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Highways England
For information – to all Interested
Parties

Your Ref:

Our Ref: TR010036

Date: 14 March 2019

Dear Sir/Madam

Planning Act 2008 (as amended) – Section 89

The Infrastructure Planning (Examination Procedure) Rules 2010 (as amended) – Rule 9 and the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 (as amended)

Application by Highways England for an Order Granting Development Consent for the A303 Sparkford to Ilchester Dualling Project

Request for non-material change

We are writing to inform you of the procedural decision made by the Examining Authority (ExA) regarding the change request submitted for Deadline 4 [Examination Library Reference REP4-043 to Rep4-046], and the subsequent clarification letter [AS-027], in respect of plots 1/2b, 1/5a, 4/1f, 4/2a, 4/4b, 5/3j, 7/1c, 7/7d, 7/8c and the creation of plot 4/4h through the sub-division of plot 4/4b.

Since the original Book of Reference only identified rights and not the acquisition of an existing freehold or leasehold estate/interest, we consider that adding in a request to acquire compulsorily any such existing freehold or leasehold estate represents “additional land” for the purposes of the Infrastructure Planning (Compulsory Acquisition) Regulations 2010.

We therefore consider that the Compulsory Acquisition Regulations are engaged. The intention of the Compulsory Acquisition Regulations is clear, namely that someone whose position is more adversely affected than the original Book of Reference identified should have their rights protected.

Should you wish to proceed with the suggested change you need to submit a request for a formal change under Regulation 5 of the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 (as amended) and section 123(4) of the Planning Act 2008 (as amended).

The request should be accompanied by an indication as to how you consider the request can be accommodated within the examination timetable.

Yours sincerely

Lesley Coffey

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Lead Member of the Panel of Examining Inspectors

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