



Meeting note

File reference	TR040011
Status	Final
Author	The Planning Inspectorate
Date	25 June 2019
Meeting with	North Somerset Council and Womble Bond Dickinson (The Applicant)
Venue	WBD Office
Meeting objectives	Draft documents and submission
Circulation	All attendees

Summary of key points discussed, and advice given:

The Planning Inspectorate (the Inspectorate) advised that a note of the meeting would be taken and published on its website in accordance with section 51 of the Planning Act 2008. Any advice given under section 51 would not constitute legal advice upon which applicants (or others) could rely. Names of attendees (personal data) would not be published, in accordance with the General Data Protection Regulation (GDPR).

Update on submission

The Applicant confirmed that:

- Submission of the application is likely to be in Q4 of 2019
- the Applicant will be North Somerset Council, and if a Development Consent Order (DCO) is granted for this proposal, Network Rail will accept a transfer of the land forming the new railway not already owned by Network Rail, following the construction of the works.
- The Secretary of State, Chris Grayling had sent a letter to the Applicant on 5 April 2019 regarding funding which will be attached to the funding statement, along with an earlier letter of October 2018.
- The West of England Combined Authority (WECA), made up of Bath and North East Somerset, Bristol and South Gloucestershire Councils are coordinating input, funding from these Authorities was confirmed in June 2019.

Consultation report

The Inspectorate advised that the consultation report should describe all relevant consultation, both statutory and non-statutory. It should also include justification for the approach taken, for example where the Applicant decided to undertake non-statutory consultation on elements of the scheme since the statutory consultation phase in 2017. This is particularly important due to the length of time which has passed since the statutory consultation and the scheme alterations which have taken place since the statutory consultation in 2017. The Inspectorate advised that

there is information in the Government's Guidance on the pre-application process on this matter.

The Inspectorate also advised the Applicant to consider if their latest section 48 publicity notice still reflects the 'proposed scheme'.

Habitats Regulations Assessment (HRA)

The Inspectorate provided commentary on the draft HRA documentation, highlighting the need to ensure that mitigation and compensation measures are demonstrably secured within the draft DCO submitted with the application.

The Inspectorate recommended that the Applicant take full account of relevant European Guidance on the application of the derogation tests in respect of Article 6(4) of the Habitats Directive, when drafting its HRA.

The Inspectorate recommended that the Applicant commence a Statement of Common Ground with Natural England at the earliest opportunity to discuss these matters.

The Applicant highlighted ongoing discussions within the project team and with Natural England regarding the responsibility for delivery of certain mitigation measures, e.g. whether delivered by Network Rail as part of its statutory responsibilities or by the Proposed Development.

Next steps:

The Applicant to send an updated draft HRA report for the Inspectorate's comment.

Environmental Impact Assessment (EIA)

The EIA Scoping request was submitted by the Applicant under the 2009 EIA Regulations and the Applicant stated that it has updated their EIA to conform with the 2017 EIA Regulations. Climate change, human health and hazards information is now included within the existing chapters. The Applicant requested advice regarding the need for notification under the 2017 EIA Regulations. The Inspectorate issued s51 advice in respect of notification, which can be viewed here: <https://infrastructure.planninginspectorate.gov.uk/projects/south-west/portishead-branch-line-metrowest-phase-1/?ipcsection=advice&ipcadvic=75c63572dd>

Development Consent Order (DCO)

The Inspectorate provided the Applicant with comments on certain draft documents (**Annex A**) ahead of the meeting. The Applicant will provide the Inspectorate with a list of queries, or novel issues for comment, if they are intending to submit a further updated Draft DCO for comment.

The Portishead Branch Line (MetroWest Phase 1) Order

Section 51 Advice – draft Application Documents provided by North Somerset District Council for The Planning Inspectorate’s (The Inspectorate’s) review

This advice relates solely to matters raised upon the Inspectorate’s review of the draft application documents submitted by North Somerset District Council (“the Applicant”), and not the merits of the proposal. The advice is limited by the time available for consideration and raised without prejudice to the acceptance or otherwise of the eventual application. It is provided to assist the preparation of the next iteration.

Documents submitted

Avon Gorge Management Plan

Draft Development Consent Order

Explanatory Memorandum

General Arrangements Plans

Habitats Regulations Assessment Report

Master Documents List

Works Plans

Abbreviations used:

PA2008	Planning Act 2008	ExA	Examining Authority	LSE	Likely significant effects
BoR	Book of Reference	HRA	Habitats Regulations Assessment	MP	Model Provisions
dDCO	draft Development Consent Order	IROPI	Imperative Reasons of Overriding Public Interest	SAC	Special Area of Conservation
EM	Explanatory Memorandum and draft EM	LAmx	Maximum noise level recorded	SI	Statutory Instrument
ES	Environmental statement	LAeq	Equivalent Continuous Level	SoR	Statement of Reasons
				SoS	Secretary of State
				SPA	Special Protection Area

Draft HRA			
Ref No.	Paragraph/ Section	Extract from document (for ease of reference)	Question/Comments
1.	Figures and Section 3 Section 6.4	Description of the scheme	The figures in the HRA do not clearly depict the interaction between the Proposed Development construction works and the different designated sites which are separately identified in the HRA report. However, the figures provided with the Management Plan do, more readily, assist the reader in understanding the distribution of works activities. The HRA description also references the 'disused railway line' and other features, such as named bridges, but these are not always clearly shown in the figures. The document would benefit from a clearly labelled overview/context figure depicting all of the works, notable other features and designated sites referenced in the text.
2.	Referencing	Multiple references to Advice Notes and The Inspectorate's notes	The document reference list should include all of the references made in the text but currently omits the The Inspectorate's note – please check that the reference list is comprehensive. Advice Note 10 is also referred to inconsistently as Advice Note Ten, Advice Note 10, Advice Note 10, the naming should be consistent.
3.	Executive summary, 4.2.3	Areas of habitat loss	The text would benefit from stating %loss figures as well as actual hectarage loss. It is unclear whether the HRA includes the area of habitat loss on the cliff face within the total. This should be included.
4.	Executive summary 2.4.8, 10.1.1	Human health, public safety and important environmental benefits. Over-riding consequences of primary importance	Please quote directly from the regulations/directive to ensure that there is no confusion in the test being applied i.e. " <i>reasons relating to human health, public safety or beneficial consequences of primary importance to the environment</i> "
5.	1.3.9		It would be preferential for this section to address the no alternatives test before addressing the reasons of IROPI.
6.	1.3.10	Stage 2	Only limited reference has been made to stages at this point in the text. It would be beneficial if paragraph 1.3.1 could be modified to specifically reference the staged nature of the process.
7.	2.1.4	Integrity of the area	Should this read 'integrity of the site'?

Draft HRA			
Ref No.	Paragraph/ Section	Extract from document (for ease of reference)	Question/Comments
8.	2.4.5-2.4.9	Stages	The description of Stages 1 and 2 clearly signposts to where these matters are dealt with in other chapters, but cross references are not provided to equivalent chapters for the description of Stages 3 or 4 of the assessment.
9.	3.1.2	Hourly plus	No explanation is provided of what constitutes 'hourly plus' service.
10.	4.1.4	Operational phase effects	This paragraph only references increased disturbance and possible changes in air quality but does not discuss the potential risk of contaminated drainage, oil/fuel spills or impacts of vegetation maintenance – is it comprehensive? In addition, what consideration has been given to cumulative disturbance effects such as the combined effect of noise, air quality and visual impact. What is meant by changes may arise as a result of the energy used for locomotives?
11.	Table 4.1	Severn Estuary Ramsar	The site is described as having the second-largest tidal range in the world, which is incorrect. http://www.top-ten-10.com/science/geography/tidal-range.htm (Accessed 12 June 2019)
12.	4.2	Figure 4.2	Unable to provide specific comments in the absence of Figure 4.2 of the ES.
13.	4.2.9	Potential for run off	Should this be described in terms of potential risk rather than just in terms of potential impact and shouldn't it be known whether there is a hydrological linkage. If there isn't, this could just be addressed as a potential risk due to proximity but since there is no hydrological linkage there is no potential for impact.
14.	Table 5.1	BCC - definition of extent of vegetation removal and definition of limit of the works.	The HRA describes the extent of vegetation removal but it would help to illustrate the extent of this removal on a plan.
15.	Table 5.1	Natural England	It would be helpful to understand Natural England's current position regarding the assessment.
16.	Section 6 footnote 2	Areas of secondary woodland may not be SAC qualifying woodland	If non-SAC qualifying woodland is included in the total, does this mean that the %loss of specific woodland types is understated?

Draft HRA			
Ref No.	Paragraph/ Section	Extract from document (for ease of reference)	Question/Comments
17.	6.2.18	The base year of 2013	It is noted that the base year for the air quality assessment is 2013. The Applicant should consider whether justification is required for not updating this base year to a more recent year.
18.	6.3.15-6.3.17	Noise levels	Noise levels are stated without indices, which makes the values difficult to interpret, presumably these are all LAeq,16hour? Does the 16-hour metric cover all relevant hours of operation? In relation to disturbance of SPA bird species, justification is required for not using LAmix as an indicator of disturbance, given that the infrequent trains will give rise to a periodic loud noise, that would have limited bearing on the LAeq. In addition, noise contour maps should be presented to support the assessment of effects.
19.	Table 7.1 p7-2	Vegetation maintenance during operation	Is there a need to expand the description to explain how the maintenance could reduce the extent of qualifying habitat?
20.	Table 7.1 p7-2; and 6.2.20; and Matrix A1	%increase in N deposition	What is the %increase – is there a need to justify further increases over the critical load and address the risk of a potential effect on vegetation? Para 6.2.20 states that nitrogen deposition is 28kg N ha-1y-1 and exceeds the critical load. Matrix A1 simply reports a <0.3% increase in nitrogen deposition at SAC receptors. Suggest that further justification is necessary.
21.	Table 7.1 p7-2	No habitat fragmentation is anticipated	How is this statement evidenced? If vegetation clearance is required along much of the length of the railway, isn't there potential to cause fragmentation in areas of already thinner woodland.
22.	Table 7.1 p7-6	Severn Estuary SAC potential for run off of pollutants due to hydrological linkages	Paragraph 6.3.3 rules out hydrological linkages.
23.	Table 7.1 p7-7	No percussive piling is anticipated	The piling method would need to be secured in the DCO so as to support this conclusion.
24.	Table 7.1 p7-8	Operational noise is not considered likely to differ from the current situation	Suggest that this statement is substantiated with reference to the LAeq table or cross reference to the relevant section of the report.

Draft HRA			
Ref No.	Paragraph/ Section	Extract from document (for ease of reference)	Question/Comments
25.	Table 7.1 p7-9	Disturbance to SPA birds	It is unclear why the previous page suggests that operational noise is unlikely to differ therefore there would be no impact, whereas this page makes reference to "not anticipated to cause significant disturbance to SPA birds" which is a slightly different criterion.
26.	Table 7.1 p7-12	Hydrological linkages	Previously hydrological linkages have been ruled out. In this section a conclusion of no LSE is based on dilution and scale of site relative to any event. It is important to establish categorically whether there are linkages or not.
27.	Section 7.2	In-combination assessment	In the absence of ES chapter 18, it is unclear what the approach to identification of other sites for in-combination assessment is. The Inspectorate cannot offer comment on this matter.
28.	7.3.2	Pollution incident	Similar to comments above regarding whether there are pollution linkages.
29.	7.3.3	Severn Estuary	No reference is made to disturbance due to changes in visual cues due to passing trains.
30.	7.3.7	Qualifying species	No reference made to Bechstein bats.
31.	8.3.3	Construction works could facilitate spread of non-native invasive species	Should the emphasis in this text be on the fact that this is a risk, which should be managed by the contractor.
32.	8.4.18	Plugs of herbicide	Is there an alternative to use of herbicide?
33.	Section 9	Reference to original journey time assumptions	With the revised scheme is the journey time also revised and would this still provide the same level of benefit?
34.	Section 9	Stage C	Should the HRA make it clear that Stage C would be subject to a new consent? Would it be subject to a new consent?
35.	Section 10	General	The IROPI argument does not set out why the scheme is 'imperative', although this is considered as part of the assessment of alternatives. Applicant to consider whether to supplement the description of imperative within Section 10. The public safety case conflates elements of the scheme required for public safety (e.g. cliff netting/clearance/rock picking) and the public safety case for the scheme. These two elements need to be clearly distinguished.

Draft HRA			
Ref No.	Paragraph/ Section	Extract from document (for ease of reference)	Question/Comments
36.	Section 10	10.3	The human health argument would benefit from clear cross referencing to relevant sections of the health impact assessment (HIA) and more robust justification.
37.	Section 10	10.4	It is unclear how the arguments presented contribute to demonstration of over-riding environmental benefit.
38.	Typos and abbreviations	<p>Executive summary Para 1.3.3 Para 2.4.2 second bullet Para 2.4.7 Table 4.3 NOx 6.2.6 6.4.3 Table 7.1 p7-13</p> <p>Table 7.1 p7-14 Table 7.1 p7-18 Table 7.2 p7-23 8.2.13 8.3.4 8.3.6 8.3.19 8.4.30 8.4.35 9.4.1 9.4.2 10.2.5 10.2.6 10.4.1</p>	<p>North Somerset and Mendips Bat SAC results<u>e</u> First reference to Imperative Reasons of Overriding Public Interest Details of <u>the</u> methodology Extra space between person and the SoS Micrograms have been replaced with ug Latin name for lime is omitted. Disused railway line provide not provides<u>s</u> Given that the disused railway line habitats are important to SAC bats for commuting and foraging there is [potential for] LSE Patterns <u>of</u>bat Delete s in Bat Consultations<u>s</u> Possible in-combination effects could occur in <u>relation</u> <u>Severn</u> Estuary Repetition of the SAC is comprised... To maintain drainage and <u>to</u> <u>safe</u> operation 'The likely significant' – should this read 'A likely significant?' No-combination Anet Wind throw To for passenger trains Morning and even peak Trespass poses a rise... First sentence doesn't read well. Second sentence missing a word.</p>

Draft HRA			
Ref No.	Paragraph/ Section	Extract from document (for ease of reference)	Question/Comments
39.	Annex D	Screening Matrix A2	Severn Estuary SAC has qualifying feature ' <i>1099 River lamprey Lampetra fluviatilis</i> ' listed twice, and qualifying feature ' <i>1103 Twaite shad Alosa fallax</i> ' is not listed. This error is not included in Table 4.1 of the Report, but the Annexes should be double-checked to ensure that the correct qualifying features are screened.
40.	Section 4 and Annex D	Table 4.1 and Screening Matrix A9	Mendips Limestone Grassland SAC qualifying feature ' <i>6210 Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites)</i> ' is not listed in the Screening Matrix or in Table 4.1. All qualifying features of European Sites as listed in the citation should be included within the assessment.

Draft Development Consent Order			
Ref no.	Paragraph/ Section	Extract from document (for ease of reference)	Question/Comments
41.	General draft DCO (dDCO)		The Applicant should ensure that all cross references within the dDCO are checked and corrected where necessary/relevant, this includes references to any plans, and we would assume this will be corrected in the application version.
42.	General draft DCO (dDCO)		The Applicant will be asked to maintain a list of all plans and other documents that will require SoS certification (including plan/document references), updated throughout the examination process, and supplied to the ExA before the close of the examination
43.	General draft DCO (dDCO)		The DCO is proposed to be a SI and so should follow the statutory drafting conventions. The draft DCO (and any subsequent revisions) should be in the form required by the statutory instrument template (see Planning Inspectorate AN15) and validated as such using the current SI template, including detailed footnotes to all statutory references.
44.	General draft DCO (dDCO): references to Part 1 of the 1961 Act		A number of Articles (14(4), 15(6), 20(5), 21(4), 23(5), 28(4), 32(4)) make provision for " <i>compensation to be determined, in case of dispute, under Part 1 of the 1961 Act</i> ". It is acknowledged that a provision in this form is in the various Model Provisions (MPs) and is commonplace in DCOs and other Orders. However, Part 1 of the 1961 Act only relates to compensation for compulsory acquisition. In order for there to be certainty that it would apply in other situations, should a modification be included? If not, why not?
45.	General drafting point		The Applicant should ensure that when the dDCO is finalised ahead of submission, all internal references and legal footnotes are checked and that the drafting follows best practice in Advice Note (AN) 13 and 15 and any guidance on statutory instrument drafting.

Draft Development Consent Order			
Ref no.	Paragraph/ Section	Extract from document (for ease of reference)	Question/Comments
46.	General drafting point		Notwithstanding that drafting precedent has been set by previous DCOs, whether or not a particular provision in this DCO application is appropriate will be for the Examining Authority (ExA) to consider and examine taking account of the facts of this particular DCO application and having regard to any views expressed by the relevant authorities and interested parties. Therefore please follow the advice on AN15 on the detail required to be included in the EM and ref no. 14 below.
47.	General comment	<i>'Requirements enforceable by North Somerset District Council and Bristol City Council in their respective administrative areas:'</i>	This Wording not needed and not appropriate in a SI.
48.	Schedule 1		What precisely is meant by the terms 'shown illustratively'.
49.	Schedule 1		Detailed information has not been provided regarding certain works, for example the lengths of proposed paths in work 7a, b, c, e, and the square footage/meterage of proposed car parks in work 4, etc
50.	Requirement 3, Development in accordance with approved details	<i>'unless agreed otherwise by the relevant planning authority'</i>	The wording is a tailpiece and the ExA will wish to understand why this is necessary. The Inspectorate's Advice Note 15 section 17 gives further background and advice on this issue.
51.	Requirement 4, Construction Environmental Management Plan		Are there definitions for the CEMP, the Master CEMP, COCP, Master Construction Management Plan? Which body approves these plans and when?
52.	Requirement 5, Landscaping scheme disused railway		5(1) and 5(2) - use of the term 'reflect' is rather vague and ExA may wish the drafting to be more specific to align to the railway landscaping plans.
53.	Requirement 11, Trees		This should include a requirement to erect the tree protective fencing prior to the commencement of the stage and not just to identify its location on the plan.

Draft Development Consent Order			
Ref no.	Paragraph/ Section	Extract from document (for ease of reference)	Question/Comments
54.	Part 2 Procedure for discharge of requirements		Please see The Inspectorate's Advice Note 15 section 19 and Appendix 1 for standard drafting. Any amendments from this standard approach will require full explanation and justification.

Draft Explanatory Memorandum			
Ref no.	Paragraph/ Section	Extract from document (for ease of reference)	Question/Comments
55.	General draft EM		<p>Generally, the EM tends to explain the <i>effect</i> of the relevant provision in the DCO, rather than explaining <i>why</i> it is necessary.</p> <p>Further explanation and evidence (including the outcomes of any consultation) is required to explain why the content of each article, schedule etc to the dDCO is relevant and required for this proposal. Please refer to AN15.</p> <p>The EM should provide explanation and justification where a provision departs from the model provisions or a precedent. (See AN13 and 15).</p> <p>This should include reference to the particular circumstances of this development and an explanation as to why this is necessary or desirable.</p>

Draft Explanatory Memorandum			
Ref no.	Paragraph/ Section	Extract from document (for ease of reference)	Question/Comments
56.	General drafting point		A thorough justification should be provided in the Explanatory Memorandum (EM) for every Article and Requirement, explaining why the inclusion of the power is appropriate in the specific case. The extent of justification should be proportionate to the degree of novelty and/ or controversy in relation to the inclusion of that particular power. The EM should also state whether the Article replicates a model provision or precedent Article. It would also be helpful if the EM clarified whether any change to a model or preference Article is considered by the Applicant to be minor and has been made where in the Applicant's view the model provision is unclear or does not follow standard statutory instrument drafting practice. Where a model provision or precedent Article is substantially changed, the EM should clearly explain how that alters the effect. Ideally (and particularly if an Article is novel), the power on which each Article is based should be identified.
57.	All tables		Each table used in the document should have reference.

Draft Explanatory Memorandum			
Ref no.	Paragraph/ Section	Extract from document (for ease of reference)	Question/Comments
58.	1.3, 4.1	<p><i>1.3 The former railway between Portbury Junction and Portishead has ceased to be an operational railway and is referred to in this memorandum as the Disused Railway.</i></p> <p><i>4.1The NSIP will reconnect Portishead to the passenger railway network by reopening the Disused Railway and by reopening the Existing Freight Line to passenger rail traffic'.</i></p>	<p>Clarification is required to explain what is happening to the current 'disused railway'.</p> <p>The statutory consultation material made reference to reconstruction'. Clarification on this should be provided within the relevant application documents.</p>
59.	The table in section 4 of the EM, under 4.3	<i>'The former railway land between Portishead and Portbury Junction in Pill is not operational railway'.</i>	<p>Would this sentence be better worded to state that it is not 'currently' operational railway, if correct?</p> <p>In addition, the text addresses the first part of s25(1) (ba) (ii) of the PA2008, but not the latter (ie it does not confirm if the project 'is on land that was acquired at an earlier date for the purpose of constructing the railway').</p>
60.	Tables under 7.3 and 7.4		The Article number appears in the left column; for ease of reference the title of the article (currently in brackets in the right column) could also be placed in the left column alongside the article number.
61.	Paragraph 16.4 of the Explanatory Memorandum		General comment on the acquisition of Open space land - Tansy Lane and Galingale Way.

Draft Explanatory Memorandum			
Ref no.	Paragraph/ Section	Extract from document (for ease of reference)	Question/Comments
62.			S131 requires the SoS to be satisfied not only that the order land is less than 200 square metres but also that the giving of other land in exchange is unnecessary, in the interests of the public.
			<u>Articles</u>
63.	Article 2 - definition of 'commence'.		The ExA may wish to have further explanation and justification for this.
64.	Article 5(2)	The Explanatory Memorandum refers to this provision which 'provides for the continuing effect of the Portishead Branch Line Railway'	but this provision is missing from the draft DCO.
65.	Article 7 - Limits of deviation.		All works need to have been assessed in the ES
66.	Article 15 -Temporary stopping up of streets.		(5)(a) should refer to paragraph (1) not (3)?
67.	Article 24 - Compulsory acquisition of land.		This article would enable the whole of the Order land to be acquired. Is this necessary? what is the justification for this?
68.	A27 - Compulsory acquisition of rights.		The ExA will wish to know what the nature of the new rights and restrictive covenants are and the justification for their creation / imposition. Article 27(2) is not specific in identifying the parts of the Order land which adjoin Works Nos 1, 1A or 1B which will be affected by this article. The ExA will wish to know what plots are affected by this - are they identified in the Book of Reference?
69.	Article 27(8)		The ExA may wish to have further explanation on how this provision might work in respect of statutory undertakers paying compensation.

Draft Explanatory Memorandum			
Ref no.	Paragraph/ Section	Extract from document (for ease of reference)	Question/Comments
70.	Article 50, procedure in relation to further approvals.		References to <i>the Company</i> should be references to <i>the undertaker</i>
71.	Article 57, Arbitration.		Reference to the President of the Institution of Civil Engineers should be replaced by Secretary of State

Draft Works Plans		
Ref No.	Work Plan Ref	Question/Comments
72.	General comments:	The Works Plans do not clearly show the boundary/location of each separate work. On several sheets, the boundary lines overlap with order limit lines and limits of deviation therefore making them hard to read. Please check the commencement and end points as for example W27 has two commencement points.

Draft General Arrangement Plans		
Ref No.	Paragraph/ Section/plan ref and sheet no.	Question/Comments
73.	Sheet 11	There appears to be information missing from some Sheets eg: Cut line on Sheet 10 and Key on Sheet 11 indicates that there should be an existing railway shown on sheet 11. The key on Sheet 11 indicates there should be an existing Fence Grade III shown. Cut Lines on Sheet 11 are missing. Order limits lines are also missing from Sheet 11, again as indicated on Key on Sheet 11 and a fragment of the map past the cut line on Sheet 10.

Draft Avon Gorge SAC Management Plan			
Ref No.	Paragraph/ Section	Extract from document (for ease of reference)	Question/Comments
74.	n/a	n/a	n/a

Consultation report (not submitted)	
Ref.	Comments
75.	It is strongly recommended that the Report should clearly detail both any statutory and non-statutory consultation and for any non-statutory consultations, for example those carried out following the statutory stage, it should be explained why statutory consultation was not required.

Draft submission documents list		
Ref.	Paragraph/ Section	Question/ Comments
76.		What is the difference between 2.3 land plan and 2.4 land affected plan?
77.		You may wish to look at the guidance regarding the technical index https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/2016/11/Application-Index.xls https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/2013/04/Advice-note-6-Annex-PINS.pdf

General

1. DCLG: Application form Guidance, paragraph 3 states: *"The application must be of a standard which the Secretary of State considers satisfactory: Section 37(3) of the Planning Act requires the application to specify the development to which it relates, be made in the prescribed form, be accompanied by the consultation report, and be accompanied by documents and information of a prescribed description. The Applications Regulations set out the prescribed form at Schedule 2, and prescribed documents and information at regulations 5 and 6."*