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Chris Beattie  
Highways and Infrastructure  
Gloucestershire County Council

Your Ref:

Our Ref: TR010063

By email

Date: 18 October 2024

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Dear Chris Beattie,

## **Planning Act 2008 (as amended) – Section 89**

## **Planning Act 2008 (as amended) – Section 123 and the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 – Regulation 6**

## **Application by Gloucestershire County Council for an Order Granting Development Consent for the M5 Junction 10 Improvements Scheme**

### **Notice by Applicant of a request for changes to the application**

Thank you for your letter dated 11 October 2024 and the information setting out the request to make changes to the application. The letter and the supporting information have now been published on the project page of the National Infrastructure Planning website under the heading of Additional Submissions.

### **Procedural Decision**

I am writing to notify you of our decision to accept a further change to the Application Change Application No.2 submitted on 11 October 2024.

### **Change Application No. 2 Changes No.1-7.**

- Change 1 Link Road replacement of swales with filter drain
- Change 2 Link Road replacement of culverts with bridges
- Change 3 Link Road River Chelt bridge structural form
- Change 4 Link Road alignment
- Change 5 Relocation of existing NRTS transmission station
- Change 6 Flood storage area reconfiguration
- Change 7 Infill of existing northbound on-slip loop.

The ExA has no substantive concern with the reasons for the Change Request and is satisfied that the changes both individually and cumulatively are not so substantial that they would extend beyond the original scope and assessment of the Project as to constitute a materially different project.

The ExA is content that there remains sufficient time within the Examination for the proposed changes to be properly and fairly examined including the opportunity for written submissions and any oral representations to be made at any hearings that are required.

### **Amending the Examination Timetable to support Examination of Change Request and to Accommodate CA Regulations Examination**

Further to the Infrastructure Planning (Examination Procedure) Rules 2010 (as amended) (the EPR) Rule 8(3), the ExA has decided to amend the Examination Timetable to make express provision for procedures that are required to examine the Change Requests under the CA Regulations.

Further to the Infrastructure Planning (Examination Procedure) Rules 2010 (as amended) – Rule 8(3), the ExA has decided to amend the Examination Timetable to make provision for the submission of relevant representations on the proposed changes, submission of written representations and for oral examination (if required), as a consequence of the CA Regulations, Regulation 12, should any requests to be heard be received.

If they are required, any hearings to address matters arising under the CA Regulations will be held between Wednesday 20 and Thursday 21 November 2024 as virtual events. A summary of the changes to the Timetable and a revised Timetable can be found in Annex A to this letter.

Whilst to date hearings have been conducted as blended events, being a mix of both in-person and virtual, given that the NSIP process is primarily a written process, the limited extent of the additional land interests, and the limited nature of the proposed provisions the ExA is satisfied that it is proportionate and reasonable to conduct these hearings as solely virtual events.

The ExA will set out a new Initial Assessment of Principal Issues for the change requests pursuant to the CA Regulations, Regulation 11, following the receipt of representations, as soon as practicable after 28 October 2024. The ExA does not consider that a separate preliminary meeting to discuss the timetable changes is necessary, as the timetable changes are limited in scope and have largely been implemented within the framework provided by the existing Examination process.

In line with the Infrastructure Planning (Examination Procedure) Rules 2010 (as amended) – Rule 17, the ExA requests that the Applicant confirms that the updates and consolidated documents submitted with the Change Request are now the Application documents and that the documents which they replace are superseded and this is reflected in the document tracker and any necessary changes to other documents.

If you have any questions on the matters addressed in this letter, please do not hesitate to contact the case team using the contact details at the head of this letter.

Yours faithfully

*Edwin Maund*

**Edwin Maund**  
**Lead Member of the Examining Authority**

## Annex A

### Varied Examination timetable

17.	<b>Issue Specific Hearing 4 (ISH4)</b> <ul style="list-style-type: none"> <li>• ISH4 - Traffic and Transport, Funding, DCO, Noise, Flooding, and the Water Environment.</li> </ul>	Tuesday 15 and Wednesday 16 October 2024
18.	<b>Publication by the ExA of:</b> <ul style="list-style-type: none"> <li>• Report on the Implications for European Sites (RIES) and any associated questions (if required)</li> </ul>	<b>Tuesday 22 October 2024</b>
19.	<b>Deadline 6</b> For receipt by the ExA of: <ul style="list-style-type: none"> <li>• Relevant Representations in respect of Change Application No. 1 for Change 8</li> <li>• Certification compliance for the CA Regulations (Change Application No.1)</li> <li>• Updated Funding Statement</li> </ul>	<b>Monday 28 October 2024</b>
20.	<b>Deadline 7</b> For receipt by the ExA of: <ul style="list-style-type: none"> <li>• Written summaries of oral submissions made at Hearings held during the w/c 14 October 2024</li> </ul>	<b>Wednesday 30 October 2024</b>
21.	<b>Deadline 8</b> For receipt by the ExA of: <ul style="list-style-type: none"> <li>• Consultation Statement</li> </ul>	<b>Tuesday 5 November 2024</b>
22.	<b>Publication of:</b> <ul style="list-style-type: none"> <li>• The ExA's Third Written Questions (ExQ3) (if required)</li> <li>• ExA's commentary on, or schedule of changes to the dDCO</li> </ul>	<b>Thursday 7 November 2024</b>
23.	<b>Deadline 9</b> For receipt by the ExA of: <ul style="list-style-type: none"> <li>• Comments on the RIES and responses to any associated questions (if issued)</li> <li>• Comments on any additional information/submissions received by Deadline 8</li> <li>• Comments on the ExA's dDCO/Schedule of changes</li> <li>• Responses to WRs, RRs and responses to ExQ3</li> </ul>	<b>Tuesday 19 November 2024</b>
24.	<b>Date reserved for Hearings:</b> <ul style="list-style-type: none"> <li>• Issue Specific Hearing (ISH) (if required)</li> <li>• Compulsory Acquisition Hearing (CAH) (if required)</li> <li>• Open Floor Hearing (OFH) (if required)</li> </ul>	<b>Wednesday 20 and Thursday 21 November 2024</b>
25.	<b>Deadline 10</b> For receipt by the ExA of: <ul style="list-style-type: none"> <li>• Written summaries of oral submissions made at Hearings held on 20 and 21 November 2024</li> <li>• Closing Submissions (all except Applicant)</li> <li>• Final DCO to be submitted by the Applicant in the SI template with the SI template validation report and also a clean and tracked word version</li> <li>• Final BoR and schedule of changes to BoR</li> <li>• Final SoCGs</li> </ul>	<b>Thursday 28 November 2024</b>

	<ul style="list-style-type: none"> <li>• Final Principal Areas of Disagreement Summary Statement</li> <li>• Final Statement of Commonality of SoCG</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 Land Rights Tracker in PDF and excel format</li> <li>• Final NPS Tracker</li> <li>• Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010</li> </ul>	
<b>26.</b>	<p><b>Deadline 11</b></p> <p>For the receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Applicant’s closing submissions</li> <li>• Applicant’s responses to oral submissions made at ISH/CAH/OFH w/c 20 November</li> </ul>	<b>Tuesday 3 December 2024</b>
<b>27.</b>	The ExA is under a duty to complete the Examination of the application by the end of the period of six months	<b>Wednesday 4 December 2024</b>

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