholly in England. The railway will form part of the national rail network owned and maintained by Network Rail Infrastructure Limited (**Network Rail**). Network Rail is an approved operator for the purposes of the 2008 Act. The NSIP consists of a stretch of track that is a continuous length of more than two kilometres, is not on land that was operational land of a railway undertaker immediately before construction work would begin and is not permitted development.

Therefore, the DCO Scheme is an NSIP for the purposes of the 2008 Act and falls within the remit of the Secretary of State.

2 Documentation enclosed and application fee

2.1 We enclose six USB sticks containing electronic copies of:

2.1.1 The completed and signed application form;

2.1.2 The Environmental Statement (**ES**); and

2.1.3 Each of the other documents listed on the enclosed Navigation Document (DCO Document Reference 1.4).

2.2 A fee in the sum of £7,106 has been submitted to the account of the Planning Inspectorate via BACS transfer on 6 November 2019 with reference TR040011.

3 Application formalities

3.1 The Application is made in the form required by section 37(3)(b) of the 2008 Act. The Application documentation complies with the overall requirements of section 37 and the requirements set out in:

3.1.1 The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the **APFP Regulations**) (as amended);

3.1.2 The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (as amended); and

3.1.3 The published Communities and Local Government Guidance (March 2015) and the Planning Inspectorate's Advice Note 6 on the preparation of application documentation (Version 7 - February 2016).¹

3.2 The Application seeks consent for the development outlined above and described in full in Schedule 1 of the draft Development Consent Order (the **Order**) (DCO Document Reference 3.1) and in the ES (Part 6 of the Application). The development, which is the subject of the Application, also contains associated development under Section 115 of the 2008 Act. Further explanation on the approach to associated development is contained in the Explanatory Memorandum (DCO Document Reference 3.2).

¹ The Applicant is aware that Advice Note 6 was updated shortly before the application for the DCO Scheme was submitted and it has been agreed that the Application be submitted electronically.

4 EIA Regulations

4.1 On 23 June 2015, the Applicant submitted a notification under Regulation 6(1)(b) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (**EIA Regulations 2009**) confirming that an Environmental Statement for the DCO Scheme would be provided. The notification was submitted with a scoping report and an accompanying request for a Scoping Opinion, which was duly provided by the Secretary of State on 3 August 2015. Since this time, the Applicant has undertaken informal and statutory consultation and refined the design of the DCO Scheme.

4.2 As you will be aware, the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (**EIA Regulations 2017**) came into force on 16 May 2017 and transitional arrangements, which the DCO Scheme benefits from, apply under Regulation 37. Notwithstanding this, the Applicant has decided to prepare the Environmental Statement that will accompany the Application in accordance with the requirements of the EIA Regulations 2017. The Preliminary Environmental Information Report which was made available during pre-application statutory consultation, and which was sent to the Planning Inspectorate in accordance with Section 46 of the 2008 Act, confirmed to consultees the Applicant's intention to seek to apply the EIA Regulations 2017 within the submitted Environmental Statement.

5 Habitats Regulations

5.1 The Applicant is aware that the DCO Scheme site includes land that is subject to a number of important environmental designations, including the areas which form part of the Avon Gorge Woodlands Special Area of Conservation (**SAC**). The Application documents include a Habitats Regulations Assessment (**HRA**) Report (DCO Document Reference 5.5), as required by Regulation 5(2)(g) of the APFP Regulations. The approach to screening for the HRA was agreed with Natural England. The HRA Report identifies all relevant European sites and provides sufficient information for the competent authority to determine whether an appropriate assessment is required for the DCO Scheme. In preparing the HRA Report, the Applicant has been mindful throughout of the Planning Inspectorate's Advice Note 10 "Habitat Regulations Assessment".

5.2 Within the HRA Report the Applicant has provided sufficient information to enable the Secretary of State to carry out an Appropriate Assessment. The Applicant has included within the HRA Report a comprehensive summary of relevant decisions from

the Court of Justice of the EU (CJEU), including the case of *People over Wind and Sweetman v Coillte Teoranta* dated 12 April 2018 (Case C-323/17) and applied these to the DCO Scheme.

5.3 The DCO Scheme will result in some losses of habitat and priority SAC woodland from the SAC, and consent for the Project is sought on the basis of the derogation in Article 6(4) of the Habitats Directive, namely that there are no alternative solutions to the DCO Scheme, there are imperative reasons of overriding public interest (**IROPI**) for the DCO Scheme and the Applicant has secured all necessary compensatory measures to secure the coherence of the Natura 2000 network. The HRA Report provides the information required by the Secretary of State to assess and apply the provisions in Part 4 of the Conservation of Habitats and Species Regulations 2017 (as amended). The Applicant instructed Stephen Tromans QC to consider whether the HRA Report correctly applies the law and whether the approach to compensatory measures proposed by the Applicant is legally acceptable. A copy of the Opinion from Stephen Tromans QC is provided as part of the Application (DCO Document Reference 8.2).

5.4 An extensive package of environmental mitigation and compensation measures is proposed as part of the DCO Scheme, including an adaptive approach to the delivery of compensation measures by enabling the positive management of Forestry Commission land outside of but abutting the DCO Scheme boundary as an alternative in whole or in part to compensation measures on land within the DCO Scheme. The measures are described in the HRA Report (DCO Document Reference 5.5) and the Avon Gorge Vegetation Management Plan (DCO Document Reference 8.12). Such measures are in addition to and distinguished from "necessary" conservation measures on land in the ownership of Network Rail, identified in the Network Rail Site Management Statement 2018-2023 and Vegetation Management Plan (Appendix 9.15 of the Environmental Statement, DCO Document Reference 6.25), that apply irrespective of the DCO Scheme.

6 Compulsory acquisition

6.1 The Applicant is seeking authority within the draft Order to acquire compulsorily land and interests and other related powers to support the delivery of the DCO Scheme, details of which can be found in the Book of Reference (DCO Document Reference 4.3) and Statement of Reasons (DCO Document Reference 4.1). Adequacy of

funding for compensation is dealt with in the Funding Statement (DCO Document Reference 4.2).

- 6.2 Two parcels of land identified for freehold acquisition in Portishead form part of an open space to which section 131 of the 2008 Act would apply. In total the area of freehold acquisition of open space is less than 200 square metres. The Applicant is accordingly requesting a certificate under section 131(5) of the 2008 Act on the basis that the freehold acquisition of open space will be less than 200 square metres in total and the giving of exchange land is unnecessary. On this basis the Applicant has not included replacement open space land in the Land Plans (DCO Document Reference 2.2) and Book of Reference (DCO Document Reference 4.3).
- 6.3 Part of the land in respect of which rights only are to be acquired compulsorily for the purposes of the Order is also considered to be open space land under Section 132 of the 2008 Act. It is considered that Section 132(3) of the 2008 Act applies, i.e. that the open space land, when burdened with the rights, will not be any less advantageous to persons in whom it is vested, other persons, if any, if entitled to rights of common or other rights, and to the public.
- 6.4 In Appendix 5 of the Statement of Reasons (DCO Document Reference 4.1) the Applicant has included further details of the grounds for the applications for certificates under Section 131 and Section 132, justifying its proposals for the acquisition of open space and new rights in open space. Requests to the Secretary of State for certificates under S131(5) and S132 (3) are therefore respectfully made.

7 Other consents

- 7.1 Details of other consents and licences not forming part of the draft Order, which the Applicant or others will be seeking in relation to the DCO Scheme and associated development, are set out at DCO Document Reference 5.3. A number of these applications will be progressed in parallel with the consideration of the draft Order by the Secretary of State. The Applicant will update the Planning Inspectorate periodically in relation to the progress of these applications.

8 Pre-application consultation

- 8.1 The Applicant has had careful regard to the pre-application consultation requirements of the 2008 Act, the guidance on pre-application consultation issued by the Ministry of Housing Communities and Local Government and the Planning Inspectorate, and

its pre-application discussions held with the Planning Inspectorate, as required by sections 50 and 55(4) of the 2008 Act.

8.2 As required by section 37(3)(c), the Application is accompanied by the Consultation Report (DCO Document Reference 5.1), which provides details of the Applicant's compliance with sections 42, 47, 48 and 49 of the 2008 Act. The responses of statutory and non-statutory consultees are listed and summarised in the Consultation Report and these have informed the evolution of the Application and the DCO Scheme overall.

9 Other matters

9.1 Under Regulation 5(2)(l) of the APFP Regulations, an applicant is required to provide a plan of certain nature conservation sites and features and an assessment of any effects on those sites and features likely to be caused by the proposed development. There is an equivalent requirement under Regulation 5(2)(m) in relation to certain historic sites and features. The plans are attached as separate documents (Documents 2.54 and 2.55) but the assessments are provided in the ES and not as stand-alone documents.

9.2 Finally, to assist the Planning Inspectorate we have included as a schedule to this letter a draft 'Section 55 Acceptance of Application Checklist' for your reference.

9.3 We look forward to hearing from you in relation to the formal acceptance of the Application.

9.4 Should you require any further clarifications or assistance please contact; James Willcock on 01934 426414 or james.willcock@n-somerset.gov.uk in the first instance.

Yours faithfully


Jonathan Kirby
Head of Major Projects


Schedule
Draft Section 55 Acceptance of Application Checklist

The Planning Act 2008

Section 55 Acceptance of Applications*

(Appendix 3 of advice note six: Preparation and submission of application documents)

- (1) The following provisions of this section apply where the Secretary of State receives an application that purports to be an application for an order granting development consent.
- (2) The Secretary of State must, by the end of the period of 28 days beginning with the day after the day on which the Secretary of State receives the application, decide whether or not to accept the application.
- (3) The Secretary of State may accept the application only if the Secretary of State concludes -
 - (a) that it is an application for an order granting development consent,
 - (b) deleted
 - (c) that development consent is required for any of the development to which the application relates,
 - (d) deleted
 - (e) that the applicant has, in relation to a proposed application that has become the application, complied with Chapter 2 of Part 5 (pre-application procedure), and
 - (f) that the application (including accompaniments) is of a standard that the Secretary of State considers satisfactory.
- (4) The Secretary of State, when deciding whether the Secretary of State may reach the conclusion in subsection (3)(e), must have regard to -
 - (a) the consultation report received under section 37(3)(c),
 - (b) any adequacy of consultation representation received by the Secretary of State from a local authority consultee, and
 - (c) the extent to which the applicant has had regard to any guidance issued under section 50.
- (5) In subsection (4) -

“local authority consultee” means -

 - (a) a local authority consulted under section 42(1)(b) about a proposed application that has become the application, or

- (b) the Greater London Authority if consulted under section 42(1)(c) about that proposed application;

“adequacy of consultation representation” means a representation about whether the applicant complied, in relation to that proposed application, with the applicant’s duties under sections 42, 47 and 48.

- (5A) The Secretary of State when deciding whether the Secretary of State may reach the conclusion in subsection (3)(f) must have regard to the extent to which –
 - (a) the application complies with the requirements in section 37(3) (form and contents of application) and any standards set under section 37(5); and
 - (b) any applicable guidance given under section 37(4) has been followed in relation to the application.
- (6) If the Secretary of State accepts the application, the Secretary of State must notify the applicant of the acceptance.
- (7) If the Secretary of State is of the view that the application cannot be accepted, the Secretary of State must -
 - (a) notify that view to the applicant, and
 - (b) notify the applicant of the Secretary of State’s reasons for that view.
- (8) If in response the applicant modifies (or further modifies) the application, subsections (2) to (7) then apply in relation to the application as modified.

* Section 55 of the Planning Act 2008 as amended by the Localism Act 2011

DISCLAIMER - This is for information only and is not a formal application document. It is a non-statutory checklist for the Planning Inspectorate (National Infrastructure) to complete. Completion or self-assessment by the applicant does not hold weight at the acceptance stage.

NB: See DCLG Application Form Guidance for guidance on how the application form should be completed and what should be included with it.

Section 55 Acceptance of Applications Checklist

Section 55 of the Planning Act 2008 can be viewed at [legislation.gov.uk](http://www.legislation.gov.uk), here:

<http://www.legislation.gov.uk/ukpga/2008/29/section/55>

DISCLAIMER: This Checklist is for information only and is not a formal application document. It is a non-statutory checklist for the Planning Inspectorate to complete. Completion or self-assessment by the Applicant does not hold weight at the Acceptance stage. Unless specified, **all references to the Planning Inspectorate are made in relation to functions being carried out on behalf of the Secretary of State for Housing, Communities and Local Government.**

Section 55(2) Acceptance of Applications				
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
		[●]	[●]	[●]
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	Paragraph 1.2 of the of the Cover Letter to the Planning Inspectorate (DCO Document Reference 1.1) states: "Development consent is required to the extent that development is or forms part of a Nationally Significant Infrastructure Project (NSIP) pursuant to sections 14(1)(k) and 25 of the 2008 Act. The Application relates to the construction of a new railway. The development to be authorised will be wholly in England. The railway will form part of the national rail network owned and maintained by Network Rail Infrastructure Limited (Network Rail). Network Rail is an approved operator for the purposes of the 2008		

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

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

	<p>category or categories in ss14 to 30 does the Proposed Development fall)?</p> <p>If the development does not fall within the categories in ss14 to 30, has a direction been given by the Secretary of State under s35 of the PA2008 for the development to be treated as development for which development consent is required?</p>	<p>Act. The NSIP consists of a stretch of track that is a continuous length of more than two kilometres, is not on land that was operational land of a railway undertaker immediately before construction work would begin and is not permitted development. Therefore the DCO Scheme is an NSIP for the purposes of the 2008 Act and falls within the remit of the Secretary of State."</p> <p>It is for this reason that Portishead Branch Line - MetroWest Phase 1 DCO Scheme (DCO Scheme) is categorized as an NSIP for which a DCO is required pursuant to the PA2008.</p>
3	<p>Summary: Section 55(3)(a) and s55(3)(c)</p>	<p>As set out in the Cover Letter (DCO Document Reference 1.1) and the Application Form (DCO Document Reference 1.2) the application for the DCO Scheme (Application) as submitted states on the face of it that it is an application for development consent because of its nature, scale and location.</p>
<p>Section 55(3)(e): The Applicant in relation to the application made has complied with Chapter 2 of Part 5 (pre-application procedure)</p>		
4	<p>In accordance with the EIA Regulations³, 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>	<p>North Somerset District Council (Applicant) issued a Scoping Report to the Secretary of State on 23 June 2015 and requested a Scoping Opinion in accordance with Regulation 8 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009. A Scoping Opinion for the DCO Scheme was published by the Secretary of State on 4 August 2015 (see DCO Document Reference 6.1 for the Scoping Opinion).</p>
5	<p>Have any Adequacy of Consultation Representations⁴ been received from 'A', 'B', 'C' and 'D' local</p>	<p>The Applicant understands that the Planning Inspectorate will invite the relevant 'A', 'B', 'C' and 'D' local authorities to submit their adequacy of consultation representations</p>

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

	authorities; and if so, do they confirm that the Applicant has complied with the duties under s42, s47 and s48?	once the application for development consent has been received, in accordance with the process set out in the Planning Inspectorate's Advice Note 2 (paragraph 16), published in February 2015.
Section 42: Duty to consult		
Did the Applicant consult the applicable persons set out in s42 of the PA2008 about the proposed application?		
6	Section 42(1)(a) persons prescribed ⁵ ?	Yes The Applicant consulted all relevant persons prescribed under the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009. See Table 7-2 and Appendix B1 of the Consultation Report (DCO Document Reference 5.1) for the full list.
7	Section 42(1)(aa) the Marine Management Organisation ⁶ ?	Yes The Applicant consulted with the Marine Management Organisation. See Table 7-2 and Appendix B1 of the Consultation Report (DCO Document Reference 5.1).
8	Section 42(1)(b) each local authority within s43 ⁷ ?	Yes The Applicant consulted with each local authority identified under Section 43 of the PA2008. See Table 7-4 and Appendix B1 and of the Consultation Report (DCO Document Reference 5.1).
9	Section 42(1)(c) the Greater London Authority (if in Greater London area)?	No

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

⁶ In any case where the Proposed Development would affect, or would be likely to affect, any of the areas specified in s42(2) of the PA2008

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

		The duty to consult the Greater London Authority only arises if the land to which the development relates is in Greater London. The land for the DCO Scheme is within the administrative boundaries of North Somerset District Council and Bristol City Council.
10	Section 42(1)(d) each person in one or more of s44 categories ⁸ ?	<p>Yes</p> <p>The Applicant consulted all persons identified under Section 44, being persons with a relevant interest in land affected by the DCO Scheme. See Appendix B3 of the Consultation Report (DCO Document Reference 5.1) for the full list.</p>
Section 45: Timetable for s42 consultation		
11	Did the Applicant notify s42 consultees of the deadline for receipt of consultation responses; and if so was the deadline notified by the Applicant 28 days or more starting with the day after receipt of the consultation documents?	<p>Yes</p> <p>All section 42 consultees were informed of the deadline for receipt of consultation responses in a cover letter notifying the commencement of consultation (see a copy of the template letter at Appendix E4 of the Consultation Report (DCO Document Reference 5.1). The letter stated that the Section 42 consultation period would run from 23 October 2017 until 4 December 2017, providing a period of 43 days for responses (Stage 2 Consultation).</p> <p>In addition to the Stage 2 Consultation period, the applicant also carried out additional rounds of consultation in respect of specific areas of or changes to the DCO Scheme (Additional Stage 2 Consultation). Detail of the Additional Stage 2 Consultation periods is included at sections 7.4.12 to 7.4.62 of the Consultation Report (DCO Document Reference 5.1) and in each case at least 28 days were provided to the consultees to respond as required by Section 45 of the PA2008.</p> <p>For all stages of formal section 42 consultation carried out by the Applicant, all consultees were invited in writing to provide comments on the proposed application under section 42 of the PA2008. The consultation documents were provided for the section 42 consultation online (at www.travelwest.info/metrowest) and in hard copy on local deposit (as set out in the cover letter). The consultation letter also provided that the section 42 consultees could request their own hard copy consultation documents,</p>

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. There is no requirement on the Planning Inspectorate to check the accuracy of the list(s) provided or whether the Applicant has made diligent inquiry

		or electronic copies on a USB drive for a minimal fee. A copy of the section 48 notice was also made available.
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?	The Applicant notified the Planning Inspectorate of the proposed application on 18 October 2017 by way of a formal cover letter and package including the consultation documents (as outlined above). The package was hand delivered to the Planning Inspectorate on 18 October 2017, before the date of the start of the formal consultation on 23 October 2017 (i.e. the Stage 2 Consultation period). A copy of the letter that was hand delivered to the Planning Inspectorate on 18 October 2017 is included at Appendix E1 of the Consultation Report (DCO Document Reference 5.1).
Section 47: Duty to consult local community		
13	Did the Applicant prepare a Statement of Community Consultation (SoCC) on how it intended to consult people living in the vicinity of the land?	Yes The Applicant prepared two SoCCs, dealing with the different stages of consultation that it undertook. A copy of the final Stage 1 SoCC is provided at Appendix C1 and a copy of the final Stage 2 SoCC is provided at Appendix D1 of the Consultation Report (DCO Document Reference 5.1).
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?	Yes Chapter 8 of the Consultation Report (DCO Document Reference 5.1) confirms that the relevant local authorities within whose area the land for the DCO Scheme were consulted on the content of both the Stage 1 SoCC and the Stage 2 SoCC. The local authorities consulted were: <ul style="list-style-type: none"> • North Somerset District Council; • Bristol City Council. The Applicant also consulted the following Local Authorities: <ul style="list-style-type: none"> • Bath and North East Somerset Council (BANES); and

		<ul style="list-style-type: none"> • South Gloucestershire Council (SGC), <p>in respect of the content of the Stage1 SoCC and the Stage 2 SoCC. The West of England Combined Authority (WECA) was consulted on the Stage 2 SoCC following its creation in February 2017.</p> <p>The draft Stage1 SoCC was sent (by email) to the Local Authorities on 18 May 2015 and a response was initially requested by 15 June 2015. This amounted to a period of 28 days after the day of receipt of the Stage 1 SoCC. A copy of the emails sent to the Local Authorities is included at Appendix C3 of the Consultation Report (DCO Document Reference 5.1)).</p> <p>The draft Stage 2 SoCC was sent (by email) to the Local Authorities initially in March 2016 and then again in November 2016, in anticipation of Stage 2 Consultation taking place in June 2016, and then in February 2017. However, as the Stage 2 Consultation did not take place until October 2017, the Stage 2 SoCC was consulted on for a third time in August 2017. The Applicant sent the draft Stage 2 SoCC (by email) to the Local Authorities on 2 August 2017 and a response was initially requested by 31 August 2017. This amounted to a period of 28 days after the day of receipt of the draft Stage 2 SoCC in August 2017 – although noting that the Local Authorities has been provided with multiple opportunities to provide their view on the draft Stage 2 SoCC prior to this. A copy of the emails sent to the Local Authorities is included at Appendix D3 of the Consultation Report (DCO Document Reference 5.1).</p>
15	Has the Applicant had regard to any responses received when preparing the SoCC?	<p>Yes</p> <p>The Applicant considered all relevant comments received on the draft Stage 1 SoCC and on the draft Stage 2 SoCC. For more information on how comments were addressed, please see Tables 8-2, 8-3 and 8-4 of the Consultation Report (DCO Document Reference 5.1) for details showing the changes made to both the Stage 1 SoCC and the Stage 2 SoCC following consultation.</p>
16	Has the SoCC been made available for inspection in a way that is reasonably convenient for people living in the vicinity of the land; and has a notice been published in a newspaper circulating in the vicinity of	<p>Yes</p> <p>As outlined in Table 8-5 of the Consultation Report (DCO Document Reference 5.1): <u>Stage 1 SoCC</u></p>

	<p>the land which states where and when the SoCC can be inspected?</p>	<ul style="list-style-type: none"> • Notice of the Stage 1 SoCC was published in the Bristol Post and the Western Daily Press, both on 18 June 2015; • The SoCC was also made available on the Applicant's website: https://travelwest.info/project/portishead-branch-line-consultation • Hard copies of the SoCC were made available at local deposit locations listed in Table 8-6 of the Consultation Report (DCO Document Reference 5.1). <p><u>Stage 2 SoCC</u></p> <ul style="list-style-type: none"> • Notice of the Stage 2 SoCC was published in the Bristol Post and the Western Daily Press, both on 14 September 2017; • The SoCC was also made available on the Applicant's website: https://metrowestphase1.org/stage-2-consultation/ <p>Hard copies of the SoCC were made available at local deposit locations listed in Table 8-7 of the Consultation Report (DCO Document Reference 5.1).</p>
17	<p>Does the SoCC set out whether the development is EIA development⁹; and does it set out how the Applicant intends to publicise and consult on the Preliminary Environmental Information?</p>	<p>Yes</p> <p>The Stage 1 SoCC reproduced at Appendix C1 of the Consultation Report (DCO Document Reference 5.1) confirms at page 8:</p> <p><i>"Under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (EIA Regulations), we are required to undertake an Environmental Impact Assessment (EIA) to identify likely significant environmental effects of the Project. The results of the EIA will be published in an Environmental Statement (ES) that will accompany the DCO application for the Project. A Non-Technical Summary (NTS) of the ES will also be provided.</i></p> <p><i>The EIA Regulations also require us to set out in the SoCC how we intend to publicise and consult on the Preliminary Environmental Information (PEI)."</i></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>The Stage 2 SoCC reproduced at Appendix D1 of the Consultation Report (DCO Document Reference 5.1) confirms at page 11:</p> <p><i>"Under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (EIA Regulations), NSDC as promoter of the DCO Scheme is required to undertake an Environmental Impact Assessment (EIA) to identify likely significant environmental effects of the DCO Scheme. The results of the EIA will be published in an Environmental Statement (ES) that will accompany the DCO application for the DCO Scheme. A Non-Technical Summary (NTS) of the ES will also be provided.</i></p> <p><i>The EIA Regulations also require us to set out in the SoCC how we intend to publicise and consult on the Preliminary Environmental Information (PEI)."</i></p>								
18	Has the Applicant carried out the consultation in accordance with the SoCC?	<p>Yes</p> <p>The Applicant's consultation process was carried out in accordance with the Stage 1 SoCC and the Stage 2 SoCC – as explained further in Chapter 8 of the Consultation Report (DCO Document Reference 5.1).</p>								
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 APFP Regulations?	Yes, please see below.								
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 5%;"></th> <th style="width: 40%;"></th> <th style="width: 35%; text-align: center;">Newspaper(s)</th> <th style="width: 20%; text-align: center;">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> <p>Yes</p> <p>The Applicant confirms that the Section 48 Notice was published for two successive weeks in the following local newspapers. The Consultation Report at Appendix H2 (DCO Document Reference 5.1) provides a dated copy of the section 48 notice published in:</p> <ul style="list-style-type: none"> • Bristol Post; and • Western Daily Press </td> <td>23 October 2017 and 30 October 2017 (for both papers)</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;	<p>Yes</p> <p>The Applicant confirms that the Section 48 Notice was published for two successive weeks in the following local newspapers. The Consultation Report at Appendix H2 (DCO Document Reference 5.1) provides a dated copy of the section 48 notice published in:</p> <ul style="list-style-type: none"> • Bristol Post; and • Western Daily Press 	23 October 2017 and 30 October 2017 (for both papers)
		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;	<p>Yes</p> <p>The Applicant confirms that the Section 48 Notice was published for two successive weeks in the following local newspapers. The Consultation Report at Appendix H2 (DCO Document Reference 5.1) provides a dated copy of the section 48 notice published in:</p> <ul style="list-style-type: none"> • Bristol Post; and • Western Daily Press 	23 October 2017 and 30 October 2017 (for both papers)							

b)	once in a national newspaper;	Yes The Applicant confirms that the Section 48 Notice was published once in a national newspaper. The Consultation Report at Appendix H2 (DCO Document Reference 5.1) provides a dated copy of the section 48 notice published in: <ul style="list-style-type: none">The Guardian	23 October 2017
c)	once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and	Yes The Applicant confirms that the Section 48 Notice was published once in the London Gazette. The Consultation Report at Appendix H2 (DCO Document Reference 5.1) provides a dated copy of the section 48 notice published in: <ul style="list-style-type: none">The London Gazette	23 October 2017
d)	where the proposed application relates to offshore development – (i) once in Lloyds List; and (ii) once in an appropriate fishing trade journal?	The Applicant confirms that the Application does not include any offshore development.	N/A
20	Did the s48 notice include the required information set out in Regulation 4(3) of APFP Regulations?	See the full Section 48 Notice (at Appendix H1 of the Consultation Report (Document DCO Document Reference 5.1), which demonstrates that all the required details ((a) to (h) below were included within the Section 48 Notice	

Information		Paragraph	Information		Paragraph
a)	the name and address of the Applicant.	Yes - 1	b)	a statement that the Applicant intends to make an application for development consent to the Secretary of State	Yes - 1
c)	a statement as to whether the application is EIA development	Yes - 4	d)	a summary of the main proposals, specifying the location or route of the Proposed Development	Yes - 2 and 3

e)	a statement that the documents, plans and maps showing the nature and location of the Proposed Development are available for inspection free of charge at the places (including at least one address in the vicinity of the Proposed Development) and times set out in the notice	Yes - 5	f)	the latest date on which those documents, plans and maps will be available for inspection	Yes - 5
g)	whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge	Yes - 6	h)	details of how to respond to the publicity	Yes - 8
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	Yes - 9			
21	Are there any observations in respect of the s48 notice provided above?				
	The Applicant considers that the Section 48 Notice is fully in compliance with the APFP Regulations				
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 ?	<p>Yes</p> <p>In accordance with Regulation 13 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (previously Regulation 11 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009), a copy of the Section 48 Notice was sent to all section 42 consultees alongside the consultation documents on 18 October 2017 for the Stage 2 Consultation Period as set out in the Consultation Report (DCO Document Reference 5.1).</p> <p>The Section 48 Notice has also been sent to all consultees consulted during the Additional Stage 2 Consultation periods as set out in Chapter 7 of the Consultation Report (DCO Document Reference 5.1).</p>			

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

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>The Applicant has had regard to all relevant responses to consultation in accordance with section 42, section 47 and section 48. Please see Chapters 10 to 13 (inclusive) of the Consultation Report (DCO Document Reference 5.1).</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>The Applicant has had regard to the DCLG guidance both in terms of the consultation process undertaken and preparation of the Consultation Report (DCO Document Reference 5.1).</p> <p>Appendix A1 of the Consultation Report is the Statement of Compliance with Consultation Requirements which lists actions taken against applicable guidance and regulation.</p>
25	Summary: Section 55(3)(e)	Review and conclude based on evidence provided above.
s55(3)(f) and s55(5A): The application (including accompaniments) achieves a satisfactory standard having regard to the extent to which it complies with section 37(3) (form and contents of application) and with any standards set under section 37(5) and follows any applicable guidance under section 37(4)		
26	<p>Is it made in the prescribed form as set out in Schedule 2 of the APFP Regulations, and does it include:</p> <ul style="list-style-type: none"> • a brief statement which explains why it falls within the remit of the Planning Inspectorate; and • a brief statement that clearly identifies the location of the application site, or the route if it is a linear scheme? 	<p>Yes</p> <p>See Cover Letter to the Planning Inspectorate (DCO Document Reference 1.1) and Box 4 of the Application Form (DCO Document Reference 1.2) which explains why the project falls within the remit of the Secretary of State; and Box 6 of the Application Form (DCO Document Reference 1.2) which provides a brief non-technical description of the location of the site.</p>

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

27	Is it accompanied by a Consultation Report?	Yes A Consultation Report (DCO Document Reference 5.1) is included with the Application, with numerous Appendices, as listed in the contents of the Consultation Report.
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 A master plan and key plans showing the relationship between different sheets are provided either on a separate sheet or in the top right hand corner of the plans.
29	Is it accompanied by the documents and information set out in APFP Regulation 5(2)?	Yes The documents and information required by APFP regulation 5(2) are set out in the documents and locations within the application as listed below:
Information		Document
a)	Where applicable, the Environmental Statement required under the EIA Regulations ¹³ and any scoping or screening opinions or directions	DCO Document References: Part 6 – Environmental Impact Assessment
	Is this of a satisfactory standard?	Yes
c)	An Explanatory Memorandum explaining the purpose and effect of provisions in the draft DCO	DCO Document References: 3.2 Explanatory Memorandum 3.3 Validation Report
Information		Document
b)	The draft Development Consent Order (DCO)	DCO Document Reference: 3.1 Draft proposed Development Consent Order
	Is this of a satisfactory standard?	Yes
d)	Where applicable, a Book of Reference (where the application involves any Compulsory Acquisition)	DCO Document References: 4.3 Book of Reference

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

	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?	Yes
e)	A copy of any Flood Risk Assessment	DCO Document References: 5.6 Flood Risk Assessment	f)	A statement whether the proposal engages one or more of the matters set out in section 79(1) of the Environmental Protection Act 1990 (statutory nuisances) and if so how the Applicant proposes to mitigate or limit them	DCO Document References: 5.2 Environmental Protection Statement of Engagement
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?	Yes
h)	A Statement of Reasons and a Funding Statement (where the application involves any Compulsory Acquisition)	DCO Document References: 4.1 Statement of Reasons 4.2 Funding Statement	i)	A Land Plan identifying:- (i) the land required for, or affected by, 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,	DCO Document References: 2.2 Land Plan 2.5 Special Category Land Plan

				servitudes and other private rights; and (iv) any special category land and replacement land	
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?	Yes
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 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	DCO Document References: 2.3 Works Plans	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 or public rights of navigation	DCO Document References: 2.29 Compounds, Haul Roads and Access to Works Plan 2.30 Permanent and Temporary Stopping up and Diversion Plan 2.35 New Highways Plan
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?	Yes
i)	Where applicable, a plan with accompanying information identifying:- (i) any statutory/ non-statutory sites or features of nature	DCO Document References: 2.55 Plan of Statutory or Non-Statutory Sites and Features of Nature Conservation Designations	m)	Where applicable, a plan with accompanying information identifying any statutory/ non-statutory sites or features of the historic environment, (eg	DCO Document References: 2.54 Plan(s) of Statutory and Non-Statutory Sites and Features of the Historic Environment

	<p>conservation eg sites of geological/ landscape importance;</p> <p>(ii) habitats of protected species, important habitats or other diversity features; and</p> <p>(iii) water bodies in a river basin management plan,</p> <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>scheduled monuments, World Heritage sites, listed buildings, archaeological sites and registered battlefields) together with an assessment of any effects on such sites, features or structures likely to be caused by the Proposed Development</p>	
	<p>Is this of a satisfactory standard?</p>	<p>Yes</p>		<p>Is this of a satisfactory standard?</p>	<p>Yes</p>
<p>n)</p>	<p>Where applicable, a plan with any accompanying information identifying any Crown land</p>	<p>DCO Document References: 2.6 Crown Land Plan</p>	<p>o)</p>	<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 access, any car parking and landscaping</p>	<p>DCO Document References: 2.1 Location Plan 2.4 General Arrangement Plans 2.7 Disused Railway Engineering Plans/GRIP 4 Minor Civils 2.8 Engineering Sections 2.8.1 Portishead Station Sections 2.8.2 Portishead Station Proposed Platform Sections (Sheets 1 and 2)</p>

					<p>2.8.3 S051 Trinity Footbridge Proposed General Arrangement (Sections)</p> <p>2.8.4 S022 Quarry Underbridge 2 Proposed Sections</p> <p>2.8.5 Mount Pleasant Embankment – Typical Cross Sections</p> <p>2.8.6 Hardwick Road Cutting Typical Cross Sections</p> <p>2.8.7 Avon Road Embankment Typical Cross Sections</p> <p>2.8.8 S050 Pill Station Proposed Station Sections (Sheets 1, 2 and 3)</p> <p>2.8.9 Pill Station Proposed Station Typical Sections</p> <p>2.8.10 S022 Quarry Underbridge 2 Proposed General Arrangement</p> <p>2.10 Railway Landscape Plans (Disused Line)</p> <p>2.11 Portishead Station Building Design: Proposed Station Buildings</p> <p>2.12 Portishead Station Co-ordination Plan</p> <p>2.13 Portishead Station 3D Views</p> <p>2.14 Portishead Station Platform Lighting & Lighting Control Layout (Sheets 1 and 2)</p> <p>2.15 S051 Trinity Footbridge Proposed General Arrangement Plan</p> <p>2.16 S051 Trinity Footbridge Proposed Landscaping General Arrangement</p>
--	--	--	--	--	---

					<p>2.17 S051 Trinity Footbridge Proposed Electrical Layout General Arrangement</p> <p>2.18 Pill Station Design Plan: Proposed Overview</p> <p>2.19 S050 Pill Station Proposed Station Layout</p> <p>2.20 S050 Pill Station: Proposed Electrical Layout</p> <p>2.21 Cattle Creep: Proposed General Arrangement (Sheets 1 and 2)</p> <p>2.22 Avon Road Underbridge General Arrangement Proposed Sheets 1 and 2 and Avon Road Underbridge Embankment Regrades</p> <p>2.23 Mount Pleasant Embankment General Arrangement</p> <p>2.24 Mount Pleasant Embankment Typical Details</p> <p>2.25 Hardwick Road Cutting General Arrangement</p> <p>2.26 Hardwick Road Cutting Typical Details</p> <p>2.27 Avon Road Embankment General Arrangement</p> <p>2.28 Avon Road Embankment Typical Details</p> <p>2.31 Permanent Traffic Regulation Order Plans</p> <p>2.32 Crossings to be Extinguished Plans</p>
--	--	--	--	--	--

				<p>2.33 Public Rights of Way Plans</p> <p>2.34 Diversion Routes for Pedestrians and Cyclists</p> <p>2.36 Cross Section Plans</p> <p>2.37 National Cycle Network (NCN) Temporary and Permanent Work Plans</p> <p>2.37a Bridleway Extension Under Elevated M5 Plan</p> <p>2.38 Portishead Station Car Park Layout, Landscaping and New Boulevard and Access Plan</p> <p>2.39 Wessex Water Compound Network Rail Road Rail Access Point</p> <p>2.40 Portbury Hundred Construction Compound and Permanent Access</p> <p>2.41 Easton in Gordano Flood Mitigation Plan</p> <p>2.42 Pill Station Car Park and PSP Layout, Landscaping Lighting and Access Plan</p> <p>2.43 Pill Memorial Club Bus Stops and Car Park Plan</p> <p>2.44 Pill Memorial Club Bus Stops and Car Park: Construction Compound</p> <p>2.45 Ham Green Highway Works Plans</p> <p>2.46 Pill Tunnel Eastern Portal Compound, Landscaping and Access Plan</p> <p>2.47 Ashton Vale Road and Winterstoke Road Highway Works Plan</p>
--	--	--	--	---

				<p>2.48 Ashton Vale Road Pedestrian Ramp Design</p> <p>2.49 Sheepway Bridge Maintenance Compound and Landscaping Plan</p> <p>2.50 Sheepway Bridge Compound Interim Access Arrangements</p> <p>2.51 Sheepway Bridge Southern Interim Access Arrangements</p> <p>2.52 Clanage Road Compound, Landscaping and Access Plan</p> <p>2.53 Environmental Master Plan</p> <p>2.56 Important Hedgerow Plan</p> <p>2.57 Portbury Hundred Location of Additional Tree Planting</p> <p>2.58 Habitat Impacted by Construction Works within the Avon Gorge Woodlands SAC plan</p> <p>2.59 Great Crested Newts Indicative Pond Design</p>	
	Is this of a satisfactory standard?	Yes	Are they of a satisfactory standard?	Yes	
p)	Any of the documents prescribed by Regulation 6 of the APFP Regulations:	DCO Document References: 2.9 Longitudinal Profile of Railway Alignment (Section Plans)	q)	Any other documents considered necessary to support the application	DCO Document References: 1.3 Copies of Newspaper Notices 1.4 Navigation Document 1.5 Electronic Index

				<p>1.6 Letter of support from Tim Bowles, West of England Mayor dated 24 October 2019</p> <p>5.3 Consents and Licences required under Other Legislation</p> <p>5.4 Construction Strategy</p> <p>6.31 Schedule of Mitigation</p> <p>7.1 Report to The Council 25th June 2019 MetroWest Phase 1 Submission of Development Consent Order Application & Associated Approvals</p> <p>7.2 Minutes of the meeting of The Council Tuesday 25th June 2019</p> <p>8.1 Design and Access Statement</p> <p>8.2 Legal Opinion from Stephen Tromans QC regarding the Report to Inform the Habitats Regulations Assessment</p> <p>8.3 Preliminary Business Case 2014</p> <p>8.4 Outline Business Case 2017</p> <p>8.5 Major Accidents and Disasters</p> <p>8.6 Letter from Colin Medus, North Somerset Council re: Offsite planting on the A369 Portbury Hundred dated 12 September 2019</p> <p>8.7 Level Crossing Risk Assessment Report – Ashton Junction</p> <p>8.8 Level Crossings Narrative Risk Assessment - Ashton Containers Footpath Level Crossing</p>
--	--	--	--	---

				8.10 Draft European Protected Species Licences (to be submitted post acceptance of the application) 8.11 Planning Statement (including Green Belt statement) 8.12 Avon Gorge Vegetation Management Plan 8.13 CTMP – Construction Traffic Management Plan 8.14 Master Construction Environmental Management Plan (CEMP) 8.15 Code of Construction Practice
	Are they of a satisfactory standard?	Yes		Are they of a satisfactory standard?
30	Are there any observations in respect of the documents provided at Box 29 (a) to (q) above?			
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	Yes Report to Inform Habitats Regulations Assessment is provided in DCO Document Reference 5.5.		

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

32	If requested by the Planning Inspectorate, two paper copies of the application form and other supporting documents and plans ¹⁵	<p>NA</p> <p>As requested by the Planning Inspectorate, 6 soft copies on USB sticks of all documents listed in the Navigation Document (DCO Document Reference 1.4) have been submitted to the Planning Inspectorate.</p>
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, the Applicant has had full regard to the DCLG guidance. In particular:</p> <ul style="list-style-type: none"> • The Application is made in the prescribed form and is accompanied by a Consultation Report, a draft DCO and Explanatory Memorandum, land plans, book of reference, funding statement, statement of reasons, works plans, environmental statement, habitats regulations assessment and other relevant documents and information prescribed in The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended); • The Application documentation is sufficiently detailed to enable the Secretary of State and other interested parties to consider the Scheme and is supported by copies of written statements and other correspondence to identify relevant matters that have been agreed with interested parties as well as other information to enable the Examining authority to undertake its duties in an efficient manner; • The Application documents have been appropriately referenced to enable them to be easily identified by the Secretary of State and other interested parties. The documents are submitted in electronic form rather than paper copies as agreed with the Planning Inspectorate; • The application fee of £7,106 has been paid prior to submitting the Application; and • The application form has been completed as far as possible without using technical or complex language and terminology to ensure that the information it contains is understandable to any interested person. <p>The Applicant has also had full regard to the advice provided by the Planning Inspectorate under s51 of the PA2008 and as published on the Planning Inspectorate's website. In particular, the Applicant has modified the presentation of some plans to improve the clarity of information being submitted and has extended the scope of some</p>

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

		application documents to ensure that information is provided is to a sufficient level of detail to enable the Secretary of State and other parties to appropriately consider the Scheme.
34	Summary - s55(3)(f) and s55(5A)	Review and conclude based on evidence provided above. State whether the application has been prepared to a standard that the Secretary of State considers satisfactory.
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 ?	Yes Application Fee amounting to £7,106.00 was submitted for payment on 6 November 2019 (reference TR040011) ahead of receipt of the Application.

Role	Electronic signature	Date
Case Manager		
Acceptance Inspector		

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