



National Infrastructure Planning
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Highways England

By email only

Your Ref:

Our Ref: TR010027

Date: 30 January 2019

Dear Mr Pizzey,

Planning Act 2008 – Section 51

Application by Highways England for an Order Granting Development Consent for the M42 Junction 6 Improvement Scheme

Advice following issue of decision to accept the application for examination

On 30 January 2019 the Secretary of State (SoS) decided that the application for the above project satisfied the acceptance tests under section 55 of the Planning Act 2008 (PA2008). The Planning Inspectorate's section 55 Acceptance of Applications Checklist (the Checklist) has been published and made available on the project page of the National Infrastructure Planning website.

In undertaking checks at the Acceptance stage the Planning Inspectorate made some observations in relation to the application. This letter comprises advice to the Applicant, provided under section 51 of the PA2008, in respect of those observations. The Applicant should pay attention to its content and consider the appropriate action to be taken.

Section 42: Duty to consult

Given the individual circumstances of this case, and taking a precautionary approach to ensure that all persons potentially affected by or potentially likely to have an interest in the application are given the opportunity to participate fully in the examination of the application, the Planning Inspectorate expects the Applicant to include the following bodies amongst those on whom they serve notice of the accepted application under s56(2)(a) of the PA2008; unless there is a specific justification why this is not necessary.

- Homes England
- Western Power Distribution East-Midlands
- Energetics Electricity Limited
- Fulcrum Electricity Assets Limited
- Fulcrum Pipelines Limited

- Indigo Pipelines Limited
- Murphy Gas Networks Limited
- Murphy Power Distribution Limited
- Scotland Gas Networks Plc
- Southern Gas Networks Plc
- Vattenfall Networks Limited
- Eclipse Power Network Ltd. The Inspectorate notes that a related company, G2 Energy IDNO Ltd, is listed as a consultee in Annex G, however, the Applicant is advised to contact Eclipse to ensure they have no comments to make.

The Inspectorate notes that the **Consultation Report (Doc 5.1)** refers to **Annex N** as the 'List of Additional Consultees', however the Annex title is 'Targeted Consultees for Further Consultation'.

Identification of Works and Associated Development

The appointed Examining Authority (ExA) may wish to consider the distinction between the principal works and associated development, further information can be found in the Guidance on associated development applications for major infrastructure developments, 2013.

Further information

During the Pre-Examination stage, the ExA may seek assurance in relation to the most recent information regarding Air Quality – policy and data – and Climate Change including recent predictions, ranges and estimates for assessments.

The Inspectorate would like to take the opportunity to highlight the Secretary of State's comments in respect of the renaming of "A19/A184 Testo's Junction Alteration Development Consent Order 2018", from its original title "A19 / A184 Testos Junction Improvement". For your convenience the relevant information is in Paragraph 1.1.3 and footnote 1 of the [ExA's report](#) and Paragraph 12 of the [SoS Decision Letter](#).

We trust you find this advice helpful, however if you have any queries about the matters raised please do not hesitate to contact our office using the contact details at the head of this letter.

Yours sincerely,



Dee Allen
Case Manager

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