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All Interested Parties and Statutory Parties

Your Ref:

Our Ref: TR010055

Date: 25 May 2023

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Dear Sir/ Madam

## **Planning Act 2008 – Section 89 and The Infrastructure Planning (Examination Procedure) Rules 2010 – Rule 8 and 9, 13 and 16**

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

### **Examination Timetable and procedure and Notification of Hearings and Notification of Accompanied Site Inspection**

This letter (the Rule 8 letter) provides important information about the Examination of this application including:

- The Examination Timetable,
- Written Representations,
- The Examining Authority's (ExA) written questions,
- Other Procedural Decisions made by the ExA,
- Format of Examination Events,
- Hearings,
- Accompanied Site Inspection, and
- Other important information about the examination.

All documentation associated with this Examination, including a note of the Preliminary Meeting and the recording of that meeting, can be viewed under the [documents tab](#) on the [project webpage](#) of the National Infrastructure Planning website.

## The Examination Timetable

We have made a Procedural Decision about the way the application will be examined. The final Examination Timetable is attached at **Annex A** to this letter.

The Examination Timetable replaces the draft timetable that was included in our Rule 6 letter. In finalising the Examination Timetable, we have sought to accommodate requests and suggestions made orally or in writing to the Preliminary Meeting. A list of the main changes we made to the draft Examination Timetable is set out at **Annex B** to this letter.

Please note that the Examination Timetable contains a number of Deadlines for receipt of information by the Planning Inspectorate. All Deadlines are at 23:59 on the date specified. Please ensure submissions arrive by the Deadline. If you do not make your submissions by the dates specified in the timetable, we may disregard them.

We request that all Interested Parties make their submissions using the [make a submission tab](#) on the project webpage on or before the applicable Deadline. **Annex E** to this letter provides further information about using the Make a submission tab.

If we consider it necessary to vary the Examination Timetable during the Examination, notification will be sent to Interested Parties and Statutory Parties invited to the Preliminary Meeting. The changes will be published on the [project webpage](#).

## Written Representations

All Interested Parties are now invited to submit Written Representations. These should be submitted by **Deadline 2** in the Examination Timetable. Any comments on the Relevant Representations already submitted should be submitted by **Deadline 1** in the Examination Timetable.

Written Representations can cover any relevant matter and are not restricted to the matters set out in our Initial Assessment of Principal Issues or to the content of our written questions (see next heading below).

Any person, other than the Applicant, who submits a Written Representation must identify those parts of the application with which they agree and those parts with which they do not agree, explaining the reasons why. Interested Parties should also provide with their Written Representations any data, methodology and assumptions used to support their submissions to avoid delays in the Examination (see paragraph 74 of [Planning Act 2008: Guidance for the examination of applications for development consent](#)).

We have requested further types of written submissions at various points in the Examination (see **Annex A**).

Any Written Representations and any further written submissions requested during the Examination that exceed 1500 words, should also be accompanied by a summary which should not exceed 10% of the original text. The summary should set out the key facts of the written submission and must be representative of the submission made.

Representations **must not include hyperlinks** to documents/evidence hosted on third party websites. Please see the Planning Inspectorate's [Advice Note 8.4: The Examination](#) for further information about Written Representations.

## **The Examining Authority's (ExA) written questions**

We have prepared written questions (ExQ1) about the application and the representations received so far. These questions are published on the project webpage and can be accessed at the following link:

[Examining Authority's First Written Questions \(ExQ1\)](#)

Responses to ExQ1 must be provided by **Deadline 2** in the Examination Timetable.

If you require an editable Microsoft Word version of ExQ1, please [contact the case team](#) using the contact details at the top of this letter.

## **Other Procedural Decisions made by the Examining Authority**

**Annex B** to this letter contains important details and clarifications about other Procedural Decisions we made at, or following, the Preliminary Meeting. These include:

- 1. Examination Timetable;**
- 2. Examining Authority's Written Questions;**
- 3. Statements of Common Ground (SoCG);**
- 4. Local Impact Reports (LIR);**
- 5. Changes to land interests;**
- 6. Additional Submissions;**
- 7. Requests for other documents; and**
- 8. Notification by Statutory Parties of their wish to be considered as an Interested Party.**

## **Format of Examination Events**

It is expected that both blended (part in-person and part virtual) and fully virtual events will form part of this examination.

We therefore remain flexible and will confirm the format of any hearings when we provide formal notification of each hearing at least 21 days in advance of it taking place.

## **Hearings**

As explained in our Rule 6 letter and at the Preliminary Meeting, the Examination will principally be a written process (see [Advice Note 8.4: The Examination](#)), supplemented

where necessary by various types of hearings (see [Advice Note 8.5: Hearings and site inspections](#) and [Advice Note 8.6: Virtual Examination events](#)).

As detailed in **Annex F** of our Rule 6 letter, we made a Procedural Decision to hold an Open Floor Hearing (OFH1) on 17 May 2023. The recording of this can be seen on the [project webpage](#).

We have made a further Procedural Decision to hold the following hearings:

- Issue Specific Hearing 1 (ISH1) on 11 July 2023 (Blended event)
- Issue Specific Hearing 2 (ISH2) on 1, 2, and 3 August 2023 (Blended event)
- Issue Specific Hearing 3 (ISH3) on 8 and 9 August 2023 (Blended event)

The Examination Timetable at **Annex A** to this letter details these hearings and also includes periods of time reserved for further hearings if required. We will notify all Interested Parties of any hearings scheduled as part of the Examination at least 21 days in advance of them taking place. That notification will include a Deadline for Interested Parties to inform the Planning Inspectorate if they wish to participate at the notified hearing(s).

**Annex C** provides details about what Interested Parties should include in a request to be heard at a hearing, and the procedure that will be followed at hearings.

### **Accompanied Site Inspection**

We have also made a Procedural Decision to hold an Accompanied Site Inspection on **10 July 2023**.

Important information about the Accompanied Site Inspection and attendance at the inspection is contained within **Annex C** to this letter.

We have considered the suggested site locations that were submitted at Procedural Deadline A. The list of locations that we have requested be included in the draft itinerary to be prepared by the Applicant is set out in Annex C to this letter. It may be that some of the suggested locations submitted to us have been viewed by the ExA on Unaccompanied Site Inspections (USIs) and may therefore not be included in the ASI. Details of the ExAs USIs can be seen on the [project webpage](#).

Our final itinerary for the ASI will be published on **22 June 2023**.

### **Managing Examination correspondence**

Given the volume and frequency of letters the Planning Inspectorate needs to send to Interested Parties during an Examination, we aim to communicate with people by email as electronic communication is more environmentally friendly and cost effective for the taxpayer.

If you have received a letter from the Planning Inspectorate but are able to receive communications by email, please inform the Case Team using the contact details at the top of this letter as soon as possible.

As the Examination process makes substantial use of electronic documents, it will be useful for you to become familiar with the [project webpage](#).

The [make a submission tab](#) is available on the website which provides a portal through which parties should make written submissions at relevant deadlines during the Examination. Further information about the 'Make a submission' portal is provided at **Annex E** to this letter.

There is also a function on the right-hand side of the project webpage called 'E-mail updates'. This provides you with an opportunity to register to receive automatic e-mail updates at key stages during the Examination.

### **Your status in the Examination**

You have received this letter because you fall within one of the groups described in the Planning Inspectorate's document [What is My Status in the Examination?](#)

If your reference number begins with 'M3J9', 'M3J9-0', 'M3J9-AFP', 'M3J9-S57' 'M3J9-APP' you are in Group A. If your reference number begins with 'M3J9-SP' you are in Group B. If your reference number begins with 'M3J0-OP' you are in Group C. The meaning and purpose of those groups are explained in the document published at the link above.

If having read this document you are still unsure about your status, please contact the Case Team using the details at the top of this letter.

### **Awards of costs**

All parties will normally be expected to meet their own costs. Costs can be awarded against a party who has acted unreasonably and has caused the party applying for the award of costs to incur unnecessary or wasted expense during the Examination. You should be aware of the relevant costs guidance [Awards of costs: examinations of applications for development consent orders](#).

### **Management of information**

Information, including representations, submitted in respect of this Examination (if accepted by the Examining Authority) and a record of any advice which has been provided by the Planning Inspectorate is published on the [project webpage](#).

Examination Documents can also be viewed electronically at the locations listed in **Annex D** to this letter.

Please note that in the interest of facilitating an effective and fair Examination, it is necessary to publish some personal information. To find out how we handle your personal information please view our [Privacy Notice](#).

We look forward to working with all parties in the Examination of this application.

Yours faithfully

*Wendy McKay*

**Lead Member of the Examining Authority**

**Annexes**

- A** Examination Timetable
- B** Other Procedural Decisions made by the Examining Authority
- C** Notice of hearings and requests to participate
- D** Availability of Examination Documents
- E** Information about the Make a submission tab

This communication does not constitute legal advice.  
Please view our [Privacy Notice](#) before sending information to the Planning Inspectorate.

## Examination Timetable

The Examining Authority (ExA) is under a duty to **complete** the Examination of the application by the end of the period of six months beginning with the day after the close of the Preliminary Meeting.

The Examination of the application primarily takes the form of the consideration of written submissions. The ExA will also consider any oral representations made at hearings.

<b>Item</b>	<b>Matters</b>	<b>Date</b>
<b>1.</b>	<b>Preliminary Meeting</b>	<b>16 May 2023</b>
<b>2.</b>	<b>Open Floor Hearing 1 (OFH1)</b>	<b>17 May 2023</b>
<b>3.</b>	<b>Issue by the ExA of:</b> <ul style="list-style-type: none"> <li>• Examination Timetable</li> </ul> <b>Publication of:</b> <ul style="list-style-type: none"> <li>• The ExA's Written Questions (ExQ1)</li> </ul>	<b>25 May 2023</b>
<b>4.</b>	<b>Deadline 1</b> For receipt by the ExA of: <ul style="list-style-type: none"> <li>• Post hearing submissions including written summary of oral submissions at OFH1 (if required)</li> <li>• Comments on Relevant Representations (RRs)</li> <li>• Summaries of all RR's exceeding 1500 words</li> <li>• Applicant's draft itinerary for Accompanied Site Inspection (ASI)</li> <li>• Requests by Affected Persons (defined in section 59(4) of the Planning Act 2008) to be heard at a Compulsory Acquisition Hearing (CAH)</li> <li>• Requests by Interested Parties to be heard orally at an Open Floor Hearing (OFH)</li> <li>• Comments on any further information/submissions accepted by the ExA</li> <li>• Notification by statutory parties of their wish to be considered as an IP by the ExA</li> <li>• Updated Progress with Statements of Common Ground document (see Annex F)</li> <li>• Comments on additional submissions – Updated BoR, updated SoR and updated dDCO</li> </ul>	<b>6 June 2023</b>

	<ul style="list-style-type: none"> <li>• Responses to any further information requested by the ExA for this deadline</li> </ul>	
<b>5.</b>	<p><b>Deadline 2 (D2)</b></p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Responses to ExQ1</li> <li>• Responses to OFH1 summaries</li> <li>• Comments on the Applicant's draft itinerary for the ASI</li> <li>• Any further information requested by the ExA under Rule 17 of the Examination Rules</li> <li>• Comments on Updated Progress with Statements of Common Ground document</li> <li>• Comments on any further information requested by the ExA and received by Deadline 1</li> <li>• Written Representations (WRs), including summaries of all WRs exceeding 1500 words</li> <li>• Initial SoCGs</li> <li>• Local Impact Reports (LIR) from Local Authorities</li> <li>• Comments on any updated Application documents</li> <li>• Responses to comments on RRs</li> <li>• Updated Book of Reference (BoR) and schedule of changes to BoR (if any)</li> <li>• Updated Statement of Reasons (SoR) (if any)</li> <li>• Updated SoR Annex B - Schedule of objections and progress of negotiations with those affected persons</li> <li>• Updated SoR Annex C - Schedule of Engagement with Statutory Undertakers</li> <li>• Applicant's revised draft DCO (if any)</li> <li>• Updated DCO signposting document</li> <li>• Updated Navigation Document</li> <li>• Notification of wish to attend Accompanied Site Inspection 1 (ASI1)</li> <li>• Notification of wish to attend Issue Specific Hearing1 (ISH1)</li> <li>• Responses to any further information requested by the ExA to this deadline</li> </ul>	<b>15 June 2023</b>
<b>6.</b>	<b>Publication of:</b>	<b>22 June 2023</b>



	<ul style="list-style-type: none"> <li>• ExA's final itinerary for the ASI</li> </ul>	
<b>7.</b>	<b>Accompanied Site Inspection 1 (ASI1)</b>	<b>10 July 2023</b>
<b>8.</b>	<b>Issue Specific Hearing 1 (ISH1)</b> <ul style="list-style-type: none"> <li>• Landscape and Visual Impact and Design</li> <li>• Historic Heritage</li> </ul>	<b>11 July 2023</b>
<b>9.</b>	<b>Deadline 3 (D3)</b> For receipt by the ExA of: <ul style="list-style-type: none"> <li>• Comments on WRs</li> <li>• Comments on LIRs</li> <li>• Comments on initial SoCGs</li> <li>• Comments on responses to ExQ1</li> <li>• Comments on any additional information received by D2</li> <li>• Comments on Applicant's revised draft DCO submitted at D2 (if any)</li> <li>• Updated BoR and schedule of changes to BoR (if any)</li> <li>• Updated SoR (if any)</li> <li>• Updated SoR Annex B - Schedule of objections and progress of negotiations with those affected persons</li> <li>• Updated SoR Annex C - Schedule of Engagement with Statutory Undertakers</li> <li>• Updated DCO signposting document</li> <li>• Updated Navigation document</li> <li>• Updated NPS tracker</li> <li>• Notification of wish to attend Issue Specific Hearings 2 and 3 (ISH2 and ISH3)</li> <li>• Responses to any further information requested by the ExA for this deadline</li> </ul>	<b>17 July 2023</b>
<b>10.</b>	<b>Issue Specific Hearing 2 (ISH2) – To cover topics including the following:</b> <ul style="list-style-type: none"> <li>• DCO,</li> <li>• Traffic and Transport to include community impact of local alterations to local traffic flow,</li> <li>• Public Rights of Way to include non-motorised users.</li> </ul>	<b>1, 2 and 3 August 2023</b>

	<ul style="list-style-type: none"> <li>• Biodiversity.</li> <li>• Air Quality,</li> <li>• Noise and any other Health Impacts.</li> </ul>	
<b>11.</b>	<p><b>Issue Specific Hearing 3 (ISH3)</b> - To cover topics including the following:</p> <ul style="list-style-type: none"> <li>• Policy and Need,</li> <li>• Climate Change and Greenhouse Gases (GHGs).</li> </ul>	<b>8 and 9 August 2023</b>
<b>12.</b>	<p><b>Deadline 4 (D4)</b> For receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Post hearings submissions including written summaries of oral cases</li> <li>• Revised/updated SoCGs (if any)</li> <li>• Applicant's revised draft DCO (if any)</li> <li>• Updated DCO signposting document</li> <li>• Updated BoR and schedule of changes to BoR (if any)</li> <li>• Updated SoR (if any)</li> <li>• Updated SoR Annex B - Schedule of objections and progress of negotiations with those affected persons</li> <li>• Updated SoR Annex C - Schedule of Engagement with Statutory Undertakers</li> <li>• Updated Navigation Document</li> <li>• Updated NPS tracker</li> <li>• Comments on any additional/information/submissions received by D3</li> <li>• Responses to any further information requested by the ExA for this deadline</li> </ul>	<b>18 August 2023</b>
<b>13.</b>	<p><b>Publication by the ExA of:</b></p> <ul style="list-style-type: none"> <li>• Second Written Questions (ExQ2) (if required)</li> </ul>	<b>25 August 2023</b>
<b>14.</b>	<p><b>Dates reserved for:</b></p> <ul style="list-style-type: none"> <li>• Compulsory Acquisition Hearing (CAH1) (if required)</li> </ul>	<b>Week commencing 11 September 2023</b>
<b>15.</b>	<p><b>Deadline 5 (D5)</b> For receipt by the ExA of:</p>	<b>22 September 2023</b>

	<ul style="list-style-type: none"> <li>• Post hearing submissions including written summaries of oral cases</li> <li>• Responses to ExQ2 (if issued)</li> <li>• Comments on Applicant's revised draft DCO</li> <li>• Comments on any revised/updated SoCGs</li> <li>• Updated BoR and schedule of changes to BoR (if any)</li> <li>• Updated SoR (if any)</li> <li>• Updated SoR Annex B - Schedule of objections and progress of negotiations with those affected persons</li> <li>• Updated SoR Annex C - Schedule of Engagement with Statutory Undertakers</li> <li>• Updated DCO signposting document</li> <li>• Updated Navigation Document</li> <li>• Updated NPS tracker</li> <li>• Comments on any additional info or submissions received by D4</li> <li>• Notification of wish to attend Accompanied Site Inspection 2 (ASI2) (if required)</li> <li>• Responses to any further information requested by the ExA for this deadline</li> </ul>	
<b>16.</b>	<p><b>Publication by the ExA of:</b></p> <ul style="list-style-type: none"> <li>• Report on the Implications for European Sites (RIES) (if required)</li> <li>• ExA's commentary on, or schedule of changes to, the draft DCO and Section 106 documentation (if required)</li> <li>• Written Questions (ExQ3) (if required)</li> </ul>	<b>6 October 2023</b>
<b>17.</b>	<p><b>Dates reserved for:</b></p> <ul style="list-style-type: none"> <li>• Open Floor Hearing (if required)</li> <li>• Issue Specific Hearing (if required)</li> <li>• Compulsory Acquisition Hearing (CAH2) (if required)</li> <li>• Accompanied Site Inspection 2 (ASI2) (if required)</li> </ul>	<b>Week commencing 9 October 2023</b>
<b>18.</b>	<b>Date reserved for issue by the ExA of:</b>	<b>16 October 2023</b>

	Any request for further information under Rule 17 of the Infrastructure Planning (Examination Procedure) Rules 2010 (if required)	
<b>19.</b>	<p><b>Deadline 6 (D6)</b></p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Post hearing submissions including written summary of oral case</li> <li>• Responses to ExQ3 (if issued)</li> <li>• Responses on ExA commentary, or schedule of changes to the draft DCO and S106 (If required)</li> <li>• Comments on responses to ExQ2 (if issued)</li> <li>• Updated BoR and schedule of changes to BoR (if any)</li> <li>• Updated SoR (if any)</li> <li>• Updated SoR Annex B - Schedule of objections and progress of negotiations with those affected persons</li> <li>• Updated SoR Annex C - Schedule of Engagement with Statutory Undertakers</li> <li>• Applicant's revised draft DCO</li> <li>• Updated DCO signposting document</li> <li>• Updated Navigation Document</li> <li>• Updated NPS tracker</li> <li>• Comments on any additional information or submissions received by D5</li> <li>• Any further information requested by the ExA under Rule 17 of the Examination Procedure Rules</li> </ul>	<b>27 October 2023</b>
<b>20.</b>	<p><b>Deadline 7 (D7)</b></p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Comments on the RIES</li> <li>• Any further information requested by the ExA under Rule 17 of the Examination Procedure Rules</li> </ul>	<b>3 November 2023</b>
<b>21.</b>	<p><b>Deadline 8 (D8)</b></p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Comments on responses to ExQ3 (if issued)</li> <li>• Final DCO to be submitted by the Applicant in the SI template with the SI template validation report</li> </ul>	<b>10 November 2023</b>

	<ul style="list-style-type: none"> <li>• Final updated BoR and schedule of changes to BoR in clean and tracked versions</li> <li>• Final SoCGs</li> <li>• Final Progress with Statements of Common Ground document</li> <li>• List of matters not agreed where SoCG could not be finalised</li> <li>• Final Navigation Document/Guide to the application</li> <li>• Final NPS tracker in clean and tracked versions</li> <li>• Final signed and dated section 106 (if any)</li> <li>• Final SoR in clean and tracked versions</li> <li>• Final SoR Annex B : Schedule of objections and progress of negotiations with those affected persons</li> <li>• Final SoR Annex C : Schedule of Engagement with Statutory Undertakers</li> <li>• Final First Iteration Environmental Management Plan including updated Table 3.2: Record of Environmental Actions and Commitments</li> <li>• Closing submissions</li> <li>• Comments on any additional information/submissions received by Deadline 7</li> <li>• Any further information requested by the ExA under Rule 17 of the Examination Procedure Rules</li> </ul>	
<b>22.</b>	The ExA is under a duty to complete the Examination of the application by the end of the period of six months	<b>16 November 2023</b>

### Submission times for Deadlines

The time for submission of documents at any Deadline in the timetable is 23:59 on the relevant Deadline date, unless instructed otherwise by the ExA.

### Publication dates

All information received will be published on the [project webpage](#) as soon as practicable after the Deadlines for submissions.

### Report on the Implications for European Sites (RIES)

Where an Applicant has provided a No Significant Effects Report (NSER) or a Habitats Regulations Assessment Report (HRAR) with the application, the ExA may decide to issue a RIES during the Examination. The RIES is a factual account of the information and evidence provided to the ExA on HRA matters during the

Examination up to the date of the publication of the RIES, for the purposes of enabling the Secretary of State, as competent authority, to undertake its HRA. It is not the ExA's opinion on HRA matters. Comments on the RIES will be invited by the ExA and any received will be taken into account as part of the ExA's Recommendation to the Secretary of State. The ExA may also raise questions in the RIES to confirm or clarify matters that remain outstanding.

The Secretary of State may rely on the consultation on the RIES to meet its obligations under Regulation 63(3) of The Habitats Regulations 2017.

## Other Procedural Decisions made by the Examining Authority (ExA)

We have made a number of Procedural Decisions following the Preliminary Meeting:

### 1. Examination Timetable

Following discussions made at the Preliminary Meeting on 16 May 2023 we have made the Procedural Decision to apply the following changes to the draft Examination Timetable at Annex C to the Rule 6 letter dated 18 April 2023, the final version is at **Annex A** of this letter:

The applied changes are:

- To confirm that issue of Examination Timetable and Publication of ExQ1 is 25 May 2023.
- To confirm that ASI1 will be held on 10 July 2023.
- Deadline 2 – added notification of wish to attend ISH1.
- Deadline 3 – added notification of wish to attend ISH2 and ISH3.
- To hold ISH1 on 11 July 2023 to ensure that the Applicant and SDNPA representatives are able to attend.
- To hold ISH2 on 1, 2 and 3 August 2023.
- To hold ISH3 on 8 and 9 August 2023.
- To remove the reserved date for OFH2.
- To add the requirement at various deadlines for the Applicant to supply:
  - i. Updated SoR Annex B - Schedule of objections and progress of negotiations with those affected persons.
  - ii. Updated SoR Annex C - Schedule of Engagement with Statutory Undertakers.
- To change the requirement for the Applicant to supply and update a Statement of Commonality and request that an updated Progress with Statement of Common Ground document is provided. This was requested by the Applicant in their response to the Rule 6 letter and accepted by the ExA at the PM hearing.
- In addition to the above, minor wording and formatting changes have been made.

### 2. Examining Authority's Written Questions

Our written questions (ExQ1) have been published alongside this Rule 8 letter on 25 May 2023. Whilst most of our written questions are directed at specific parties, no other party should feel inhibited or restricted in responding to any question we ask, even if it is directed elsewhere.

Some of our questions are directed to specific Statutory Parties which have not, at the time of writing, confirmed that they wish to become Interested Parties for the purposes of the Examination of the application.

All relevant Statutory Parties are requested to check our Written Questions carefully in order that they may identify and respond to any questions posed to them.

For the avoidance of doubt, Statutory Parties are defined as the parties listed in Schedule 1 to [The Infrastructure Planning \(Interested Parties and Miscellaneous Prescribed Provisions\) Regulations 2015](#). Statutory Parties, including relevant local authorities, that have not already registered to become an Interested Party should consider notifying the ExA of their wish to be considered as an Interested Party, under Section 89(2A)(b) of the Planning Act 2008 as soon as possible and by **Deadline 1** at the latest.

### 3. Statements of Common Ground (SoCG)

The Applicant is taking the lead in the preparation of SoCGs and it will aid the smooth running of the Examination if all Interested Parties who are participating in the preparation of SoCGs liaise and co-operate with the Applicant in respect of their production. We set out in **Annex F** of our Rule 6 letter the SoCGs we request are submitted during the Examination of this application. During the PM and OFH two additional SoCGs were proposed by the applicant and agreed by the ExA, these are denoted in the list below with an asterisk (\*). Draft versions of the SOCG are requested to be submitted at **Deadline 2** and final signed versions of the SoCGs listed below are requested to be submitted **by the Applicant at Deadline 8**:

1. SoCG between the Applicant and Winchester City Council
2. SoCG between the Applicant and South Downs National Park Authority
3. SoCG between the Applicant and Hampshire County Council
4. SoCG between the Applicant and The Environment Agency
5. SoCG between the Applicant and Natural England
6. SoCG between the Applicant and Historic England
7. SoCG between the Applicant and Winchester Friends of the Earth\*
8. SoCG between the Applicant and Cycle Winchester\*

**All of the SoCGs listed above should cover the Articles and Requirements in the draft Development Consent Order.** Any Interested Party seeking that an Article or Requirement is reworded should provide the form of words which are being sought.

The content of SoCGs will help to inform us about the need to hold any Issue Specific Hearings during the Examination, and to enable us and the Applicant to give notice of such hearings at least 21 days in advance of them taking place.

The Applicant has also been requested to provide updates on their Progress with Statements of Common Ground document [APP-165] at various deadlines.



#### 4. Local Impact Reports (LIR)

A LIR is a report in writing giving details of the likely impact of a Proposed Development on a local authority's area (or any part of that area). For more information about the importance and content of LIRs see our [Advice Note One: Local Impact Reports](#).

Local Authorities, defined in section 56A of the Planning Act 2008, are invited to submit LIRs by **Deadline 2**.

#### 5. Changes to land interests

When the Applicant becomes aware that there has been a change in ownership, or a new interest, in relevant land the Applicant is requested to make the relevant person aware that they can make a request to the ExA to become an Interested Party under section 102A of the PA2008 by completing the form available on the [project webpage](#). The Examination Timetable includes various Deadlines for the submission of an updated Book of Reference and schedule of changes to the Book of Reference, which should include confirmation that relevant persons have been informed of their rights under section 102A.

#### 6. Additional Submissions

In addition to the documentation submitted by Procedural Deadlines A and B we have exercised our discretion and made a Procedural Decision to accept Additional Submissions from the following:

1. Book of Reference – Rev 1 by National Highways
2. Statement of Reasons – Rev 1 by National Highways
3. Draft DCO – Rev 1 by National Highways

#### 7. Requests for other documents

##### The Guide to the Application (Navigation Document)

The ExA requests that, at the deadlines specified in the Examination Timetable, the Applicant provides an updated Introduction to the Application Appendix A Application Document Tracker Ref 1.4 which provides a list of the most up-to-date documents before the Examination and with those documents which are subsequently superseded clearly identified. A final version must be submitted at **Deadline 8 on 10 November 2023** before the close of the Examination.

##### National Policy Statement for National Networks Accordance Table (NPSNN Accordance Table)

The ExA requests that, at the deadlines specified in the Examination Timetable, the Applicant provides an updated NPSNN Accordance Ref 7.2 which provides an updated assessment of the Scheme's conformity with the NPSNN or any subsequent relevant NPS should that NPS be superseded during the Examination period. A final version

must be submitted at **Deadline 8 on 10 November 2023** before the close of the Examination.

### **Statement of Reasons (SoR) Annex B and C**

The ExA requests that, at the deadlines specified in the Examination Timetable, the Applicant provides as standalone documents an updated Annex B Schedule of all objections made by representation to the granting of compulsory acquisition powers and progress of negotiations with those affected persons and Annex C Schedule of Engagement with Statutory Undertakers. Please include within the standalone Annex B additional columns for the relevant Work No(s) and the relevant DCO articles that would authorise the acquisition of the rights and/or powers sought over the plot. For Appendix C, please include an indication as to whether protective provisions have been agreed and included within the latest version of the draft DCO. A final version of both Annex B and Annex C must be submitted at **Deadline 8 on 10 November 2023** before the close of the Examination.

### **First Iteration Environmental Management Plan**

The ExA requests the Applicant to provide any updated version of the First Iteration Environmental Management Plan including Table 3.2 Record of Environmental Actions and Commitments as necessary during the course of the Examination and a final version of that plan at **Deadline 8 on 10 November 2023** before the close of the Examination.

### **8. Notification by Statutory Parties of their wish to be considered as an Interested Party**

The ExA has made a procedural decision that, in order to facilitate a timely start to the Examination, Statutory Parties should have decided whether they wish to be considered as an IP and notified the Planning Inspectorate of their decision by **Deadline 1 on 6 June 2022**.

## Notification of hearing / hearings / and Accompanied Site Inspection

### Notice of hearings and requests to participate

The Examining Authority (ExA) provides notice of the following hearings:

<b>Date</b>	<b>Hearing</b>	<b>Start time</b>	<b>Venue and Joining details</b>
<b>10 July 2023</b>	<b>Accompanied Site Inspection 1 (ASI1)</b>	<b>This will be confirmed by ExA by 22 June 2023 when the Itinerary is published.</b>	<b>This will be confirmed by ExA by 22 June 2023 when the Itinerary is published.</b>
<b>11 July 2023</b>	<b>Issue Specific Hearing 1 (ISH1)</b> <ul style="list-style-type: none"> <li>• <b>Landscape and Visual Impact and Design</b></li> <li>• <b>Historic Heritage</b></li> </ul>	<b>Registration and seating available at venue from:</b> <b>9.15am</b> <b>Registration Process from:</b> <b>9.30am</b> <b>Hearing starts:</b> <b>10.00am</b>	Mercure Wessex Hotel Winchester Paternoster Row Winchester Hampshire SO23 9LQ and By virtual means using Microsoft Teams Full instructions on how to join online or by telephone will be provided in advance to those who have pre-registered
<b>1, 2 and 3 August 2023</b>	<b>Issue Specific Hearing 2 (ISH2)</b> <ul style="list-style-type: none"> <li>• <b>DCO</b></li> <li>• <b>Traffic and Transport to include community impact on local of local alterations of local traffic flow</b></li> </ul>	<b>Registration and seating available at venue from:</b> <b>9.15am</b> <b>Registration Process from:</b> <b>9.30am</b> <b>Hearing starts:</b> <b>10.00am</b>	Mercure Wessex Hotel Winchester Paternoster Row Winchester Hampshire SO23 9LQ and By virtual means using Microsoft Teams Full instructions on how to join online or by telephone will be provided in advance to

Date	Hearing	Start time	Venue and Joining details
	<ul style="list-style-type: none"> <li>• <b>Public Rights of Way to include non-motorised users</b></li> <li>• <b>Biodiversity</b></li> <li>• <b>Air Quality</b></li> <li>• <b>Noise and any other Health Impacts</b></li> </ul>		those who have pre-registered
8 and 9 August 2023	<b>Issue Specific Hearing 3 (ISH3)</b> <ul style="list-style-type: none"> <li>• <b>Policy and Need</b></li> <li>• <b>Climate Change GHGs</b></li> </ul>	<b>Registration and seating available at venue from:</b> <b>9.15am</b>  <b>Registration Process from:</b> <b>9.30am</b>  <b>Hearing starts:</b> <b>10.00am</b>	Mercure Wessex Hotel Winchester Paternoster Row Winchester Hampshire SO23 9LQ and By virtual means using Microsoft Teams  Full instructions on how to join online or by telephone will be provided in advance to those who have pre-registered

**NOTE:** If any of the above hearings are no longer required then notification that a particular date is no longer required will be published as soon as practicable on the [project webpage](#), providing reasonable notice to Interested Parties of the decision to cancel them.

**You must register for ASI1 and ISH1 by completing the [Event Participation Form](#) by 15 June 2023 if you intend to participate in any of the hearings and provide all the information requested (see below).**

If you simply wish to observe the hearings then you do not need to register as you will be able to either:

1. Attend the physical event to observe the proceedings;

2. watch a livestream of the event - a link to the livestream will be made available on the [project webpage](#) shortly before the event is scheduled to begin.

Alternatively, you can attend the physical hearing at the venue to observe the proceedings; however, to ensure there is adequate seating capacity at the venue we request that you register your attendance to **observe only** by **15 June 2023** using the [Event Participation Form](#). Please note that it may not be possible to participate on the day if you have not registered your wish to speak by **15 June 2023**.

Requests to participate in ASI1 and ISH1 should be made using the [Event Participation Form](#) on or before **Deadline 2**.

**Please contact the Case Team using the contact details at the top of this letter if you require any support or assistance to attend the Hearings, either virtually or in person.**

### **Arrangements for hearings**

Our Examination will be principally undertaken through the exchange of written submissions however the Examination Timetable reserves periods of time for hearings to be held (if required).

### **Hearing agendas**

For Issue Specific Hearings and Compulsory Acquisition Hearings the ExA will publish a detailed draft agenda on the project webpage at least five working days in advance of the hearing date. However, the actual agenda on the day of each hearing may be subject to change at the discretion of the ExA. For Open Floor Hearings an agenda may not be published.

### **Procedure at hearings**

The Examination will principally be a written process (see the Planning Inspectorate's [Advice Note 8.4: The Examination](#)), supplemented where necessary by various types of hearings. Please refer to the [Advice Note 8.5: Hearings and site inspections](#) and [Advice Note 8.6: Virtual Examination events](#) as these provide important information about hearing procedures.

The procedure to be followed at hearings is set out in Rule 14 of The Infrastructure Planning (Examination Procedure) Rules 2010. The ExA is responsible for the oral questioning of a person giving evidence and the process affords very limited scope to allow cross-questioning between parties.

### **Hearing livestream and recording**

A link to a livestream for each hearing will be made available on the [project webpage](#) shortly before any hearing is due to open. The livestream is available to anybody who wishes to observe a hearing in real time.

All hearings are recorded, and the recordings will be made available on the [project webpage](#) as soon as practicable after the close of the hearing. The recordings allow any member of the public who is interested in the application and the Examination to find out what has been discussed.

## Requests to participate at hearings

Interested Parties are required to notify the Examining Authority (ExA) in writing of their wish to take part in a Compulsory Acquisition Hearing (CAH) or Open Floor Hearing (OFH) on or **before 6 June 2023 (Deadline 1)**

Any request to participate in a hearing **should include** the following information:

- Name and unique reference number (found at the top of any letter or email from the Planning Inspectorate);
- email address (if available) and contact telephone number;
- name and unique reference number of any person/organisation that you are representing (if applicable);
- for blended events, confirmation of whether you will participate virtually or in-person;
- confirmation of the hearing(s) you wish to participate in, the agenda item(s) on which you wish to speak and/or brief details of the topic(s) that you would like to raise;
- for Compulsory Acquisition Hearings, the plot number(s) of the relevant land provided in the [Book of Reference](#) and the [Land Plans](#); and
- the [Examination Library](#) reference number (with paragraph/page number where appropriate) of any documents you wish to refer to.

The time, date and place of any confirmed hearing will be notified in writing to all Interested Parties, providing at least 21 days' notice.

Requests to participate should be made using an **Event Participation Form** which will be provided with the notification of the hearing.

**Please contact the Case Team using the contact details at the top of this letter if you require any support or assistance to attend an Event, either virtually or in person.**

If no written requests to take part in an OFH or CAH are received by the above Deadline, we are not required to hold such a hearing, although we may choose to do so nonetheless.

We may also choose to hold other Issue Specific Hearings (ISH) in addition to those specified above about topics that we think need to be explored orally. The decision to hold an ISH about a particular topic is not connected to how relevant or important we consider an issue or topic to be.

## Accompanied Site Inspection (ASI) and requests to attend

Time has been reserved in the Examination Timetable to undertake an ASI on **10 July 2023**.

As requested in **Annex D** of our Rule 6 letter, suggestions, including justification, for locations to be included in the ASI were submitted by Procedural Deadline A and have been published on the [project webpage](#).

We have reviewed the suggested locations including justification, for locations to be included in the ASI and request that the Applicant prepare a draft itinerary for the ASI that includes the following locations:

- **St Catherine's Hill and surrounding area** (proposed by Mr Gillham)
- **Communities along B3335** (proposed by Mr Gillham)
- **Chalk Ridge** (proposed by Winchester City Council)
- **Land east of M3 between Easton Lane and Long Walk** (proposed by Mr Gillham, SDNPA and The Applicant)
- **Twyford Down and The Dongas ancient trackway** (proposed by Mr Gillham)
- **Proposed Construction compound on land east of M3** (proposed by The Applicant)
- **Proposed bridal way and landscaping on land east of M3** (proposed by The Applicant)
- **Proposed attenuation basins and merge sliproad** (proposed by The Applicant)
- **Entrance to highway depot and proposed cycleway and toucan crossing** (proposed by Winchester City Council and The Applicant)
- **Shoulder of Mutton Farm incl. domestic borehole** (proposed by Mrs Rosewell)
- **Existing junction, including underpasses** (proposed by Winchester City Council)

The draft itinerary should be submitted by **Deadline 1**.

Comments on the Applicant's draft itinerary should be submitted by **Deadline 2**.

We will then review the comments received and the draft itinerary and may make changes to it. Our final itinerary for the ASI will be published on the project webpage on or before **22 June 2023**.

Please note that for logistical and safety reasons it may be necessary to limit the numbers of persons who accompany us for the whole ASI, however it should be possible for arrangements to be made for Interested Parties (or their representatives) to join the inspection at specified locations within the itinerary.

Requests by Interested Parties to attend the ASI should be made using the [Event Participation Form](#) on or before **Deadline 2**.

The Interested Parties attending the ASI will include representatives of the Applicant, together with other Interested Parties (or their representatives). Access onto private land is at all times by permission of the person controlling it.



**Interested Parties should be aware that ASIs are not an opportunity to make any oral representations to us about the Proposed Development.** However, we may invite participants to indicate specific features or sites of interest.

**Please contact the Case Team using the contact details at the top of this letter if you require any support or assistance to attend the ASI.**

## Availability of Examination Documents

The application documents and Relevant Representations are available to view on the [project webpage](#).

All further documents submitted in the course of the Examination will also be published under the [Documents Tab](#) of the project webpage.

## The Examination Library

For ease of navigation, please refer to the [Examination Library](#) (EL) which is accessible by clicking the blue button under the Documents tab. The EL is updated regularly throughout the Examination.

The EL records and provides a hyperlink to:

- Each application document;
- each representation and submission made to the Examination; and
- each Procedural Decision made by the Examining Authority.

Each document is given a unique reference number which will be fixed for the duration of the Examination. **Please quote the unique reference number from the EL when referring to any Examination Documents in any future submissions that you make.**

## Electronic deposit locations

Documents can be viewed electronically, free of charge, at the electronic deposit locations listed in the table below. Please note that you may need to bring a form of identification and register as a member/library member in order to use a computer at these locations.

Local authority	Venue/address	Opening hours	Printing Costs
Winchester Discovery Centre	Jewry Street, Winchester, SO23 8SB	Mon, Tues, Thurs, Fri, Sat – 9.30am-5.00pm Wed – 9.30am – 1.30pm Sun – Closed	15p per copy for black and white (A4) 60p per sheet for colour (A4) 30p per copy for black and white (A3)

Annex D

			£1.20 per sheet for colour (A3)
<b>Local authority</b>	<b>Venue/address</b>	<b>Opening hours</b>	<b>Printing Costs</b>
Winchester Tourist Information Centre	Winchester Guildhall, High Street, Winchester SO23 9GH	Mon, Tues, Wed, Thurs, Fri, Sat – 10.00am-5.00pm Sunday – Closed	35p per copy (A4)
<b>Local authority</b>	<b>Venue/address</b>	<b>Opening hours</b>	<b>Printing Costs</b>
Winchester City Council Customer Services Centre	City Offices, Colebrook Street, Winchester, SO23 9LJ	Mon, Tues, Wed, Thurs – 8.30am-5.00pm Fri – 8.30am-4.30pm Sat, Sun – Closed	20p per sheet
<b>Local authority</b>	<b>Venue/address</b>	<b>Opening hours</b>	<b>Printing Costs</b>
Kings Worthy Community Centre	Fraser Road, Kings Worthy, SO23 7PJ	Lesley York/Jackie Porter 07867512341	Printing facilities available on request
<b>Local authority</b>	<b>Venue/address</b>	<b>Opening hours</b>	<b>Printing Costs</b>
Winnall Community Centre	Garbett Road, Winchester SO23 0NY	Mon, Tues, Wed, Thurs 6.30pm-12.00am Fri – 6.00pm-12.00am Sat – 12.00pm12.00am Sun – 12.00pm10.30pm	Printing facilities available upon request

## Information about the Make a submission tab

The [Make a submission](#) is available on the project webpage.

You will need to enter your unique reference number ('Your ref' found at the top your postcard or email from the Planning Inspectorate) beginning either 2003 or M3J9. If you are making a submission on behalf of another person or organisation, and do not have your own unique reference number, then you should enter the unique reference number of the person or organisation you are representing. If you are not a registered Interested Party then it is at the discretion of the Examining Authority whether or not your submission is accepted.

Submissions will be published on the [project webpage](#) as soon as practicable following the close of the relevant Deadline. For further information about publishing submissions please view our [Privacy Notice](#).

You will be able to submit a document (upload file), make a text representation or both. It is possible to upload multiple files for each individual submission item. Electronic attachments should be clearly labelled with the subject title and not exceed 50MB.

Submissions **must not include hyperlinks** to documents/evidence hosted on a third party website eg technical reports, media articles etc. See the Planning Inspectorate's [Advice Note 8.4: The Examination](#) for further information about making written submissions. All submissions must be made in a format that can be viewed in full on the National Infrastructure Planning website. Any submissions that exceed 1500 words should also be accompanied by a summary; this summary should not exceed 10% of the original text.

You should select the relevant Deadline for your submission and then, on the next webpage, select the appropriate Submission item as described in the Examination Timetable at **Annex A** to this letter. Please ensure you make a separate submission for each Submission item and **do not duplicate your submission**. If you consider that your submission does not fit the description of any of the Submission items then please select the Submission item 'Other' and ensure that it is titled appropriately.

If you experience any issues when using the [Make a submission](#) please contact the Case Team using the contact details at the top of this letter and they will assist.