

Highways Commissioning
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Gloucester GL1 2TH
Telephone: 01454 662377

18th June 2024

M5 Junction 10 Improvements Scheme

Dear Mr Maund,

Application by Gloucestershire County Council for an order granting Development Consent for the M5 Junction 10 Improvements Scheme

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

Further to the Examining Authority's Rule 8 letter, dated 14 June 2024, I write in respect to the information requested from the Applicant at Deadline 1 (18 June 2024).

Documentation Submitted at Deadline 1

Please find enclosed the following documents which have been requested from the Applicant at Deadline 1:

1. Draft Statements of Common Grounds

The Applicant can confirm that the following updated versions of the SoCGs have been submitted at Deadline 1:

- The Joint Councils (TR010063/APP/8.2 – Rev 1.0)
- National Highways (TR010063/APP/8.3 – Rev 1.0)
- The Environment Agency (TR010063/APP/8.4 – Rev 1.0)
- Natural England, including Letters of No Impediment (TR010063/APP/8.5 – Rev 1.0)
- Historic England (TR010063/APP/8.6 – Rev 1.0)

Given the volume of updates and amendments that have been made to the aforementioned SoCGs, as a consequence of the ongoing discussions since the submission of the DCO application, any 'tracked versions' would result in documents with such level of changes that the purpose of the seeing the tracked changes would be lost. As such, in the case of the SoCGs, the Applicant has provided 'clean versions' only at Deadline 1. The Applicant has also provided commentary on the status of the SoCG's within Appendix D of Applicant's Written Submissions of Oral Case for Issue Specific Hearing 2 (ISH2).

Further to the Examining Authority's comments at the Issue Specific Hearings regarding the distance between the relative positions of the Applicant and the respective developers associated with West Cheltenham, North West Cheltenham and the Safeguarded land the Applicant acknowledges the need for further progress to be made in respect of the Statements of Common Ground (SoCGs). It is on that basis that the Applicant has not submitted updated SoCGs for the developer sites at

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Deadline 1 but proposes to submit updated versions at Deadline 3, by which time it is hoped that more meaningful progress can be made.

2. Statement of Commonality for SoCGs

The Statement of Commonality (TR010063/APP/8.1 – Rev 1.0) has been updated to reflect the current position with regards to the submitted SoCGs.

3. Draft Land Rights Tracker

During the Preliminary Meeting, the ExA requested that the Applicant provide a Lands Tracker which should follow the format of in the Rampion 2 Offshore Wind Farm application. The Applicant has followed the example found in that Application. The Land Rights Tracker (a TR010063/APP/9.29) provides summary of the ongoing engagement regarding the Scheme and negotiations with interested parties.

The Applicant appreciates that the Rule 8 letter requests the Applicant produce a Lands Tracker in accordance with the format shown in Annex B.

The Applicant notes that Annex B differs slightly from the example found in the Rampion 2 Offshore Wind Farm application. Given the timescales between receipt of the Rule 8 letter and Deadline 1 the Applicant has been unable to update the format of the document in line with the example provided in the Rule 8 letter.

The Applicant would be happy to amend the Land Rights Tracker further to accord with the example provided in the Rule 8 should the ExA consider this helpful.

4. Draft NPS tracker

As agreed with the Examining Authority during the Preliminary Meeting the Applicant will consider the Planning Statement and Schedule of Accordance with National Policy Statement ('the Planning Statement') (TR010063/APP/7.1 – Rev 1.0) and its associated appendices as a live document that will be updated to reflect the most up to date policy position during Examination.

The Applicant has updated the Planning Statement following actions arising from Issue Specific Hearing 1 and 2 and will continue to keep this document under review.

5. Comments on Relevant Representations (RR)

In responding to the Relevant Representations received from Interested Parties the Applicant has provided two documents. One document responding to the majority of relevant representations and a second providing a combined response to the broader themes raised by those Interested Parties associated with the Strategic Allocations and the Safeguarded land.

- Applicant's Response to Relevant Representations (TR010063/APP/9.28)
- Applicant's Response to Relevant Representations RR-005, RR-006, RR-007 and RR-034 (TR010063/APP/9.33)

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6. Applicant's draft itinerary for ASI

Further to discussions during the Preliminary Meeting the Applicant has produced a draft itinerary for the ASI (TR010063/APP/9.27) that takes account of locations raised in the Relevant Representations, any areas where significant effects have been identified in the submitted Environmental Statement and the Examining Authority's request to consider the need for locations visited during the two USI to be revisited.

The Applicant's draft itinerary for the ASI also includes the locations set out in Annex C of the Rule 8 letter.

7. Written post hearing submissions including written summaries of oral cases made at Hearings held during w/c 3 June 2024

The Applicant has provided written summaries of oral case for both Issue Specific Hearing 1 and Issue Specific Hearing 2. Unless otherwise stated the Applicant has provided all its responses to the Action Points within the relevant written summary.

- Applicant's Written Submissions of Oral Case for Issue Specific Hearing 1 (ISH1) (TR010063/APP/9.31)
- Applicant's Written Submissions of Oral Case for Issue Specific Hearing 2 (ISH2) (TR010063/APP/9.32)

Additional Submissions at Deadline 1

1. Guide to the Application

The Guide to the Application (TR010063/APP/9.26) charts the submission of DCO application documents to the Inspectorate, identifying the current revision for all documents submitted by the Applicant into Examination. This is a live document and will be updated throughout the Examination process and submitted, when updated, for each relevant deadline.

2. Draft Development Consent Order (dDCO) and Change Log

The Applicant has provided an explanation for all changes made to the dDCO (TR010063/APP/3.1 – Rev 2.0 in its Change Log (TR010063/APP/9.21 – Rev 1.0). The Applicant has provided a clean Deadline 1 version of the dDCO as well as two tracked copies. The first tracked copy compares Deadline 1 against the Applicants s51 submission. The second tracked copy compares Deadline 1 against the original submission version.

3. Environmental Statement Chapters

As a result of ongoing SoCG discussions with the Joint Councils and the Environment Agency the following Environmental Statement Chapters have been updated to address comments raised.

- Chapter 7 – Biodiversity (TR010063/APP/6.5 – Rev 1.0) (tracked and clean versions)

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- Chapter 8 – Road Drainage and the Water Environment (TR010063/APP/6.6 – Rev 2.0), including updated Appendix 8.2 – WFD Assessment (TR010063/APP/6.15 – Rev 1.0) (tracked and clean versions)
- Chapter 9 – Landscape and Visual (TR010063/APP/6.7 – Rev 1.0) (tracked and clean versions)
- Chapter 10 – Geology and Soils (TR010063/APP/6.8 – Rev 1.0) (tracked and clean versions)
- Chapter 12 – Materials and Waste (TR010063/APP/6.10 – Rev 1.0) (tracked and clean versions)
- Chapter 13 – Population and Human Health (TR010063/APP/6.11 – Rev 2.0) (tracked and clean versions)
- Chapter 14 – Climate (TR010063/APP/6.12 – Rev 2.0) (tracked and clean versions)

4. New Environmental Statement Chapter

Following a request from the Examining Authority during the Preliminary Meeting a Chapter 16 – Summary (TR010063/APP/9.30) has been produced for the Environmental Statement.

5. Updated Environmental Statement Non-Technical Summary

As a result of the aforementioned changes outlined above the Applicant has provided an updated Environmental Statement Non-Technical Summary (TR010063/APP/6.1 – Rev 1.0) to reflect the changes made in other documents and correct identified formatting issues. Due to the nature of changes, it is felt that the submission of a 'tracked version' would result in a document that would be difficult to read, as such the Applicant has submitted a 'clean version' only.

6. Register of Environmental Actions Commitments

As a result of ongoing SoCG discussions with the Environment Agency the Register of Environmental Actions and Commitments (TR010063/APP/7.4 – Rev 2.0) has been updated to address comments made by the Environment Agency and the Lead Local Flood Authority.

7. Planning Statement and Schedule of Accordance with the National Planning Policy Statement

Further to discussions during the Preliminary Meeting and Issue Specific Hearing 1 regarding updates to Appendices A-C of the Planning Statement and Schedule of Accordance with the National Policy Statement (APP-135) and the assessment of Green Belt the Planning Statement (TR010063/APP-7.1 – Rev 1.0) has been updated to reflect these discussions and the current policy position and to address relevant action points. The Planning Statement has also been updated in response to reflect updates to the NPPF published in 2023 as set in the Applicant's response to Rule 9 / S51 advice submission and as agreed with the Joint Councils.

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8. Land Plans, Crown Land Plans, Statement of Reasons, Book of Reference and Change Log

The Land Plans (TR010063/APP/2.2 – Rev 2.0), Crown Land Plans (TR010063/APP/2.7 – Rev 2.0, Statement of Reasons (TR010063/APP/4.1 – Rev 2.0 and Book of Reference (TR010063/APP/4.3 – Rev 2.0 have been updated as a result of a refresh of the various sources for the Book of Reference. In addition, the Applicant has undertaken a checking exercise to ensure that the Statement of Reasons and dDCO reflect the Book of Reference appropriately.

Where the Applicant has identified a change of ownership then the Applicant can confirm it will have regard to the Rule 8 letter and its request to make any relevant person aware of the process under Section 102A of the Planning Act 2008.

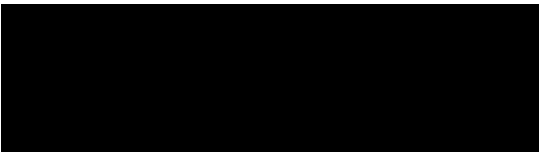
The Crown Land Plans have been amended to add in an additional plot, this was omitted on these plans only but included on the Land Plans and Book of Reference.

The Land Plans have been amended, and this has caused reciprocal changes to the Statement of Reasons, Book of Reference and dDCO. The changes have not increased the land take proposed originally by the Order nor have the changes increased the category of rights over any plot of the Order. The changes are purely administrative, they are as a result of further detail becoming known principally regarding areas of unregistered land where previously the land in question was included in a registered title. As such new plots have been added, and others removed. During the detailed review, some minor amendments to the approximate figure in the Book of Reference has been made but this is only a description change and there has been no change to the proposed land take.

A full justification of the changes to the land plans has been provided as an appendix to this cover letter.

In order to assist the Examining Authority in their review of these changes a full Change Log has been provided.

Yours sincerely,



Chris Beattie
Highways and Infrastructure
Gloucestershire County Council

Appendix A

Original Plot	Original Plot Approximate Size	Varied Plot	Varied Plot Approximate Size	Summary	Explanation of Plot change
12/1b	2323.07	12/1b	2408	Change of Area size	HMLR title extent GR455442 update. Change in area size - this is as a result of part of plot 12/7a being split/merged into 12/1b
12/1c	224.11	12/1c	299	Change of Area size	HMLR title extent GR455442 update. Change in area size – this as a result of part of plot 12/7d being split/merged into 12/1c
12/1c(i)	87.39	12/1c(i)	116	Change of Area size	HMLR title extent GR455442 update. Change in area size - this is as a result of plot 12/7d(i) being deleted/merged into 12/1c(i)
12/1c(ii)	102.47	12/1c(ii)	147	Change of Area size	HMLR title extent GR455442 update. Change in area size - this is as a result of plot 12/7d(ii) being deleted/merged into 12/1c(ii)
12/7a	507.43	12/7a	422	Change of Area size	HMLR title extent GR455442 update. Change in area size – this is as a result of part of 12/7a plot being merged into 12/1b
12/7d	17720.08	12/7d	17645	Change of Area size	HMLR title extent GR455442 update. Change in area size - this is as a result of part of 12/7d being merged with 12/1c
12/7d(i)	28.53			Deleted parcel V11	Plot deleted – this is now part of plot 12/1c(i)
12/7d(ii)	44.67			Deleted parcel V11	Plot deleted – this is now part of plot 12/1c(ii)
14/1c	11698.02	14/1c	11697.90	Change of Area size	HMLR title extent GR127822 update. Change in area size - this is result of small part of 14/1c being split/merged with plot 14/5a
14/1c(ii)	3104.73	14/1c(ii)	3096	Change of Area size	HMLR title extent GR127822 update. Change in area size - this is result of part of 14/1c(ii) being split/merged with plot 14/5a
		14/1g(i)	4.24	New Parcel V11_1	HMLR title extent GR149778, GR309816 updates. Resulted in new plots as shown, alongside adjustments to existing surrounding plots. New plot – created as a result of unregistered slither removed from titles GR309816 and GR149778, this was formerly part of plot 14/8c
		14/1g(ii)	2.83	New Parcel V11_1	HMLR title extent GR149778, GR309816 updates. Resulted in new plots as shown, alongside adjustments to existing surrounding plots. New plot – created as a result of unregistered slither removed from titles GR309816 and GR149778, this was formerly part of plot 14/8c(i)

14/5a	748.27	14/5a	756.99	Change of Area size	HMLR title extent GR127822 update. Change in area size - this is result of plot being merged with area of 14/1c(ii)
14/7a(ii)	5.72	14/7a(ii)	5.81	Change of Area size	HMLR title extent GR149778 update. Resulted in new plots as shown, alongside adjustments to existing surrounding plots. Change in area size - this is result of plot 14/7a(iii) being created. Part of former plot 14/8a has been merged into 14/7a(ii)
		14/7a(iii)	6.57	New Parcel V11_1	HMLR title extent GR149778 update. Resulted in new plots as shown, alongside adjustments to existing surrounding plots. New plot – this is as a result of area removed from GR149778 into unregistered area. Part of former plot 14/8a has been merged into 14/7a(iii)
14/8a	6.69	14/8a	10	Change of Area size	HMLR title extent GR309816, GR149778 updates. Resulted in new plots as shown, alongside adjustments to existing surrounding plots. Change in area size - this is result of part of plot being merged with area of 14/8b
14/8b	843.77	14/8b	834	Change of Area size	HMLR title extent GR309816, GR149778 updates. Resulted in new plots as shown, alongside adjustments to existing surrounding plots. Change in area size - this is result of part of plot being merged into 14/8a
14/8c	197.25	14/8c	193	Change of Area size	HMLR title extent GR309816, GR149778 updates. Resulted in new plots as shown, alongside adjustments to existing surrounding plots. Change in area size - this is result of part of plot being merged into new plot 14/1g(i)
14/8c(i)	174.77	14/8c(i)	172	Change of Area size	HMLR title extent GR309816, GR149778 updates. Resulted in new plots as shown, alongside adjustments to existing surrounding plots. Change in area size - this is result of part of plot being merged into new plot 14/1g(ii)
15/4f	371.04	15/4f	360.55	Change of Area size	HMLR title extent GR405482 update. Change in area size - this is result of part of plot being merged with 15/5b
15/5b	4154.31	15/5b	4263	Change of Area size	HMLR title extent GR405482 update as per 15/4f. Change in area size - this is result of parts os 15/4f and 15/8c being merged into this plot

15/8c	3724.02	15/8c	3626	Change of Area size	HMLR title extent GR405482 update as per 15/4f. Change in area size - this is result of part of plot being merged into 15/5b
16/11a	251.01	16/11a	315	Change of Area size	HMLR title extent GR130009 update. Previous plots merged and adjusted accordingly. Change in area size - this is result of plots 16/4i and part of 16/4k (Unregistered) being merged into this plot
16/11a(i)	191.92	16/11a(i)	231	Change of Area size	HMLR title extent GR130009 update. Affected previous plots merged and adjusted accordingly. Change in area size - this is as a result of part of plot 16/4k being merged into this plot
16/11a(i)	527.27	16/11a(i)	708	Change of Area size	HMLR title extent GR130009 update. Affected previous plots merged and adjusted accordingly. Change in area size - this is as a result of part of plot 16/4k being merged into this plot
16/11b	192.26	16/11b	203	Change of Area size	HMLR title extent GR130009 update. Affected previous plots merged and adjusted accordingly. Change in area size - this is as a result of plot 16/4j being merged into this plot
16/11b(i)	761.99	16/11b(i)	767	Change of Area size	HMLR title extent GR130009 update. Affected previous plots merged and adjusted accordingly. Change in area size - this is as a result of plot 16/4l being merged into this plot
16/1e	5.69			Deleted parcel V11	Plot deleted – this is now part of plot 16/5d
16/4g	15.54	16/4g	14.10	Change of Area size	HMLR title extent GR235553 update. Change in area size - this is as a result of part of plot being merged into plot 16/9a
16/4h	41.49	16/4h	39.57	Change of Area size	HMLR title extent GR235553 update. Change in area size - this is as a result of part of plot being merged into plots 16/5d and 16/5e(i)
16/4i	25.92			Deleted parcel V11	Plot deleted – this is now part of plot 16/11a
16/4j	10.56			Deleted parcel V11	Plot deleted – this is now part of plot 16/11b
16/4k	888.95	16/4k	630.91	Change of Area size	HMLR title extent GR130009 update. Change in area size - this is as a result of plot being split and merged into 16/11a, 16/11a(i) and 16/11a(ii)
16/4l	5.39			Deleted parcel V11	Plot deleted – this is now part of plot 16/11b(ii)
16/5d	2.93	16/5d	8.67	Change of Area size	HMLR title extent GR235553 update. Change in area size - this is as a result of plots 16/1e and 16/5d being merged

16/5e(i)	55.88	16/5e(i)	57.73	Change of Area size	HMLR title extent GR235553 update. Change in area size - this is as a result of part of plot 16/4h being split and merged with 16/5e(i)
16/8c	619.32	16/8c	615.53	Change of Area size	HMLR title extent GR236369 update. Change in area size - this is as a result of part of plot being merged into 16/9a
16/8d	1.04			Deleted parcel V11	Plot deleted – this is now part of plot 16/9b
16/9a	1918.71	16/9a	1923.94	Change of Area size	HMLR title extent GR236369 update. Change in area size - this is as a result of part of plots 16/4g and 16/8c being merged into 16/9a
16/9b	873.94	16/9b	874.98	Change of Area size	HMLR title extent GR236369 update. Change in area size - this is as a result of 16/8d being merged into 16/9b
5/1g(i)	542.04	5/1g(i)	524.34	Change of Area size	Plot split into 5/1g(i) and 5/32a to account for Unregistered sliver. Change in area size - this is as a result of part of 5/1g(i) becoming 5/32a (Unreg)
5/2d	25873.41	5/2d	25873.41	Change of Area size	Change in area size - N/A
5/2dd	2369.33	5/2dd	2308.58	Change of Area size	Plot adjusted to adhere to OS and boundary of identified Unregistered Highway parcel. Change in area size - this is as a result of part of plot being merged into 5/2jj
5/2ii	2662.95	5/2ii	2723.39	Change of Area size	HMLR title extent GR27136 update. Change in area size - this is as a result of plot 5/2oo being merged into 5/2ii
5/2jj	718.09	5/2jj	790.87	Change of Area size	HMLR title extent GR27136 update. Change in area size - this is as a result of plots 5/2pp, 5/2qq and part of 5/2dd being merged into 5/2(jj)
5/2oo	60.43			Deleted parcel V11	Plot deleted – this is now part of plot 5/2(ii)
5/2pp	11.41			Deleted parcel V11	Plot deleted – this is now part of plot 5/2(jj)
5/2qq	1172.18	5/2qq	1171.56	Change of Area size	HMLR title extent GR27136 update. Change in area size - this is as a result of parts of plot being split and merged into 5/2jj and 5/2dd
		5/32a	35.29	New Parcel V11_1	New plots created due to adjustment to GR211814 and GR146674 title boundaries, alongside identification of Unregistered land. New plot – created as a result of area removed from 5/1g(i) and 5/8a (now Unregistered)
		5/33a	11.64	New Parcel V11_1	New plots created due to adjustment to GR211814 and GR146674 title boundaries, alongside identification of Unregistered land.

					New plot – created as a result of area removed from 5/8a (now Unregistered)
	5/33b	22.06		New Parcel V11_1	New plots created due to adjustment to GR211814 and GR146674 title boundaries, alongside identification of Unregistered land. New plot – created as a result of area removed from 5/4a (now Unregistered)
	5/33c	17.86		New Parcel V11_1	New plots created due to adjustment to GR211814 and GR146674 title boundaries, alongside identification of Unregistered land. New plot – created as a result of area removed from 5/4b (now Unregistered)
	5/33d	10.82		New Parcel V11_1	New plots created due to adjustment to GR211814 and GR146674 title boundaries, alongside identification of Unregistered land. New plot - created as a result of area removed from 5/4d (now Unregistered)
5/4a	5954.77	5/4a	5932.70	Change of Area size	Plot adjusted following creation of plots 5/32a - 5/33d as above. Change in area size - this is as a result of part of plot being split into 5/33b
5/4a(ii)	278.13	5/4a(ii)	266.49	Change of Area size	Plot adjusted following creation of plots 5/32a - 5/33d as above. Change in area size - this is as a result of part of plot being split into 5/33a
5/4b	4630.62	5/4b	4612.76	Change of Area size	Plot adjusted following creation of plots 5/32a - 5/33d as above. Change in area size - this is as a result of part of plot being split into 5/33c
5/4d	16546.10	5/4d	16535.56	Change of Area size	Plot adjusted following creation of plots 5/32a - 5/33d as above. Change in area size - this is as a result of part of plot being split into 5/33d
5/8a	971.00	5/8a	953.41	Change of Area size	HMLR title extent GR204671 update. Change in area size - this is as a result of part of plot being split into new plot 5/32a