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Email only

Project Ref: TR050007

Dear Bart

Application by Tritax Symmetry (Hinckley) Limited for an Order Granting Development Consent for the Hinckley National Rail Freight Interchange Adequacy of consultation request

Thank you for your letter dated 21 March regarding the adequacy of the consultation and publicity undertaken by the Applicant at the pre-application stage.

Staffordshire County Council has been invited to inform the Planning Inspectorate whether it considers that the applicant has complied with the following duties:

- Duty to consult (section 42 of the Planning Act 2008)
- Duty to consult the local community (section 47 of the Planning Act 2008)
- Duty to publicise (section 48 of the Planning Act 2008)

We have focused the consultation on Chapter 2 of Part 5 of the Planning Act 2008, which outlines the procedures to undertake before submitting an application.

As part of its duty under this consultation the Planning Inspectorate has provided Staffordshire County Council with a copy of the applicant's "Consultation Report", which details how they understand they have complied with the procedures of the Planning Act 2008 relating to consultation and publicity. The content of the Consultation Report has been assessed and forms the basis of Staffordshire County Council's response to the Planning Inspectorate under section 55 of the Planning Act 2008.

Planning Act 2008 Section 42 – Duty to Consult

Section 42 of the Planning Act 2008 is worded as follows:

The applicant must consult the following about the proposed application:

- a) Such persons as may be prescribed*
- b) Each local authority that is within section 43*
- c) The Greater London authority if the land is in Greater London, and*
- d) Each person who is within one or more of the categories set out in section 44.*

The applicant has complied with subsection (b) of section 42 as it has consulted with Staffordshire County Council.

It is considered in the opinion of Staffordshire County Council that the consultation under section 42 has been carried out in a proper manner and meets the requirements in the Planning Act 2008.

Conclusion

Staffordshire County Council acknowledges that the applicant has fulfilled the commitments and objectives set out in the Statement of Community Consultation, in respect to pre-application consultation with the County Council and we therefore consider that the applicant has complied with the requirements of sections 42 of the Planning Act 2008.

Yours sincerely

James Chadwick
Principal Planning Policy Officer