



## Meeting note

<b>Project name</b>	M20 Junction 10a
<b>File reference</b>	TR010006
<b>Status</b>	<b>Final</b>
<b>Author</b>	The Planning Inspectorate
<b>Date</b>	6 February 2018
<b>Meeting with</b>	Highways England
<b>Venue</b>	Temple Quay House
<b>Attendees</b>	<b>The Planning Inspectorate</b> Susannah Guest Richard Price Richard Kent Emma Cottam Karen Robb <b>The Applicant</b> Nicholas Coombes – Highways England Julian Boswall – Burges Salmon Fay Tresidder – Mott MacDonald
<b>Meeting objectives</b>	Developer feedback meeting: Evaluation and lessons learnt
<b>Circulation</b>	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 (the PA2008). Any advice given under section 51 would not constitute legal advice upon which applicants (or others) could rely.

### Pre-application

The Planning Inspectorate (the Inspectorate) and Highways England noted several meetings had occurred during the Pre-Application stage and there had been a good working relationship.

The value of the draft document review process was discussed and some of the matters raised at the time were noted, including Highways England's approach to defining its Proposed Development and securing flexibility in its original draft Works Plans (ie the absence of limits of deviation for individual works).

There was discussion about the level of detail available to Highways England for inclusion in its statutory consultation materials.



## Acceptance

The Planning Inspectorate summarised its consideration of the application documents at the Acceptance stage, including Highways England's approach to responding to the advice issued by the Inspectorate at the Pre-application stage (eg the expression of 'indicative' limits of deviation in the submitted Works Plans).

## Pre-examination

The Inspectorate stated that, facilitated by early appointment of the Examining Authority (ExA), the Pre-examination stage had been productive; particularly in respect of the preparation of the ExA's First Written Questions.

Highways England explained its approach to responding to the Procedural Decision issued by the ExA at the Pre-examination stage.

## Examination

Highways England noted that some topics in the ExA's First Written Questions received more attention than they considered necessary.

Highways England commented that they were surprised that a second set of hearings was considered necessary. There was a discussion about the principles of the PA2008 process and the proportionality of a six month examination period when considering Nationally Significant Infrastructure Projects (NSIP) of varying scales. Highways England suggested that for schemes which might not necessarily need to the full six month examination process, early indication of that in the Rule 6 could focus parties' attention on reaching agreement more quickly.

Highways England commented that scheduling of an Open Floor Hearing to follow the Preliminary Meeting (PM) was a good evolution of the examination procedures, and allowed good use of resources. Highways England considered that the value of scheduling an Issue Specific Hearing on the Development Consent Order after the PM would be based on whether questions had been asked and material submitted in advance. Highways England also suggested that an Accompanied Site Inspection could also be carried following a PM. Consensus was that maximising the value of the time spent 'on location' following the PM benefitted all parties.

Highways England noted a possible tension between hearings being inquisitorial and an ExA waiting for agreement to be reached between parties before the close of an Examination. Highways England suggested that it could be more helpful to all parties if ExAs were more focussed in framing their questions so that responding submissions could be targeted.

The Inspectorate thanked Highways England for their organisation of the examination logistics which it felt had been particularly well managed.

Highways England noted some of the engagement work that it is doing with local authorities to help build knowledge and manage expectations about the level of detail



required for an NSIP application and the resource implications of going through an Examination under the PA2008 process.

## **Decision and Post-decision**

Highways England confirmed there was no unanticipated content in the Secretary of State's decision and statement of reasons.

## **Specific decisions/ follow-up required?**

None.