

02 December 2022

Case Manager: Sarah Norris
Via E-Mail: M3Junction9@planninginspectorate.gov.uk

Dear Sarah,

Application by National Highways for an Order Granting Development Consent for the M3 Junction 9 Improvement

Adequacy of consultation request

Thank you for your e-mail, dated 23 November 2022, regarding the application by National Highways for an Order Granting Development Consent.

This letter is the response of the South Downs National Park Authority (SDNPA) to the request for our opinion as to whether the applicant has complied with the Planning Act 2008 (as amended) with regard to the following duties:

- Duty to Consult (Section 42)
- Duty to Consult the Local Community (Section 47)
- Duty to Publicise (Section 48)

Duty to Consult (Section 42)

The SDNPA can confirm that it was consulted as follows:

- Between 2 July 2019 - 27 August 2019 under Section 42 of the Planning Act 2008. The SDNPA provided an interim response on the 27 August 2019 and then a full response on 1 October 2019.
- Between 27 May 2021 – 8 July 2021 under Section 42 of the Planning Act 2008. The SDNPA provided a response on 7 July 2021.
- As part of a series of meetings held throughout the process, some jointly with Hampshire County Council and Winchester City Council and other stakeholders, details of which are set out in National Highways' Consultation Report.

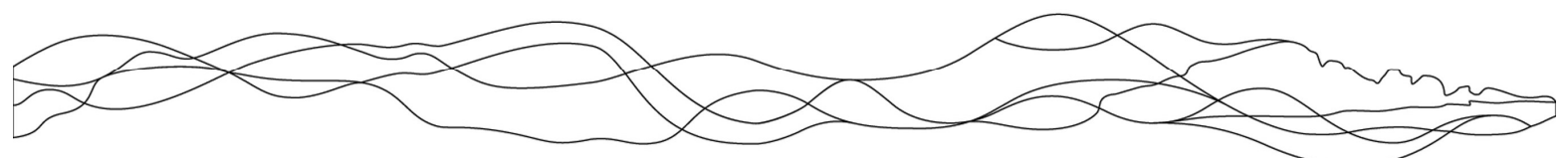
Duty to Consult the Local Community (Section 47)

The SDNPA can confirm that it was consulted on the draft 2019 Statement of Community Consultation and the draft 2021 Statement of Community Consultation and responded on 4 June 2019 and 7 December 2020 respectively.

We can also confirm that the consultations were carried out in accordance with the Statement of Community Consultations.

Duty to Publicise (Section 48)

The SDNPA has no reason to consider that the proposed development has not been publicised in accordance with Section 48 of the Planning Act 2008.



Guidance about Pre-application Procedure (Section 50)

We would also like to take this opportunity to provide comments on how the pre-application and consultation process has complied with this section of the Planning Act 2008; the relevant guidance being issued by the then MHCLG in March 2015. We note this is relevant in your decision as to whether to accept an application for examination (Sections 55(5A)(b) and 55(4)(c)).

National Highways have held numerous meetings with the SDNPA (and other parties) which have frequently been presentations of the latest position not necessarily constructive discussions about the issues or including sufficient information. Our concerns will be addressed during the stages of the examination, it is just unfortunate that some of these could not have been addressed at the pre-application stage.

Conclusion

Overall, the SDNPA considers that the Applicant has complied with its duties under Sections 42, 47 and 48 of the Planning Act 2008 (as amended).

We trust that the above information will assist you in determining whether that proposal is able to be accepted as a valid application.

Yours sincerely



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