



Meeting note

Project name	M3 Junction 9 Improvement
File reference	TR010055
Status	Final
Author	The Planning Inspectorate
Date	12 May 2022
Meeting with	National Highways
Venue	Microsoft Teams
Meeting objectives	Project Update meeting
Circulation	All attendees

Summary of key points discussed and advice given

The Planning Inspectorate (the Inspectorate) advised that a note of the meeting would be taken and published on its website in accordance with section 51 of the Planning Act 2008 (the PA2008). Any advice given under section 51 would not constitute legal advice upon which applicants (or others) could rely.

Scheme update

National Highways (the 'Applicant') informed the Inspectorate of its communication to stakeholders and landowners regarding the postponement to the application for development consent on the M3 Junction 9 Improvement Scheme (the 'Proposed Development').

The Proposed Development has been modified in light of the Government's announcement on smart motorways¹, including revisiting the design as it interfaced with the smart motorway and tying the design into the existing local road network. As such, the Applicant is reviewing and updating its application for a Development Consent Order (DCO). The Applicant explained that the scheme will still meet its objectives.

The Applicant outlined the changes to the design of the scheme as a result, including an extended length of slip road, a proposed low level retaining wall, and a new super span gantry. The Applicant explained that it will need to correct and replace signage. It also explained that, as a result of these changes, the Environmental Statement will be reviewed and revised where appropriate (including the project description, alternatives, noise, air quality, ecology, landscape, and cumulative effects chapters).

The Inspectorate advised the Applicant to ensure that any changes to the scheme are clearly explained and reflected across the suite of application documents.

¹ <https://www.gov.uk/government/news/smart-motorway-rollout-to-be-paused-as-government-responds-to-transport-committee-report>

Stakeholder engagement

The Applicant outlined some local responses to the announcement of the delay for submission.

The Applicant anticipates submission of an application for the Proposed Development by Quarter 1 2023. The Inspectorate advised the Applicant to ensure thorough cross-checking of the suite of application documents prior to submission.

The Applicant does not expect to undertake further statutory consultation as it did not consider the changes warrant additional statutory consultation. The Inspectorate advised the Applicant to follow the pre-application Guidance, the degree of change, the level of interest and the effects on the local community when making a decision on the need for further consultation. The Applicant explained that it will continue to engage in discussions with stakeholders. The Applicant explained that several issues had been resolved as a result of engagement with stakeholders.

The Applicant explained that templates for the Statement of Common Ground (SoCG) are being developed with the host local authorities and statutory environmental bodies..

The Inspectorate queried what impact the programme changes may have in terms of construction timing and cumulative effects in relation to other schemes in the area. The Applicant confirmed that the cumulative effects assessment would be updated.

There was a discussion on internal governance and funding for the Proposed Development. The Applicant expects to have revised costs and budget figures by the end of June 2022.

PINS website update

The PINS website would be updated to reflect the new anticipated submission date.

Other

The Inspectorate queried whether, as a result of the delay, the survey data remains up to date. The Applicant explained that the delay has meant that survey data and cumulative developments/effects will be reviewed and updated if required.

The Inspectorate noted there were a number of unregistered plots in the Book of Reference when it was subject to the Inspectorate's draft document review and asked if any progress had been made in this regard. The Applicant confirmed it is continuing due diligence in relation to land rights and is considering compulsory acquisition powers in relation to the main carriageway within the Order Limits. The Applicant confirmed it will ensure any changes are reflected in the Book of Reference and associated application documents upon submission of the application.

The Inspectorate asked whether the Applicant had considered formulating a consultation response document to demonstrate how feedback had led to amendments. The Applicant is considering this.

The Applicant asked whether any changes to the Inspectorate's Advice Notes were expected. The Inspectorate advised the Applicant to sign up to notifications of Advice Note changes on the Planning Inspectorate website.

The Applicant confirmed it intends to submit a revised draft DCO, Explanatory Memorandum and Land Plans to the Inspectorate for draft document review and will confirm the timing of this at the next meeting.