



National Infrastructure Planning  
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Jonathan Pizzey  
Senior Project Manager  
M42 Junction 6 Improvement  
Highways England  
The Cube  
199 Wharfside Street  
Birmingham, B1 1RN

Your Ref: M42J6 - S42/M42/09

Our Ref: TR010027

Date: 30 January 2018

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Dear Mr Pizzey

**Planning Act 2008 (as amended) – Section 46 and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 – Regulation 8**

**Proposed application by Highways England for an Order Granting Development Consent for the M42 Junction 6 Improvement project**

**Acknowledgement of receipt of information concerning proposed application**

Thank you for your letter of 5 January 2018 and the following documentation:

- The Statutory Consultation Brochure and Questionnaire
- The SoCC
- S42 (a) Letter to Statutory Consultees
- S42 (d) Letter to Cat1 and 2 Consultees
- Red Line Boundary and Scheme Plans
- S42 (d) letter to Cat 3 Consultees
- Preliminary Environmental Information Report Non-Technical Summary
- Preliminary Environmental Impact Report
- Section 47 Advertisement
- Section 48 Notice

I acknowledge that you have notified the Planning Inspectorate of the proposed application for an order granting development consent for the purposes of section 46 of the PA2008 and supplied the information for consultation under section 42. The following reference number has been given to the proposed application, which I would be grateful if you would use in subsequent communications:

TR010027

I will be your point of contact for this application – my contact details are at the end of this letter.

The role of the Planning Inspectorate in the application process is to provide independent and impartial advice about the procedures involved and to have open discussions with potential applicants, statutory bodies and others about the processes and requirements of the new regime. It is important that you keep us accurately informed of your timetable and any changes that occur.

We will publish advice we give to you or other interested parties on our website and, if relevant, direct parties to you as the applicant. We are happy to meet at key milestones and/or provide advice as the case progresses through the pre-application stage.

Once you have prepared draft documents we are able to provide technical advice, in particular on the draft development consent order, explanatory memorandum, the consultation report and any draft HRA. You may therefore wish to build this into your timetables.

In the meantime, you may wish to have regard to the guidance and legislation material provided on our website including the Infrastructure Planning (Fees) Regulations 2010 (as amended) and associated guidance, which you will need to observe closely in establishing the correct fee to be submitted at the successive stages of the application process.

When seeking to meet your pre-application obligations you should also be aware of your obligation under the Data Protection Act 1998 to process personal data fairly and lawfully.

## **Statutory Consultation**

I draw your attention to the s42 letters accompanying your s46 notice. These letters state that the future DCO application to be made by Highways England (the Applicant) for the M42 Junction 6 Improvement project will be supported by an Environmental Impact Assessment in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulation 2009.

Other documentation e.g. s48 notice and the SoCC, in support of the Applicant's s46 notice confirms that the M42 Junction 6 Improvement project is an Environmental Impact Assessment development ("EIA development") as defined by the Infrastructure Planning (Environmental Impact Assessment) Regulation 2017.

On 25 October 2017, the Planning Inspectorate on behalf of the Secretary of State (SoS) received a scoping request from the Applicant under Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulation 2017 (the EIA Regulations) for the Proposed Development. The Planning Inspectorate subsequently issued a [Scoping Opinion](#) on behalf of the SoS in respect of the Proposed Development on 1 December 2017, which should be read in conjunction with the [Applicant's Scoping Report](#).

The Planning Inspectorate acknowledges that the Applicant has notified the SoS under Regulation 8 of the EIA Regulations 2017 that they propose to provide an Environmental Statement in respect of the Proposed Development, and in accordance with Regulations 6(2)(a) of the EIA Regulations 2017, that the Proposed Development is determined to be an EIA development.

If you have any further queries, please do not hesitate to contact me.

Yours sincerely

*Emré Williams*

**Emré Williams - Case Manager**

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Advice may be given about applying for an order granting development consent or making representations about an application (or a proposed application). This communication does not however constitute legal advice upon which you can rely and you should obtain your own legal advice and professional advice as required.

A record of the advice which is provided will be recorded on the National Infrastructure Planning website together with the name of the person or organisation who asked for the advice. The privacy of any other personal information will be protected in accordance with our Information Charter which you should view before sending information to the Planning Inspectorate.