

M5 Junction 10 Improvements Scheme

Change Application Consultation Statement

TR010063 - APP 10.38

Nationally Significant Infrastructure Projects: Changes to an application after it has been
accepted for examination

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Nationally Significant Infrastructure Projects: Changes to an application after it has been accepted for examination

M5 Junction 10 Improvements Scheme Development Consent Order 202[x]

Change Application Consultation Statement

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1. Introduction

1.1. Background

- 1.1.1. This consultation statement relates to Change Application 1 [AS-062 to AS-073] (submitted on 4 September 2024) and Change Application 2 [AS-084 to AS-107] (submitted on 11 October 2024) in relation to the M5 Junction 10 Improvements Scheme (the “Scheme”). In seeking the powers to construct the Scheme, Gloucestershire County Council (“the Applicant”) has made an application for a Development Consent Order (“DCO”) to the Secretary of State (“SoS”).
- 1.1.2. As the Applicant is a local authority and engages with the development as both applicant and consultee, referencing has been applied to differentiate the Applicant’s role in the specified activity throughout this report as either ‘the Applicant’, or ‘Gloucestershire County Council’ (consultee).
- 1.1.3. The Applicant is proposing to make improvements to the M5 Junction 10, construct the West Cheltenham Link Road (“the Link Road”), and widen the A4019 Tewkesbury Road. A full Scheme description is included in the Environmental Statement (ES), Chapter 2 [APP-061].
- 1.1.4. A DCO is required for the Scheme as it falls within the definition and thresholds for a ‘Nationally Significant Infrastructure Project’ (NSIP) under section 14 (s14)(1)(h) and section 22 (s22). The DCO, if made by the SoS, would be known as the ‘M5 Junction 10 Improvements Scheme Order’ (“the Order”). The Scheme is an Environmental Impact Assessment (EIA) development under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the “EIA Regulations”).
- 1.1.5. The Applicant’s DCO application was submitted to the SoS on 19 December 2023 and was accepted for Examination on 16 January 2024. The reference number applied to the DCO application is TR010063. The Examination of the application started on 4 June 2024 and is expected to close on 4 December 2024.
- 1.1.6. Since the submission of the DCO application, proposals for changes have resulted from refinements proposed as part of the evolution of the design to ensure the delivery of more sustainable solutions to implement improvements to the Scheme. The changes are also reflective of continuing engagement with key stakeholders and what has been discussed in Examination. As a result, the Applicant has proposed eight changes to the Scheme.
- 1.1.7. The Applicant submitted a Notification Letter [AS-061] informing the Examining Authority (ExA) in writing of its intention to submit changes to the DCO Application on 12 August 2024 (the “Notification Letter”) providing details and background to the request for the proposed changes, to which the ExA responded on 21 August 2024 [PD-011] (“Notification Rule 9 Letter”).
- 1.1.8. Further to the Notification Letter [AS-061], the Applicant split its proposed change application into two different applications, to differentiate between those aspects of the proposed changes that relate exclusively to changes in the Compulsory Acquisition Rights sought (“Change Application 1”) and those that relate to changes in the design of the Scheme (“Change Application 2”).
- 1.1.9. Change Application 1 was submitted to the Planning Inspectorate on 4 September 2024 and accepted on 17 September 2024 [PD-014] (“Change Application 1 Rule 9 Letter”). Change Application 2 was submitted on 11 October 2024 and accepted on 18 October 2024 [PD-017 and PD-018] (“Change Application 2 Rule 9 Letter”).
- 1.1.10. The ExA’s Change Application 1 Rule 9 Letter [PD-014] acknowledged the Applicant’s submission of a Change Application and confirmed acceptance of the proposed changes forming part of Change Application 1 as part of the Application.
- 1.1.11. Proposed changes forming part of Change Application 1 are as follows. Further details are set out in Section 1.3:

- Changes in the Compulsory Acquisition Rights sought in respect of certain plots.
- 1.1.12. The ExA's Change Application 2 Rule 9 Letter [PD-017 and PD-018] acknowledged the Applicant's submission of a Change Application and confirmed acceptance of the proposed changes forming part of Change Application 2 as part of the Application.
- 1.1.13. Proposed changes forming part of Change Application 2 are as follows. Further details are set out in Section 1.3:
- Link Road replacement of swales with filter drain.
 - Link Road replacement of box culverts with bridges.
 - Link Road River Chelt bridge structural form.
 - Link Road alignment.
 - Relocation of National Roads Telecommunications Services (NRTS) Transmission Station.
 - Flood storage area reconfiguration.
 - Infill of existing northbound on-slip loop.
- 1.1.14. The Applicant carried out a single consultation in respect of Change Application 1 and Change Application 2.

1.2. Purpose of the Consultation Statement

- 1.2.1. The purpose of this Statement is to evidence the Applicant's compliance with the ExA's Notification Rule 9 Letter [PD-011], Change Application 1 Rule 9 Letter [PD-014], and Change Application 2 Rule 9 Letter [PD-017 and PD-018].
- 1.2.2. The proposed changes subject to the consultation are set out below in Section 1.3 of this Statement. Further details are provided in the Change Application Summary Report for Change Application 1 [AS-063] and Change Application Summary Report for Change Application 2 [AS-086].
- 1.2.3. This Consultation Statement is structured as follows:
- Introduction
 - Consultation requirements
 - Consultation
 - Consultation responses
 - Conclusion
 - Appendices

1.3. Details of changes sought by the Applicant

- 1.3.1. The Applicant considers that the proposed changes do not materially alter the original application and that the development now being proposed remains in substance that which was originally applied for. The Applicant's submission in relation to the environmental impact assessment (EIA) concludes that the proposed changes do not generate new or different likely significant effects. In addition, some of these changes are considered a betterment of the Scheme. In the ExA's Change Application 1 Rule 9 Letter [PD-014] and Change Application 2 Rule 9 Letter [PD-017 and PD-018], the ExA agreed with the view that the proposed changes as set out in Change Application 1 and Change Application 2 do not generate new or different likely significant effects.
- 1.3.2. A Consultation Document summarising the proposed changes, containing extracts of the relevant plans and drawings, and setting out a summary of the environmental assessment

was available to view online on the Applicant's webpage.¹ The Consultation Document is provided in Appendix A of this Statement.

- 1.3.3. The changes being sought by the Applicant are outlined as follows.

Change Application 1

- 1.3.4. **Changes in the Compulsory Acquisition Rights sought:** Change Application 1 comprises proposed changes to the Compulsory Acquisition rights sought over two sets of land plots within the Order limits. The first set of changes relates to land plots required for dormice hedgerow mitigation, and the second set of changes responds to the Applicant's engagement with National Highways.
- 1.3.5. Compulsory Acquisition Rights sought are firstly changed from temporary possession to compulsory acquisition of rights in relation to plots 5/4d(v), 5/4d(vi), 5/31c(i), 5/4d(vii), 5/4d(viii), 5/31a(i) and 5/31b(i) showing on the Land Plans which will enable the Applicant to undertake a more efficient maintenance of the hedgerow H48.
- 1.3.6. Secondly, the Applicant sought to change plots 3/2b, 5/2h(i), 5/2j, 5/2k, 5/2l and 5/2y showing on the Land Plans within National Highways' land from temporary possession to compulsory acquisition of rights, to reflect an agreement reached with National Highways.
- 1.3.7. The compensation for the additional land proposed to be subject to compulsory acquisition has been allowed for by the Applicant in the budget for the Scheme. Further details of the budget for the Scheme are available in the Updated Funding Statement [REP6-005].
- 1.3.8. In respect of Change Application 1, the Consultation Document was submitted with the change application and was available to view on-line on the Applicant's webpage². Copies of the amended Land Plans [AS-066], amended Statement of Reasons [AS-070], amended Book of Reference [AS-071], Schedule of Changes to DCO Application Documents [AS-063], amended Draft Development Consent Order [AS-067], Explanatory Memorandum [AS-069], addendum to the Land Rights Tracker [AS-065] and Summary Report [AS-063] submitted with the change application were available to view on-line on the Applicant's webpage³ and on the Planning Inspectorate's webpage⁴.

Change Application 2

- 1.3.9. Since the DCO Application was made, the Applicant has continued to refine designs to identify opportunities to further improve the proposals. As a result of this, the Applicant proposed the following seven design changes to the Scheme, forming part of Change Application 2, which would enable the delivery of more sustainable solutions to implement improvements to the Scheme:
- 1.3.10. **Change 1 – Link Road replacement of swales with filter drain:** This change proposes to replace the three swales for surface water collection on the Link Road with two filter drains. Filter drains provide a more efficient solution in terms of alignment design, earthworks and constructability. Filter drains would be narrower than swales allowing for reduction in the cross-section of the Link Road reducing the requirement for imported fill and reducing the footprint in the flood plain.
- 1.3.11. **Change 2 – Link Road replacement of box culverts with bridges:** This change proposes to replace the two sets of pre-cast concrete flood culverts under the Link Road with two flood alleviation bridges. The provision of bridges in lieu of culverts provides a

¹ <https://www.gloucestershire.gov.uk/highways/major-projects-list/m5-junction-10-improvements-scheme>

² <https://www.gloucestershire.gov.uk/highways/major-projects-list/m5-junction-10-improvements-scheme>

³ <https://www.gloucestershire.gov.uk/highways/major-projects-list/m5-junction-10-improvements-scheme>

⁴ <https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/TR010063>

number of benefits such as removal of the requirement for ground improvement and subsoil treatment; reducing working time and space requirements within the floodplain and the overland flow path; eliminating the confined space hazard for inspection and maintenance personnel; providing a larger opening, reducing the risk of blockages; lower risk of differential settlement, improving rideability and reducing the risk of pavement and structural damage; improving fauna movement due to larger openings and improved light penetration and ability to provide seeding / vegetation and other natural features beneath the structure to encourage fauna movement and provide an improved environmental solution.

- 1.3.12. **Change 3 – Link Road River Chelt bridge structural form:** This change proposes to optimise the reprofiling of the River Chelt to run perpendicular with the Link Road, in order to replace the skewed crossing of the River Chelt Bridge with a square crossing. Adopting this change would provide a simpler design and construction solution so reducing programme risk in the construction phase. In addition, square structures are generally considered to have an improved performance in the long term. Additional river enhancements are proposed downstream of the crossing to locally improve riparian and fish habitat.
- 1.3.13. **Change 4 – Link Road alignment:** This change proposes to locally reduce the vertical alignment of the Link Road by more than the vertical limits of deviation and reduce the cycleway width from four metres to three. The proposed changes would reduce the volume of imported material required for the embankment, and the embankment footprint within the flood plain.
- 1.3.14. **Change 5 – Relocation of the National Roads Telecommunications Services (NRTS) Transmission Station:** This change proposes to relocate the Uckington NRTS Transmission Station from its existing position in the northeast quadrant of the M5 junction 10, to a location 2.6km further south on the M5, within the highway's boundary and DCO red line boundary. It eliminates the health and safety risks associated with the construction of the retaining wall in close proximity to the Transmission Station, and mitigates the risks associated with maintaining National Highways' data links during the construction period. The change would allow for the removal of the retaining walls for the north Piffs Elm bridge, on the north side of the east and west abutments. These would be replaced with embankments.
- 1.3.15. **Change 6 – Flood storage area reconfiguration:** This change proposes to reconfigure the proposed flood storage area south-east of the Piffs Elm Interchange, between the M5 corridor, the A4109 and the Link Road. The proposed change would:
- Provide two separate basins to store 23,500m³ and 62,000m³ entirely below the current ground level, with conveyance channels to pass flood water forward under the M5 and the A4019 road embankments.
 - Lower the Withybridge underpass invert level to convey flood water under the A4019.
 - Replace the existing 750mm pipes under A4019 with new culverts.
- 1.3.16. The proposals for Change 6 would collectively provide the benefit of minimising the maintenance responsibilities by removing the requirement to use either the M5 or the A4019 road embankments to impound the reservoir.
- 1.3.17. **Change 7 – Infill of existing northbound on-slip loop:** This change proposes to infill the existing M5 J10 northbound on-slip loop with site won material which would not be suitable for re-use elsewhere, to provide improved screening of the gyratory. The proposed change would provide a sustainable solution to managing site won materials arising from the works and create a new slope with enhanced planting opportunities.

- 1.3.18. In respect of Change Application 2, the Consultation Document was submitted with Change Application 1 and was available to view on-line on the Applicant's webpage⁵. A suit of documents providing full details to Change Application 2 was submitted to PINS on 11 October 2024 and made available on the Planning Inspectorate's webpage⁶ on 18 October 2024.

⁵ <https://www.gloucestershire.gov.uk/highways/major-projects-list/m5-junction-10-improvements-scheme>

⁶ <https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/TR010063>

2. Consultation Requirements

2.1. Correspondence with the Examining Authority

- 2.1.1. The Applicant submitted the Notification Letter informing the ExA in writing of its intention to submit changes to the DCO Application on 12 August 2024 [AS-061], to which the ExA issued the Notification Rule 9 Letter on 21 August 2024 [PD-011].
- 2.1.2. Further to the Notification Letter, the Applicant decided to split its proposed change application into two different applications, to differentiate between those aspects of the proposed changes that relate exclusively to changes in the Compulsory Acquisition Rights sought ("Change Application 1") and those that relate to changes in the design of the Scheme ("Change Application 2").
- 2.1.3. Change Application 1 was submitted to the Planning Inspectorate on 4 September 2024 and accepted on 17 September 2024 [PD-014] (Change Application 1 Rule 9 Letter). Change Application 2 was submitted on 11 October 2024 and accepted on 18 October 2024 [PD-017 and PD-018] (Change Application 2 Rule 9 Letter).
- 2.1.4. The ExA's Change Application 1 Rule 9 Letter [PD-014] acknowledged the Applicant's submission of a Change Application and confirmed acceptance of the proposed changes forming part of Change Application 1 as part of the Application.
- 2.1.5. The ExA's Change Application 2 Rule 9 Letter [PD-017 and PD-018] acknowledged the Applicant's submission of a Change Application and confirmed acceptance of the proposed changes forming part of Change Application 2 as part of the Application.

2.2. Consultation context

- 2.2.1. In respect of Change Application 1, whilst this proposal does not require additional land outside the Order limits, it does alter the nature of the Compulsory Acquisition Rights sought in respect of some of the plots within the Order limits requiring changes from temporary possession to acquisition of new rights. Therefore, the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 ("CA Regulations") would be engaged.
- 2.2.2. In the ExA's Change Application 1 Rule 9 Letter [PD-014], the following conclusions had been reached:
- The ExA concurs with the view that the proposed changes do not generate new or different likely significant effect and has concluded that the proposed changes would make no difference to the outcome of a Habitats Regulations Assessment.
 - The proposed changes would not amount to a different project being proposed.
 - The ExA accept the proposed changes as set out in Change Application 1 for examination.
 - For Change Application 2, it is advised to take a precautionary approach in respect of publicity and consultation for these prospective changes.
- 2.2.3. In respect of Change Application 2, which consists of changes to the preliminary design of the Scheme as submitted in the Application, none of the proposed changes included in this Change Application 2 give rise to any new likely significant effects beyond those reported in the ES [APP-059 to APP-133] submitted as part of the DCO Application. However, the Applicant proposed to publicise in accordance with the spirit of the EIA Regulations in respect of any further environmental information arising in connection with the proposed changes to ensure a fair procedure.

- 2.2.4. In the Change Application 2 Rule 9 Letter [PD-017 and PD-018], the following conclusions had been reached:
- The ExA concurs with the view that the proposed changes do not generate new or different likely significant effect and have concluded that the proposed changes would make no difference to the outcome of a Habitats Regulations Assessment.
 - The ExA has taken the opportunity to include questions within the Report on the Implications of European Sites (RIES) to seek confirmation from all parties that they agree with that conclusion.
 - The proposed changes would not amount to a different project being proposed.
 - The ExA accept the proposed changes as set out in Change Application 2 for examination.
- 2.2.5. The Applicant considers that none of the proposed changes, either individually or cumulatively, would have the potential to give rise to any new likely significant effects beyond those reported in the ES. In addition, some of these changes are considered a betterment of the Scheme.

2.3. Compliance with statutory requirements

- 2.3.1. This section outlines the Applicant's compliance with statutory requirements.
- 2.3.2. In Change Application 1 Rule 9 Letter [PD-014], the ExA confirmed that a precautionary approach to consultation in accordance with the spirit of the EIA Regulations was appropriate in respect of the changes proposed for Change Application 2. The ExA confirmed that the consultation must engage all those persons identified in the Planning Act 2008, under section 42 (a) to (d) who would be affected by the proposed changes (giving a minimum of 28 days) including any section 42 persons not originally consulted on the application but who may now be affected by the proposed changes. In accordance with Change Application 1 Rule 9 Letter [PD-014], the Applicant was aware of its duties under Regulations 7, 8 and 9 of the CA Regulations.
- 2.3.3. The consultation has been carried out in line with the consultation guidance by the Planning Inspectorate titled "Nationally Significant Infrastructure Projects: Changes to an application after it has been accepted for examination" (8 August 2024) (the "Change Application Guidance")⁷ and in line with the CA Regulations and in accordance with the spirit of the EIA Regulations.
- 2.3.4. Following the ExA's Notification Rule 9 Letter [PD-011], the consultation was undertaken in line with the CA Regulations and in accordance with the spirit of the EIA Regulations, given that the proposed changes did not engage the EIA Regulations.

⁷ <https://www.gov.uk/guidance/nationally-significant-infrastructure-projects-changes-to-an-application-after-it-has-been-accepted-for-examination>

3. Consultation

3.1. Consultation process

- 3.1.1. The Applicant undertook a consultation in respect of Change Application 1 and Change Application 2 in parallel from 00:01 hrs on Friday 27 September until 23:59 hrs on Sunday 27 October 2024.
- 3.1.2. The consultation was in relation to the eight proposed changes the Applicant sought to ensure the delivery of more sustainable solutions to implement improvements to the Scheme. The changes are also reflective of continuing engagement with key stakeholders and what has been discussed in Examination.
- 3.1.3. The purpose of this consultation was to provide a fair and reasonable opportunity for all those persons identified in the Planning Act 2008 under section 42 (a) to (d) who would be affected by the proposed changes including any section 42 persons not originally consulted on the application but who may now be affected by the proposed changes, all interested parties and the public to share their views on the proposed changes to the Scheme and make representations as part of the Examination.
- 3.1.4. Consultation material providing information on these changes was made available on the Applicant's scheme webpage⁸, and therefore the consultation was open to anyone to respond.
- 3.1.5. The consultation has been carried out in line with the consultation guidance by the Planning Inspectorate titled "Nationally Significant Infrastructure Projects: Changes to an application after it has been accepted for examination" (8 August 2024) (the "Change Application Guidance")⁹ and in line with the CA regulations and in accordance with the spirit of the EIA Regulations.

Non-statutory engagement with relevant stakeholders

- 3.1.6. In terms of non-statutory engagement with key stakeholders, the Applicant held meetings with key stakeholders and affected parties between 9 July 2024 and 11 July 2024, with further engagement on 19 August, 27 August and 12 September 2024. The purpose of these meetings was to seek views on the proposed changes to the DCO Application.
- 3.1.7. Meetings were held to present the proposed changes to the Joint Councils, Natural England, the Environment Agency, National Highways and Lead Local Flood Authority (LLFA). These key stakeholders were presented with an overview of each of the proposed changes, the reason for the proposed changes and a summary of the potential environmental effects.
- 3.1.8. Meetings were also held with key stakeholders during the consultation on 4 October, 14 October and 16 October 2024. Meetings were held with Persons with an Interest in Land (PwIL1), the Environment Agency and National Highways. The purpose of these meetings was to discuss consultation documents and submission of responses, and changes impacting PwIL1.
- 3.1.9. A summary of early engagement undertaken with stakeholders and relevant parties prior to the consultation and engagement during the consultation is provided in Table 3-1.

⁸ <https://www.gloucestershire.gov.uk/highways/major-projects-list/m5-junction-10-improvements-scheme>

⁹ <https://www.gov.uk/guidance/nationally-significant-infrastructure-projects-changes-to-an-application-after-it-has-been-accepted-for-examination>

Table 3-1 - Engagement with relevant stakeholders

Consultee	Date	Summary of discussion	Outcome
Early engagement			
Joint Councils and Natural England	09/07/2024	Engagement on proposed DCO changes ahead of statutory consultation	The Joint Councils requested the flood models be shared with the Local Lead Flood Authority (LLFA). Natural England confirmed they had no comments on the proposed changes.
Environment Agency	10/07/2024	Engagement on proposed DCO changes ahead of statutory consultation	The Environment Agency stated a preference for bridges instead of culverts on the Link Road. The Environment Agency requested copies of the flood models supporting the change request.
National Highways	11/07/2024	Engagement on proposed DCO changes ahead of statutory consultation	National Highways agreed it would be best to complete the NRTS Transmission Station works prior to construction, if possible. National Highways agreed that replacing the retaining walls with planted embankments would provide a visual betterment. National Highways agreed that the proposed change to the flood storage area was a positive one, and if the Environment Agency accept the change National Highways would be pleased to see it implemented. National Highways requested to be kept up to date as the changes progressed.
Local Lead Flood Authority (LLFA)	19/08/2024	Engagement on proposed DCO changes ahead of statutory consultation	The LLFA thanked the team for presenting the changes and the Applicant offered to share the slides for further review if required (action completed).
Environment Agency	27/08/2024	Follow up on earlier meeting to discuss DCO changes	Environment Agency requested models and long sections to review. (Action complete and review is ongoing).
Robert Hitchens Ltd	27/08/2024	Meeting held with the Landowner regarding the change to the status of the hedge and how this affected them (Change Application 1).	The Landowner was accepting of the change which is being proposed. For the voluntary acquisition of land, Head of Terms (HoT) negotiations are ongoing.
National Highways	12/09/2024	Consultation on proposed DCO change 6 ahead of start of formal consultation	The rationale for the alternative proposal was explained; National Highways were concerned with their maintenance responsibilities and undertook to seek the

Consultee	Date	Summary of discussion	Outcome
			views of their Geotechnical Lead. The Applicant also undertook to share the design drawings (action completed).
Meetings during consultation (27 September to 27 October 2024)			
PwIL1	4/10/2024	Engagement with agent regarding the changes to the flood alleviation pond and that there was no additional land take area.	The agent was happy with the proposed change.
Environment Agency	14/10/2024	Consultation documents and response	Clarity was provided at the request of the Environment Agency between the documents that are subject to consultation documents and those submitted as part of the change application. The Environment Agency confirmed that they would be submitting a response, and the response was likely to be mainly positive.
National Highways	16/10/2024	Consultation documents and response	Clarity was provided at the request of National Highways between the documents that are subject to consultation documents and those submitted as part of the change application and the timescale for a response to the latter. The Applicant advised that the Planning Inspectorate would be publishing a timetable for responding to the latter once the change is formerly accepted for examination. The Applicant offered to provide a presentation on the flood storage area to assist with National Highways' response if required.

3.2. Identifying consultees

Examining Authority advice

- 3.2.1. The ExA confirmed in their Change Application 1 Rule 9 Letter [PD-014] that a targeted approach to consultation, in line with the CA Regulations and in accordance with the spirit of the EIA Regulations was appropriate.
- 3.2.2. The ExA confirmed that the consultation must engage all those persons identified in the Planning Act 2008, under section 42 (a) to (d), who would be affected by the proposed changes (giving a minimum of 28 days) including any section 42 persons not originally consulted on the application but who may now be affected by the proposed changes.
- 3.2.3. In accordance with the CA Regulations, statutory consultation with all persons who would be affected by the proposed change and are prescribed under Regulation 7(1) of the CA Regulations and section 42 (a) to (d) of the Planning Act 2008 was undertaken.
- 3.2.4. In accordance with the ExA's Notification Rule 9 Letter [PD-011], the Applicant has listed all persons affected by the changes under section 42 (a) to (d) (Planning Act 2008 and Regulation 7(1) (a) to (d) of the CA Regulations and justification for their inclusion or not from the consultation (see Appendix B).

Land referencing

- 3.2.5. Additional land referencing was undertaken to identify the landowners of the affected land for Change 1, and any other person having an interest in this land. The Applicant's land agents have conducted multiple Land Registry Title Edition checks following acceptance of the DCO, and any changes have been recorded in the updated Book of Reference [AS-071] and where relevant additional consultees have been included in the list of consultees to be notified as part of this consultation.
- 3.2.6. There were 12 Regulation 7(1)(c) land interests contacted as part of this consultation. These Affected Persons are listed in Appendix B. The Applicant has identified a total of 12 Affected Persons whose land would be subject to compulsory acquisition powers in accordance with the CA Regulations. These persons were notified of the consultation on Thursday 26 September 2024 and are included in Table 4 of Appendix B. For further information on ongoing engagement with Affected Persons, please see the Addendum to Land Rights Tracker submitted with the Change Application 1 [AS-065]. The Applicant is currently in ongoing negotiations with them to secure the land by agreement.

Section 42 (Planning Act 2008)

- 3.2.7. The Applicant consulted all persons affected by the changes under section 42 (a) to (d) of the Planning Act 2008. Under section 42, the Applicant consulted:
- 1(a) such persons that may be prescribed.
 - 1(a)(a) the Marine Management Organisation. (Not relevant to this Scheme).
 - 1(b) each local authority that is within section 43.
 - 1(c) the Greater London Authority. (Not relevant to this Scheme).
 - 1(d) each person who is within one or more of the categories set out in section 44.

Regulation 7(1) (CA Regulations)

- 3.2.8. Identification of consultees followed Regulation 7(1) of the CA Regulations which identified the relevant groups requiring notification. Following Regulation 7(1), this list adheres to the table of persons to be notified of the proposed provision set out in Schedule 2 of the CA Regulations. Under Regulation 7(1), the Applicant must give notice of the proposed provision to:
- Regulation 7(1)(a): the relevant local authorities within the meaning given by section 43 (Planning Act 2008).

- Regulation 7(1)(b): the Greater London Authority (GLA) if the land is in Greater London. (Not relevant to this Scheme).
- Regulation 7(1)(c): persons who is within one of more of the categories set out in section 57 (Planning Act 2008). Further detail on identification of these 'Affected Persons' is provided above in Section 3.2.6.
- Regulation 7(1)(d): prescribed persons listed in Column 1 of Schedule 2 (CA Regulations) in the circumstances described in Column 2 of that Schedule.

Consultees

3.2.9. All consultees identified under section 42 (Planning Act 2008) and Regulation 7(1) (CA Regulations) are listed in Appendix B, set out as follows:

- Table 1: Prescribed consultees in the CA Regulations. The full schedule of the CA Regulations and Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (APFP Regulations) have been reviewed, and the consultees listed have been identified as relevant to this consultation. Any organisations listed in the CA Regulations or APFP Regulations not included were not consulted because they were not relevant to the consultation.
- Table 2: Section 43 consultees / Regulation 7(1)(a).
- Table 3: Joint Core Strategy developers.
- Table 4: Section 44 consultees and CA Regulations. See below for detail of Affected Persons.

3.2.10. Table 4 of Appendix B sets out "Affected Persons" under Regulation 7(1)(c) (CA Regulations) and Section 44 (Planning Act 2008) meaning those persons over whose land Compulsory Acquisition powers will be exercised. The table details land plots with regard to those Affected Persons.

3.2.11. Regulation 7(1)(c) of the CA Regulations requires the Applicant to give notice of the proposed provision to each person who is within one or more of the categories set out in Section 57 of the Planning Act 2008. Section 57 sets out the following categories, which align with Categories 1, 2 and 3 under Section 44 (Planning Act 2008):

- Category 1: A person is within Category 1 if the applicant, after making diligent inquiry, knows that the person is an owner, lessee, tenant (whatever the tenancy period) or occupier of the land.
- Category 2: A person is within Category 2 if the applicant, after making diligent inquiry, knows that the person (a) is interested in the land, or (b) has power (i) to sell and convey the land, or (ii) to release the land.
- Category 3: A person is within Category 3 if the applicant thinks that, if the order sought by the application were to be made and fully implemented, the person would or might be entitled (a) as a result of the implementing of the order, (b) as a result of the order having been implemented, or (c) as a result of use of the land once the order has been implemented, to make a relevant claim. A person is within Category 3 only if the person is known to the applicant after making diligent inquiry.

3.2.12. Of the Regulation 7(1)(c) and section 42(d) persons who are "affected persons", meaning those persons over whose land Compulsory Acquisition powers will be exercised, these persons have been identified in Appendix B.

3.3. Publicity

3.3.1. A Notice under Regulation 8 of the CA Regulations was prepared and sent to consultees set out under Regulation 7(1) as detailed in Section 3.2.

3.3.2. The Regulation 8 Notice was publicised in the prescribed manner in accordance with the requirements set out in Regulation 8(1) of the CA Regulations:

- A notice of proposed changes to an accepted DCO was published once in a national newspaper, once in the London Gazette, and in two successive weeks in one or more local newspapers circulating in the vicinity of the additional land.
 - A notice was published in The Times on 19 September 2024 and the London Gazette on 20 September 2024.
 - A notice was published in the Gloucestershire Echo on 19 and 26 September 2024, and the Gloucestershire Citizen on 19 and 26 September 2024.
- 3.3.3. Appendix C includes evidence of publication in national and local newspapers.
- 3.3.4. The Regulation 8 Notice was sent with a covering email notifying 65 consultees of the consultation on Thursday 26 September 2024. See Appendix D for the Regulation 8 Notice, and Appendix E for the covering email.
- 3.3.5. The Applicant displayed Site Notices at locations in proximity to the changes. Notices were affixed to lamp posts, fences and signposts by the Applicant on 26 September 2024. A copy of the Site Notice in situ is provided in Appendix F. The Applicant kept a record of the Notices and undertook inspections to ensure they were still in place during the consultation period.

3.4. Consultation materials

- 3.4.1. A Consultation Document summarising the proposed changes for both Change Application 1 and Change Application 2, which contained extracts of the relevant plans and drawings and set out a summary of the environmental assessment was available to view online on the Applicant's webpage.¹⁰ The Consultation Document is included in this report as Appendix A.
- 3.4.2. In respect of Change Application 1, the Consultation Document was submitted with the change application and was available to view on-line on the Applicant's webpage¹¹. Copies of the amended Land Plans [AS-066], amended Statement of Reasons [AS-070], amended Book of Reference [AS-071], Schedule of Changes to DCO Application Documents [AS-063], amended Draft Development Consent Order [AS-067], Explanatory Memorandum [AS-069], addendum to the Land Rights Tracker [AS-065] and Summary Report [AS-063] submitted with the change application were available to view on-line on the Applicant's webpage¹² and on the Planning Inspectorate's webpage¹³.
- 3.4.3. In respect of Change Application 2, the Consultation Document was submitted with Change Application 1 and was available to view on-line on the Applicant's webpage¹⁴.
- 3.4.4. A suit of documents providing full details to Change Application 2 was submitted to PINS on 11 October 2024 and made available on the Planning Inspectorate's webpage¹⁵ on 18 October 2024.

3.5. Deposit locations

- 3.5.1. The documents listed in Table 3-2 were made available at the deposit locations listed in Table 3-2. At these locations, the consultation materials could be viewed electronically, free of charge, at the electronic deposit locations until 27 October 2024.

¹⁰ <https://www.gloucestershire.gov.uk/highways/major-projects-list/m5-junction-10-improvements-scheme>

¹¹ <https://www.gloucestershire.gov.uk/highways/major-projects-list/m5-junction-10-improvements-scheme>

¹² <https://www.gloucestershire.gov.uk/highways/major-projects-list/m5-junction-10-improvements-scheme>

¹³ <https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/TR010063>

¹⁴ <https://www.gloucestershire.gov.uk/highways/major-projects-list/m5-junction-10-improvements-scheme>

¹⁵ <https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/TR010063>

Table 3-2 - Deposit locations

Venue	Opening hours
Cheltenham Library Clarence St Cheltenham Gloucestershire GL50 3JT United Kingdom 01242 532686	Monday 09:00-19:00 Tuesday 09:00-17:30 Wednesday 09:00-19:00 Thursday 09:00-17:30 Friday 09:00-19:00 Saturday 09:00-16:00
Tewkesbury Library Sun Street Tewkesbury Gloucestershire GL20 5NX United Kingdom 01684 293086	Monday 09:30-17:00 Tuesday 09:30-19:00 Wednesday 09:30-13:00 Thursday 09:30-19:00 Friday 09:30-17:00 Saturday 09:30-16:00

3.5.2. On request, printed copies of documents could be provided free of charge by contacting the project team as below. If consultation materials were required in an accessible format, or if someone had specific accessibility needs in relation to the consultation, they were advised to contact the project team on:

- Email: m5junction10@atkinsrealis.com
- Telephone: 01454 667900
- Freepost: Freepost M5 JUNCTION 10

3.5.3. One request was received for a USB containing consultation materials, and this was provided at the start of the consultation. No requests for accessible materials were received.

3.5.4. During the consultation period, if a meeting was requested with the Applicant this would be provided. See Table 3-1 for meetings held during consultation.

3.6. Response methods

3.6.1. Any person could respond to the consultation (including giving notice of any interest in the Application or the land affected by it, by making any comment or objection to the Application) and could do so through the following means by 11:59pm on 27 October 2024:

- Email: m5junction10@atkinsrealis.com
- Freepost: Freepost M5 JUNCTION 10

3.6.2. The Applicant has considered and responded to all responses received and outlined this in Section 4 of this Consultation Statement. All original responses are included in Appendix G.

Making a relevant representation on the Application

3.6.3. The notice stated that any person may make a representation in relation to this change request to the SoS (including giving notice of any interest in the Application or the land affected by it or making any comment on or objection to the Application). It was stated that any representation relating to the Application must be submitted on a registration form and provide the grounds on which it was made.

- 3.6.4. The Registration and Relevant Representation form was made available by the Planning Inspectorate on the relevant page for the Application via the National Infrastructure website.¹⁶
- 3.6.5. Alternatively, a hard copy of the form could be requested by telephoning 0303 444 5000 quoting the name of the Application and the Planning Inspectorate reference TR010063. A completed hard copy form to be submitted to the Planning Inspectorate should be sent to: The Planning Inspectorate, Temple Quay House, Temple Quay, Bristol BS1 6PN.

¹⁶ <https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/TR010063>

4. Consultation responses

- 4.1.1. This section provides an overview of the consultation responses received as part of the consultation.
- 4.1.2. The Applicant received responses from nine consultees, as follows:
- **Prescribed consultees:** The Coal Authority, UK Health Security Agency, Elmstone Hardwicke Parish Council, Historic England, the Environment Agency, National Highways.
 - Section 43 consultees: Joint Councils.
 - Section 44 consultees: PwIL1.
 - Members of the public: MoP1.
- 4.1.3. The consultation responses received regarding Change Application 1 along with regard had by the Applicant are presented in Table 4-1.
- 4.1.4. The consultation responses received regarding Change Application 2 along with regard had by the Applicant are presented in Table 4-2.
- 4.1.5. A copy of the consultation responses received by the Applicant is provided in Appendix G of this Statement.

Table 4-1 - Summary of responses to consultation on Change Application 1

Ref	Consultee	Matter raised	Applicant's Regard to Response	Design Change (Y/N/NA)
12	UK Health Security Agency	We understand that this consultation concerns changes to Land Rights for the Scheme. On this occasion, we have no additional comments to provide at this stage.	The Applicant thanks UK Health Security Agency for their response of no comment.	N/A
14	Joint Councils	The Joint Councils have reviewed the Applicant's submissions for Change Application 1. The Joint Councils have no comments on the changes proposed by the Applicant. The Joint Councils would wish to review any further iterations of the Applicant's submissions particularly in respect of hedgerows, street and road closures and measures, acoustic fences and landscaping, Article 7 of the draft DCO and any other matters requested by the Joint Councils technical team.	The Applicant thanks the Joint Councils for their response of no comment.	N/A
21	National Highways	National Highways are supportive of Change Application 1 and raise no concerns or issues. The amendments sought, in so far as they relate to the interests of National Highways, have been requested by the Applicant following discussion with National Highways, who agree that they are necessary to ensure that there is no impediment to delivery of the scheme.	The Applicant welcomes National Highways' support for Change Application 1.	N/A
26	Coal Authority	Thank you for your Notice of Proposed Changes at M5 Junction 10. The Coal Authority own the majority of mines and minerals of coal in the UK, and it is recommended that you should take account of any potential coal mining legacy issues in your proposals. The Coal Authority can provide Information which it holds on to any past, current and proposed surface and underground coal mining activity. This can be obtained by reference to the following web link: (https://www.groundstability.com/public/web/home.xhtml).	The Applicant thanks the Coal Authority for their response.	N/A

Ref	Consultee	Matter raised	Applicant's Regard to Response	Design Change (Y/N/NA)
		<p>Please be aware that the Authority's freehold interest in coal and coal mines cannot be compulsory purchased (see Section 7(3) and Section 10 of the Coal Industry Act 1994). Should any site investigation or other intrusive works into any mines or minerals of coal be considered necessary, the prior written consent of the Coal Authority must be obtained. You must get permission to enter, disturb or change coal mines or coal managed or owned by the Coal Authority by following our Permitting procedures. These are set out on the following web link, or you can contact the Coal Authority's Permitting and Licensing team by telephone on 01623 637450: http://www.coal.gov.uk/services/permissions/index.cfm</p>		

Table 4-2 - Summary of responses to consultation on Change Application 2

Ref	Consultee	Matter raised	Applicant's Regard to Response	Design Change (Y/N/NA)
2	Elmstone Hardwicke Parish Council	<p>Change 6 - Flood Storage area reconfiguration.</p> <p>The current scheme proposes a flood storage area, however alternative solutions suggest two separate basins to store 23,500m³ and 61,000m³ below the current ground level. New culverts will be created under the A4019 with a new ditch to carry flows to Leigh Brook.</p> <p>The Leigh Brook drains the area to the North of the A4019 while the River Chelt drains the area to the south. Existing weather patterns already fill the Leigh Brook resulting in localised flooding to fields, roads and properties. The revised proposal is tantamount to utilising the land around the Leigh Brook as the surplus storage pond. Given this land is already saturated in wet weather increased flooding in this area is inevitable.</p> <p>No detailed modelling of this diverted flow has been done which takes into account of existing local flooding issues.</p> <p>If a pond of 200,00m³ was required to keep the land around the River Chelt from flooding, moving over half that water into the Leigh Brook is not the solution. There is no spare capacity in the Leigh Brook in adverse weather.</p> <p>Given the Leigh Brook passes back south under the A4019 about a kilometre north of Junction 10 at Knightsbridge where it subsequently joins back into the River Chelt, it makes no sense to push water into the Leigh Brook.</p> <p>The proposal is simply a design to ease construction and reduce cost at the expense of flooding an area that's already prone to flooding.</p>	<p>In accordance with the National Planning Policy Framework, the Scheme has been designed to ensure that there is no increase in flood risk to third parties and that the development is safe for the lifetime of the development. This includes the Leigh Brook. As such, the Scheme has been designed for a flood event of 1 in 100 year plus 53% allowance for climate change (the design flood event).</p> <p>In the baseline Scenario (without the Scheme), in the design flood event, flooding from the River Chelt would overtop the A4019 and flow to the Leigh Brook. In addition, there are existing culverts through the A4019 which convey flood flows underneath the A4019 to the Leigh Brook.</p> <p>In the original DCO design solution, the flow route to Leigh Brook was completely severed (the A4019 was raised, and the culverts were blocked up), which meant that the flood storage basin had to be larger to accommodate the flood waters which would have flowed over and under the A4019.</p> <p>The Applicant has undertaken flood modelling of the proposed DCO design change in the design flood event. The outputs demonstrate that the proposed change would maintain the baseline (existing) flow regime to the Leigh Brook and furthermore would result in a reduction in flood depths to the north of the A4019, providing betterment. These models have been shared with the Environment Agency for their review in connection with this proposed change.</p>	N

		<p>With plans approved for over 2000 to be built on the North Side of the A4019 between Sainsbury's and Elmstone Hardwicke, the capacity of the Leigh Brook which drains this area will be put under further pressure.</p> <p>The potential flooding by increasing the amount of water going into The Leigh brook will also impact the B4019 between Booth Engineering and The Gloucester Old spot, also the A4019 at Knightsbridge.</p> <p>Who will be expected to maintain this new ditch?</p>	<p>The maintenance ownership and regime of the ditch will be agreed prior to the construction of the proposed development.</p> <p>This change was driven by National Highways' objection to the original DCO design of the flood storage area, which they considered would have placed onerous conditions on them under the Reservoirs Act as landowner and operator of the Strategic Road Network. This is stated in section 3.7.2 of the Consultation Document (DCO Change Consultation Statement Appendix A).</p> <p>The design change has not been proposed to ease construction and reduce costs at the expense of flooding an area that's already prone to flooding, as demonstrated in the flood modelling and environmental assessment the Applicant has undertaken (Table 3.7.1 of the DCO Change Consultation Statement Appendix A).</p>	
3	MoP1	<p>I object to the proposed DCO on the grounds of the high cost of the proposed junction amendments and new road to West Cheltenham. £249M is far too expensive during a time of national financial restraint. This money would be better put to delivering better public transport rather than roads.</p> <p>Having worked in Ashchurch, the M5 is already far too busy at peak times and this scheme will only encourage more traffic. There are three alternatives I would like to suggest please, as below:</p> <ol style="list-style-type: none"> Improve Ashchurch for Tewkesbury railway station and its access as a public transport hub for both trains and buses. In conjunction with a above, utilise the current siding leading to Ashchurch Army Depot as an extra platform at the station to allow trains from the South to turnback. Extend London Paddington trains from Swindon and Cheltenham to Ashchurch to provide more trains per hour. 	<p>It is understood that these comments do not relate specifically to the DCO change consultation.</p> <p>The need for the Scheme was identified in the Joint Core Strategy (JCS) as necessary to allow the Strategic Allocations within JCS to come forward. The development of the JCS examined various alternatives and determined that an all- movements junction at M5 junction 10, a new Link Road providing access and improvements to the A4019 corridor were all necessary to facilitate Strategic Allocations A4 (North-West Cheltenham) and A7 (West Cheltenham).</p> <p>As such the need for the Scheme is geographically linked to the Strategic Allocations it is seeking to unlock and which is embedded within the Scheme objectives to:</p> <ul style="list-style-type: none"> Support economic growth and facilitate growth in jobs and housing by providing improved 	N

		<p>c. Mandate the Ministry of Defence to use the rail link and their on-site sidings for all armoured vehicle movements rather than using road transport. These sidings are still useable.</p> <p>There need to be active alternative public transport initiatives before £249M is wasted and not resolve the congestion.</p> <p>We are in a zero-carbon crisis plus financial constraint. This should be significantly reduced or cancelled.</p>	<p>transport network connections in west and north-west Cheltenham.</p> <ul style="list-style-type: none"> • Enhance the transport network in the west and north-west of the Cheltenham area with the resilience to meet current and future needs. • Improve the connectivity between the SRN and the local transport network in west and north-west Cheltenham. • Deliver a package of measures which is in keeping with the local environment, establishes biodiversity net gain and meets climate change requirements. • Provide safe access to services for the local community, including for users of sustainable transport modes within and to west and north-west Cheltenham. <p>The alternatives suggested are remote from the Scheme (close to Tewkesbury) and are not considered to be able to address the localised requirements in west and northwest Cheltenham that the Scheme seeks to address and are not considered able to reduce background traffic levels sufficiently to mitigate the additional traffic generated by the JCS development sites.</p>	
4	PwIL1	Proposed drainage strategy and how this may impact the retained property – what mitigation has taken place?	<p>The proposed drainage strategy is to provide mitigation in the form of two hydraulically separate basins to store approximately 23,500m³ and 62,000m³ each entirely below the current ground level. Conveyance channels are provided to pass flood water under the M5 and the A4019 road embankments via culverts. The original DCO application provided no connectivity across the A4019, hence with the proposed change the Applicant is making use of both the River Chelt and Leigh Brook to discharge flood waters more effectively, resulting in a reduction of the required storage volume for the design flood event. The Flood Risk Assessment</p>	N

			Addendum [AS-095] (Figure 5-1) demonstrates that, in accordance with the National Planning Policy Framework, the Scheme has been designed to ensure that there is no increase in flood risk to third parties, including the retained property (plots 6/6a and 6/6b), i.e. no increase in flood extent or flood depths as demonstrated by the coloured shading.	
5	PwIL1	Proposed ecological mitigation and how this may impact the retained property – what mitigation has taken place?	The ecological mitigation proposed on the retained property as part of the original DCO application has not changed as a result of the change application. Please see Environmental Masterplan [AS-104] sheet 6 of 16.	N
6	PwIL1	Will the proposed drainage works alter flood designation on the retained property?	The proposed drainage works will not alter the flood designation on the retained property. Excluding the proposed flood storage basins and associated drainage ditches, which have been designed to manage/mitigate flood risk, the Flood Risk Assessment Addendum [AS-095] (Figure 5-1) demonstrates that the Scheme has been designed to ensure that there is no increase in flood risk (i.e. no increase in flood extent). With particular reference to the retained property (plots 6/6a and 6/6b), there is a slight change (betterment) compared to the baseline scenario along the northern boundary; the light blue shading represents a reduction in flood depths of between 10-50mm on the eastern side of the property boundary and the dark blue shading represents a more significant reduction of between 100-500mm on the western side.	N
7	PwIL1	Provide details of ecological work / surveys and proposed impact of Bat Corridors and any other mitigation that your ecologists consider will impact the wider ownership and proposed promotion of the same.	The additional planting along the M5 provides visual screening within the existing highway boundary. For detail see Environmental Masterplan [AS-104] sheet 6 of 16. The planting is not provided specifically for bat mitigation.	N
8	PwIL1	Please provide commentary on proposed 'hope value' you have considered together with commentary on the value	The Applicant's appointed land agent has responded to the matter raised previously with all relevant	N

		of Environmental Services (BNG etc.) that you have attributed to the Value.	information as discussed in the previous meeting. Discussions are ongoing. The market value of the land to be acquired has been assessed in line with the compensation code and comparables within the vicinity have been considered.	
9	PwL1	<p>Please provide details of the levels of mitigation being placed on PwL 1 in respect of:</p> <ul style="list-style-type: none"> • Flood Attenuation • BNG • Wider Ecology mitigation – bats etc. <p>Noting the above I requested an apportionment of what is being delivered to support the land take associated with the PwL1 land and what is then delivered for the wider scheme i.e. an appointment – please provide this data for our consideration.</p> <ul style="list-style-type: none"> • Please confirm that the revised flood / attenuation works will not alter the flood modelling in the area / will it result in land being redesignated in terms of flood risk. <p>I welcome your response as we are concerned that the revised flood and ecological works will impact the wider ownership in respect of alternative higher value uses.</p>	<p>Flood attenuation: The Flood Risk Assessment Addendum [AS-095] (Figure 5-1) demonstrates that the Scheme has been designed to ensure that there is no increase in flood risk (i.e. no increase in flood extent).</p> <p>Biodiversity Net Gain (BNG): A BNG assessment has been undertaken for the Scheme as a whole, within the Order limits for the Scheme (ES Appendix 7.18 [APP-104]). The BNG measures are implemented as part of the landscape design for the Scheme. Details of the landscape design are shown in the Environmental Masterplans produced [REP4-009, REP4-010, and AS-104].</p> <p>Wider ecological mitigation: Details of the ecological mitigation, in addition to the landscape planting, implemented for the Scheme are shown on the Environmental Masterplans produced [REP4-009, REP4-010, and AS-104].</p> <p>The proposed flood attenuation works will not alter the flood designation on the retained property.</p>	N
10	PwL1	There is a mains water supply that services the farm, livestock fields and properties at Butlers Court Farm and Cottages. We welcome commentary on how this supply will be maintained as part of the works.	The Applicant is aware of the likelihood of the presence of existing private water supplies and will be in contact during detailed design to confirm if any diversions are required and to ensure the continuity of supply.	N
11	Historic England	Thank you for the notification regarding a proposed change to the above scheme. Having reviewed the proposed changes, we have no comments to make and will not be making any representations to the Examining Authority regarding this.	The Applicant thanks Historic England for their response of no comment.	N/A
13	UKHSA	On this occasion, we have no additional comments to provide at this stage on the NSIP application.	The Applicant thanks UKHSA for their response of no	N/A

		<p>We note that we have replied to earlier consultations, as listed below, and this response should be read in conjunction with that earlier correspondence.</p> <p>Scoping Consultation Stage - 18th August 2021 Public Consultation: Section 42 - 15th February 2022 Targeted Non-Statutory Consultation - 31st August 2022 Registration of Interest Response - 22nd March 2024</p> <p>The additional information supplied does not cause any change to UKHSA's responses above.</p>	comment.	
15	Joint Councils	<p>Change Application 2 Environmental Statement Addendum [AS-093] Chapter 8 Biodiversity – the Joint Councils note that no update has been provided for BNG in relation to the metric and the descriptions to explain this. However, some clarity is requested over the text in paragraph 8.4.7. It is not clear what the outcome of this is on the watercourse element of the BNG assessment in terms of increase or reduction in units.</p>	<p>As described in the Environmental Statement Addendum [AS-093] (Section 8.4) a review of each design change by an experienced BNG professional has been undertaken to assess the implications of each change on the BNG assessment for the original DCO design solution (as reported in APP-104). Information is provided (in Section 8.4) on the implications of each design change for the BNG assessment.</p> <p>In addition to the information presented Section 8.4, the Applicant notes that each of the design changes, the ecological mitigation and landscape strategy applied in the original DCO design solution has been retained, with the changes in the landscape design for each design change limited to minor amendments in the areas of each habitat type present.</p> <p>The Applicant considers that as a result of the approach taken in retaining the overall landscape strategy across the design changes, then overall the design changes will not change the Scheme's BNG outcomes (in achieving a 10% BNG for the habitats present). The BNG metric calculation (presented in APP-104) will be updated for the detailed design but given that the overall outcomes are not expected to change, for the reasons described above, the metric has not been recalculated for the design changes.</p> <p>Information is provided in Section 8.4 of the ES Addendum [AS-093] on how each of the design</p>	N

			<p>changes would affect the BNG assessment, and then why overall no change in BNG is anticipated.</p> <p>Paragraph 8.4.7 of the ES Addendum [AS-093] refers specifically to Change 3. The Applicant considers that the BNG for the rivers and streams would not be reduced as a result of Change 3. This is due to the increase in the 'with Scheme' watercourse length on the River Chelt which is provided by the increased sinuosity. All other elements of watercourse mitigation which were implemented within the original DCO design solution are still included within this design change (e.g. riffle and pool sequences, woody features, riparian planting etc.) resulting in no reduction in rivers and streams BNG units. Changes in terrestrial habitats are expected to be similar to those reported for the original DCO design solution and would therefore not impact on the BNG assessment.</p> <p>The Scheme design will develop through detailed design and the Applicant will continue to engage with the Joint Councils and ensure that the requirement for 10% increase in BNG is maintained. The Applicant will arrange a meeting with the Joint Councils to discuss the BNG methodology and outcomes for the proposed changes.</p>	
16	Joint Councils	Chapter 9 Road Drainage and Water Environment (Surface Water Quality) – regarding Change 1 (Link Road replacement of swales with filter drains), although the change document notes that filter drains provide a lower percentage removal than swales (numbers provided below) it does not explain how the magnitude of impact remains the same, given the notable differences in treatment efficiencies. Can the applicant confirm how the magnitude has been retained (i.e. due to adequate mitigation, elsewhere in the catchment (for both sediments and metals)?	The Highways England Water Risk Assessment Tool (HEWRAT) routine runoff assessment that was undertaken for the proposed changes (including Change 1) showed a pass for all applicable parameters (sediments and metals). This is the same as reported in ES Chapter 8: Road Drainage Water Environment [REP1-014] and hence there is no change to the magnitude of impact assessed (in line with guidance in DMRB LA113, specifically Table 3.71 'Estimating the magnitude of an impact on an attribute'). The HEWRAT routine runoff assessment results for the proposed changes show that adequate mitigation is included to achieve a pass for the parameters assessed.	N

17	Joint Councils	<p>Change Application 2 Environmental Statement: Appendix 8.1 Flood Risk Assessment Addendum (FRA) [AS-095]- A clear summary of the changes with respect to Flood Risk Management is presented. It is understood and noted that as part of the changes the compensatory flood storage area is now proposed to be split into two basins and removing the previous requirement to use the M5 or A4019 road embankments as impounding reservoirs. Elements that fall under the Reservoirs Act are now proposed to revert to GCC as Local Highway Authority without shared responsibility with National Highways. The FRA addendum set out the results of modelling of the design including the changes and confirms that there are only minor changes in flood depth in general with no significant change in flood extents or impact on receptors. Larger changes in flood depth compared to the previous design are noted in the Compensatory Flood Storage Area, however, this is understood as integral to the functioning of the flood storage area with the changes applied. The design changes have, in addition to the 1%AEP design event, been tested for the 0.1%AEP extreme flood and 1%AEP upper end climate change event and in both cases the model results presented indicate no material changes to post-construction flood risk.</p>	<p>The Applicant acknowledges the Joint Councils' response.</p>	N
18	Joint Councils	<p>Summary of Changes to Register of Environmental Actions and Commitments [AS-096]- The Joint Councils would like to comment on changes to item WE2. The Joint Councils request evidence from the Applicant to understand how the removal of swales will not result in a change in magnitude of impact.</p>	<p>The HEWRAT routine runoff assessment that was undertaken for the proposed changes (including Change 1) showed a pass for all applicable parameters (sediments and metals). This is the same as reported in ES Chapter 8: RDWE [REP1-014] and hence there is no change to the magnitude of impact assessed (in line with guidance in DMRB LA113, specifically Table 3.71 'Estimating the magnitude of an impact on an attribute'). The HEWRAT routine runoff assessment results for the proposed changes show that adequate mitigation is included to achieve a pass for the parameters assessed.</p>	N

19	Joint Councils	<p>Change Application 2 General Arrangement Plans [AS-098]- The Joint Councils would like to understand the need for ladder markings on the centreline of the link road either side of the River Chelt overbridge.</p>	<p>To optimise the vertical alignment of the Link Road, the Applicant is proposing a combination departure from standard for reduced SSD and vertical curvature at the River Chelt overbridge (the Scheme design required a departure from standard for one step below desirable minimum). As part of the mitigation for the departure, the Applicant introduced a 1m separation hatch between the opposing lanes for the extents over which the departure applies. To maintain a consistent cross section for construction efficiency, the hard strip was reduced to 0m such that the running lanes could be of consistent width.</p>	N
20	Environment Agency	<p>Flood Risk</p> <p>Change 1 - In principle the Environment Agency support this change, the only concern in relation to flood risk would be the reduction in the width of the embankment and hence loss of flood plain storage, this would be deemed a positive as it would potentially reduce the compensation mitigation.</p> <p>Change 2 - In principle Environment Agency support this change, Replacement of the box culvert with clear span viaduct/bridge arrangement across the flood plain is a preferred solution as it has far less potential impact on out of bank flood flows. However, the viaduct/bridge spans must be equal or greater than the existing culvert width designs and as a minimum span the full width of the out of bank Flood Zone 3b flow path (including the appropriate allowance for climate change).</p> <p>Change 3 - In principle the Environment Agency support this change. The change in principal design from a skewed crossing to a perpendicular crossing is a preferred option. Easements from the top of bank of the River Chelt would normally follow the principles set out below.</p> <ul style="list-style-type: none"> • Minimum 8 metre one bank and 3 metre on opposite bank. 	<p>Flood Risk</p> <p>Change 1: The Applicant confirms that the reduction in the width of the Link Road embankment would lessen the loss of existing flood plain storage when compared to the Scheme. As a result, Change 1 results in a reduction in the requirement for compensatory flood plain storage. The Applicant agrees that this is a positive change.</p> <p>Change 2: The Applicant maintains that the Link Road is Essential Infrastructure, please see the Applicant's Statement of Common Ground with the Environment Agency [REP4-024] matter 1.1. The Scheme flood models, and design were accepted by the EA via Statement of Common Ground [REP4-024] matter 8.1.</p> <p>The flood culverts on the Link Road in the Scheme design did not span the full width of Flood Zone 3b. The flood alleviation bridges in Change 2 would maintain the same span as a minimum. However, as the flood alleviation bridges convey greater flows under the Link Road (as the bridges only have 2no. intermediate piers per bridge, rather than multiple box culverts), the Applicant would propose to review and reduce the span of the bridges through detailed design, to ensure the</p>	N

		<ul style="list-style-type: none"> We would accept 5 metres on bank and 4/5 metre opposite bank. <p>It should be ensured the above unobstructed easements extend past any supporting embankments.</p> <p>Detailed fully dimensioned design drawings would need to be submitted as part of the overall detailed design before this could be agreed formerly. Drawings should also show all relevant modelled flood levels.</p> <p>Change 4 - In principle the Environment Agency have no objection. Subject to detailed design drawings being submitted that show the appropriate freeboard of the highway above relevant modelled flood levels.</p> <p>Change 6 - In principle the Environment Agency have no objection. Subject to updated flood modelling being submitted to confirm the proposals deliver an appropriate level of compensation.</p>	<p>flows under the Link Road are maintained against the Scheme (DF3 design).</p> <p>Change 3: The Scheme design included 4m minimum easements from the top of bank to the bridge abutments which has been maintained in the proposed change.</p> <p>The Applicant confirms that detailed, dimensioned drawings would be shared with the EA for agreement during detailed design.</p> <p>Change 4: The Applicant has shared the flood models with the EA, as requested, and will continue to engage on the model developments through detailed design.</p> <p>Change 6: The Applicant has shared the flood models with the EA, as requested, and will continue to engage on the model developments through detailed design.</p>	
21	Environment Agency	<p>Hydraulic Modelling</p> <p>No Concern in principle - However, the EA will need to review the modelling files and check the changes have been appropriately represented within the updated hydraulic modelling</p>	<p>Hydraulic Modelling</p> <p>The Applicant has shared the flood models with the EA, as requested, and will continue to engage on the model developments through detailed design.</p>	N/A
22	Environment Agency	<p>Biodiversity</p> <p>We welcome that you have considered the impacts of biodiversity in the changes proposed. Design changes should be reflected in the BNG Metric assessment, and the provision of mitigation measures/ offsets delivered by the scheme.</p> <p>It is positive to see the proposals include measures for additional planting for offsetting or enhancements.</p> <p>Change 2 - We agree of the proposal to construct open-span bridges as an alternative, which will facilitate commuting by wildlife. We recommend that the new bridges are fitted with mammal ledges, to facilitate mammal commuting during flooding.</p>	<p>Biodiversity</p> <p>The Applicant will continue to review and revise the BNG metric through detailed design and will consult with the EA regarding the findings and outcomes. As described in the ES Addendum [AS-093] (Section 8.4) a review of each design change by an experienced BNG professional has been undertaken to assess the implications of each change on the BNG assessment for the original DCO design solution (as reported in APP-104). Information is provided on the implications of each design change for the BNG assessment in Section 8.4. In addition to the information presented Section 8.4, the Applicant notes that for each of the design changes the ecological mitigation and</p>	N

Change 3 - River reprofiling will remove suitable habitat however proposed mitigation in the form of re-meandering downstream of the bridge, the creation of riffles and pools and the planting of new trees along the banks will increase habitat heterogeneity, adequately mitigating for the re-profiling works. We recommend the use of green/soft bank protection as opposed to gabion baskets/hard bank protection as part of the re-profiling works, where possible.

Change 6 - We recommend the installation of open watercourses as opposed to culverts, but we appreciate this may not be possible as the water needs to flow under the A4019.

As the new conveyance channel will connect to the Leigh Brook, there is the potential for migratory fish (such as eels) to enter the new channel, culvert and basin during highwater flows, and become trapped when water subsides. We suggest that fish are either somehow excluded or that they have a method to escape.

landscape strategy applied in the original DCO design solution has been retained, with the changes in the landscape design for each design change limited to minor amendments in the areas of each habitat type present.

The BNG assessment for the Scheme is made for the Scheme as a whole, and the Applicant considers that the approach taken in retaining the overall landscape strategy across the design changes, then overall the design changes will not change the Scheme's BNG outcomes and that the BNG REAC commitment (B9) [REP4-018] will be achieved. The BNG metric calculation (presented in APP-104) will be updated for the detailed design but given that the overall outcomes are not expected to change, for the reasons described above, the metric has not been recalculated for the design changes.

Change 2 - The mammal crossings under the Link Road in the Scheme have been maintained through the changes. The flood culverts in the Scheme design included 1no. mammal ledge. The Applicant will review the optimum solution for ensuring mammal commuting during flood events during detailed design and consult with the EA. The Applicant agrees that otter ledges will be required, if dry passage for otters cannot be demonstrated during peak flood events.

Change 3 - The method of bank protection will be reviewed and confirmed during detailed design, in consultation with the EA. The Applicant agrees that green / soft bank protection is preferential and will seek to include this in the design proposals.

Change 6 - The channels proposed from the flood storage basins to Piffs Elm culvert, the River Chelt and the A4019 would be watercourses. Similarly, the channel from the A4019 to Leigh Brook would be a watercourse. The watercourse would need to be

			<p>culverted under the A4019, as per the proposals in Change 6.</p> <p>Regarding the potential for migratory fish to enter the channel at the Leigh Brook, the potential solutions will be reviewed at detailed design and the Applicant will engage with the EA to agree resolution. It would be preferable to have a flow through the channel that would allow fish to escape, rather than install something to exclude the fish as this would require maintenance and may have health and safety implications. The Applicant also recognises that excluding fish isn't seen positively in the Water Framework Directive. The channel to the Leigh Brook will receive surface water run-off, the flows for which will be reviewed during detailed design as part of the solution development.</p>	
23	Environment Agency	<p>Water Quality</p> <p>The only change that could impact water quality is Change 1, however a filter drain should provide better treatment than a swales which should lead to a small improvement. Please consult the LLFA for surface water.</p>	<p>Water Quality</p> <p>The LLFA have been consulted on the proposed changes.</p>	N/A
24	National Highways	<p>National Highways makes no comment on changes 1 to 4 inclusive. The changes relate solely to the Local Road Network and are not considered to impact on the Strategic Road Network.</p>	<p>The Applicant acknowledges National Highways' response.</p>	N/A
25	National Highways	<p>National Highways are happy with the Proposed Change 5 and raise no issues or concerns</p>	<p>The Applicant welcomes National Highways' support for Change 5.</p>	N/A
26	National Highways	<p>Change 6 - In principle, National Highways raises no objection to this proposed change. However, National Highways' response is provided without sight of the Environment Agency's response to the consultation. Ultimately, National Highways are not the approving authority for reservoirs and therefore we reserve our position supplement our response in light of the EA's position.</p>	<p>The Applicant notes this comment and is giving this further consideration. The Applicant will continue to engage with National Highways on this.</p>	N

		<p>It appears that the change would result in any earthworks associated with the southbound M5 on-slip ordinarily being outside the scope of the Reservoirs Act 1975. However, National Highways will require a legally binding agreement to be entered into with the Applicant to state that during and post construction, any and all assets that are to be under the ownership or control of National Highways as landowner or highway authority are not considered elements under the 1975 Act. Additionally, the agreement will need to absolve and indemnify National Highways from any and all liability or obligation arising from the mismanagement or non-maintenance of the proposed culverts under the A4019, whose purpose is to drain the flood plain at times where flood waters would overtop the proposed ponds. Should the ponds overtop and the surrounding area flood, any dammed flood water held as a result of the culverts failing would result in the earthworks of the M5 southbound on-slip and A4019 becoming minor and/or major elements under the 1975 Act (because the resultant water body would be retained by the earthworks). This would result in a situation identical to that currently being examined, to which National Highways has already raised concerns. National Highways cannot accept ownership of or responsibility for a reservoir or part thereof.</p>		
27	National Highways	<p>Change 7 - National Highways are happy with the proposed change and raise no issues or concerns. The change addresses a concern that has previously been raised by National Highways in examination of the DCO, and the change sought is considered to satisfactorily address this issue.</p>	The Applicant welcomes National Highways' support for Change 7.	N/A
28	Coal Authority	<p>Thank you for your Notice of Proposed Changes at M5 Junction 10.</p> <p>The Coal Authority own the majority of mines and minerals of coal in the UK, and it is recommended that you should take account of any potential coal mining legacy issues in your proposals. The Coal Authority can provide</p>	The Applicant thanks the Coal Authority for their response.	N/A

Information which it holds on to any past, current and proposed surface and underground coal mining activity. This can be obtained by reference to the following web link:
(<https://www.groundstability.com/public/web/home.xhtml>).

Please be aware that the Authority's freehold interest in coal and coal mines cannot be compulsory purchased (see Section 7(3) and Section 10 of the Coal Industry Act 1994).

Should any site investigation or other intrusive works into any mines or minerals of coal be considered necessary, the prior written consent of the Coal Authority must be obtained. You must get permission to enter, disturb or change coal mines or coal managed or owned by the Coal Authority by following our Permitting procedures. These are set out on the following web link, or you can contact the Coal Authority's Permitting and Licensing team by telephone on 01623 637450: <http://www.coal.gov.uk/services/permissions/index.cfm>"

5. Conclusion

- 5.1.1. The Applicant undertook a combined statutory consultation in respect of Change Application 1 and Change Application 2 in parallel from 00:01 hrs on Friday 27 September until 23:59 hrs on Sunday 27 October 2024. The consultation provided the opportunity for prescribed consultees and affected persons to share views on the proposed changes to the originally submitted DCO Scheme on 19 December 2023.
- 5.1.2. All requirements set out in the ExA's Notification Rule 9 Letter [PD-011], Change Application 1 Rule 9 Letter [PD-014], and Change Application 2 Rule 9 Letter [PD-017 and PD-018] have been complied with.
- 5.1.3. Following the ExA's Change Application 1 Rule 9 Letter [PD-014], the consultation was facilitated in line with the CA Regulations and in accordance with the spirit of the EIA Regulations, given that the proposed changes did not engage the EIA Regulations.
- 5.1.4. The consultation has been carried out in line with the consultation guidance by the Planning Inspectorate titled "Nationally Significant Infrastructure Projects: Changes to an application after it has been accepted for examination" (8 August 2024) (the "Change Application Guidance")¹⁷ and in line with the CA Regulations and in accordance with the spirit of the EIA Regulations.
- 5.1.5. The consultation engaged all those persons identified in the Planning Act 2008 (as amended), under section 42 (a) to (d) who would be affected by the proposed changes (giving a minimum of 28 days) including any section 42 persons not originally consulted on the application but who may now be affected by proposed changes.
- 5.1.6. In accordance with the ExA's Notification Rule 9 Letter [PD-011], the Applicant has listed all persons affected by the changes under section 42 (a) to (d) (Planning Act 2008) and Regulation 7(1) (a) to (d) of the CA Regulations and justification for their inclusion or not from the consultation (see Appendix B).
- 5.1.7. The Applicant publicised the consultation in a manner compliant with Regulation 7 and Regulation 8 of the CA Regulations. The Regulation 8 Notice was sent with a covering email notifying consultees of the consultation. In accordance with Regulation 8(1), the Regulation 8 Notice was published once in a national newspaper, once in the London Gazette, and in two successive weeks in one or more local newspapers circulating in the vicinity of the additional land. The Applicant displayed Site Notices at locations in proximity to the changes.
- 5.1.8. See Appendix C for the published notices, Appendix D for the Regulation 8 Notice, Appendix E for the covering email, and Appendix F for the Site Notice.
- 5.1.9. In accordance with Regulation 9 of the CA Regulations, the Applicant certified its compliance with Regulation 7 and 8 of the CA Regulations to the ExA on 28 October 2024.
- 5.1.10. Consultation materials were available to view on-line on the Applicant's webpage¹⁸ and on the Planning Inspectorate's webpage.¹⁹ These materials could also be viewed electronically, free of charge, at deposit locations. On request, printed documents could be provided free of charge by contacting the project team. If consultation materials were required in an accessible format, or if someone had specific accessibility needs in relation to the consultation, they were advised to contact the project team.
- 5.1.11. In total nine responses were received by the Applicant, all of which are included in full in Appendix G of this Statement. The Applicant has carefully reviewed all consultation

¹⁷ <https://www.gov.uk/guidance/nationally-significant-infrastructure-projects-changes-to-an-application-after-it-has-been-accepted-for-examination>

¹⁸ <https://www.gloucestershire.gov.uk/highways/major-projects-list/m5-junction-10-improvements-scheme>

¹⁹ <https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/TR010063>

responses received and provided a response as set out in Table 4-1 (regarding Change Application 1) and Table 4-2 (regarding Change Application 2) in this Statement.

- 5.1.12. The Applicant has had regard to the consultation responses and has concluded that no further changes are required to the Scheme as a result of responses received.

Appendices



Appendix A. Consultation Document

M5 Junction 10 Improvements Scheme

Change Applications Consultation Document TR010063 - APP 10.14

Nationally Significant Infrastructure Projects: Changes to an application after it has
been accepted for examination

Planning Act 2008

Volume 10

October 2024



Gloucestershire
COUNTY COUNCIL

Infrastructure Planning Planning Act 2008

The Infrastructure Planning (Examination Procedure) Rules 2010

M5 Junction 10 Improvements Scheme Development Consent Order 202[x]

Change Applications Consultation Document

Rule:	Rule 8(1)(k)
Planning Inspectorate Scheme Reference	TR010063
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Author:	M5 Junction 10 Improvements Scheme Project Team

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1. Background to the proposed changes

1.1. Proposed Scheme

- 1.1.1. Gloucestershire County Council (“the Applicant”) submitted an application to the Secretary of State for a development consent order (DCO) under S.22 of the Planning Act 2008 on 20 December 2023, which was accepted for Examination by the Planning Inspectorate on 16 January 2024. The application includes works to M5 Junction 10, consisting of a new all-movements junction; the widening of the A4019 east of the M5 J10 to the Gallagher Retail Park Junction; and a new West Cheltenham Link Road (the Link Road from the A4019 to the B4634). To the west of Junction 10 the existing section of two-lane dual carriageway will be replaced with single lanes.
- 1.1.2. More particularly, the submitted Scheme includes the following:
- Construction of two new overbridges over the M5 to create a new roundabout junction over the M5. The existing overbridge will be demolished.
 - Realignment of the A4019 to provide an appropriate entry grade and angle to the new roundabout. A dedicated route for cyclists and pedestrians will be provided at grade through the junction.
 - Construction of a flood storage area south-east of the junction to provide flood compensation.
 - Construction of an underpass under the A4019 immediately to the east of Junction 10 to provide a traffic free route for bats to cross under the A4019, as well as pedestrians, cyclists and equestrians.
 - Construction of the West Cheltenham Link Road (“the Link Road”): a new single carriageway 1.4km in length, between the B4634 to the A4019 with segregated cycleway and footways. The design of the Link Road includes flood mitigation structures across the floodplain to the north of the River Chelt, and a single span bridge over the River Chelt.
 - Widening of the A4019 to a two-lane dual carriageway from Withybridge Lane, eastwards through to the Gallagher Retail Park, where the Scheme will tie into the existing dual carriageway. For residents and businesses whose current access is directly onto the A4019 short sections of new access roads will be created alongside the widened A4019 to facilitate ease of access both westbound and eastbound and will join the A4019 at signalised junctions.
- 1.1.3. The DCO application is currently being examined by independent Inspectors (the Examining Authority (ExA)) appointed by the Planning Inspectorate on behalf of the Secretary of State. The examination period runs for six months, beginning on 4 June 2024 and ending on 4 December 2024.
- 1.1.4. During the course of the examination, hearings have been held, written questions answered, written representations made, Local Impact Reports submitted, and site visits undertaken by the ExA. The Scheme has evolved to capture the results of stakeholder engagement and reassessment of the best way to deliver a more sustainable and affordable Scheme.
- 1.1.5. Notification of the intention to submit 8 non-material changes was made to the ExA on 12 August 2024 [AS-061] (“the Notification Letter”). A copy of this letter can be found on the Planning Inspectorate project webpage.
- 1.1.6. The ExA issued a Rule 9 letter in respect of the proposed changes on 21 August 2024 [PD-011] (“the Rule 9 letter”).

- 1.1.7. Since then, the Applicant has decided to split its proposed change application into two separate applications, to differentiate between those aspects of the proposed changes that relate exclusively to upgrades in the rights the Applicant is seeking and that engage the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 ("CA Regulations") ("Change Application 1") [which includes Change 8 as set out in the Notification Letter] and those that relate to changes in the design of the Scheme ("Change Application 2") [which includes Changes 1 to 7 as set out in the Notification Letter]. This is to ensure the necessary Statutory Consultation and examination of change can be accommodated in the time remaining in this examination.
- 1.1.8. Change Application 1 was submitted to the Secretary of State c/o The Planning Inspectorate on the 5 September 2024 and the ExA issued a procedural letter, dated 17 September 2024, confirming the acceptance of Change Application 1.
- 1.1.9. This consultation sets out a summary of the changes proposed in Change Application 1 and Change Application 2, outlining the proposed changes to the preliminary design of the Scheme.

1.2. About this targeted statutory and non-statutory consultation

- 1.2.1. In parallel with the DCO process, the design has been evolving from preliminary to detailed design and the Applicant has identified opportunities to deliver a more efficient, sustainable and affordable Scheme. The detail of these opportunities is presented in this document as non-material changes to the DCO.

Change Application 1

- 1.2.2. In relation to Change Application 1, the proposed changes constitute an upgrade on the rights sought in relation to specific plots within the Order limits. Therefore, the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 ("CA Regulations") are engaged, and the Applicant has submitted a proposed timetable to the examination setting out how this consultation would be accommodated.
- 1.2.3. The Applicant's proposal to carry out consultation with all those persons identified in the Planning Act 2008 under section 42 (a) to (d) who would be affected by the proposed changes was agreed by the ExA as stated in the Rule 9 letter dated 21 August 2024 [PD-011].

Change Application 2

- 1.2.4. The proposed changes, either individually or cumulatively, do not give rise to any new or different likely significant effects beyond those reported in the environmental statement ("the ES"). In addition, some of these changes are considered a betterment to the Scheme. For this reason, there is no statutory requirement to consult under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 ("EIA Regulations").
- 1.2.5. However, the Applicant has decided to consult in a targeted manner, with statutory bodies, affected landowners and other interested parties, to provide consultees with the opportunity to comment on the proposed changes and in its Rule 9 letter the ExA agreed with this approach.
- 1.2.6. Seven design changes are proposed to the Scheme as part of Change Application 2 which aim to reduce the impacts on the environment, the local community and landowners, and enhance Scheme buildability and affordability. The Applicant would now like to hear your views on the proposed changes.

Consultation

- 1.2.7. This Consultation Document is provided to enable consultees to review the proposed changes. This document explains the background to the proposed changes, a description and justification for the change, and a summary of the effects on the Scheme.
- 1.2.8. This consultation relates to the changes proposed in Change Application 1 and Change Application 2, and runs from 27 September 2024 to 27 October 2024.

2. Change Application 1

- 2.1.1. The changes proposed by the Applicant in relation to Change Application 1 constitute an upgrade to land rights sought over several plots within the Order limits of the Scheme to enable dormice mitigation agreed with Natural England and to address the Applicant's engagement with National Highways. The Applicant has obtained written consent from National Highways as landowner of the National Highways Plots and continues to engage with the affected landowner of the Hedgerow Plots with the intention of acquiring the land (and therefore the necessary rights) by voluntary agreement.

Hedgerow Plots

- 2.1.2. A change is proposed to the Land Plans to align them with the extent of dormice hedgerow mitigation shown on the General Arrangement (GA) plans and Environmental Masterplan (EMP). This change is not a design change and relates to an upgrade in the rights sought from temporary possession to new rights which will enable the Applicant to undertake a more efficient maintenance of the hedgerow H48.
- 2.1.3. The Applicant seeks to upgrade the following plots from temporary possession (shown as green in the Land Plans) to temporary possession and acquisition of new rights (shown as blue in the Land Plans): 5/4d(v), 5/4d(vi), 5/31c(i), 5/4d(vii), 5/4d(viii), 5/31a(i) and 5/31b(i), which together encompass hedgerow H48 (the "Hedgerow Plots").

National Highways Plots

- 2.1.4. Prompted by engagement with National Highways a set of principles were agreed to deal with how land and rights would be acquired in relation to either land in National Highways' ownership or within the Strategic Road Network.
- 2.1.5. As a consequence, the Applicant included the upgrade of rights sought in respect of the following plots within National Highways' ownership from temporary possession (shown green in the Land Plans) to temporary possession and acquisition of rights (shown blue in the Land Plans): 3/2b, 5/2h(i), 5/2j, 5/2k, 5/2l and 5/2y (the "National Highways Plots") as part of Change Application 1.
- 2.1.6. More information in relation to Change Application 1 can be found at the Planning Inspectorate's website dedicated to the Scheme.

3. Change Application 2

3.1.1. The seven changes listed below will form part of the Change Application 2 and are proposed following engagement and feedback from key stakeholders – including National Highways, Joint Councils, statutory environmental bodies and affected landowners – and as a result of ongoing design refinement.

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

3.1.2. Please see Figure 3-1 for the location of these proposed changes.

3.1.3. Please see the below glossary of definition for these changes:

Swales	A shallow ditch to collect surface water from the road
Filter drain	A gravel trench with a pipe to collect surface water from the road
Vertical alignment	The design of the road along the vertical axis
Horizontal alignment	The design of the road along the horizontal axis
NRTS transmission station	The National Roads Telecommunications Services (NRTS) provides services across National Highway's roadside telecommunications network. The network connects roadside devices, such as emergency telephones or traffic cameras, to regional control centres. Each roadside device is physically connected via cables to a transmission station, which is a square building usually located by the side of the motorway.
On-slip loop	The M5 northbound on-slip road connects the A4019 to the M5 for traffic wanting to travel northbound. The existing on-slip is in a loop formation.
Sheet piling	Steel sheets with interlocking edges, installed deep into the ground, to retain soil and create additional space for construction activities.

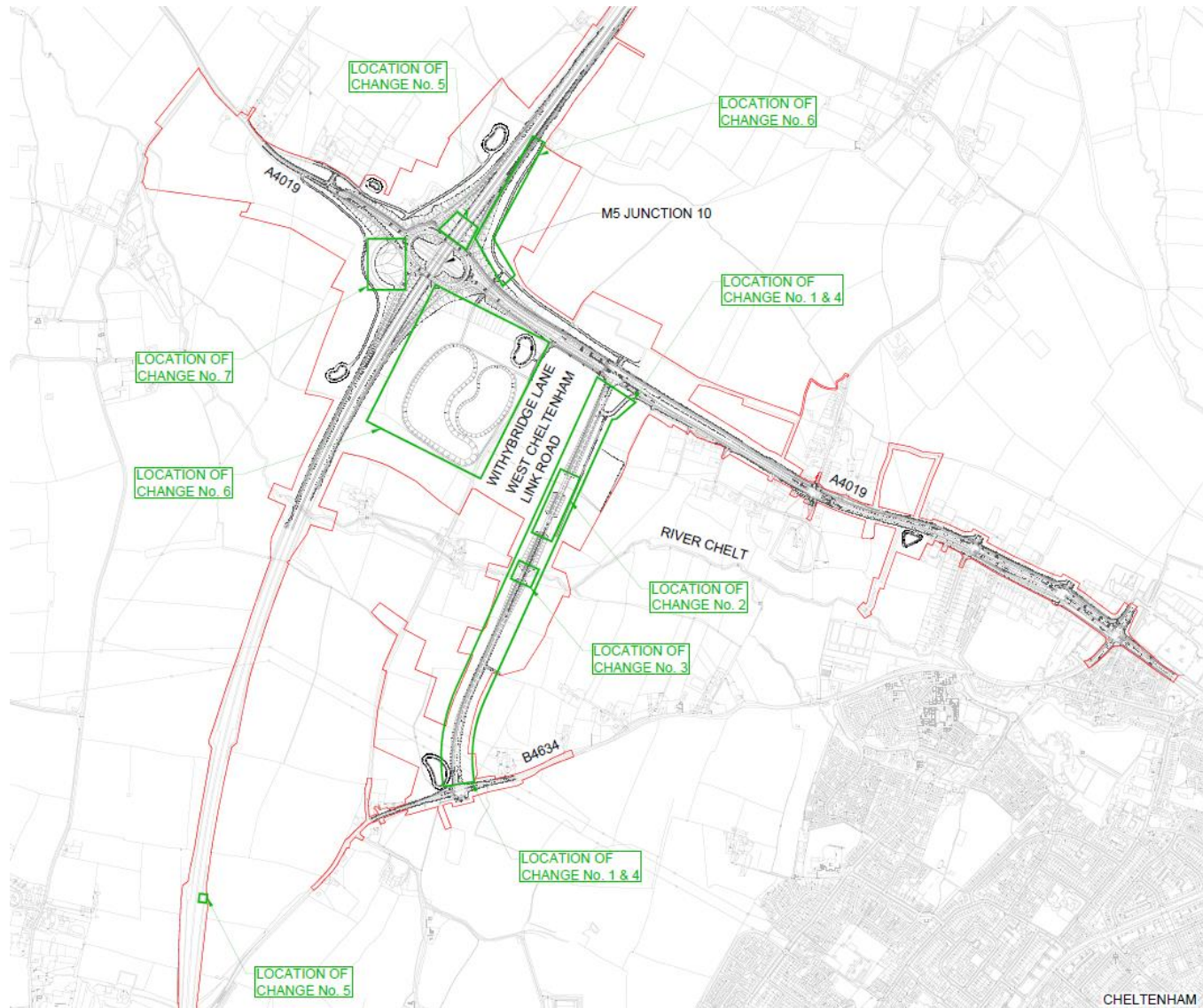


Figure 3-1 Location of proposed changes for Change Application 2

3.2. Change 1 – Link Road replacement of swales with filter drain

- 3.2.1. The Scheme currently proposes three runs of swales as the surface water collection method on the Link Road [see Figure 3-2].
- 3.2.2. The Applicant proposes to replace the swales with filter drains. Filter drains provide the following improvements:
- Are narrower than swales, which would allow the width of the Link Road to be reduced. This would decrease the quantity of fill material to be imported, and the footprint of the Link Road in the flood plain.
 - Can connect to bridge deck drainage solutions for the River Chelt bridge, and the flood alleviation bridges.
- 3.2.3. Furthermore, altering the cross-section of the Link Road means that the number of filter drain runs can be reduced from three to two [see Figure 3-3].
- 3.2.4. In combination with the optimisation of the two-way footway cycleway in Change 4, these changes result in a 4m reduction in the width of the Link Road.
- 3.2.5. The environmental effects of this change are outlined in table 3.2.1.

Table 3.2.1 Environmental effects of Change 1

Topic	Effect
Biodiversity	Less grassland seeding would be provided adjacent to the carriageway. However, this can be offset with planting and seeding at the bottom of the embankments. Overall, there would be no change to biodiversity as considered in ES Chapter 7.
Road Drainage and Water Environment	It is considered that there would be no change to the risk to surface water as a result of a spillage reported in ES Chapter 8, as filter drains provide the same spillage risk reduction factor as swales. It is acknowledged that filter drains are less efficient at removing suspended solids and dissolved copper. The Highways England Water Risk Assessment Tool (HEWRAT) and the Metal Bioavailability Assessment Tool (M-BAT) are used to assess the impact of the Scheme on water quality. The routine runoff assessment within the HEWRAT and the M-BAT confirmed that providing filter drains would result in no changes to the magnitude of impact and significance of effect from road runoff assigned in the ES. The reduction in width of the embankment would reduce the footprint and volume of the embankment within the flood plain. This change is not considered to be significant against the conclusions of ES Chapter 8.
Landscape and Visual	Although there would be a narrower grassland seeding area adjacent to the carriageway, the filter drains are proposed to be topsoiled and grass seeded. It is considered that the proposed change would not alter the landscape conclusions in ES Chapter 9.
Materials and Waste	There would be a change in the type of materials required to create filter drains rather than swales. Filter drains would require the installation of carrier pipes and filter media. The proposed change would require less imported fill to construct the embankment due to the reduction in embankment width, resulting in an overall reduction in material requirements when compared to ES Chapter 12.

Topic	Effect
Climate	It is considered that the proposed change would have a slight beneficial impact on the construction phase emissions. Overall, the change would not alter the conclusions reported in ES Chapter 14.

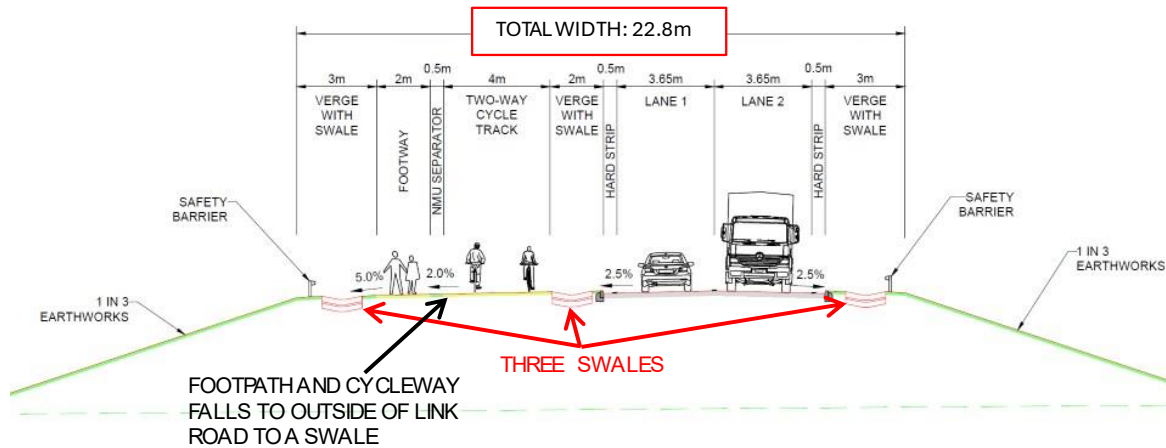


Figure 3-2 Link Road Scheme design cross-section

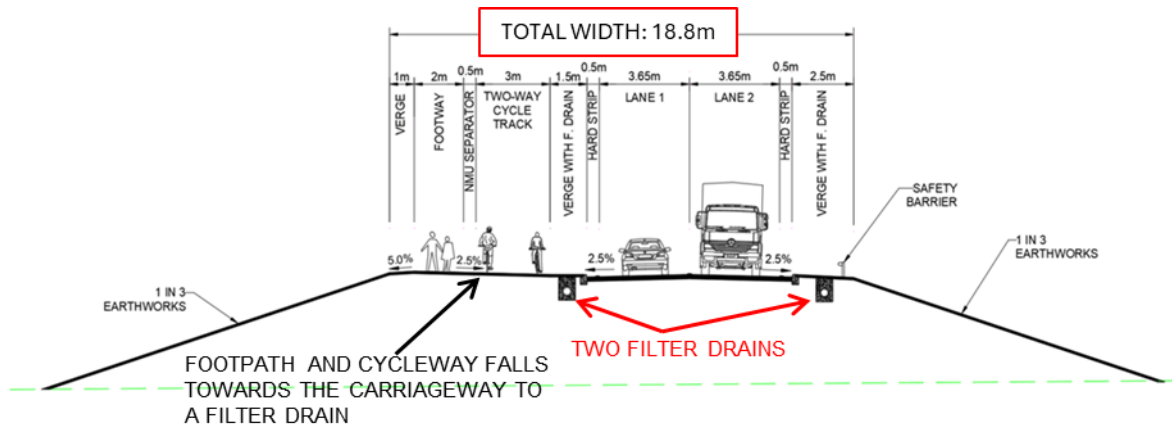


Figure 3-3 Link Road cross-section with proposed changes

3.3. Change 2 – Link Road replacement of culverts with bridges

- 3.3.1. The Scheme design proposes two flood alleviation structures on the Link Road, to allow flood water to pass under the Link Road [see Figure 3-4]. These structures were to be constructed from rectangular, precast concrete units, to create a series of culverts.
- 3.3.2. Through a buildability review, several key risks were identified for the proposed culverts:
- As the culverts would be constructed from individual units, there is a risk that the units could settle by variable amounts. This would affect the rideability of the road and could damage the road surface.

- Ground improvement works (dig and replace) would be required.
- The import and storage of the units will be logistically complicated and add risk to the duration of the construction programme.
- Some culverts are over 30m long, so may not be used by local wildlife.
- The internal dimensions of the units would create a confined space for maintenance.
- The ground improvements, material storage and placement of the units would all take place within the flood plain over a prolonged period. If flooding was to occur, the construction programme would be lengthened. Also, flood compensation would need to be created to manage flood risk during the works, which would add space constraints to construction activities.

3.3.3. The Applicant proposes to change the flood alleviation structures from culverts to bridges [see Figure 3-5]. These bridges would provide the following betterment:

- Mitigate the risk of settlement, thereby improving the rideability of the road and reducing the risk of damage to the road surface.
- Have piled foundations, so the ground improvements would no longer be required.
- Reduce the working time and space requirements within the floodplain.
- Remove the confined space hazard for inspection and maintenance.
- The bridges would have a larger opening than the culverts, which reduces the risk of blockages in a flood event, but also encourages the movement of wildlife.

3.3.4. The environmental effects of this change are outlined in Table 3.3.1.

Table 3.3.1 Environmental effects of Change 2

Topic	Effect
Noise	<p>The flood alleviation bridges are proposed to be bore piled. The noise level generated by bore piling is comparable to the noise levels for the excavation of the culvert foundations.</p> <p>The flood alleviation bridges are proposed to be in the same location as the flood culverts in the DCO design. As such, this change would not alter the noise receptors considered for these structures. Overall, it is considered that this proposal would not alter the conclusions of ES Chapter 6.</p>
Biodiversity	<p>The proposed change will provide a better ecological design in the longer term than culverts. Overall, there would be no change to biodiversity as considered in ES Chapter 7.</p>
Road Drainage and Water Environment	<p>The proposed change would reduce the risk of blockages which could create flood hazards.</p> <p>The proposed change would allow Drain 12 to be retained as the bridge structure would be clear span over the feature whereas the culvert would cause a loss of open channel.</p> <p>Piles would be in rows parallel to groundwater flow, and would not be contiguous, so would not impede flow. A piling risk assessment will be completed at detailed design to ensure the piling method is appropriate for the geology and groundwater parameters.</p> <p>Hydraulic modelling shows that the flood alleviation bridges would not alter the assessment outcomes reported in ES Chapter 8.</p> <p>Overall, it is considered that the proposed change would not alter the conclusions of ES Chapter 8 for surface water quality, hydromorphology, ground water or flood risk.</p>

Topic	Effect
Landscape and Visual	<p>The proposed change will remove the need for a solid embankment at the location of the structures on the Link Road. This will result in a reduction in grassland seeding adjacent to the carriageway.</p> <p>The flood relief bridges will be open structures and will therefore be less intrusive on the landscape.</p> <p>The Scheme design does not propose planting along the length of these structures, so there will be no change in screening.</p> <p>Overall, it is considered that the proposed change would have no impact on the conclusions of ES Chapter 9.</p>
Materials and Waste	<p>Flood alleviation bridges would reduce the requirement for imported fill material and remove the requirement for precast concrete units. Although materials would be needed for the structures, it is considered that the change for materials and waste would be negligible and not significant when compared to the conclusions of ES Chapter 12.</p>
Climate	<p>As the precast units have high embedded concrete, it is considered that the proposed change would have a slight beneficial impact on the construction phase emissions. Overall, the change would not alter the conclusions reported in ES Chapter 14.</p>

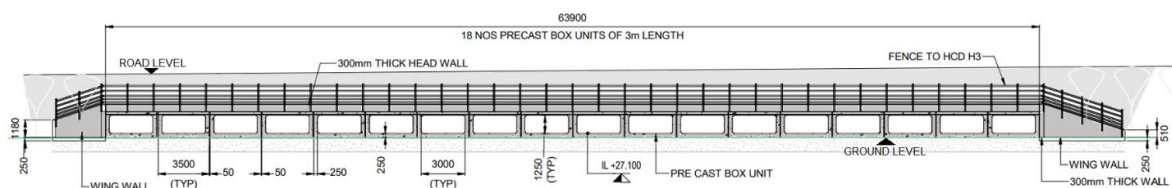


Figure 3-4 Elevation of the flood alleviation culverts in the Scheme design

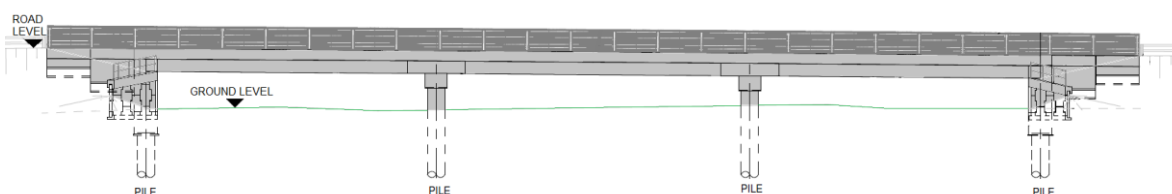


Figure 3-5 Elevation of the flood alleviation bridge

3.4. Change 3 – Link Road River Chelt bridge structural form

- 3.4.1. The bridge over the River Chelt proposed in the current Scheme is a skewed structure [see Figure 3-7], i.e. the bridge abutments are not perpendicular to the Link Road. The Scheme design also includes some reprofiling of the existing riverbank to reduce the risk of erosion and create more natural channel profiles [see Figure 3-6].
- 3.4.2. Skewed bridges are more difficult to design and construct and they introduce risk to the construction programme. Also, bridges with abutments that are perpendicular to the road generally perform better in the long-term, reducing the maintenance requirements.

- 3.4.3. The Applicant proposes to optimise the riverbank reprofiling works to straighten the River Chelt over a short length, so that it runs perpendicular to the Link Road [see Figure 3-8]. This would remove the skew in the bridge, mitigate risk to the construction programme, and improve long term structure performance.
- 3.4.4. To mitigate for the section of straightened channel, the River Chelt will be reprofiled to exaggerate the natural meandering downstream of the River Chelt bridge and include pools and riffles between meanders. The Scheme mitigation, including enhancements to riparian vegetation, bank reprofiling to create more natural profiles and installation of in channel enhancements, will also be further developed within the Order limits which are extended 160m upstream and 100m downstream of the River Chelt Link Road bridge.
- 3.4.5. The bridge would have a shorter span, which means that smaller beams can be used. As a result, the height of the Link Road can be reduced, in turn reducing the requirement for imported fill material.
- 3.4.6. The environmental effects of this change are outlined in Table 3.4.1.

Table 3.4.1 Environmental effects of Change 3

Topic	Effect
Biodiversity	<p>This change does not alter the proposed extent of works within the River Chelt.</p> <p>The reprofiling of the River Chelt channel and the presence of construction activities will cause some additional temporary habitat loss and disturbance during the construction phase. However, additional construction phase mitigation measures will be incorporated to minimise impacts. Furthermore, the additional habitat enhancements on the River Chelt included as part of the proposed design change would provide increased long-term localised habitat improvements.</p> <p>The proposed design change is not anticipated to result in a change to the assessment outcomes, as reported in ES Chapter 7 Biodiversity.</p>
Road Drainage and Water Environment	<p>The proposed change would straighten the River Chelt under the River Chelt Bridge and introduce increased meandering downstream of the bridge.</p> <p>A constructability review by the Contractor identified the requirement for a temporary river diversion to allow for the construction of the River Chelt reprofiling and mitigation associated with the Link Road River Chelt Crossing. The requirement for the temporary diversion was not assessed as a construction activity within the ES. A temporary diversion would also be required for the proposed change but would be no worse than the diversion identified from the constructability review for the ES Scheme design. With the mitigation measures (as included in the REAC (WE1, WE3 and B23) [TR010063 – APP 7.4]) there would be no change to the outcomes of the assessment as reported in ES Chapter 8.</p> <p>The change in cross-section at this structure would retain the two-stage bank profile proposed in the Scheme design.</p> <p>The hydraulic modelling concludes there would be no change to the flood risk assessment outcomes as reported in ES Chapter 8.</p> <p>Overall, it is considered that the proposed change would have no impact on the conclusions of ES Chapter 8.</p>
Landscape and Visual	<p>The location and structural form of the River Chelt bridge would be maintained from the Scheme design.</p> <p>It is therefore considered that the proposed change would not result in any change in visual impact and would not alter the assessment outcomes in ES Chapter 9.</p>

Topic	Effect
Materials and Waste	The proposed change would reduce the amount of reinforcement materials required in the bridge deck, reduce the beam depth and reduce the height of the Link Road, thereby reducing the requirement for imported fill material. The proposed change would slightly improve the impact associated with materials and waste as documented in ES Chapter 12. The proposed change is not considered to be significant.
Climate	It is considered that the proposed change would have a slight beneficial impact on the construction phase emissions. Overall, the change would not alter the conclusions reported in ES Chapter 14.

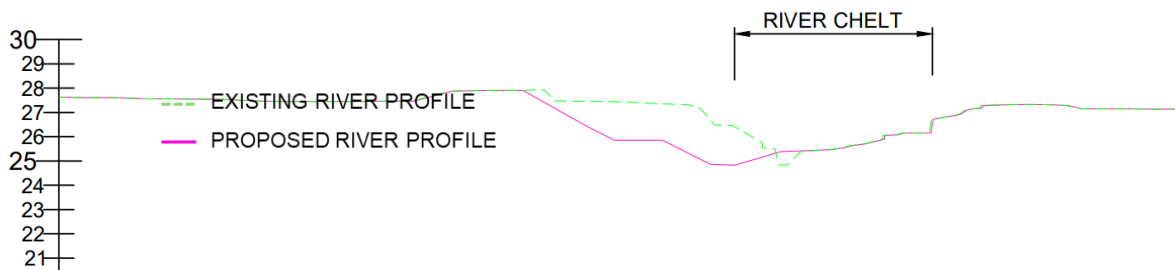


Figure 3-6 Cross-section of riverbank reprofiling proposed in Scheme design

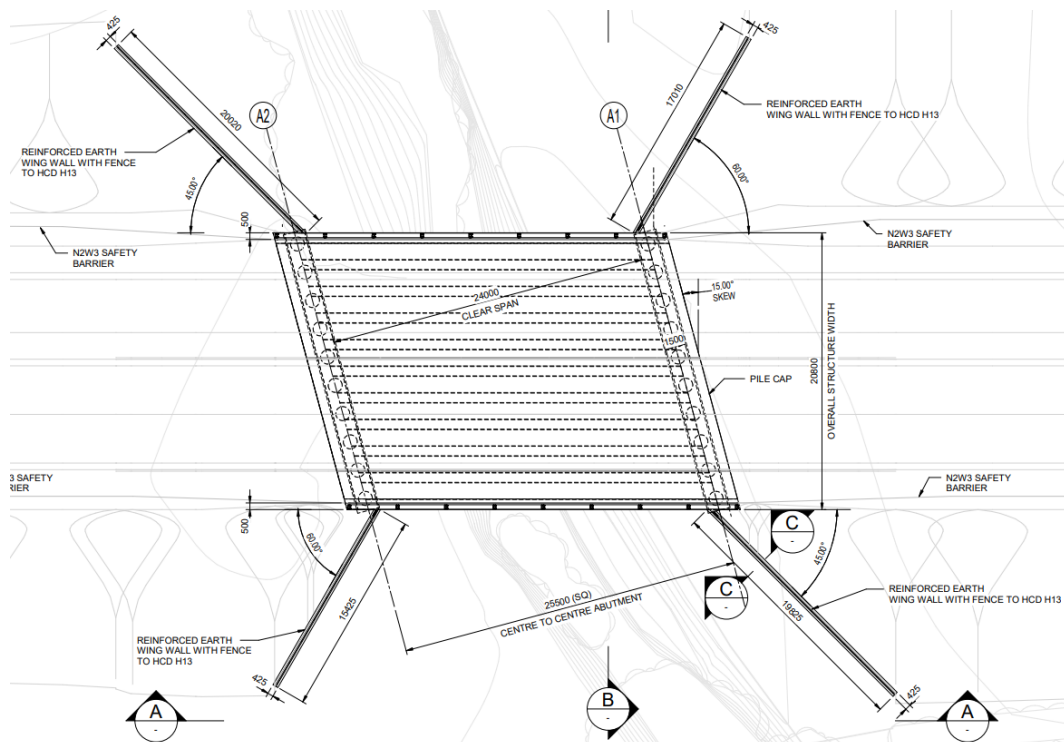


Figure 3-7 Plan of the skewed River Chelt bridge design in Scheme design

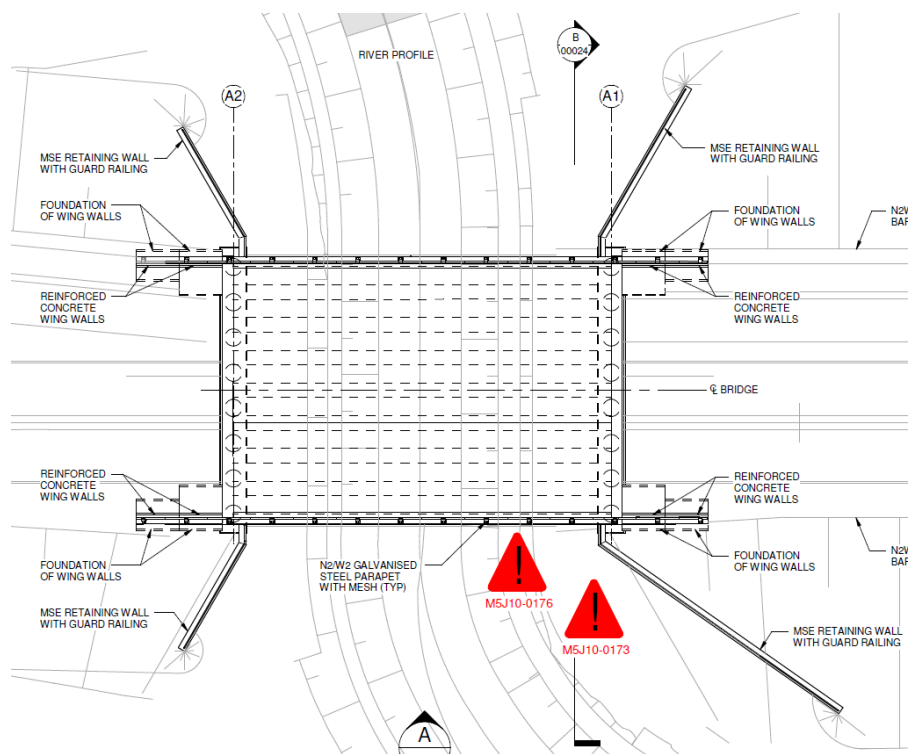


Figure 3-8 Plan of proposed square River Chelt bridge with straighter River Chelt

3.5. Change 4 – Link Road alignment

- 3.5.1. The Link Road is to be constructed on an embankment and will therefore be raised above the existing landscape. The embankment will be constructed from imported fill material. The vertical limit of deviation (LoD) set out in Article 8 of the draft DCO is a maximum of 0.5 metres upwards or 1.0 metre downwards. The Scheme design for the Link Road includes a 4m wide two-way footway cycleway.
- 3.5.2. The Applicant proposes to optimise the vertical alignment of the Link Road beyond the LoD, by reducing the height of the road by over 1m in localised areas [see Figure 3-10]. This would result in significant reductions in the requirement for imported fill.
- 3.5.3. In addition, the Applicant proposes to reduce the width of the two-way footway cycleway from 4m to 3m to optimise the width of the Link Road [see Figures 3-2 and 3-3]. A review of the potential number of future cyclists identified that a 3m wide cycleway would be more than sufficient for the number of users identified.
- 3.5.4. The environmental effects of this change are outlined in Table 3.5.1.

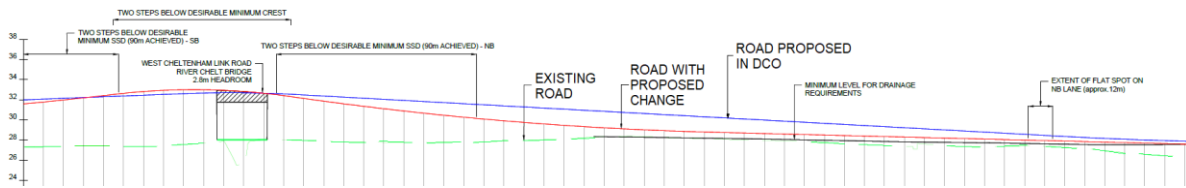


Figure 3-10 Link Road long-section showing Scheme design vs proposed change

3.6. Change 5 – Relocation of existing NRTS transmission station

- 3.6.1. The location of the existing Uckington NRTS transmission station (TS) is in close proximity (4.9m) to the construction works proposed for the Piffs Elm bridge north [See Figures 3-11, 3-12 and 3-13]
- 3.6.2. The construction works required around the TS include reinforced earth retaining walls and sheet piling, which pose a health and safety risk to the construction operatives working in close proximity to the structure.
- 3.6.3. The works would also pose a risk to the TS structure and the power and communication cables which run to the TS. The National Telecommunication Roadside Service (NRTS) provides a data link around National Highways’ roadside telecommunications network. This link must be kept in operation at all times. During construction, an interrupter bypass cable will be required to divert the data link around the construction area and keep the network operational. The bypass cable would need to return to the TS to maintain the data link and would therefore run through the works area where it may be at risk of damage.
- 3.6.4. For these reasons, it has been determined that the TS needs to be relocated from its current location.
- 3.6.5. The new TS would be modular, similar to that shown in Figure 3-16, with approximate dimensions of 6.7m (L) x 4.8m (W) x 3m (H). The new TS will be located within the Scheme Order limits and highway boundary, approximately 2.6km south of the existing location [see Figures 3-14 and 3-15]. There is existing hardstanding in the verge of the southbound carriageway which would provide a suitable location.
- 3.6.6. Once the TS is relocated, the retaining walls will no longer be required for the Piffs Elm North bridge. As a result, the retaining walls on the north side of the east and west abutments would be replaced with planted embankments.
- 3.6.7. There is potential for the TS to be relocated by National Highways NRTS team prior to commencement of main works.
- 3.6.8. The environmental effects of this change are outlined in Table 3.6.1.

Table 3.6.1 Environmental effects for Change 6

Topic	Effect
Biodiversity	<p>The proposed location for the TS has existing hardstanding so would require minimal vegetation removal. Any vegetation removal would be compensated for by new planting elsewhere in the verges of the M5.</p> <p>Removing the retaining walls from the design and providing embankments in their place, will allow for more vegetation to be planted around the Piffs Elm north bridge. Overall, there would be no change to biodiversity as considered in ES Chapter 7.</p>

Topic	Effect
Road Drainage and Water Environment	The TS would be relocated to an alternative drainage catchment on the southbound carriageway of the M5. It is considered that there would be no change to the water environment as considered in ES Chapter 8.
Landscape and Visual	The only views of the new TS would be from the M5. It is considered that there would be no adverse visual impact at the new location. The replacement of the retaining walls with embankments would bring Piffs Elm North bridge in keeping with all other bridge abutments on this stretch of M5. The embankments would also be planted. It is considered that there would be no change to the assessment outcomes in ES Chapter 9.
Materials and Waste	The proposed change would remove the requirement for a reinforced earth retaining wall and sheet piling. However, additional imported material would be required to construct embankments in place of retaining walls. New materials would be required to construct the TS, and waste would be generated through the demolition of the existing TS. The materials from the old TS would be recycled in the Scheme where feasible. Overall, the proposed change would not change the impact of the Scheme due to materials and waste, as considered in ES Chapter 12.

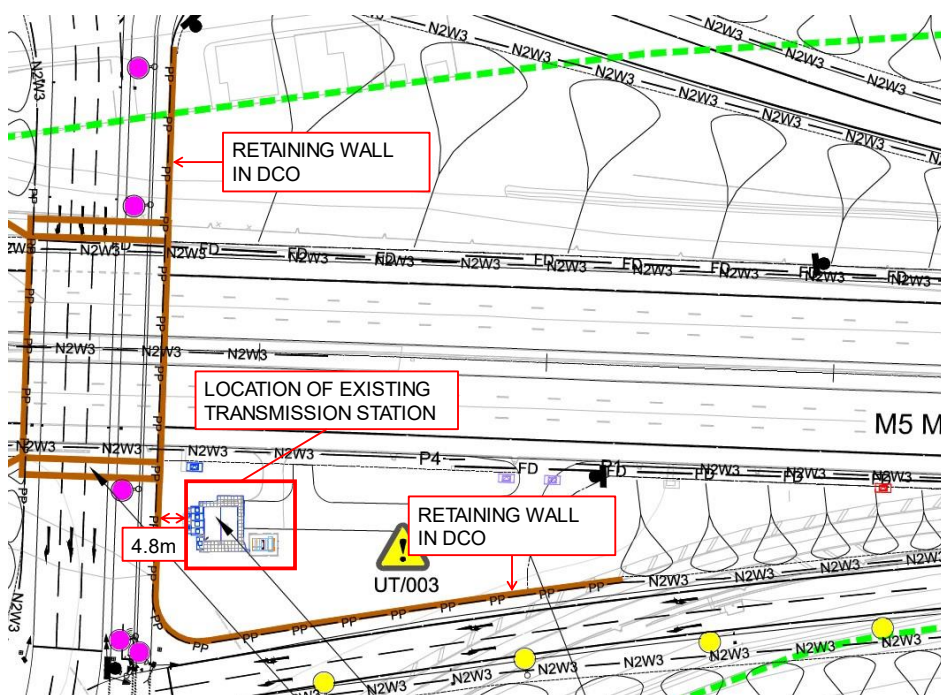


Figure 3-11 Existing TS location in Scheme design with dimensions for working room



Figure 3-12 Location of existing TS relative to existing M5 J10



Figure 3-13 Photo of existing TS



Figure 3-14 Proposed location for new TS, 2.6km south of M5 J10 Piffs Elm Interchange



Figure 3-16 Location of existing and proposed TS



Figure 3-15 Example modular TS from M3

3.7. Change 6 – Flood storage area reconfiguration

- 3.7.1. The current Scheme design proposes a flood storage area, to store around 200,000m³ of flood waters from the River Chelt. The storage is located to the south-east of the Piffs Elm Interchange, between the M5 Corridor, the A4019 and the Link Road [see Figure 3-17]. The solution was developed based on the following principles:
- The A4019 needs to be raised to meet the height of the new Piffs Elm Interchange at the M5J10. This will prevent flood waters flowing north over the A4019.
 - The level of the new Withybridge underpass, which provides a route for bats and the bridleway to pass under the A4019, was set above the design flood event (1in100year + 53% for climate change) so would not carry flood waters under the A4019.
 - The existing 750mm diameter pipes that pass under the A4019 were both proposed to be stopped up.
- 3.7.2. This flood storage area would need to be registered as a large-raised reservoir under the Reservoirs Act 1975. In the design flood event, the M5 and A4019 embankments would act as impoundment structures under the Reservoirs Act 1975. This means that the M5 and A4019 embankments form the dam to the reservoir. This would place significant responsibilities on the maintaining parties. National Highways have raised their concerns in relation to the Scheme proposals for the design, operation and maintenance of the current flood storage area, which has led the Applicant to explore alternative solutions.
- 3.7.3. The Applicant proposes an alternative flood storage solution which would allow flood waters to flow north of the A4019 and reduce the volume of water that would be stored to the south-east of the Piffs Elm Interchange [see Figure 3-18].
- 3.7.4. The alternative solution is as follows:
- Two separate basins to store 23,500m³ and 61,000m³ entirely below the current ground level.
 - Creation of channels to carry floodwater from the basins to the River Chelt, to the existing Piffs Elm culvert underneath the M5, and through the Withybridge underpass.
 - New culverts will be created under the A4019, with a new ditch to carry flows to Leigh brook, which then passes under the M5 through the Barn Farm culvert. In order to create sufficient space for the new ditch to Leigh brook, the M5 southbound off-slip road has been shortened by 55m to 348m total length. Appendix F of the Transport Assessment [TR010063 - APP 7.5] shows that the maximum queue length on the southbound off-slip (M5 North approach SB) in the 2042 scenario is 56 PCU in the am peak. This is equivalent to 336m and therefore within the new slip road length.
 - Withybridge underpass lowered and existing 750mm pipes under A4019 replaced with twin culverts, to provide flood conveyance under the A4019.
- 3.7.5. This solution would not use either the M5 or the A4019 road embankments as impoundment structures for the reservoir. As a result, the solution minimises the maintenance responsibilities required under the Reservoirs Act 1975.
- 3.7.6. The environmental effects of this change are outlined in Table 3.7.1.

Table 3.7.1 Environmental effects of Change 7

Topic	Effect
Biodiversity	<p>Any new planting would be designed to create a mosaic of habitats, similar to that considered in ES Chapter 7.</p> <p>Overall, it is considered that the proposed change would not alter the biodiversity conclusions in ES Chapter 7.</p>

Topic	Effect
Road Drainage and Water Environment	<p>The proposal would remove the requirement to use either the M5 or the A4019 road embankments to impound the reservoir.</p> <p>The HEWRAT calculations confirmed that there would be no changes to the magnitude of impact and significance of effect assigned in the ES.</p> <p>The hydraulic modelling demonstrates that the proposed solution would not alter the flood risk conclusions presented in ES Chapter 8.</p> <p>No change to groundwater is anticipated against the conclusions of ES Chapter 8, as the invert level of the Scheme is comparable to the invert level of the alternative solution.</p> <p>The ES reviews hydromorphology however not in specific reference to the flood storage area. Hydromorphological impacts will be assessed through detailed design and additional mitigation may be required.</p> <p>The alternative solution would reduce the requirement for water management during excavation activities during construction.</p> <p>Overall, it is considered that the proposed change would not alter the conclusions of ES Chapter 8.</p>
Landscape and Visual	<p>Any new planting would be in accordance with Chapter 9 of the ES. It is considered that there would be no change on the landscape as considered in ES Chapter 9.</p>
Materials and Waste	<p>The excavation volumes for the proposed change are comparable to the Scheme design. It is considered that the proposed change would not alter the Scheme impact associated with materials and waste as documented in ES Chapter 12.</p>



Figure 3-17 200,000m³ reservoir in Scheme design

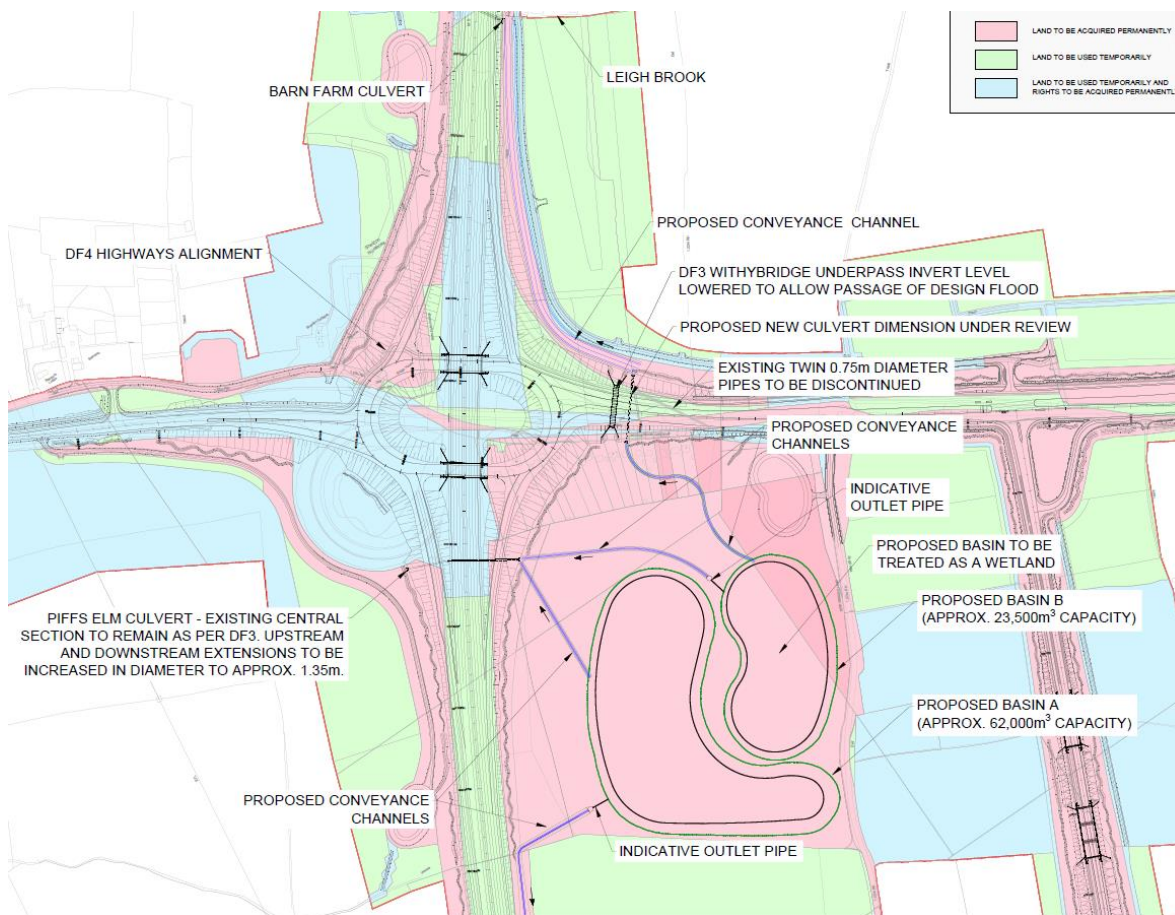


Figure 3-18 Plan of alternative flood storage area

3.8. Change 7 – Infill of existing northbound on-slip loop

- 3.8.1. The existing M5 J10 northbound on-slip loops onto the M5 carriageway. The current Scheme design proposes to retain the embankment loop in its current form.
- 3.8.2. The Applicant proposes to infill the loop with site won material [see Figures 3-19 and 3-20], which is not suitable to be reused elsewhere, in order to create a new slope for planting and provide improved screening of the Piffs Elm Interchange.
- 3.8.3. This proposal would reduce the export of unsuitable material, thereby reducing the number of construction vehicle movements and the Scheme greenhouse gas emissions.
- 3.8.4. This change would ease the maintenance of the proposed planting as the gradient of the south-west embankment of the Piffs Elm Interchange would be significantly reduced.
- 3.8.5. The environmental effects of this change are outlined below:

Table 3.8.1 Environmental effects of Change 8

Topic	Effect
Biodiversity	<p>The increased area of woodland planting would provide improved habitat for breeding birds.</p> <p>The increased planting on the embankment would offset the loss of existing vegetation in this area through construction.</p> <p>Overall, there would be no change to biodiversity as considered in ES Chapter 7.</p>

Topic	Effect
Road Drainage and Water Environment	<p>No impact on hydromorphology, surface water, flood risk or groundwater as considered in ES Chapter 8.</p> <p>No change to pollution risk to River Chelt and Leigh Brook as documented in ES Chapter 8.</p>
Landscape and Visual	<p>The infill would require clearance of additional scrub vegetation on the inside of the loop.</p> <p>The proposed solution would increase the footprint of the planting area, which would further soften the Piffs Elm Interchange within the landscape and provide a slight improvement to visual receptors on PROW AB014.</p> <p>When compared with the conclusions of ES Chapter 9, it is considered that there would be no change to visual receptors during construction and operation (Year 1). A slight beneficial impact is anticipated during operation (Year 15) due to increased area of planting screening views of the Piffs Elm Interchange.</p>
Materials and Waste	<p>This proposal would utilise unsuitable site-won material that would otherwise be exported offsite to landfill. The proposed change would slightly improve the impact associated with materials and waste as documented in chapter 12. The proposed change is not significant.</p>
Climate	<p>It is considered that the proposed change would have a slight beneficial impact on the construction phase emissions. Overall, the change would not alter the conclusions reported in ES Chapter 14.</p>

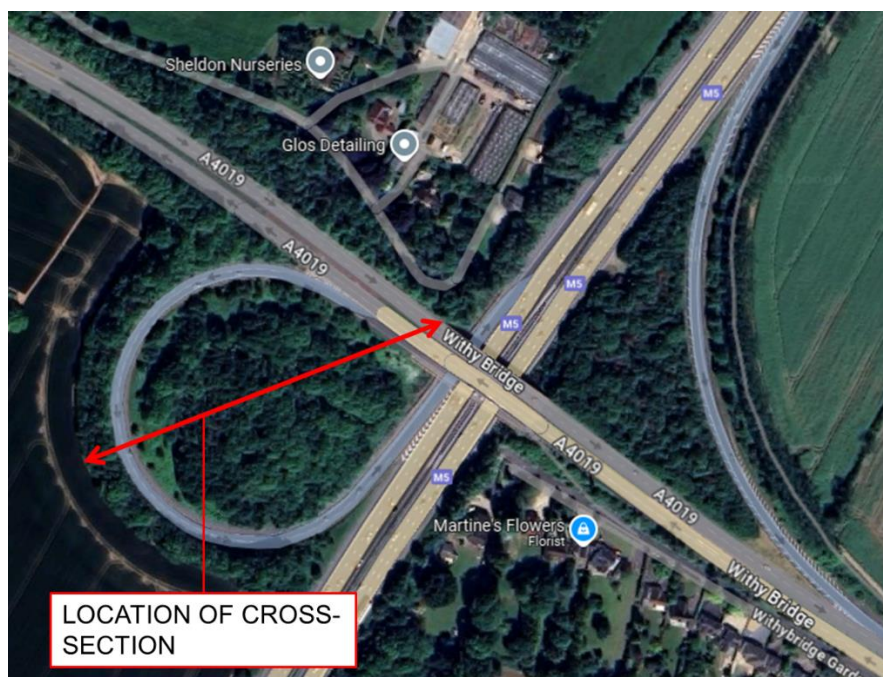


Figure 3-19 Location of the infill of the northbound on-slip loop

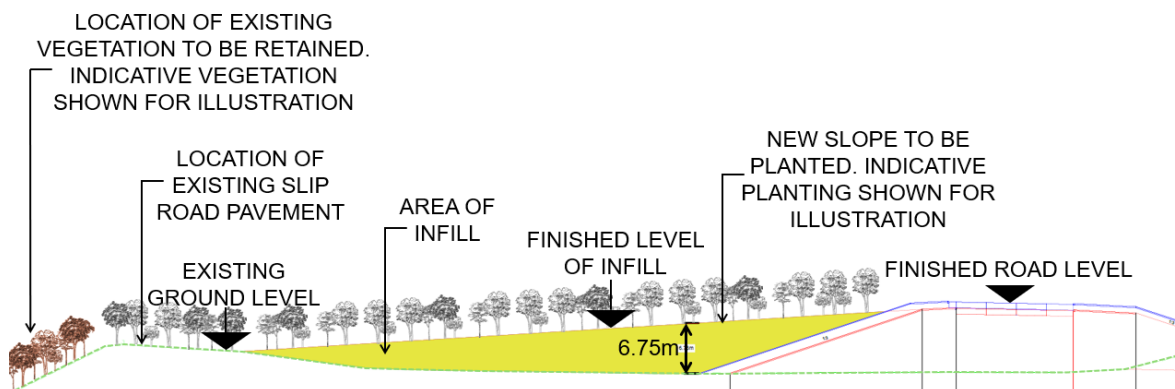


Figure 3-20 Cross-section, showing the yellow area to be infilled

3.9. Cumulative assessment

3.9.1. An assessment has been completed to determine the cumulative effect of all the proposed changes on the conclusions of ES Chapters. Overall, it is considered that the proposed changes will not alter the conclusions of the ES. As a result, these changes are non-material.

Table 3.9.1 Cumulative environmental effects

Topic	Effect
Cumulative Effects Assessment	<p>There are no changes to the Scheme Order Limits as a result of the seven proposed design changes. Therefore, there are no changes to the other developments the Scheme could interact with, as presented in ES Chapter 13.</p> <p>There are no new environmental receptors identified for the seven proposed design changes that are shared with other developments and therefore no potential for cumulative effects.</p> <p>There are no new or different significant effects for any other environmental topics as a result of the proposed design changes. There are therefore no changes to the cumulative effects as reported in ES Chapter 13.</p>

4. What happens next?

- 4.1.1. Our supplementary consultation closes at 11.59pm on 27 October 2024.
- 4.1.2. All responses will be analysed. We will produce a report of these responses and Applicant's position on them. This will be submitted as part of the request to the Examining Authority to accept, as part of the DCO application, those changes we still wish to proceed with. If those changes are accepted there will be opportunities for the detail of each proposed change to be considered, and for all interested parties to make representations about them, as part of the ongoing examination of the DCO application
- 4.1.3. We are currently in the examination period, which will run until 4 December 2024, following which the ExA has three months to make a recommendation to the Secretary of State, who then has a further three months to make their decision. It will be a matter for the ExA to decide whether to accept the proposed changes alongside the original application. If the ExA rejects the submitted changes, the ExA will continue in considering the original Scheme.
- 4.1.4. The Planning Inspectorate's website provides updates on the DCO process here: [M5 Junction 10 Improvements Scheme - Project information \(planninginspectorate.gov.uk\)](https://www.planninginspectorate.gov.uk/m5-junction-10-improvements-scheme).

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Appendix B. Consultees

Table 1. Prescribed consultees in The Infrastructure Planning (Compulsory Acquisition) Regulations 2010

The full schedule of the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 (CA Regulations) and Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (APFP Regulations) have been reviewed, and the consultees listed below have been identified as relevant to this consultation. Any organisations listed in the CA Regulations or APFP Regulations not included below were not consulted because they were not relevant to the consultation.

Consultee	Organisation	Engagement type	Date
Department for Transport	Department of Transport	Email Notification	26 September 2024
The Health and Safety Executive	Health and Safety Executive	Email Notification	26 September 2024
The relevant Strategic Health Authority	The Equality and Human Rights Commission	Email Notification	26 September 2024
The relevant Health Board	NHS England	Email Notification	26 September 2024
	NHS Gloucestershire Clinical Commissioning Group	Email Notification	26 September 2024
Natural England	Natural England	Email Notification	26 September 2024
The Environment Agency	The Environment Agency	Email Notification	26 September 2024
The Historic Buildings and Monuments Commission for England	Historic England	Email Notification	26 September 2024
The relevant fire and rescue authority	Gloucestershire Fire and Rescue Service	Email Notification	26 September 2024
The relevant police authority	Gloucestershire Constabulary	Email Notification	26 September 2024
	Gloucestershire Police and Crime Commissioner	Email Notification	26 September 2024
The relevant parish council, or, where the application relates to land Wales or Scotland the relevant community council	Boddington Parish Council	Email Notification	26 September 2024
	Elmstone Hardwicke Parish Council	Email Notification	26 September 2024
	Uckington Parish Council	Email Notification	26 September 2024
	Staverton Parish Council	Email Notification	26 September 2024
	Swindon Parish Council	Email Notification	26 September 2024
	Stoke Orchard and Tredington Parish Council	Email Notification	26 September 2024
AONB Conservation Boards	Cotswolds AONB	Email Notification	26 September 2024
Homes England	Homes England	Email Notification	26 September 2024
The Civil Aviation Authority	The Civil Aviation Authority	Email Notification	26 September 2024
The Highways Agency	National Highways	Email Notification	26 September 2024
The relevant Highways Authority	Gloucestershire County Council	Email Notification	26 September 2024
The Rail Passengers Council	Transport Focus	Email Notification	26 September 2024
The Disabled Persons Transport Advisory Committee	The Disabled Persons Transport Advisory Committee	Email Notification	26 September 2024
The Coal Authority	The Coal Authority	Email Notification	26 September 2024
The Office of Rail Regulation and approved operators	The Office of Rail and Road	Email Notification	26 September 2024
The Gas and Electricity Markets Authority	OFGEM	Email Notification	26 September 2024
The Water Services Regulation Authority	Canal & River Trust	Email Notification	26 September 2024
	OFWAT	Email Notification	26 September 2024
The relevant internal drainage board	Gloucestershire County Council (internal drainage board)	Email Notification	26 September 2024
	Lower Severn Internal Drainage Board	Email Notification	26 September 2024
The Health Protection Agency	Public Health England (UK Health Security Agency)	Email Notification	26 September 2024

Consultee	Organisation	Engagement type	Date
The Crown Estate Commissioners	The Crown Estate	Email Notification	26 September 2024
The Forestry Commission	The Forestry Commission	Email Notification	26 September 2024
Gloucestershire Local Resilience Forum (Gloucestershire Prepared)	Gloucestershire Local Resilience Forum (Gloucestershire Prepared)	Email Notification	26 September 2024

Table 2: Section 43 consultees

Name	A, B, C or D authority	Criteria for inclusion	Engagement type	Date
The Applicant's local authority	C	The Applicant's local authority is an upper tier County authority in which the Scheme is located.	Email Notification	26 September 2024
Cheltenham Borough Council	B	Cheltenham Borough Council is lower tier district authority, and a host local authority in which part of the Scheme is located	Email Notification	26 September 2024
Tewkesbury Borough Council	B	Tewkesbury Borough Council is lower tier district authority, and a host local authority in which part of the Scheme is located	Email Notification	26 September 2024
Gloucester City Council	A	Gloucester City Council is lower tier district authority which shares a boundary with a B authority, Tewkesbury Borough Council	Email Notification	26 September 2024
Cotswolds District Council	A	Cotswolds District Council is a lower tier district authority which shares a boundary with two B authorities, Tewkesbury Borough Council and Cheltenham Borough Council	Email Notification	26 September 2024
Forest of Dean District Council	A	Forest of Dean District Council is a lower tier district authority which shares a boundary with a B authority, Tewkesbury Borough Council	Email Notification	26 September 2024
Herefordshire Council	D	Herefordshire Council is a unitary authority which shares a boundary with a C authority, the Applicant's local authority	Email Notification	26 September 2024
Monmouthshire County Council	A	Monmouthshire County Council is a unitary authority which shares a boundary with a C authority, the Applicant's local authority	Email Notification	26 September 2024
Oxfordshire County Council	D	Oxfordshire County Council is an upper-tier county council which shares a boundary with a C authority, the Applicant's local authority	Email Notification	26 September 2024
South Gloucestershire Council	D	South Gloucestershire Council is a unitary authority which shares a boundary with a C authority, the Applicant's local authority	Email Notification	26 September 2024
Stroud District Council	A	Stroud District Council is a lower tier district authority which shares a boundary with a B authority, Tewkesbury Borough Council	Email Notification	26 September 2024
Swindon Borough Council	D	Swindon Borough Council is a unitary authority which shares a boundary with a C authority, the Applicant's local authority	Email Notification	26 September 2024
Warwickshire County Council	D	Warwickshire County Council is an upper tier county authority which shares a boundary with a C authority, the Applicant's local authority	Email Notification	26 September 2024
Wiltshire Council	D	Wiltshire Council is a unitary authority which shares a boundary with a C authority, the Applicant's local authority	Email Notification	26 September 2024
Worcestershire County Council	D	Worcestershire County Council is an upper tier county authority which shares a boundary with a C authority, the Applicant's local authority	Email Notification	26 September 2024
Wychavon District Council and Malvern Hills District Council	D	Wychavon District Council and Malvern Hills District Council are lower tier district authorities which share a boundary with a B authority, Tewkesbury Borough Council.	Email Notification	26 September 2024

Table 3. Joint Core Strategy developers

Organisation	Engagement type	Date
Midlands Land Portfolio	Email Notification	26 September 2024
Bloor Homes	Email Notification	26 September 2024
Persimmon Homes	Email Notification	26 September 2024
St. Modwen	Email Notification	26 September 2024
Cheltenham Borough Council (Developer West Cheltenham)	Email Notification	26 September 2024
Robert Hitchins Limited	Email Notification	26 September 2024

Table 4. Section 44 consultees and Compulsory Acquisition Regulations

Table 4 sets out “Affected Persons” under Regulation 7(1)(c) (CA Regulations) and Section 44 (Planning Act 2008) meaning those persons over whose land Compulsory Acquisition powers will be exercised. The table details land plots with regard to those Affected Persons.

Regulation 7(1)(c) of the CA Regulations requires the Applicant to give notice of the proposed provision to each person who is within one or more of the categories set out in Section 57 of the Planning Act 2008. Section 57 sets out the following categories, which align with Categories 1, 2 and 3 under Section 44 (Planning Act 2008):

- Category 1: A person is within Category 1 if the applicant, after making diligent inquiry, knows that the person is an owner, lessee, tenant (whatever the tenancy period) or occupier of the land.
- Category 2: A person is within Category 2 if the applicant, after making diligent inquiry, knows that the person (a) is interested in the land, or (b) has power (i) to sell and convey the land, or (ii) to release the land.
- Category 3: A person is within Category 3 if the applicant thinks that, if the order sought by the application were to be made and fully implemented, the person would or might be entitled (a) as a result of the implementing of the order, (b) as a result of the order having been implemented, or (c) as a result of use of the land once the order has been implemented, to make a relevant claim. A person is within Category 3 only if the person is known to the applicant after making diligent inquiry.

Plot	Category	Consultee (Regulation 7(1)(c) and S44)	Engagement type	Date	
5/4d(iv)	Category 1	Gloucester Land Company Limited The Manor Boddington Lane Boddington Cheltenham GL51 0TJ	Gloucester Land Company Limited	Email Notification	26 September 2024
		Unknown (in respect of mines and minerals only)	Unknown	Notice erected within vicinity of plot	26 September 2024
	Category 1 Occupier	Gloucester Land Company Limited The Manor Boddington Lane Boddington Cheltenham GL51 0TJ (Co. Reg. No: 00686227)	Gloucester Land Company Limited	Email Notification	26 September 2024
	Category 2	Unknown (in respect of rights and provisions as contained within a Conveyance dated 1 February 1940 and rights contained within a Deed dated 24 November 1970 as registered under title GR211814)	Unknown	Notice erected within vicinity of plot	26 September 2024
5/4d(v)	Category 1	Gloucester Land Company Limited The Manor Boddington Lane Boddington Cheltenham GL51 0TJ	Gloucester Land Company Limited	Email Notification	26 September 2024
	Category 1 Occupier	Gloucester Land Company Limited The Manor Boddington Lane Boddington Cheltenham GL51 0TJ (Co. Reg. No: 00686227)	Gloucester Land Company Limited	Email Notification	26 September 2024
5/4d(vi)	Category 1	Gloucester Land Company Limited The Manor Boddington Lane Boddington Cheltenham GL51 0TJ	Gloucester Land Company Limited	Email Notification	26 September 2024
	Category 1 Occupier	Gloucester Land Company Limited The Manor Boddington Lane Boddington Cheltenham GL51 0TJ	Gloucester Land Company Limited	Email Notification	26 September 2024
	Category 2	National Highways Limited c/o The Company Secretary Bridge House 1 Walnut Tree Close Guildford Surrey GU1 4LZ (Co. Reg. No: 09346363) (in respect of rights contained within a Deed dated 10 July 1975 registered under title GR211814)	National Highways	Email Notification	26 September 2024

Plot	Category	Consultee (Regulation 7(1)(c) and S44)	Engagement type	Date	
5/31c(i)	Category 1	Robert Hitchins Limited The Manor Boddington Lane Boddington Cheltenham GL51 0TJ (Co. Reg. No: 00686734) (in respect of surface rights only)	Robert Hitchins Limited	Email Notification	26 September 2024
		Unknown (in respect of mines and minerals only)	Unknown	Notice erected within vicinity of plot	26 September 2024
	Category 1 Occupier	Robert Hitchins Limited The Manor Boddington Lane Boddington Cheltenham GL51 0TJ (Co. Reg. No: 00686734)	Robert Hitchins Limited	Email Notification	26 September 2024
	Category 2	Unknown (in respect of rights contained within a Conveyance dated 1 February 1940 registered under title GR226911)	Unknown	Notice erected within vicinity of plot	26 September 2024
5/4d(vii)	Category 1	Gloucester Land Company Limited The Manor Boddington Lane Boddington Cheltenham GL51 0TJ	Gloucester Land Company Limited	Email Notification	26 September 2024
	Category 1 Occupier	Gloucester Land Company Limited The Manor Boddington Lane Boddington Cheltenham GL51 0TJ	Gloucester Land Company Limited	Email Notification	26 September 2024
	Category 2				
5/4d(viii)	Category 1	Gloucester Land Company Limited The Manor Boddington Lane Boddington Cheltenham GL51 0TJ	Gloucester Land Company Limited	Email Notification	26 September 2024
		Unknown (in respect of mines and minerals only)	Unknown	Notice erected within vicinity of plot	26 September 2024
	Category 1 Occupier	Gloucester Land Company Limited The Manor Boddington Lane Boddington Cheltenham GL51 0TJ	Gloucester Land Company Limited	Email Notification	26 September 2024
	Category 2	Unknown (in respect of rights and provisions as contained within a Conveyance dated 1 February 1940 and rights contained within a Deed dated 24 November 1970 as registered under title GR211814)	Unknown	Notice erected within vicinity of plot	26 September 2024
5/31a(i)	Category 1	Robert Hitchins Limited The Manor Boddington Lane Boddington Cheltenham GL51 0TJ (Co. Reg. No: 00686734) (in respect of surface rights only)	Robert Hitchins Limited	Email Notification	26 September 2024
		Unknown (in respect of mines and minerals only)	Unknown	Notice erected within vicinity of plot	26 September 2024
	Category 1 Occupier	Robert Hitchins Limited The Manor	Robert Hitchins Limited	Email Notification	26 September 2024


Plot	Category	Consultee (Regulation 7(1)(c) and S44)	Engagement type	Date	
5/31b(i)		Boddington Lane Boddington Cheltenham GL51 0TJ (Co. Reg. No: 00686734)			
	Category 2	Unknown (in respect of rights contained within a Conveyance dated 1 February 1940 registered under title GR226911)	Unknown	Notice erected within vicinity of plot	26 September 2024
	Category 1	Robert Hitchins Limited The Manor Boddington Lane Boddington Cheltenham GL51 0TJ (Co. Reg. No: 00686734) (in respect of surface rights only)	Robert Hitchins Limited	Email Notification	26 September 2024
		Unknown (in respect of mines and minerals only)	Unknown	Notice erected within vicinity of plot	26 September 2024
	Category 1 Occupier	Robert Hitchins Limited The Manor Boddington Lane Boddington Cheltenham GL51 0TJ (Co. Reg. No: 00686734)	Robert Hitchins Limited	Email Notification	26 September 2024
	Category 2	Unknown (in respect of rights contained within a Conveyance dated 1 February 1940 registered under title GR226911)	Unknown	Notice erected within vicinity of plot	26 September 2024
3/2b	Category 1	Unknown	Unknown	Notice erected within vicinity of plot	26 September 2024
		National Highways Limited c/o The Company Secretary Bridge House 1 Walnut Tree Close Guildford Surrey GU1 4LZ (Co. Reg. No: 09346363) (in respect of bridge)	National Highways	Email Notification	26 September 2024
	Category 1 Occupier	Unknown	Unknown	Notice erected within vicinity of plot	26 September 2024
		National Highways Limited c/o The Company Secretary Bridge House 1 Walnut Tree Close Guildford Surrey GU1 4LZ (Co. Reg. No: 09346363) (in respect of bridge)	National Highways	Email Notification	26 September 2024
		Gloucestershire County Council. Shire Hall Westgate Street Gloucester GL1 2TG (in respect of public bridleway (BR AEH25))	Gloucestershire County Council	Email Notification	26 September 2024
			PwIL	Email Notification	26 September 2024
			PwIL	Email Notification	26 September 2024
	Category 2	National Highways Limited c/o The Company Secretary Bridge House 1 Walnut Tree Close Guildford Surrey GU1 4LZ (Co. Reg. No: 09346363) (in respect of National Roads Telecommunications Services Cables)	National Highways	Email Notification	26 September 2024
5/2h(i)	Category 1	National Highways Limited c/o The Company Secretary Bridge House 1 Walnut Tree Close Guildford Surrey GU1 4LZ (Co. Reg. No: 09346363)	National Highways	Email Notification	26 September 2024
	Category 1 Occupier	National Highways Limited c/o The Company Secretary Bridge House 1 Walnut Tree Close Guildford Surrey GU1 4LZ (Co. Reg. No: 09346363)	National Highways	Email Notification	26 September 2024
		Gloucestershire County Council Shire Hall Westgate Street Gloucester GL1 2TG (in respect of public adopted highway (Piffs Elm Lane))	Gloucestershire County Council	Email Notification	26 September 2024

Plot	Category		Consultee (Regulation 7(1)(c) and S44)	Engagement type	Date
	Category 2	Unknown (in respect of easements, rent charges, restrictive covenants and rights contained within a Conveyance dated 17 November 1969 registered under title GR321199)	Unknown	Notice erected within vicinity of plot	26 September 2024
5/2j	Category 1	National Highways Limited c/o The Company Secretary Bridge House 1 Walnut Tree Close Guildford Surrey GU1 4LZ (Co. Reg. No: 09346363)	National Highways	Email Notification	26 September 2024
	Category 1 Occupier	National Highways Limited c/o The Company Secretary Bridge House 1 Walnut Tree Close Guildford Surrey GU1 4LZ (Co. Reg. No: 09346363)	National Highways	Email Notification	26 September 2024
	Category 2	Unknown (in respect of easements, rent charges, restrictive covenants and rights contained within a Conveyance dated 17 November 1969 registered under title GR321199)	Unknown	Notice erected within vicinity of plot	26 September 2024
5/2k	Category 1	National Highways Limited c/o The Company Secretary Bridge House 1 Walnut Tree Close Guildford Surrey GU1 4LZ (Co. Reg. No: 09346363)	National Highways	Email Notification	26 September 2024
	Category 1 Occupier	National Highways Limited c/o The Company Secretary Bridge House 1 Walnut Tree Close Guildford Surrey GU1 4LZ (Co. Reg. No: 09346363)	National Highways	Email Notification	26 September 2024
	Category 2	Gigaclear Limited Building One Wyndyke Furlong Abingdon OX14 1UQ (Co. Reg. No: 07476617) (in respect of underground telecommunications cables and equipment)	Gigaclear Limited	Email Notification	26 September 2024
	Category 2	Unknown (in respect of easements, rent charges, restrictive covenants and rights contained within a Conveyance dated 17 November 1969 registered under title GR321199)	Unknown	Notice erected within vicinity of plot	26 September 2024
5/2l	Category 1	National Highways Limited c/o The Company Secretary Bridge House 1 Walnut Tree Close Guildford Surrey GU1 4LZ (Co. Reg. No: 09346363)	National Highways	Email Notification	26 September 2024
	Category 1 Occupier	National Highways Limited c/o The Company Secretary Bridge House 1 Walnut Tree Close Guildford Surrey GU1 4LZ (Co. Reg. No: 09346363)	National Highways	Email Notification	26 September 2024
	Category 2	Unknown (in respect of easements, rent charges, restrictive covenants and rights contained within a Conveyance dated 17 November 1969 registered under title GR321199)	Unknown	Notice erected within vicinity of plot	26 September 2024
5/2y	Category 1	National Highways Limited c/o The Company Secretary Bridge House 1 Walnut Tree Close Guildford Surrey GU1 4LZ (Co. Reg. No: 09346363)	National Highways	Email Notification	26 September 2024
	Category 1 Occupier	National Highways Limited c/o The Company Secretary Bridge House 1 Walnut Tree Close Guildford Surrey GU1 4LZ (Co. Reg. No: 09346363)	National Highways	Email Notification	26 September 2024
		[REDACTED]	PwIL	Email Notification	26 September 2024
		[REDACTED]	PwIL	Email Notification	26 September 2024
	Category 2	British Telecommunications plc 1 Braham Street London E1 8EE (Co. Reg. No: 01800000) (in respect of overhead telecommunications cables)	British Telecommunications PLC	Email Notification	26 September 2024
		Openreach Limited 6 Gracechurch Street London EC3V OAT (Co. Reg. No: 10690039) (in respect of overhead telecommunications cables)	Openreach Limited	Email Notification	26 September 2024
N/A	N/A	[REDACTED]	PwIL*	Email Notification	26 September 2024

*PwIL is not an affected person under Reg 1(c) of the CA Regulations but was consulted as part of Change 2 due to their proximity to the proposed change.

Appendix C. Published notices

C.1. Regulation 8 Notice: London Gazette 20 September 2024

Share your feedback on the Gazette website - [take our 1 minute survey here](#) 



Published by Authority | Est 1665

Notice details

Type:
Planning
> Town and Country Planning

Publication date:
20 September 2024, 12:02

Edition:
The London Gazette

Notice ID:
4707745

Notice code:
1601

[About Town and Country Planning notices](#)

Town and Country Planning



REGULATION 8 OF THE INFRASTRUCTURE PLANNING (COMPULSORY ACQUISITION) REGULATIONS 2010 NOTICE OF PROPOSED CHANGES TO AN ACCEPTED DEVELOPMENT CONSENT ORDER M5 JUNCTION 10 IMPROVEMENTS SCHEME

Notice is hereby given that the Applicant has made an application to amend the DCO application as made, including changes to the areas of land which would be subject to compulsory acquisition.

An application for development consent order (the "DCO application") under Section 37 of the Planning Act 2008 was submitted by Gloucestershire County Council, Shire Hall, Gloucester, GL1 2TG (the "Applicant") to the Secretary of State for Transport c/o the Planning Inspectorate on the 19th of December 2023 and was accepted on 16th of January 2024. The reference number applied to the DCO application is TR010063. This consultation concerns proposals for changes to the DCO application which the Applicant intends to seek.

Summary of the Application

The DCO would authorise the improvements of the M5 Junction 10 in Gloucestershire. The proposed development (the "Scheme") comprises the following elements which are related to changes to the strategic road network and together make up the M5 Junction 10 Improvements Scheme:

- An all-movements junction at M5 Junction 10;
- A new West Cheltenham Link Road east of Junction 10 from the A4019, to the West Cheltenham Cyber Park; and
- Widening of the A4019 to the east of Junction 10.

If granted, the DCO would authorise the compulsory acquisition of land, interests in land and rights and the powers to use land permanently and temporarily for the construction, operation and maintenance of the Scheme.

The Applications to amend the DCO application

The Applicant submitted a Notification of the Applicant's Intention to Submit Request for Proposed Changes to the DCO Application on the 12 August 2024 [AS-061] ("the Notification Letter") providing details and background to the request for the proposed changes.

Further to the Notification Letter the Applicant has decided to split its proposed change application into two different applications, to differentiate between those aspects of the proposed changes that relate exclusively to upgrades in the rights ("Change Application 1") and those that relate to changes in the design of the Scheme ("Change Application 2").

The proposed changes to the Scheme are a result of refinements proposed as part of the evolution of the design to ensure the delivery of a more sustainable and affordable Scheme, reflective of continuing stakeholder engagement and what has been discussed in examination.

Change Application 1 was submitted to the Planning Inspectorate on the 4th of September 2024 and the Applicant proposes to submit Change Application 2 on the 1st of October 2024.

The Applicant proposes to carry out parallel consultation in respect of Change Application 2 in advance of the application being made to give the Applicant an opportunity to receive feedback and incorporate any representations made by affected persons and key stakeholders into the submission.

Consultation on proposed changes

The changes being sought by the Applicant are:

1. Change Application 1:

Upgrade to Land Rights: A change is proposed to the Land plans to align them with the extent of dormice hedgerow mitigation shown on the General Arrangement (GA) plan and Environmental Masterplan and in order to address National Highways concerns. Rights sought are firstly upgraded from temporary possession to compulsory acquisition of rights in relation to plots 5/4d(v), 5/4d(vi), 5/31c(i), 5/4d(vii), 5/4d(viii), 5/31a(i) and 5/31b(i) showing on the Land Plans which will enable the Applicant to undertake a more efficient maintenance of the hedgerow H48. Secondly, the Applicant seeks to upgrade plots 3/2b, 5/2h(i), 5/2,

<https://www.thegazette.co.uk/notice/4707745>

20/09/2024, 12:39
Page 1 of 4

5/2k, 5/2l and 5/2y showing on the Land Plans within National Highway land from temporary possession to compulsory acquisition of rights, to reflect agreement reached with National Highways. The compensation for the additional land proposed to be subject to compulsory acquisition has been allowed for by the Applicant in the budget for the Scheme, further details of the budget for the Scheme is available in the Funding Statement submitted with the DCO application on the 19th of December 2023.

2. Change Application 2:

• **Change 1 – Link road replacement of swales with filter drain:** This change proposes to replace the three swales for surface water collection on the link road with two filter drains. Filter drains provide a more efficient solution in terms of alignment design, earthworks and constructability. Filter drains would be narrower than swales allowing for reduction in the cross-section of the link road reducing the requirement for imported fill and reducing the footprint in the flood plain.

• **Change 2 – Link road replacement of box culverts with bridges:** This change proposes to replace the two sets of pre-cast concrete flood culverts under the link road with two flood alleviation bridges. The provision of bridges in lieu of culverts provides a number of benefits such as removal of the requirement for ground improvement and subsoil treatment; reducing working time and space requirements within the floodplain and the overland flow path; eliminating the confined space hazard for inspection and maintenance personnel; providing a larger opening, reducing the risk of blockages; lower risk of differential settlement; improving rideability and reducing the risk of pavement and structural damage; improving fauna movement due to larger openings and improved light penetration and ability to provide seeding / vegetation and other natural features beneath the structure to encourage fauna movement and provide an improved environmental solution.

• **Change 3 – Link road River Chelt bridge structural form:** This change proposes to optimise the reprofiling of the River Chelt to run perpendicular with the link road, in order to replace the skewed crossing of the River Chelt Bridge with a square crossing. Adopting this change would provide a simpler design and construction solution so reducing programme risk in the construction phase. In addition, square structures are generally considered to have an improved performance in the long term. Additional river enhancements are proposed downstream of the crossing to locally improve riparian and fish habitat.

• **Change 4 – Link road alignment:** This change proposes to locally reduce the vertical alignment of the Link Road by more than the vertical limits of deviation and reduce the cycleway width from four metres to three. The proposed changes would reduce the volume of imported material required for the embankment, and the embankment footprint within the flood plain.

• **Change 5 – Relocation of NRTS Transmission Station:** This change proposes to relocate the Uckington NRTS Transmission Station from its existing position in the northeast quadrant of the M5 junction 10, to a location 2.6km further south on the M5, within the highway's boundary and DCO red line boundary. It eliminates the health and safety risks associated with the construction of the retaining wall in close proximity to the Transmission Station, and mitigates the risks associated with maintaining National Highways' data links during the construction period. The change would allow for the removal of the retaining walls for the north Piffs Elm bridge, on the north side of the east and west abutments. These would be replaced with embankments.

• **Change 6 – Flood storage area reconfiguration:** This change proposes to reconfigure the proposed flood storage area south-east of the Piffs Elm Interchange, between the M5 corridor, the A4109 and the Link Road. The proposed change would: Provide two separate basins to store 23,500m³ and 61,000m³ entirely below the current ground level, with conveyance channels to pass flood water forward under the M5 and the A4019 road embankments; lower the Withybridge underpass invert level to convey flood water under the A4019, and replace the existing 750mm pipes under A4019 with new culverts. This would provide the benefit of minimising the maintenance responsibilities by removing the requirement to use either the M5 or the A4019 road embankments to impound the reservoir.

• **Change 7 – Infill of existing northbound on-slip loop:** This change proposes to infill the existing M5 J10 northbound on-slip loop with site won material which would not be suitable for re-use elsewhere, to provide improved screening of the gyratory. The proposed change would provide a sustainable solution to managing site won materials arising from the works and create a new slope with enhanced planting opportunities.

The Applicant considers that none of the proposed changes, either individually or cumulatively, would have the potential to give rise to any new likely significant effects beyond those reported in the environmental statement. In addition, some of these changes are indeed a betterment of the Scheme.

Copies of application documents

In respect of Change Application 1, copies of the amended Land Plans, amended Statement of Reasons, amended Book of Reference, amended Development Consent Order, Explanatory Memorandum, addendum to the Land Rights Tracker and Summary Report submitted with the change application are available to view on-line on the Applicant's and on the Planning Inspectorate's webpages.

In respect of Change Application 2, a Consultation Document summarising the proposed changes, containing extracts of the relevant plans and drawings and setting out a summary of the environmental assessment is available to view

online on the Applicant's webpage.

Details of relevant webpages are:

- on the Applicant's webpage www.gloucestershire.gov.uk/highways/major-projects-list/m5-junction-10-improvements-scheme, or
- On PINS webpage www.national-infrastructure-consenting.planninginspectorate.gov.uk/projects/TR010063.

The documents listed above can be viewed electronically, free of charge, at the electronic deposit locations listed in the table below until the 27 October 2024:

Venue	Opening Hours
Cheltenham Library: Clarence St, Cheltenham, Gloucestershire, GL50 3JT, United Kingdom; 01242 532585	Monday: 09:00-19:00
	Tuesday: 09:00-17:30
	Wednesday: 09:00-19:00
	Thursday: 09:00-17:30
	Friday: 09:00-19:00
	Saturday: 09:00-16:00
Tewkesbury Library: Sun Street, Tewkesbury, Gloucestershire, GL20 5NX, United Kingdom; 01684 293086	Monday: 09:30-17:00
	Tuesday: 09:30-19:00
	Wednesday: 09:30-13:00
	Thursday: 09:30-19:00
	Friday: 09:30-17:00
	Saturday: 09:30-16:00

On request printed copies of these documents will be provided free of charge. Requests should be made to:

- Email: m5junction10@atkinsrealis.com
- Telephone: [01454 667900](tel:01454667900)
- Freepost: M5 Freepost M5 JUNCTION 10.

If you require our consultation materials in an accessible format, or have specific accessibility needs in relation to our consultation, please get in touch by emailing m5junction10@atkinglobal.com or by calling [01454 667900](tel:01454667900) and leaving a message.

Responding to consultation

Any person wanting to respond to the consultation (including giving notice of any interest in the Application or the land affected by it, or making any comment on or objection to the Application) must do so in writing to either of the following:

- Email: m5junction10@atkinsrealis.com
- Freepost: M5 Freepost M5 JUNCTION 10

Responses to the consultation must be received by GCC no later than 11:59pm on the 27 October 2024.

The Applicant will consider and respond to all comments received before submitting the application for the proposed changes to the accepted Application. Responses will be summarised and responded to in a Consultation Report that will be submitted with the change application. The Applicant will also submit a copy of the original responses with the change application. The Examining Authority will take the responses into consideration when deciding whether the proposed changes can be accepted and incorporated into the accepted Application. Therefore, in providing any comment, it should be borne in mind that the substance of it may be communicated to others as part of the Consultation Report.

Making a relevant representation on the Application

Any person may make representations in relation to this change request to the Secretary of State (including giving notice of any interest in the Application or the land affected by it, or making any comment on or objection to the Application). Any representation relating to the Application must be submitted on a registration form and give the grounds on which it is made.

The Registration and Relevant Representation form will be made available by the Planning Inspectorate on the relevant page for the Application via the National Infrastructure website: <https://national-infrastructure->

consenting.planninginspectorate.gov.uk/projects/TR010063

Alternatively, you can request a hard copy of the form by telephoning **0303 444 5000** quoting the name of the Application and the Planning Inspectorate reference TR010063. A completed hard copy form to be submitted to the Planning Inspectorate should be sent to: The Planning Inspectorate, Temple Quay House, Temple Quay, Bristol BS1 6PN.

Please quote reference number TR010063 in all correspondence with the Planning Inspectorate about this Application.


Further information about the DCO application can be found on the Planning Inspectorate Scheme webpage <https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/TR010063>.

Further information about the Application may be obtained from GCC using the following contact details:

Email: M5Junction10@atkinsrealis.com

Telephone: **01454 667900**

Post: 'FREEPOST M5 JUNCTION 10'

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C.2. Regulation 8 Notice: The Times 19 September 2024



Legal Notices

Gloucestershire
COUNTY COUNCIL

GLoucestershire COUNTY COUNCIL – REGULATION 8 OF THE INFRASTRUCTURE PLANNING (COMPULSORY ACQUISITION) REGULATIONS 2010

NOTICE OF PROPOSED CHANGES TO AN ACCEPTED DEVELOPMENT CONSENT ORDER
M5 JUNCTION 10 IMPROVEMENTS SCHEME

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- A new West Cheltenham Link Road east of Junction 10 from the A4019, to the West Cheltenham Cyber Park, and widening of the A4019 to the east of Junction 10.

If granted, the DCO would authorise the compulsory acquisition of land, interests in land and rights and the powers to use land permanently and temporarily for the construction, operation and maintenance of the Scheme.

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Further to the Notification Letter the Applicant has decided to split the proposed change application into two different applications, to differentiate between those aspects of the proposed changes that relate exclusively to upgrades in line with "Change Application 1" and those that relate to changes in the design of the Scheme ("Change Application 2").

The proposed changes to the Scheme are a result of refinements proposed as part of the evolution of the design to ensure the delivery of a more sustainable and affordable Scheme, reflective of continuing stakeholder engagement and what has been discussed in examination.

Change Application 1 was submitted to the Planning Inspectorate on the 4th of September 2024 and the Applicant proposes to submit Change Application 2 on the 1st of October 2024.

The Applicant proposes to carry out parallel consultation in respect of Change Application 2 in advance of the application being made to give the Applicant an opportunity to receive feedback and incorporate any representations made by affected persons and key stakeholders in submission.

Consultation on proposed changes

The changes being sought by the Applicant are:

1. Change Application 1:

Upgrade to Land Rights: A change is proposed to the Land plans to align them with the extent of dormice hedgehog mitigation shown on the General Arrangement (GA) plan and Environmental Masterplan and in order to address National Highways concerns. Rights sought are firstly upgraded from temporary possession to compulsory acquisition of rights in relation to plots 5/40(v), 5/40(vi), 5/31(i), 5/40(vii), 5/40(viii), 5/31(ii) and 5/31(b) showing on the Land Plans which will enable the Applicant to undertake a more efficient maintenance of the hedgehog HES. Secondly, the Applicant seeks to upgrade plots 5/2b, 5/2(c), 5/2d, 5/2e, 5/2f and 5/2g showing on the Land Plans within National Highway land from temporary possession to compulsory acquisition of rights, to reflect agreement reached with National Highways.

The compensation for the additional land proposed to be subject to compulsory acquisition has been allowed for by the Applicant in the budget for the Scheme, further details of the budget for the Scheme is available in the Funding Statement submitted with the DCO application on the 19th of December 2023.

2. Change Application 2:

- **Change 1 – Link road replacement of swales with filter drain:** This change proposes to replace the three swales for surface water collection on the link road with two filter drains. Filter drains provide a more efficient solution in terms of alignment design, earthworks and constructability. Filter drains would be narrower than swales allowing for reduction in the cross-section of the link road reducing the requirement for imported fill and reducing the footprint in the flood plain.
- **Change 2 – Link road replacement of box culverts with bridges:** This change proposes to replace the two sets of pre-cast concrete floor culverts under the link road with two flood alleviation bridges. The provision of bridges in line of culverts provides a number of benefits such as removal of the requirement for ground improvement and silt treatment, reducing working time and space requirements within the floodplain and the overhead flow path, eliminating the confined space hazard for inspection and maintenance personnel, providing a larger opening, reducing the risk of blockages, lower risk of differential settlement, improving rideability and reducing the risk of pavement and structural damage, improving fauna movement due to larger openings and improved light penetration and ability to provide seeding / vegetation and other natural features beneath the structure to encourage fauna movement and provide an improved environmental solution.
- **Change 3 – Link road River Chelt bridge structural form:** This change proposes to optimise the reprofiling of the River Chelt to run perpendicular with the link road, in order to replace the skewed crossing of the River Chelt Bridge with a square crossing. Adopting this change would provide a simpler design and construction solution so reducing programme risk in the construction phase. In addition, square structures are generally considered to have an improved performance in the long term. Additional river enhancements are proposed downstream of the crossing to locally improve riparian and fish habitat.
- **Change 4 – Link road alignment:** This change proposes to locally reduce the vertical alignment of the Link Road by more than the vertical limits of deviation and reduce the cycleway width from four metres to three. The proposed changes would reduce the volume of imported material required for the embankment, and the embankment footprint within the flood plain.
- **Change 5 – Relocation of NRTS Transmission Station:** This change proposes to relocate the Uckington NRTS Transmission Station from its existing position in the southeast quadrant of the M5 Junction 10, to a location 2.8km further south on the M5, within the highway's boundary and DCO red line boundary. It eliminates the health and safety risks associated with the construction of the retaining wall in close proximity to the Transmission Station, and mitigates the risks associated with maintaining National Highways' ditta links during the construction period. The change would allow for the removal of the retaining walls for the north Pitts Elm bridge, on the north side of the east and west abutments. These would be replaced with embankments.
- **Change 6 – Flood storage area reconfiguration:** This change proposes to reconfigure the proposed flood storage area south-east of the Pitts Elm Interchange, between the M5 corridor, the A4109 and the Link Road. The proposed change would Provide two separate basins to store 23,500m³ and 61,000m³ entirely below the current ground level, with convergence channels to pass flood water forward under the M5 and the A4019 road embankments, lower the Withybridge underpass invert level to convey flood water under the A4019, and replace the existing 750mm pipes under A4019 with new culverts. This would provide the benefit of maintaining the maintenance responsibilities by removing the requirement to use either the M5 or the A4019 road embankments to surround the reservoir.
- **Change 7 – Infill of existing northbound on-slip loop:** This change proposes to infill the existing M5 J10 northbound on-slip loop with site won material which would not be suitable for re-use elsewhere, to provide improved screening of the gyratory. The proposed change would provide a sustainable solution to managing site won materials arising from the works and create a new slope with enhanced planting opportunities.

The Applicant considers that none of the proposed changes, either individually or cumulatively, would have the potential to give rise to any new likely significant effects beyond those reported in the environmental statement. In addition, some of these changes are indeed a betterment of the Scheme.

Copies of application documents

In respect of Change Application 1, copies of the amended Land Plans, amended Statement of Reasons, amended Book of Reference, amended Development Consent Order, Explanatory Memorandum, addendum to the Land Rights Tracker and Summary Report submitted with the change application are available to view on-line on the Applicant's and on the Planning Inspectorate's websites.

In respect of Change Application 2, a Consultation Document summarising the proposed changes, containing extracts of the relevant plans and drawings and setting out a summary of the environmental assessment is available to view online on the Applicant's website.

Details of relevant websites are:

- on the Applicant's website www.gloucestershire.gov.uk/highways/major-projects-list/m5-junction-10-improvements-scheme/ or
- on PINS webpage www.national-infrastructure-consenting.planninginspectorate.gov.uk/projects/TR010063/.

The documents listed above can be viewed electronically, free of charge, at the electronic deposit locations listed in the table below until the 27 October 2024.

Venue	Opening Hours
Cheltenham Library Clarence St Cheltenham Gloucestershire GL50 3JT United Kingdom 01242 520246	Monday 09:00-19:00 Tuesday 09:00-17:30 Wednesday 09:00-19:00 Thursday 09:00-17:30 Friday 09:00-19:00 Saturday 09:00-16:00
Tewkesbury Library Sun Street Tewkesbury Gloucestershire GL20 8NX United Kingdom 01284 280366	Monday 09:30-17:00 Tuesday 09:30-19:00 Wednesday 09:30-13:00 Thursday 09:30-19:00 Friday 09:30-17:00 Saturday 09:30-16:00

On request printed copies of these documents will be provided free of charge. Requests should be made to:

- Email: enquiries10@atkinsrealis.com
- Telephone: 01454 667900
- Freepost: M5 Freepost M5 JUNCTION 10

If you require our consultation materials in an accessible format, or have specific accessibility needs in relation to our consultation, please get in touch by emailing mjunction10@atkinsrealis.com or by calling 01454 667900 and leaving a message.

Responding to consultation

Any person wanting to respond to the consultation (including giving notice of any interest in the Application or the land affected by it, or making any comment on or objection to the Application) must do so in writing to either of the following:

- Email: mjunction10@atkinsrealis.com
- Freepost: M5 Freepost M5 JUNCTION 10

Responses to the consultation must be received by GOC no later than 11.59pm on the 27 October 2024.

The Applicant will consider and respond to all comments received before submitting the application for the proposed changes to the accepted Application. Responses will be summarised and responded to in a Consultation Report that will be submitted with the change application. The Applicant will also submit a copy of the original responses with the change application. The Examining Authority will take the responses into consideration when deciding whether the proposed changes can be accepted and incorporated into the accepted Application. Therefore, in providing any comment, it should be borne in mind that the substance of it may be communicated to others as part of the Consultation Report.

Making a relevant representation on the Application

Any person may make representations in relation to this change request to the Secretary of State (including giving notice of any interest in the Application or the land affected by it, or making any comment on or objection to the Application). Any representation relating to the Application must be submitted on a registration form and give the grounds on which it is made.

The Registration and Relevant Representation form will be made available by the Planning Inspectorate on the relevant page for the Application via the National Infrastructure website: <https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/TR010063/>

Alternatively, you can request a hard copy of the form by telephoning 0303 444 5000 quoting the name of the Application and the Planning Inspectorate reference TR010063. A completed hard copy form to be submitted to the Planning Inspectorate should be sent to: The Planning Inspectorate, Temple Quay House, Temple Quay, Bristol BS1 6PN.

Please quote reference number TR010063 in all correspondence with the Planning Inspectorate about this Application.

Further information about the DCO application can be found on the Planning Inspectorate Scheme webpage <https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/TR010063/>

Further information about the Application may be obtained from GOC using the following contact details:

Email: M5Junction10@atkinsrealis.com
Telephone: 01454 667900
Post: FREEPPOST M5 JUNCTION 10

C.3. Regulation 8 Notice: Gloucestershire Echo 19 September 2024

Please note that the Regulation 8 Notice in the Gloucestershire Echo and Gloucester Citizen appeared in both publications exactly the same as they are 'sister' publications.



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Planning

GLOUCESTERSHIRE COUNTY COUNCIL
Town and Country Planning Act 1990 (as amended)
Town and Country Planning
(Development Management Procedure) Order 2015
Variation of conditions 2, 3, 4, 28, 33, 34 and 35
Approved plans relating to Planning consent
21.08.2025/MSJ10 dated 24/08/2024

GLOUCESTER CITY COUNCIL

The below planning applications can be viewed online at www.glooucester.gov.uk/search/planning-applications. Comments can be made online and should be received within 21 days from the date of this notice 19.09.2024.

24/00649/LBC 89 Bristol Road Listed Building Consent for addition of Electrical Meter enclosure and patio area for the use of the basement apartment in relation application reference 23/00793/LBC.

APPLICATION NUMBER: 24/0042/CWS734.
DEADLINE FOR COMMENTS: 10th October 2024

Anyone wishing to view the application, plans and other documents submitted may view them online at <https://www.glooucestershire.gov.uk/planning-and-environment/planning-applications/>, by email to planning@glooucestershire.gov.uk or by letter to Planning & Economic Development, Slieve Hill, Westgate Street, Gloucester GL1 2TG. You should be aware that under the Local Government (Access to Information) Act 1985 all correspondence received will be available for public inspection on the Council's website and should not contain remarks which might be regarded as offensive or libellous.

The ADVERTISEMENT has been displayed by Gloucestershire County Council to publicise that the above planning application has been made.

Simon Eccell
Assistant Director of Planning & Economic Development

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Public Notices

Planning



GLOUCESTERSHIRE COUNTY COUNCIL
REGULATION OF THE INFRASTRUCTURE PLANNING (COMPULSORY ACQUISITION) REGULATIONS 2010

NOTICE OF PROPOSED CHANGES TO AN ACCEPTED DEVELOPMENT CONSENT ORDER

M5 JUNCTION 10 IMPROVEMENTS SCHEME

Notice is hereby given that the Applicant has made an application to amend the DCO application as made, including changes to the areas of land which would be subject to compulsory acquisition.

An application for development consent order (the "DCO application") under Section 37 of the Planning Act 2008 was submitted by Gloucestershire County Council, Slieve Hill, Gloucester, GL1 2TG (the "Applicant") to the Secretary of State for Transport via the Planning Inspectorate on the 19th of December 2023 and was accepted on 16th of January 2024. The reference number applied to the DCO application was TR010063. This consultation concerns proposals for changes to the DCO application which the Applicant intends to seek.

Summary of the Application

The DCO would authorise the improvements of the M5 Junction 10 in Gloucestershire. The proposed development (the "Scheme") comprises the following elements which are related to changes to the strategic road network and together make up the M5 Junction 10 Improvements Scheme:

- An all-ways junction at M5 Junction 10.
- A new West Cheltenham Link Road east of Junction 10 from the A4019, to the West Cheltenham Cyber Park, and
- Widening of the A4019 to the east of Junction 10.

If granted, the DCO would require the compulsory acquisition of land interests in land and rights and the powers to use land permanently and temporarily for the construction, operation and maintenance of the Scheme.

The Application to amend the DCO Application

The Applicant submitted a Notification of the Applicant's Intention to Submit Request for Proposed Changes to the DCO Application on the 12 August 2024 [AS-061] ("The Notification Letter") providing details and background to the request for the proposed changes.

Further to the Notification Letter the Applicant has decided to split its proposed change application into two different applications, to differentiate between these aspects of the proposed changes that relate exclusively to upgrades in the rights ("Change Application 1") and those that relate to changes in the design of the Scheme ("Change Application 2").

The proposed changes to the Scheme are a result of refinements proposed as part of the evolution of the design to ensure the delivery of a more sustainable and affordable Scheme, reflective of continuing stakeholder engagement and what has been discussed in consultation.

Change Application 1 was submitted to the Planning Inspectorate on the 4th of September 2024 and the Applicant proposes to submit Change Application 2 on the 1st of October 2024.

The Applicant proposes to carry out parallel consultation in respect of Change Application 2 in advance of the application being made to give the Applicant an opportunity to receive feedback and incorporate any representations made by affected persons and key stakeholders into the submission.

Consultation on proposed changes

The changes being sought by the Applicant are:

1. Change Application 1:

Upgrade to Land Rights: A change is proposed to the Land plans to align them with the extent of domicile highway mitigation shown on the General Arrangement (GA) plan and Environmental Masterplan and in order to address National Highways concerns. Rights sought are firstly upgraded from temporary possession to compulsory acquisition of rights in relation to plots 5(4)(v), 5(4)(vi), 5(3)(c), 5(4)(vi), 5(4)(vii), 5(3)(a) and 5(3)(b) showing on the Land Plans which will enable the Applicant to undertake a more efficient maintenance of the highway M18. Secondly, the Applicant seeks to upgrade plots 3(2), 5(2)(i), 5(2), 5(2k), 5(2l) and 5(2r) showing on the Land Plans within National Highway land from temporary possession to compulsory acquisition of rights, to reflect agreement reached with National Highways.

The compensation for the additional land proposed to be subject to compulsory acquisition has been allowed for by the Applicant in the budget for the Scheme. Further details of the budget for the Scheme is available in the Funding Statement submitted with the DCO application on the 19th of December 2023.

2. Change Application 2:

Change 1 - Link road replacement of swales with filter drains: This change proposes to replace the three swales for surface water collection on the link road with two filter drains. Filter drains provide a more efficient solution in terms of alignment design, earthworks and constructability. Filter drains would be narrower than swales allowing for reduction in the cross-section of the link road reducing the requirement for imported fill and reducing the footprint in the flood plain.

Change 2 - Link road replacement of box culverts with bridges: This change proposes to replace the two sets of pre-cast concrete flood culverts under the link road with two flood alleviation bridges. The provision of bridges in lieu of culverts provides a number of benefits such as removal of the requirement for ground improvement and siltout treatment, reducing working time and space requirements within the floodplain and the overall flow path, eliminating the confined space hazard for inspection and maintenance personnel, providing a longer opening, reducing the risk of blockages, lower risk of differential settlement, improving reliability and reducing the risk of pavement structural damage. Improving fauna movement due to larger openings and improved light penetration and ability to provide seeding / vegetation and other natural features beneath the structure to encourage fauna movement and provide an improved environmental solution.

Change 3 - Link road River Chelt bridge structural form: This change proposes to optimise the repaving of the River Chelt to run perpendicular with the link road, in order to replace the skewed crossing of the River Chelt Bridge with a square crossing. Adopting this change would provide a simpler design and construction solution so reducing programme risk in the construction phase. In addition, square structures are generally considered to have an improved performance in the long term. Additional river enhancements are proposed downstream of the crossing to locally improve riparian and fish habitat.

Change 4 - Link road alignment: This change proposes to locally reduce the vertical alignment of the Link Road by more than the vertical limits of deviation and reduce the cycleway width from four metres to three. The proposed changes would reduce the volume of imported material required for the embankment, and the overall footprint within the flood plain.

Change 5 - Relocation of NRTS Transmission Station: This change proposes to relocate the UKington NRTS Transmission Station from its existing position in the northeast quadrant of the M5 Junction 10, to a location 2.6km further south on the M5, within the highway's boundary and DCO red line boundary. It eliminates the health and safety risks associated with the construction of the retaining wall in close proximity to the transmission station, and mitigates the risks associated with maintaining National Highways' data links during the construction period.

The change would allow for the removal of the retaining walls for the north Piffs Em bridge on the north side of the east and west abutments. These would be replaced with embankments.

Change 6 - Flood storage area reconfiguration: This change proposes to reconfigure the proposed flood storage area south-east of the Piffs Em interchange, between the M5 corridor, the A4019 and the Link Road. The proposed change would provide two separate basins to store 23,500m³ and 61,000m³ entirely below the current ground level, with compliance channels to pass flood water forward under the M5 and the A4019 road embankments, lower the Withybridge underpass invert level to convey flood water under the A4019, and replace the existing 750mm pipes under A4019 with new culverts. This would provide the benefit of minimising the maintenance responsibilities by removing the requirement to use either the M5 or the A4019 road embankments to impound the reservoir.

Change 7 - Infill of existing northbound on-ally loop: This change proposes to infill the existing M5 J10 northbound on-ally loop with site won material which would not be suitable for re-use elsewhere, to provide improved screening of the gyratory. The proposed change would provide a sustainable solution to managing site won materials arising from the works and create a new slope with enhanced planting opportunities.

The Applicant considers that none of the proposed changes, either individually or cumulatively, would have the potential to give rise to any new likely significant effects beyond those reported in the environmental statement. In addition, some of these changes are indeed a betterment of the Scheme.

Copies of application documents

In respect of Change Application 1, copies of the amended Land Plans, amended Statement of Reasons, amended Book of Reference, amended Development Consent Order, Explanatory Memorandum, addendum to the Land Rights Tracker and Summary Report submitted with the change application are available to view online on the Applicant's and on the Planning Inspectorate's websites.

In respect of Change Application 2, a Consultation Document summarising the proposed changes, containing extracts of the relevant plans and drawings and setting out a summary of the environmental assessment is available to view online on the Applicant's website.

Details of relevant websites are:

- on the Applicant's website www.glooucestershire.gov.uk/highways/major-projects/list/m5-junction-10-improvements-scheme/
- on PWS website www.national-infrastructure-consenting.planninginspectorate.gov.uk/projects/101063/

The documents listed above can be viewed electronically, free of charge, at the electronic deposit locations listed in the table below until **27 October 2024**

Venue	Opening Hours
Cheltenham Library	Monday 09:00-19:00 Tuesday 09:00-17:30 Wednesday 09:00-19:00 Thursday 09:00-17:30 Friday 09:00-19:00 Saturday 09:00-16:00
Tewkesbury Library	Monday 09:30-17:00 Tuesday 09:30-19:00 Wednesday 09:30-13:00 Thursday 09:30-19:00 Friday 09:30-17:00 Saturday 09:30-16:00

On request, printed copies of these documents will be provided free of charge. Requests should be made to:

- Email: m5junction10@atkinsrealis.com
- Telephone: 01454 667900
- Freepost: M5 FREPOST M5 JUNCTION 10

If you require our consultation materials in an accessible format, or have specific accessibility needs in relation to our consultation please get in touch by emailing m5junction10@atkinsrealis.com or by calling 01454 667900 and leaving a message.

Responding to consultation

Any person wishing to respond to the consultation (including giving notice of any interest in the Application or the land affected by it, or making any comment on or objection to the Application) must do so in writing to either of the following:

- Email: m5junction10@atkinsrealis.com
- Freepost: M5 FREPOST M5 JUNCTION 10

Responses to the consultation must be received by GCC no later than 11:59pm on the 27 October 2024.

The Applicant will consider and respond to all comments received before submitting the application for the proposed changes to the accepted Application. Responses will be summarised and responded to in a Consultation Report that will be submitted with the change application. The Applicant will also submit a copy of the original responses with the change application. The Examining Authority will take the responses into consideration when deciding whether the proposed changes can be accepted and incorporated into the accepted Application. Therefore, in providing any comment, it should be borne in mind that the substance of it may be communicated to others as part of the Consultation Report.

Making a relevant representation on the Application

Any person may make representations in relation to this change request to the Secretary of State (including giving notice of any interest in the Application or the land affected by it, or making any comment on or objection to the Application). Any representation relating to the Application must be submitted on a registration form and give the grounds on which it is made.

The Registration and Relevant Representation form will be made available by the Planning Inspectorate on the relevant page for the Application via the National Infrastructure website: <https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/101063/>

Alternatively, you can request a hard copy of the form by telephoning 0303 444 5000 quoting the name of the Application and the Planning Inspectorate reference TR010063. A completed hard copy form to be submitted to the Planning Inspectorate should be sent to the Planning Inspectorate, Temple Quay House, Temple Quay, Bristol BS1 6PN. Please quote reference number TR010063 in all correspondence with the Planning Inspectorate about this Application.

Further information about the DCO application can be found on the Planning Inspectorate Scheme website <https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/101063/>

Further information about the Application may be obtained from GCC using the following contact details:
Email: m5junction10@atkinsrealis.com
Telephone: 01454 667900
Post: FREPOST M5 JUNCTION 10

C.4. Regulation 8 Notice: Gloucestershire Echo 26 September 2024

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» Flying visit for care home residents [page 3](#)

» Lido's new name to mark link with community [page 8](#)

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» Time- and waste-saving deals with former Bake Off champion Nadiya Hussain

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Public Notices

Planning



GLOUCESTERSHIRE COUNTY COUNCIL
REGULATION OF THE INFRASTRUCTURE PLANNING (COMPULSORY ACQUISITION)
REGULATIONS 2010

NOTICE OF PROPOSED CHANGES TO AN ACCEPTED DEVELOPMENT
CONSENT ORDER
M5 JUNCTION 10 IMPROVEMENTS SCHEME

Notice is hereby given that the Applicant has made an application to amend the DCO application as made, including changes to the areas of land which would be subject to compulsory acquisition.

An application for development consent order (the "DCO application") under Section 37 of the Planning Act 2008 was submitted by Gloucestershire County Council, Shire Hall, Gloucester, GL1 2TS (the "Applicant") to the Secretary of State for Transport c/o the Planning Inspectorate on the 19th of December 2023 and was accepted on 16th of January 2024. The reference number applied to the DCO application is TR010063. This consultation concerns proposals for changes to the DCO application which the Applicant intends to seek.

Summary of the Application

The DCO would authorise the improvements of the M5 Junction 10 in Gloucestershire. The proposed development (the "Scheme") comprises the following elements which are related to changes to the strategic road network and together make up the M5 Junction 10 Improvements Scheme:

- An all-movements junction at M5 Junction 10;
- A new West Cheltenham Link Road east of Junction 10 from the A4019, to the West Cheltenham Cyber Park; and
- Widening of the A4019 to the east of Junction 10.

If granted, the DCO would authorise the compulsory acquisition of land, interests in land and rights and the powers to use land permanently and temporarily for the construction, operation and maintenance of the Scheme.

The Applications to amend the DCO application

The Applicant submitted a Notification of the Applicant's Intention to Submit Request for Proposed Changes to the DCO Application on the 12 August 2024 (AS-061) ("the Notification Letter") providing details and background to the request for the proposed changes.

Further to the Notification Letter the Applicant has decided to split its proposed change application into two different applications, to differentiate between those aspects of the proposed changes that relate exclusively to upgrades in the rights ("Change Application 1") and those that relate to changes in the design of the Scheme ("Change Application 2").

The proposed changes to the Scheme are a result of refinements proposed as part of the evolution of the design to ensure the delivery of a more sustainable and affordable Scheme, reflective of continuing stakeholder engagement and what has been discussed in examination.

Change Application 1 was submitted to the Planning Inspectorate on the 4th of September 2024 and the Applicant proposes to submit Change Application 2 on the 1st of October 2024.

The Applicant proposes to carry out parallel consultation in respect of Change Application 2 in advance of the application being made to give the Applicant an opportunity to receive feedback and incorporate any representations made by affected persons and key stakeholders into the submission.

Consultation on proposed changes

The changes being sought by the Applicant are:

1. Change Application 1:

Upgrade to Land Rights: A change is proposed to the Land plans to align them with the extent of dormice hedgerow mitigation shown on the General Arrangement (GA) plan and Environmental Masterplan and in order to address National Highways concerns. Rights sought are firstly upgraded from temporary possession to compulsory acquisition of rights in relation to plots 5(4)(v), 5(4)(vi), 5(3)(c), 5(4)(vii), 5(4)(viii), 5(3)(a) and 5(3)(b) showing on the Land Plans which will enable the Applicant to undertake a more efficient maintenance of the hedgerow H48. Secondly, the Applicant seeks to upgrade plots 3(2b), 5(2)(i), 5(2), 5(2k), 5(2) and 5(2y) showing on the Land Plans within National Highway land from temporary possession to compulsory acquisition of rights, to reflect agreement reached with National Highways.

The compensation for the additional land proposed to be subject to compulsory acquisition has been allowed for by the Applicant in the budget for the Scheme. Further details of the budget for the Scheme is available in the Funding Statement submitted with the DCO application on the 19th of December 2023.

2. Change Application 2:

Change 1 - Link road replacement of swales with filter drains: This change proposes to replace the three swales for surface water collection on the link road with two filter drains. Filter drains provide a more efficient solution in terms of alignment design, earthworks and constructability. Filter drains would be narrower than swales allowing for reduction in the cross-section of the link road reducing the requirement for imported fill and reducing the footprint in the flood plain.

Change 2 - Link road replacement of box culverts with bridges: This change proposes to replace the two sets of pre-cast concrete flood culverts under the link road with two flood alleviation bridges. The provision of bridges in lieu of culverts provides a number of benefits such as removal of the requirement for ground improvement and outsoil treatment; reducing working time and space requirements within the floodplain and the overhead flow path, eliminating the confined space hazard for inspection and maintenance personnel; providing a larger opening, reducing the risk of blockages; lower risk of differential settlement, improving rideability and reducing the risk of pavement and structural damage; improving fauna movement due to larger openings and improved light penetration and ability to provide seeding / vegetation and other natural features beneath the structure to encourage fauna movement and provide an improved environmental solution.

Change 3 - Link road River Osh bridge structural form: This change proposes to optimise the reprofiling of the River Osh to run perpendicular with the link road, in order to replace the skewed crossing of the River Osh Bridge with a square crossing. Adopting this change would provide a simpler design and construction solution so reducing programme risk in the construction phase. In addition, square structures are generally considered to have an improved performance in the long term. Additional river enhancements are proposed downstream of the crossing to locally improve riparian and fish habitat.

Change 4 - Link road alignment: This change proposes to locally reduce the vertical alignment of the Link Road by more than the vertical limits of deviation and reduce the roadway width from four metres to three. The proposed changes would reduce the volume of imported material required for the embankment, and the embankment footprint within the flood plain.

Change 5 - Relocation of NRTS Transmission Station: This change proposes to relocate the UKingdon NRTS Transmission Station from its existing position in the northeast quadrant of the M5 junction 10, to a location 2.6km further south on the M5, within the highway's boundary and DCO red line boundary. It eliminates the health and safety risks associated with the construction of the retaining wall in close proximity to the Transmission Station, and mitigates the risks associated with maintaining National Highways' data links during the construction period.

The change would allow for the removal of the retaining walls for the north Pitts Elm bridge, on the north side of the east and west abutments. These would be replaced with embankments.

- Change 6 - Flood storage area reconfiguration: This change proposes to reconfigure the proposed flood storage area south-east of the Pitts Elm Interchange, between the M5 corridor, the A4109 and the Link Road. The proposed change would provide two separate basins to store 23,500m³ and 61,000m³ entirely below the current ground level, with conveyance channels to pass flood water forward under the M5 and the A4019 road embankments; lower the Withybridge underpass invert level to convey flood water under the A4019; and replace the existing 750mm pipes under A4019 with new culverts. This would provide the benefit of minimising the maintenance responsibilities by removing the requirement to use either the M5 or the A4019 road embankments to impound the reservoir.
- Change 7 - Infill of existing northbound on-slip loop: This change proposes to infill the existing M5 J10 northbound on-slip loop with site won material which would not be suitable for re-use elsewhere, to provide improved screening of the gyratory. The proposed change would provide a sustainable solution to managing site won materials arising from the works and create a new slope with enhanced planting opportunities.

The Applicant considers that none of the proposed changes, either individually or cumulatively, would have the potential to give rise to any newly likely significant effects beyond those reported in the environmental statement. In addition, some of these changes are indeed a betterment of the Scheme.

Copies of application documents
In respect of Change Application 1, copies of the amended Land Plans, amended Statement of Reasons, amended Book of Reference, amended Development Consent Order, Explanatory Memorandum, addendum to the Land Rights Tracker and Summary Report submitted with the change application are available to view on-line on the Applicant's and on the Planning Inspectorate's webpages.

In respect of Change Application 2, a Consultation Document summarising the proposed changes, containing extracts from the relevant plans and drawings and setting out a summary of the environmental assessment is available to view online on the Applicant's webpage.

Details of relevant webpages are:

- on the Applicant's webpage www.gloucestershire.gov.uk/highways/major-projects/list/m5-junction-10-improvements-scheme/
- on PWS webpage www.national-infrastructure-consenting.planninginspectorate.gov.uk/projects/TR010063/

The documents listed above can be viewed electronically, free of charge, at the electronic deposit locations listed in the table below until the 27 October 2024.

Venue	Opening Hours
Cheltenham Library	Monday 09:00-19:00 Tuesday 09:00-17:30 Cheltenham Wednesday 09:00-19:00 Gloucestershire Thursday 09:00-17:30 GL50 3JT Friday 09:00-19:00 United Kingdom Saturday 09:00-16:00 01242 522686
Tewkesbury Library	Monday 09:30-17:00 Sun Street Tuesday 09:30-19:00 Tewkesbury Wednesday 09:30-13:00 Gloucestershire Thursday 09:30-19:00 GL20 9HX Friday 09:30-17:00 United Kingdom Saturday 09:30-16:00 01524 255386

On request printed copies of these documents will be provided free of charge. Requests should be made to:

- Email: m5junction10@atkinsrealis.com
- Telephone: 01454 607900
- Freepost: M5 Freepost M5 JUNCTION 10.

If you require our consultation materials in an accessible format, or have specific accessibility needs in relation to our consultation, please get in touch by emailing m5junction10@atkinsrealis.com or by calling 01454 607900 and leaving a message.

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Responses to the consultation must be received by GDC no later than 11:59pm on the 27 October 2024.

The Applicant will consider and respond to all comments received before submitting the application for the proposed changes to the accepted Application. Responses will be summarised and responded to in a Consultation Report that will be submitted with the change application. The Applicant will also submit a copy of the original responses with the change application. The Examining Authority will take the responses into consideration when deciding whether the proposed changes can be accepted and incorporated into the accepted Application. Therefore, in providing any comment, it should be borne in mind that the substance of it may be communicated to others as part of the Consultation Report.

Making a relevant representation on the Application
Any person may make representations in relation to this change request to the Secretary of State (including giving notice of any interest in the Application or the land affected by it, or making any comment on or objection to the Application).

Any representation relating to the Application must be submitted on a registration form and give the grounds on which it is made.

The Registration and Relevant Representation form will be made available by the Planning Inspectorate on the relevant page for the Application via the National Infrastructure website: <https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/TR010063/>

Alternatively, you can request a hard copy of the form by telephoning 0303 444 5000 quoting the name of the Application and the Planning Inspectorate reference TR010063. A completed hard copy form to be submitted to the Planning Inspectorate should be sent to: The Planning Inspectorate, Temple Quay House, Temple Quay, Bristol BS1 6PN. Please quote reference number TR010063 in all correspondence with the Planning Inspectorate about this Application.

Further information about the DCO application can be found on the Planning Inspectorate Scheme webpage <https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/TR010063/>

Further information about the Application may be obtained from GDC using the following contact details:
 Email: m5junction10@atkinsrealis.com
 Telephone: 01454 607900
 Post: 'FREPOST M5 JUNCTION 10'

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C.5. Regulation 8 Notice: Gloucester Citizen 19 September 2024

Please note that the Regulation 8 Notice in the Gloucestershire Echo and Gloucester Citizen appeared in both publications exactly the same as they are 'sister' publications.



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Planning

GLOUCESTERSHIRE COUNTY COUNCIL
Town and Country Planning Act 1990 (as amended)
Town and Country Planning
(Development Management Procedure) Order 2015
Variation of conditions 2, 3, 4, 23, 33, 34 and 35
Approved plans relating to Planning consent
21.0885-CWS73M dated 24/08/2023

AT: Farmington Stone Quarry Farmington Gloucestershire GL54 3JZ

APPLICATION NUMBER: 24/0142/CWS73M
DEADLINE FOR COMMENTS: 10th October 2024

Anyone wishing to view the application, plans and other documents submitted may view them online at <https://www.gloUCEstershire.gov.uk/planning-and-environment/planning-applications/>, by email to planning@gloUCEstershire.gov.uk or by letter to Planning & Economic Development, Stone Hall, Westgate Street, Gloucester GL1 2TG. You should be aware that under the Local Government (Access to Information) Act 1985 all correspondence received will be available for public inspection on the Council's website and should not contain remarks which might be regarded as offensive or libellous.

The ADVERTISEMENT has been displayed by Gloucestershire County Council to publicise that the above planning application has been made.

Simon Eccell
Assistant Director of Planning & Economic Development



GLOUCESTER CITY COUNCIL

The below planning applications can be viewed online at www.gloUCEstershire.gov.uk/search/planning-applications. Comments can be made online and should be received within 21 days from the date of this notice: 19.09.2024

24/00648/LBC 89 Bristol Road Listed Building Consent for addition of Electrical Meter enclosure and patio area for the use of the basement apartment in relation application reference 23/00793/LBC.



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Public Notices

Planning

GLOUCESTERSHIRE COUNTY COUNCIL
REGULATION OF THE INFRASTRUCTURE PLANNING (COMPULSORY ACQUISITION) REGULATIONS 2010

NOTICE OF PROPOSED CHANGES TO AN ACCEPTED DEVELOPMENT CONSENT ORDER

M5 JUNCTION 10 IMPROVEMENTS SCHEME

Notice is hereby given that the Applicant has made an application to amend the DCO application as made, including changes to the areas of land which would be subject to compulsory acquisition.

An application for development consent order (the "DCO application") under Section 37 of the Planning Act 2008 was submitted by Gloucestershire County Council, Stone Hall, Gloucester, GL1 2TG (the "Applicant") to the Secretary of State for Transport via the Planning Inspectorate on the 19th of December 2023 and was accepted on 16th of January 2024. The reference number applied to the DCO application was TR010063. This consultation concerns proposals for changes to the DCO application which the Applicant intends to seek.

Summary of the Application

The DCO would authorise the improvements of the M5 Junction 10 in Gloucestershire. The proposed development (the "Scheme") comprises the following elements which are related to changes to the strategic road network and together make up the M5 Junction 10 Improvements Scheme:

- An all-ways junction at M5 Junction 10;
- A new West Cheltenham Link Road east of Junction 10 from the A4019, to the West Cheltenham Outer Park, and
- Widening of the A4019 to the east of Junction 10.

If granted, the DCO would ensure the compulsory acquisition of land interests in land and rights and the powers to use land permanently and temporarily for the construction, operation and maintenance of the Scheme.

The Application to amend the DCO Application

The Applicant submitted a Notification of the Applicant's Intention to Submit Request for Proposed Changes to the DCO Application on the 12 August 2024 [AS-061] ("The Notification Letter") providing details and background to the request for the proposed changes.

Further to the Notification Letter the Applicant has decided to split its proposed change application into two different applications, to differentiate between these aspects of the proposed changes that relate exclusively to upgrades in the rights ("Change Application 1") and those that relate to changes in the design of the Scheme ("Change Application 2").

The proposed changes to the Scheme are a result of refinements proposed as part of the evolution of the design to ensure the delivery of a more sustainable and affordable Scheme, reflective of continuing stakeholder engagement and what has been discussed in consultation.

Change Application 1 was submitted to the Planning Inspectorate on the 4th of September 2024 and the Applicant proposes to submit Change Application 2 on the 1st of October 2024.

The Applicant proposes to carry out parallel consultation in respect of Change Application 2 in advance of the application being made to give the Applicant an opportunity to receive feedback and incorporate any representations made by affected persons and key stakeholders into the submission.

Consultation on proposed changes

The changes being sought by the Applicant are:

- Change Application 1:**
 - Upgrade to Land Rights:** A change is proposed to the Land plans to align them with the extent of domicile highway mitigation shown on the General Arrangement (GA) plan and Environmental Masterplan and in order to address National Highways concerns. Rights sought are firstly upgraded from temporary possession to compulsory acquisition of rights in relation to plots 5(4)(v), 5(4)(vi), 5(31)(c), 5(4)(vi), 5(4)(vii), 5(31)(a) and 5(31)(b) showing on the Land Plans which will enable the Applicant to undertake a more efficient maintenance of the highway M18. Secondly, the Applicant seeks to upgrade plots 3(2), 5(2)(i), 5(2), 5(2k), 5(2l) and 5(2r) showing on the Land Plans within National Highway land from temporary possession to compulsory acquisition of rights, to reflect agreement reached with National Highways.
 - The compensation for the additional land proposed to be subject to compulsory acquisition has been allowed for by the Applicant in the budget for the Scheme. Further details of the budget for the Scheme is available in the Funding Statement submitted with the DCO application on the 19th of December 2023.
- Change Application 2:**
 - Change 1 - Link road replacement of swales with filter drains:** This change proposes to replace the three swales for surface water collection on the link road with two filter drains. Filter drains provide a more efficient solution in terms of alignment design, earthworks and constructability. Filter drains would be narrower than swales allowing for reduction in the cross-section of the link road reducing the requirement for imported fill and reducing the footprint in the flood plain.
 - Change 2 - Link road replacement of box culverts with bridges:** This change proposes to replace the two sets of pre-cast concrete flood culverts under the link road with two flood alleviation bridges. The provision of bridges in lieu of culverts provides a number of benefits such as removal of the requirement for ground improvement and siltout treatment, reducing working time and space requirements within the floodplain and the overall flow path, eliminating the confined space hazard for inspection and maintenance personnel, providing a longer opening, reducing the risk of blockages, lower risk of differential settlement, improving reliability and reducing the risk of pavement and structural damage. Improving fauna movement due to larger openings and improved light penetration and ability to provide seeding / vegetation and other natural features beneath the structure to encourage fauna movement and provide an improved environmental solution.
 - Change 3 - Link road River Chelt bridge structural form:** This change proposes to optimise the repaving of the River Chelt to run perpendicular with the link road, in order to replace the skewed crossing of the River Chelt Bridge with a square crossing. Adopting this change would provide a simpler design and construction solution so reducing programme risk in the construction phase. In addition, square structures are generally considered to have an improved performance in the long term. Additional river enhancements are proposed downstream of the crossing to locally improve riparian and fish habitat.
 - Change 4 - Link road alignment:** This change proposes to locally reduce the vertical alignment of the Link Road by more than the vertical limits of deviation and reduce the cycleway width from four metres to three. The proposed changes would reduce the volume of imported material required for the embankment, and the overall footprint within the flood plain.
 - Change 5 - Relocation of NRTS Transmission Station:** This change proposes to relocate the Wickington NRTS Transmission Station from its existing position in the northeast quadrant of the M5 Junction 10, to a location 2.6km further south on the M5, within the highway's boundary and DCO red line boundary. It eliminates the health and safety risks associated with the construction of the retaining wall in close proximity to the transmission station, and mitigates the risks associated with maintaining National Highways' data links during the construction period.

The change would allow for the removal of the retaining walls for the north Piffs Elm bridge on the north side of the east and west abutments. These would be replaced with embankments.

- Change 6 - Flood storage area reconfiguration:** This change proposes to reconfigure the proposed flood storage area south-east of the Piffs Elm interchange, between the M5 corridor, the A4019 and the Link Road. The proposed change would provide two separate basins to store 23,500m³ and 61,000m³ entirely below the current ground level, with compliance channels to pass flood water forward under the M5 and the A4019 road embankments, lower the Withybridge underpass invert level to convey flood water under the A4019, and replace the existing 750mm pipes under A4019 with new culverts. This would provide the benefit of minimising the maintenance responsibilities by removing the requirement to use either the M5 or the A4019 road embankments to impound the reservoir.
- Change 7 - Infill of existing northbound on-ally loop:** This change proposes to infill the existing M5 J10 northbound on-ally loop with site won material which would not be suitable for re-use elsewhere, to provide improved screening of the gyratory. The proposed change would provide a sustainable solution to managing site won materials arising from the works and create a new slope with enhanced planting opportunities.

The Applicant considers that none of the proposed changes, either individually or cumulatively, would have the potential to give rise to any new likely significant effects beyond those reported in the environmental statement. In addition, some of these changes are indeed a betterment of the Scheme.

Copies of application documents

In respect of Change Application 1, copies of the amended Land Plans, amended Statement of Reasons, amended Book of Reference, amended Development Consent Order, Explanatory Memorandum, addendum to the Land Rights Tracker and Summary Report submitted with the change application are available to view online on the Applicant's and on the Planning Inspectorate's websites.

In respect of Change Application 2, a Consultation Document summarising the proposed changes, containing extracts of the relevant plans and drawings and setting out a summary of the environmental assessment is available to view online on the Applicant's website.

Details of relevant websites are:

- on the Applicant's website: www.gloUCEstershire.gov.uk/highways/major-projects/list/m5-junction-10-improvements-scheme/
- on PWS website: www.national-infrastructure-consenting.planninginspectorate.gov.uk/projects/TR010063/

The documents listed above can be viewed electronically, free of charge, at the electronic deposit locations listed in the table below until **27 October 2024**.

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Tewkesbury Library	Monday 09:30-17:00 Tuesday 09:30-19:00 Wednesday 09:30-13:00 Thursday 09:30-19:00 Friday 09:30-17:00 Saturday 09:30-16:00 (01242 623098)

On request, printed copies of these documents will be provided free of charge. Requests should be made to:

- Email: n5junction10@atkinsrealis.com
- Telephone: 01454 667900
- Freepost: M5 JUNCTION 10

If you require our consultation materials in an accessible format, or have specific accessibility needs in relation to our consultation please get in touch by emailing n5junction10@atkinsrealis.com or by calling 01454 667900 and leaving a message.

Responding to consultation

Any person wishing to respond to the consultation (including giving notice of any interest in the Application or the land affected by it, or making any comment on or objection to the Application) must do so in writing to either of the following:

- Email: n5junction10@atkinsrealis.com
- Freepost: M5 JUNCTION 10

Responses to the consultation must be received by GCC no later than 11:59pm on the 27 October 2024.

The Applicant will consider and respond to all comments received before submitting the application for the proposed changes to the accepted Application. Responses will be summarised and responded to in a Consultation Report that will be submitted with the change application. The Applicant will also submit a copy of the original responses with the change application. The Examining Authority will take the responses into consideration when deciding whether the proposed changes can be accepted and incorporated into the accepted Application. Therefore, in providing any comment, it should be borne in mind that the substance of it may be communicated to others as part of the Consultation Report.

Making a relevant representation on the Application

Any person may make representations in relation to this change request to the Secretary of State (including giving notice of any interest in the Application or the land affected by it, or making any comment on or objection to the Application). Any representation relating to the Application must be submitted on a registration form and give the grounds on which it is made. The Registration and Relevant Representation form will be made available by the Planning Inspectorate on the relevant page for the Application via the National Infrastructure website: <https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/TR010063/>

Alternatively, you can request a hard copy of the form by telephoning 0303 444 5000 quoting the name of the Application and the Planning Inspectorate reference TR010063. A completed hard copy form to be submitted to the Planning Inspectorate should be sent to the Planning Inspectorate, Temple Quay House, Temple Quay, Bristol BS1 6PN. Please quote reference number TR010063 in all correspondence with the Planning Inspectorate about this Application.

Further information about the DCO application can be found on the Planning Inspectorate Scheme website <https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/TR010063/>

Further information about the Application may be obtained from GCC using the following contact details:

Email: M5junction10@atkinsrealis.com
Telephone: 01454 667900
Post: 'PREPOST M5 JUNCTION 10'

C.6. Regulation 8 Notice: Gloucester Citizen 26 September 2024

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GLOUCESTERSHIRE COUNTY COUNCIL
REGULATION OF THE INFRASTRUCTURE PLANNING (COMPULSORY ACQUISITION)
REGULATIONS 2010

NOTICE OF PROPOSED CHANGES TO AN ACCEPTED DEVELOPMENT
CONSENT ORDER
M5 JUNCTION 10 IMPROVEMENTS SCHEME

Notice is hereby given that the Applicant has made an application to amend the DCO application as made, including changes to the areas of land which would be subject to compulsory acquisition.

An application for development consent order (the "DCO application") under Section 37 of the Planning Act 2008 was submitted by Gloucestershire County Council, Shire Hall, Gloucester, GL1 2TG (the "Applicant") to the Secretary of State for Transport c/o the Planning Inspectorate on the 19th of December 2023 and was accepted on 16th of January 2024. The reference number applied to the DCO application is TR010063. This consultation concerns proposals for changes to the DCO application which the Applicant intends to seek.

Summary of the Application

The DCO would authorise the improvements of the M5 Junction 10 in Gloucestershire. The proposed development (the "Scheme") comprises the following elements which are related to changes to the strategic road network and together make up the M5 Junction 10 Improvements Scheme:

- An all-movements junction at M5 Junction 10;
- A new West Cheltenham Link Road east of Junction 10 from the A4019, to the West Cheltenham Cyber Park; and
- Widening of the A4019 to the east of Junction 10.

If granted, the DCO would authorise the compulsory acquisition of land, interests in land and rights and the powers to use land permanently and temporarily for the construction, operation and maintenance of the Scheme.

The Applicant submitted a Notification of the Applicant's Intention to Submit Request for Proposed Changes to the DCO Application on the 12 August 2024 (AS-061) ("the Notification Letter") providing details and background to the request for the proposed changes.

Further to the Notification Letter the Applicant has decided to split its proposed change application into two different applications, to differentiate between those aspects of the proposed changes that relate exclusively to upgrades in the rights ("Change Application 1") and those that relate to changes in the design of the Scheme ("Change Application 2").

The proposed changes to the Scheme are a result of refinements proposed as part of the evolution of the design to ensure the delivery of a more sustainable and affordable Scheme, reflective of continuing stakeholder engagement and what has been discussed in examination.

Change Application 1 was submitted to the Planning Inspectorate on the 4th of September 2024 and the Applicant proposes to submit Change Application 2 on the 1st of October 2024.

The Applicant proposes to carry out parallel consultation in respect of Change Application 2 in advance of the application being made to give the Applicant an opportunity to receive feedback and incorporate any representations made by affected persons and key stakeholders into the submission.

Consultation on proposed changes

The changes being sought by the Applicant are:

1. Change Application 1:

Upgrade to Land Rights: A change is proposed to the Land plans to align them with the extent of dormice hedgerow mitigation shown on the General Arrangement (GA) plan and Environmental Masterplan and in order to address National Highways concerns. Rights sought are firstly upgraded from temporary possession to compulsory acquisition of rights in relation to plots 5/4(dv), 5/4(e), 5/3(c), 5/4(dv), 5/4(dv), 5/3(a), 5/3(a) and 5/3(b) showing on the Land Plans which will enable the Applicant to undertake a more efficient maintenance of the hedgerow H48. Secondly, the Applicant seeks to upgrade plots 3/2b, 5/2(d), 5/2, 5/2k, 5/2 and 5/2y showing on the Land Plans within National Highway land from temporary possession to compulsory acquisition of rights, to reflect agreement reached with National Highways.

The compensation for the additional land proposed to be subject to compulsory acquisition has been allowed for by the Applicant in the budget for the Scheme. Further details of the budget for the Scheme is available in the Funding Statement submitted with the DCO application on the 19th of December 2023.

2. Change Application 2:

Change 1 - Link road replacement of swales with filter drain: This change proposes to replace the three swales for surface water collection on the link road with two filter drains. Filter drains provide a more efficient solution in terms of alignment design, earthworks and constructability. Filter drains would be narrower than swales allowing for reduction in the cross-section of the link road reducing the requirement for imported fill and reducing the footprint in the flood plain.

Change 2 - Link road replacement of box culverts with bridges: This change proposes to replace the two sets of pre-cast concrete flood culverts under the link road with two flood alleviation bridges. The provision of bridges in lieu of culverts provides a number of benefits such as removal of the requirement for ground improvement and outsoil treatment; reducing working time and space requirements within the floodplain and the overhead flow path, eliminating the confined space hazard for inspection and maintenance personnel; providing a larger opening, reducing the risk of blockages; lower risk of differential settlement, improving reliability and reducing the risk of pavement and structural damage; improving fauna movement due to larger openings and improved light penetration and ability to provide seeding / vegetation and other natural features beneath the structure to encourage fauna movement and provide an improved environmental solution.

Change 3 - Link road River Osh bridge structural form: This change proposes to optimise the reprofiling of the River Osh to run perpendicular with the link road, in order to replace the skewed crossing of the River Osh Bridge with a square crossing. Adopting this change would provide a simpler design and construction solution so reducing programme risk in the construction phase. In addition, square structures are generally considered to have an improved performance in the long term. Additional river enhancements are proposed downstream of the crossing to locally improve riparian and fish habitat.

Change 4 - Link road alignment: This change proposes to locally reduce the vertical alignment of the Link Road by more than the vertical limits of deviation and reduce the roadway width from four metres to three. The proposed changes would reduce the volume of imported material required for the embankment, and the embankment footprint within the flood plain.

Change 5 - Relocation of NRTS Transmission Station: This change proposes to relocate the UKingdon NRTS Transmission Station from its existing position in the northeast quadrant of the M5 junction 10, to a location 2.6km further south on the M5, within the highway's boundary and DCO red line boundary. It eliminates the health and safety risks associated with the construction of the retaining wall in close proximity to the Transmission Station, and mitigates the risks associated with maintaining National Highways' data links during the construction period.

The change would allow for the removal of the retaining walls for the north Pitts Elm bridge, on the north side of the east and west abutments. These would be replaced with embankments.

- Change 6 - Flood storage area reconfiguration: This change proposes to reconfigure the proposed flood storage area south-east of the Pitts Elm Interchange, between the M5 corridor, the A4109 and the Link Road. The proposed change would provide two separate basins to store 23,500m³ and 61,000m³ entirely below the current ground level, with conveyance channels to pass flood water forward under the M5 and the A4019 road embankments; lower the Withybridge underpass invert level to convey flood water under the A4019; and replace the existing 750mm pipes under A4019 with new culverts. This would provide the benefit of minimising the maintenance responsibilities by removing the requirement to use either the M5 or the A4019 road embankments to impound the reservoir.
- Change 7 - Infill of existing northbound on-slip loop: This change proposes to infill the existing M5 J10 northbound on-slip loop with site won material which would not be suitable for re-use elsewhere, to provide improved screening of the gyratory. The proposed change would provide a sustainable solution to managing site won materials arising from the works and create a new slope with enhanced planting opportunities.

The Applicant considers that none of the proposed changes, either individually or cumulatively, would have the potential to give rise to any newly significant effects beyond those reported in the environmental statement. In addition, some of these changes are indeed a betterment of the Scheme.

Copies of application documents
In respect of Change Application 1, copies of the amended Land Plans, amended Statement of Reasons, amended Book of Reference, amended Development Consent Order, Explanatory Memorandum, addendum to the Land Rights Tracker and Summary Report submitted with the change application are available to view on-line on the Applicant's and on the Planning Inspectorate's webpages.

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On request printed copies of these documents will be provided free of charge. Requests should be made to:

- Email: m5junction10@atkinsrealis.com
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- Email: m5junction10@atkinsrealis.com
- Freepost: M5 Freepost M5 JUNCTION 10

Responses to the consultation must be received by GDC no later than 11:59pm on the 27 October 2024.

The Applicant will consider and respond to all comments received before submitting the application for the proposed changes to the accepted Application. Responses will be summarised and responded to in a Consultation Report that will be submitted with the change application. The Applicant will also submit a copy of the original responses with the change application. The Examining Authority will take the responses into consideration when deciding whether the proposed changes can be accepted and incorporated into the accepted Application. Therefore, in providing any comment, it should be borne in mind that the substance of it may be communicated to others as part of the Consultation Report.

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Alternatively, you can request a hard copy of the form by telephoning 0303 444 5000 quoting the name of the Application and the Planning Inspectorate reference TR010063. A completed hard copy form to be submitted to the Planning Inspectorate should be sent to: The Planning Inspectorate, Temple Quay House, Temple Quay, Bristol BS1 6PN. Please quote reference number TR010063 in all correspondence with the Planning Inspectorate about this Application.

Further information about the DCO application can be found on the Planning Inspectorate Scheme webpage <https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/TR010063/>

Further information about the Application may be obtained from GDC using the following contact details:
 Email: m5junction10@atkinsrealis.com
 Telephone: 01454 607900
 Post: 'FREPOST M5 JUNCTION 10'

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Appendix D. Regulation 8 Notice



GLoucestershire COUNTY COUNCIL – REGULATION 8 OF THE INFRASTRUCTURE PLANNING (COMPULSORY ACQUISITION) REGULATIONS 2010

NOTICE OF PROPOSED CHANGES TO AN ACCEPTED DEVELOPMENT CONSENT ORDER M5 JUNCTION 10 IMPROVEMENTS SCHEME

Notice is hereby given that the Applicant has made an application to amend the DCO application as made, including changes to the areas of land which would be subject to compulsory acquisition.

An application for development consent under the ("DCO application") under Section 37 of the Planning Act 2008 was submitted by Gloucestershire County Council, Shire Hall, Gloucester, GL1 2TG (the "Applicant") to the Secretary of State for Transport c/o the Planning Inspectorate on the 19th of December 2023 and was accepted on 16th of January 2024. The reference number applied to the DCO application is TR010063. This consultation concerns proposals for changes to the DCO application which the Applicant intends to seek.

Summary of the Application

The DCO would authorise the improvements of the M5 Junction 10 in Gloucestershire. The proposed development (the "Scheme") comprises the following elements which are related to changes to the strategic road network and together make up the M5 Junction 10 Improvements Scheme:

- An all-movements junction at M5 Junction 10;
- A new West Cheltenham Link Road east of Junction 10 from the A4019, to the West Cheltenham Cyber Park; and
- Widening of the A4019 to the east of Junction 10.

If granted, the DCO would authorise the compulsory acquisition of land, interests in land and rights and the powers to use land permanently and temporarily for the construction, operation and maintenance of the Scheme.

The Applications to amend the DCO application

The Applicant submitted a Notification of the Applicant's Intention to Submit Request for Proposed Changes to the DCO Application on the 12 August 2024 (AS-081) ("the Notification Letter") providing details and background to the request for the proposed changes.

Further to the Notification Letter the Applicant has decided to split its proposed change application into two different applications, to differentiate between those aspects of the proposed changes that relate exclusively to upgrades in the rights ("Change Application 1") and those that relate to changes in the design of the Scheme ("Change Application 2").

The proposed changes to the Scheme are a result of refinements proposed as part of the evolution of the design to ensure the delivery of a more sustainable and affordable Scheme, reflective of continuing stakeholder engagement and what has been discussed in examination.

Change Application 1 was submitted to the Planning Inspectorate on the 4th of September 2024 and the Applicant proposes to submit Change Application 2 on the 1st of October 2024.

The Applicant proposes to carry out parallel consultation in respect of Change Application 2 in advance of the application being made to give the Applicant an opportunity to receive feedback and incorporate any representations made by affected persons and key stakeholders into the submission.

Consultation on proposed changes

The changes being sought by the Applicant are:

1. Change Application 1:

Upgrade to Land Rights: A change is proposed to the Land plans to align them with the extent of dormice hedgerow mitigation shown on the General Arrangement (GA) plan and Environmental Masterplan and in order to address National Highways concerns. Rights sought are firstly upgraded from temporary possession to compulsory acquisition of rights in relation to plots 5/40(v), 5/40(vi), 5/31(i), 5/40(vii), 5/40(viii), 5/31(a) and 5/31(b) showing on the Land Plans which will enable the Applicant to undertake a more efficient maintenance of the hedgerow H45. Secondly, the Applicant seeks to upgrade plots 3/2b, 5/2(k), 5/2, 5/2c, 5/2i and 5/2j showing on the Land Plans within National Highway land from temporary possession to compulsory acquisition of rights, to reflect agreement reached with National Highways.

The compensation for the additional land proposed to be subject to compulsory acquisition has been allowed for by the Applicant in the budget for the Scheme, further details of the budget for the Scheme is available in the Funding Statement submitted with the DCO application on the 19th of December 2023.

2. Change Application 2:

- **Change 1 – Link road replacement of swales with filter drains:** This change proposes to replace the three swales for surface water collection on the link road with two filter drains. Filter drains provide a more efficient solution in terms of alignment design, earthworks and constructability. Filter drains would be narrower than swales allowing for reduction in the cross-section of the link road reducing the requirement for imported fill and reducing the footprint in the flood plain.
- **Change 2 – Link road replacement of box culverts with bridges:** This change proposes to replace the two sets of pre-cast concrete flood culverts under the link road with two flood alleviation bridges. The provision of bridges in lieu of culverts provides a number of benefits such as removal of the requirement for ground improvement and subsoil treatment; reducing working time and space requirements within the floodplain and the overland flow path; eliminating the confined space hazard for inspection and maintenance personnel; providing a larger opening, reducing the risk of blockages; lower risk of differential settlement; improving rideability and reducing the risk of pavement and structural damage; improving fauna movement due to larger openings and improved light penetration and ability to provide seeding / vegetation and other natural features beneath the structure to encourage fauna movement and provide an improved environmental solution.
- **Change 3 – Link road River Chelt bridge structural form:** This change proposes to optimise the reprofiling of the River Chelt to run perpendicular with the link road, in order to replace the skewed crossing of the River Chelt Bridge with a square crossing. Adopting this change would provide a simpler design and construction solution so reducing programme risk in the construction phase. In addition, square structures are generally considered to have an improved performance in the long term. Additional river enhancements are proposed downstream of the crossing to locally improve riparian and fish habitat.
- **Change 4 – Link road alignment:** This change proposes to locally reduce the vertical alignment of the Link Road by more than the vertical limits of deviation and reduce the cycleway width from four metres to three. The proposed changes would reduce the volume of imported material required for the embankment, and the embankment footprint within the flood plain.
- **Change 5 – Relocation of NR15 Transmission Station:** This change proposes to relocate the Uckington NR15 Transmission Station from its existing position in the northeast quadrant of the M5 junction 10, to a location 2.6km further south on the M5, within the highway's boundary and DCO red line boundary. It eliminates the health and safety risks associated with the construction of the retaining wall in close proximity to the Transmission Station, and mitigates the risks associated with maintaining National Highways' data links during the construction period. The change would allow for the removal of the retaining walls for the north Piffs Elm bridge, on the north side of the east and west abutments. These would be replaced with embankments.
- **Change 6 – Flood storage area reconfiguration:** This change proposes to reconfigure the proposed flood storage area south-east of the Piffs Elm interchange, between the M5 corridor, the A4109 and the Link Road. The proposed change would: Provide two separate basins to store 23,500m³ and 61,000m³ of water below the current ground level, with conveyance channels to pass flood water forward under the M5 and the A4019 road embankments; lower the Withydege underpass invert level to convey flood water under the A4019; and replace the existing 750mm pipes

under A4019 with new culverts. This would provide the benefit of minimising the maintenance responsibilities by removing the requirement to use either the M5 or the A4019 road embankments to impound the reservoir.

- **Change 7 – Infill of existing northbound on-slip loop:** This change proposes to infill the existing M5 J10 northbound on-slip loop with site won material which would not be suitable for re-use elsewhere, to provide improved screening of the gyratory. The proposed change would provide a sustainable solution to managing site won materials arising from the works and create a new slope with enhanced planting opportunities.

The Applicant considers that none of the proposed changes, either individually or cumulatively, would have the potential to give rise to any new likely significant effects beyond those reported in the environmental statement. In addition, some of these changes are indeed a betterment of the Scheme.

Copies of application documents

In respect of Change Application 1, copies of the amended Land Plans, amended Statement of Reasons, amended Book of Reference, amended Development Consent Order, Explanatory Memorandum, addendum to the Land Rights Tracker and Summary Report submitted with the change application are available to view on-line on the Applicant's and on the Planning Inspectorate's webpages.

In respect of Change Application 2, a Consultation Document summarising the proposed changes, containing extracts of the relevant plans and drawings and setting out a summary of the environmental assessment is available to view online on the Applicant's webpage.

Details of relevant webpages are:

- on the Applicant's webpage www.gloucestershire.gov.uk/highways/major-projects-list/m5-junction-10-improvements-scheme, or
- on PINS webpage www.national-infrastructure-consenting-planninginspectorate.gov.uk/projects/TR010063.

The documents listed above can be viewed electronically, free of charge, at the electronic deposit locations listed in the table below until the 27 October 2024:

Venue	Opening Hours
Cheltenham Library Garence St Cheltenham Gloucestershire GL50 3JT United Kingdom 01242 532686	Monday 09:00-19:00 Tuesday 09:00-17:30 Wednesday 09:00-19:00 Thursday 09:00-17:30 Friday 09:00-19:00 Saturday 09:00-16:00
Tewkesbury Library Sun Street Tewkesbury Gloucestershire GL20 5NX United Kingdom 01684 293086	Monday 09:30-17:00 Tuesday 09:30-19:00 Wednesday 09:30-13:00 Thursday 09:30-19:00 Friday 09:30-17:00 Saturday 09:30-16:00

On request printed copies of these documents will be provided free of charge. Requests should be made to:

- Email: m5junction10@atkinsrealis.com
- Telephone: 01454 667900
- Freepost: M5 Freepost M5 JUNCTION 10

If you require our consultation materials in an accessible format, or have specific accessibility needs in relation to our consultation, please get in touch by emailing m5junction10@atkinsrealis.com or by calling 01454 667900 and leaving a message.

Responding to consultation

Any person wanting to respond to the consultation (including giving notice of any interest in the Application or the land affected by it, or making any comment on or objection to the Application) must do so in writing to either of the following:

- Email: m5junction10@atkinsrealis.com
- Freepost: M5 Freepost M5 JUNCTION 10

Responses to the consultation must be received by GCC no later than 11.59pm on the 27 October 2024.

The Applicant will consider and respond to all comments received before submitting the application for the proposed changes to the accepted Application. Responses will be summarised and responded to in a Consultation Report that will be submitted with the change application. The Applicant will also submit a copy of the original responses with the change application. The Examining Authority will take the responses into consideration when deciding whether the proposed changes can be accepted and incorporated into the accepted Application. Therefore, in providing any comment, it should be borne in mind that the substance of it may be communicated to others as part of the Consultation Report.

Making a relevant representation on the Application

Any person may make representations in relation to this change request to the Secretary of State (including giving notice of any interest in the Application or the land affected by it, or making any comment on or objection to the Application). Any representation relating to the Application must be submitted on a registration form and give the grounds on which it is made.

The Registration and Relevant Representation form will be made available by the Planning Inspectorate on the relevant page for the Application via the National Infrastructure website: <https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/TR010063>

Alternatively, you can request a hard copy of the form by telephoning 0303 444 5000 quoting the name of the Application and the Planning Inspectorate reference TR010063. A completed hard copy form to be submitted to the Planning Inspectorate should be sent to: The Planning Inspectorate, Temple Quay House, Temple Quay, Bristol BS1 6PN.

Please quote reference number TR010063 in all correspondence with the Planning Inspectorate about this Application.

Further information about the DCO application can be found on the Planning Inspectorate Scheme webpage <https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/TR010063>.

Further information about the Application may be obtained from GCC using the following contact details:


Email: M5junction10@atkinsrealis.com
Telephone: 01454 667900
Post: 'FREPOST M5 JUNCTION 10'

Appendix E. Consultee covering email

Notice of Proposed Changes to an Accepted Development Consent Order for the M5 Junction 10 Improvements Scheme

 M5 Junction 10
To  Teri Preston
Cc  M5Junction10@nationalhighways.co.uk

 Reply  Reply All  Forward  
Thu 26/09/2024 13:08

 Notice of Proposed Changes to an Accepted Development Consent Order for the M5 Junction 10 Improvements Scheme.pdf
650 KB

Dear Teri Preston,

GLoucestershire County Council

REGULATION 8 OF THE INFRASTRUCTURE PLANNING (COMPULSORY ACQUISITION)

REGULATIONS 2010

NOTICE OF PROPOSED CHANGES TO AN ACCEPTED DEVELOPMENT CONSENT ORDER

M5 JUNCTION 10 IMPROVEMENTS SCHEME

We are writing to you with regards to our M5 Junction 10 Improvements Scheme and to invite you to respond to our Change Application 1 and 2 consultation.

The consultation will run from **08:01hrs on Friday 27 September until 23:59hrs on Sunday 27 October 2024.**

Context

The Inspectorate received GCC's application for a DCO on 19 December 2023. This application was accepted for examination by the Inspectorate (on behalf of the Secretary of State) on 16 January 2024. We have since made an application to amend the DCO application as made, including changes to the areas of land which would be subject to compulsory acquisition. Therefore, we are consulting on these proposals for changes to the DCO application.

The change proposal has arisen from a variety of factors, but principally from refining the preliminary design and engagement with affected or interested parties. The changes reflect ongoing engagement as well as the identification of opportunities to further reduce the impacts and costs of the Scheme.

The Applicant submitted a Notification of Change Request [AS-061] to the EXA on 12th August 2024 which outlined the Applicant's proposal to apply for non-material amendments to the DCO Application comprising Changes 1 to 8. The EXA responded to the Notification of Change Request on 21 August 2024 [PD-011] (the "Rule 9 Letter").

Further to the Notification Letter the Applicant has decided to split its proposed change application into two different applications, to differentiate between those aspects of the proposed changes that relate exclusively to upgrades in the rights ("**Change Application 1**") and those that relate to changes in the design of the Scheme ("**Change Application 2**").

Change Application 1 was submitted to the Planning Inspectorate on the 4th of September 2024 and accepted on the 17 September 2024 [PD-014] and the Applicant proposes to submit Change Application 2 on the 11th of October 2024.

The Applicant proposes to carry out parallel consultation in respect of Change Application 2 in advance of the application being made to give the Applicant an opportunity to receive feedback and incorporate any representations made by affected persons and key stakeholders into the submission.

Consultation on proposed changes

The changes being sought by the Applicant are:


1. Change Application 1:


Upgrade to Land Rights: A change is proposed to the Land plans to align them with the extent of dormice hedgerow mitigation shown on the General Arrangement (GA) plan and Environmental Masterplan and in order to address National Highways concerns. Rights sought are firstly upgraded from temporary possession to compulsory acquisition of rights in relation to plots 5/4d(v), 5/4d(vi), 5/31c(i), 5/4d(vii), 5/4d(viii), 5/31a(i) and 5/31b(i) showing on the Land Plans which will enable the Applicant to undertake a more efficient maintenance of the hedgerow H48. Secondly, the Applicant seeks to upgrade plots 3/2b, 5/2h(i), 5/2j, 5/2k, 5/2l and 5/2y showing on the Land Plans within National Highway land from temporary possession to compulsory acquisition of rights, to reflect agreement reached with National Highways.

The compensation for the additional land proposed to be subject to compulsory acquisition has been allowed for by the Applicant in the budget for the Scheme, further details of the budget for the Scheme is available in the Funding Statement submitted with the DCO application on the 19th of December 2023.

Notice of Proposed Changes to an Accepted Development Consent Order for the M5 Junction 10 Improvements Scheme

 M5 Junction 10
 To  Teri Preston
 Cc  M5Junction10@nationalhighways.co.uk

 Reply  Reply All  Forward   Thu 26/09/2024 13:08

 Notice of Proposed Changes to an Accepted Development Consent Order for the M5 Junction 10 Improvements Scheme.pdf
 650 KB

- 2. Change Application 2:**
- Change 1 – Link road replacement of swales with filter drain:** This change proposes to replace the three swales for surface water collection on the link road with two filter drains. Filter drains provide a more efficient solution in terms of alignment design, earthworks and constructability. Filter drains would be narrower than swales allowing for reduction in the cross-section of the link road reducing the requirement for imported fill and reducing the footprint in the flood plain.
 - Change 2 – Link road replacement of box culverts with bridges:** This change proposes to replace the two sets of pre-cast concrete flood culverts under the link road with two flood alleviation bridges. The provision of bridges in lieu of culverts provides a number of benefits such as removal of the requirement for ground improvement and subsoil treatment; reducing working time and space requirements within the floodplain and the overland flow path; eliminating the confined space hazard for inspection and maintenance personnel; providing a larger opening, reducing the risk of blockages; lower risk of differential settlement, improving rideability and reducing the risk of pavement and structural damage; improving fauna movement due to larger openings and improved light penetration and ability to provide seeding / vegetation and other natural features beneath the structure to encourage fauna movement and provide an improved environmental solution.
 - Change 3 – Link road River Chelt bridge structural form:** This change proposes to optimise the reprofiling of the River Chelt to run perpendicular with the link road, in order to replace the skewed crossing of the River Chelt Bridge with a square crossing. Adopting this change would provide a simpler design and construction solution so reducing programme risk in the construction phase. In addition, square structures are generally considered to have an improved performance in the long term. Additional river enhancements are proposed downstream of the crossing to locally improve riparian and fish habitat.
 - Change 4 – Link road alignment:** This change proposes to locally reduce the vertical alignment of the Link Road by more than the vertical limits of deviation and reduce the cycleway width from four metres to three. The proposed changes would reduce the volume of imported material required for the embankment, and the embankment footprint within the flood plain.
 - Change 5 – Relocation of NRTS Transmission Station:** This change proposes to relocate the Uckington NRTS Transmission Station from its existing position in the northeast quadrant of the M5 junction 10, to a location 2.6km further south on the M5, within the highway's boundary and DCO red line boundary. It eliminates the health and safety risks associated with the construction of the retaining wall in close proximity to the Transmission Station, and mitigates the risks associated with maintaining National Highways' data links during the construction period. The change would allow for the removal of the retaining walls for the north Piffs Elm bridge, on the north side of the east and west abutments. These would be replaced with embankments.
 - Change 6 – Flood storage area reconfiguration:** This change proposes to reconfigure the proposed flood storage area south-east of the Piffs Elm Interchange, between the M5 corridor, the A4109 and the Link Road. The proposed change would: Provide two separate basins to store 23,500m³ and 61,000m³ entirely below the current ground level, with conveyance channels to pass flood water forward under the M5 and the A4019 road embankments; lower the Wilyhybridge underpass invert level to convey flood water under the A4019; and replace the existing 750mm pipes under A4019 with new culverts. This would provide the benefit of minimising the maintenance responsibilities by removing the requirement to use either the M5 or the A4019 road embankments to impound the reservoir.
 - Change 7 – Infill of existing northbound on-slip loop:** This change proposes to infill the existing M5 J10 northbound on-slip loop with site won material which would not be suitable for re-use elsewhere, to provide improved screening of the gyratory. The proposed change would provide a sustainable solution to managing site won materials arising from the works and create a new slope with enhanced planting opportunities.

The Applicant considers that none of the proposed changes, either individually or cumulatively, would have the potential to give rise to any new likely significant effects beyond those reported in the environmental statement. In addition, some of these changes are indeed a betterment of the Scheme.

Copies of application documents

Please see the attachment for the Notice of Proposed Changes to an Accepted Development Consent Order for the M5 Junction 10 Improvements Scheme.

For further information, please see the Change Application 1 documents which include a Summary Report, Schedule of Changes to DCO Application Documents, Addendum to Land Rights Tracker, Land Plans, draft DCO and Explanatory memorandum, Statement of Reasons and Book of Reference, together with the attached Consultation Document on the Scheme [webpage](#) as well as in the Planning Inspectorate's [website](#).






The Consultation Document summarises the proposed changes, contains extracts of the relevant plans and drawings and sets out a summary of the environmental assessment. This document is also applicable to Change Application 2, and is available to view online on the [Applicant's webpage](#).

The documents listed above can be viewed electronically, free of charge, at the electronic deposit locations listed in the table below until the **27 October 2024**:

Venue	Opening Hours
Cheltenham Library	Monday 09:00-19:00
Clarence St	Tuesday 09:00-17:30
Cheltenham	Wednesday 09:00-19:00
Gloucestershire	Thursday 09:00-17:30
GL50 3JT	Friday 09:00-19:00
United Kingdom	Saturday 09:00-16:00

Notice of Proposed Changes to an Accepted Development Consent Order for the M5 Junction 10 Improvements Scheme

 M5 Junction 10
 To  Tari Preston
 Cc  M5Junction10@nationalhighways.co.uk

 Reply  Reply All  Forward  
 Thu 26/09/2024 13:08

 Notice of Proposed Changes to an Accepted Development Consent Order for the M5 Junction 10 Improvements Scheme.pdf
 650 KB

The documents listed above can be viewed electronically, free of charge, at the electronic deposit locations listed in the table below until the **27 October 2024**.

Venue	Opening Hours
Cheltenham Library	Monday 09:00-19:00
Clarence St	Tuesday 09:00-17:30
Cheltenham	Wednesday 09:00-19:00
Gloucestershire	Thursday 09:00-17:30
GL50 3JT	Friday 09:00-19:00
United Kingdom	Saturday 09:00-16:00
01242 532686	
Tewkesbury Library	Monday 09:30-17:00
Sun Street	Tuesday 09:30-19:00
Tewkesbury	Wednesday 09:30-13:00
Gloucestershire	Thursday 09:30-19:00
GL20 5NX	Friday 09:30-17:00
United Kingdom	Saturday 09:30-16:00
01684 293086	

On request printed copies of these documents will be provided free of charge. Requests should be made to:

- Email: m5junction10@atkinsrealis.com
- Telephone: 01454 667900
- Freepost: M5 Freepost M5 JUNCTION 10.

If you require this consultation material in an accessible format, or have specific accessibility needs in relation to this consultation, please get in touch by emailing m5junction10@atkinsglobal.com or by calling 01454 667900 and leaving a message.

Have your say

For project related queries, please email us at M5Junction10@atkinsrealis.com or ring us on 01454 667900 and leave a voicemail and one of our dedicated M5 Junction 10 team will get back to you.





You can provide feedback on any aspect of the proposed design changes by emailing M5Junction10@atkinsrealis.com or by writing to us at Freepost M5 JUNCTION 10 by **23:59hrs on Sunday 27 October 2024**.

Making a relevant representation on the Proposed Changes to the Application

Any person may make representations in relation to this change request to the Secretary of State (including giving notice of any interest in the Application or the land affected by it, or making any comment on or objection to the Proposed Changes to Application). Any representation relating to the Proposed Changes to the Application must be submitted on a registration form and give the grounds on which it is made.

Notice of Proposed Changes to an Accepted Development Consent Order for the M5 Junction 10 Improvements Scheme

 M5 Junction 10
To  Teri Preston
Cc  MSJunction10@nationalhighways.co.uk

 Reply  Reply All  Forward  

Thu 26/09/2024 13:08

 Notice of Proposed Changes to an Accepted Development Consent Order for the M5 Junction 10 Improvements Scheme.pdf
650 KB

For project related queries, please email us at MSJunction10@atkinsrealis.com or ring us on 01454 667900 and leave a voicemail and one of our dedicated M5 Junction 10 team will get back to you.

You can provide feedback on any aspect of the proposed design changes by emailing MSJunction10@atkinsrealis.com or by writing to us at Freepost M5 JUNCTION 10 by **23:59hrs on Sunday 27 October 2024**.

Making a relevant representation on the Proposed Changes to the Application

Any person may make representations in relation to this change request to the Secretary of State (including giving notice of any interest in the Application or the land affected by it, or making any comment on or objection to the Proposed Changes to Application). Any representation relating to the Proposed Changes to the Application must be submitted on a registration form and give the grounds on which it is made.

The Registration and Relevant Representation form will be made available by the Planning Inspectorate on the relevant page for the Application via the National Infrastructure website: [M5 Junction 10 Improvements Scheme - Project information \(planninginspectorate.gov.uk\)](https://national-infrastructure-consenting.planninginspectorate.gov.uk).

Alternatively, you can request a hard copy of the form by telephoning 0303 444 5000 quoting the name of the Application and the Planning Inspectorate reference TR010063. A completed hard copy form to be submitted to the Planning Inspectorate should be sent to: The Planning Inspectorate, Temple Quay House, Temple Quay, Bristol BS1 6PN.

Please quote reference number TR010063 in all correspondence with the Planning Inspectorate about this Application.

Next steps


We will take time to analyse and consider your feedback when making any further refinements to our proposed design and to develop our planned mitigation measures. We will record and carefully consider all responses received during the consultation and will summarise our findings in a Consultation Report. This report will be submitted to the Examining Authority and made available on the Planning Inspectorate's scheme webpage at <https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/TR010063>.

The Examining Authority will take the responses into consideration when deciding whether the proposed changes can be accepted and incorporated into the accepted Application. Therefore, in providing any comment, it should be borne in mind that the substance of it may be communicated to others as part of the Consultation Report.

If you have any issues viewing the files, please notify us by replying to this email as soon as possible.

We look forward to hearing from you.

Yours faithfully,


Kathryn Haworth
Senior Responsible Officer; Major Projects
Gloucestershire County Council


Appendix F.Regulation 8 site notice





Appendix G. Consultation responses

G.1. Prescribed consultees in Schedule 1 of the APFP Regulations: - The Coal Authority

FW: [External] Notice of Proposed Changes to an Accepted Development Consent Order for the M5 Junction 10 Improvements Scheme

 Property Support Officer
To: M5 Junction 10

 Light Green
This sender is outside your organization.

 Notice of Proposed Changes to an Accepted Development Consent Order for the M5 Junction 10 Improvements Scheme.pdf
645 KB

Dear [REDACTED]

Thank you for your Notice of Proposed Changes at M5 Junction 10.


The Coal Authority own the majority of mines and minerals of coal in the UK and it is recommended that you should take account of any potential coal mining legacy issues in your proposals. The Coal Authority can provide Information which it holds on any past, current and proposed surface and underground coal mining activity. This can be obtained by reference to the following web link: (<https://www.groundstability.com/public/web/home.xhtml>).

Please be aware that the Authority's freehold interest in coal and coal mines cannot be compulsory purchased (see Section 7(3) and Section 10 of the Coal Industry Act 1994).

Should any site investigation or other intrusive works into any mines or minerals of coal be considered necessary, the prior written consent of the Coal Authority must be obtained. You must get permission to enter, disturb or change coal mines or coal managed or owned by the Coal Authority by following our Permitting procedures. These are set out on the following web link or you can contact the Coal Authority's Permitting and Licensing team by telephone on 01623 637450:
<http://www.coal.gov.uk/services/permissions/index.cfm>

Kind regards

[REDACTED]


 The Coal Authority
[REDACTED]
Property Support Officer
T: [REDACTED]
W: gov.uk/coalauthority

Reply Reply All Forward


Fri 04/10/2024 15:56

G.2. Prescribed consultees in Schedule 1 of the APFP Regulations: - UK Health Security Agency

UK Health Security Agency's Response - M5 Junction 10 Scheme - Register to have your say


 Nspiconsultations [redacted]
To: M5 Junction 10 [redacted]
Cc: [redacted]

Light Green
This sender is from outside your organization.
You replied to this message on 23/10/2024 19:57.

 UK Health Security Agency's Response - M5 Junction 10 Scheme - Register to have your say v1.0.pdf
27 KB


Dear Sir/Madam

Please find attached the UK Health Security Agency's response to the above consultation that was placed on the National Infrastructure website today, this email has been sent to you for information only.


NSIP Admin Team
Environmental Hazards and Emergencies Department
Radiation, Chemical and Environmental Hazards
UK Health Security Agency
www.gov.uk/ukhsa Follow us on Twitter @UKHSA

The information contained in the Email and any attachments is confidential and intended solely and for the attention and use of the named addressee(s). It may not be disclosed to any other person without the express authority of the UKHSA, or the intended recipient or both. If you are not the intended recipient, you must not disclose, copy, distribute or retain this message or any part of it. This footnote also confirms that this Email has been swept for computer viruses by Exchange Online Protection, but please re-sweep any attachments before opening or saving. UK Health Security Agency - (<https://www.gov.uk/government/organisations/uk-health-security-agency>)

Attached Response 1: -



UK Health
Security
Agency

Your Ref: TR010063
Our Ref: 89964CIRIS

23rd October 2024

Dear Sir/Madam

**Nationally Significant Infrastructure Project
M5 Junction 10 Improvements Scheme
Consultation for Change Request**

Thank you for your consultation regarding the above development launched on the 20 September 2024. The UK Health Security Agency (UKHSA) welcomes the opportunity to comment on your proposals at this stage of the project. ***Please note that we request views from the Office for Health Improvement and Disparities (OHID) and the response provided is sent on behalf of both UKHSA and OHID.***

We understand that this consultation concerns changes to Land Rights for the Scheme. On this occasion, we have no additional comments to provide at this stage.

Please do not hesitate to contact us if you have any questions or concerns.

Yours faithfully


On behalf of UK Health Security Agency

Please mark any correspondence for the attention of National Infrastructure Planning Administration.


1

G.3. Prescribed consultees in Schedule 1 of the APFP Regulations: - UK Health Security Agency

UK Health Security Agency's Response - M5 Junction 10 Improvement Scheme - Consultation on Proposed Changes

 Nsipconsultations [Redacted]
To: M5 Junction 10 [Redacted]
Cc: [Redacted]


Light Green
This sender [Redacted] is from outside your organization.
You replied to this message on 23/10/2024 19:59.

 UK Health Security Agency's Response - M5 Junction 10 Improvement Scheme - Consultation on Proposed Changes v1.0.pdf
76 KB

Dear Sir/Madam


Please find attached the UK Health Security Agency's response to the above consultation.

Kind regards


NSIP Admin Team
Environmental Hazards and Emergencies Department
Radiation, Chemical and Environmental Hazards
UK Health Security Agency
www.gov.uk/ukhsa Follow us on Twitter @UKHSA

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Attached Response 2: -


UK Health
Security
Agency

[Redacted]

Your Ref: TR010063
Our Ref: CIRIS 89962

FREEPOST M5 JUNCTION 10

23rd October 2024

Dear Sir/Madam

**Nationally Significant Infrastructure Project
M5 Junction 10 Improvements Scheme
Notice of Proposed Changes**

Thank you for your letter of 26th September 2024 inviting the UK Health Security Agency (UKHSA) to provide comments relating to the above Nationally Significant Infrastructure Project (NSIP). ***Please note that we request views from the Office for Health Improvement and Disparities (OHID) and the response provided is sent on behalf of both UKHSA and OHID.***

On this occasion, we have no additional comments to provide at this stage of the NSIP application.

We note that we have replied to earlier consultations, as listed below, and this response should be read in conjunction with that earlier correspondence.

Scoping Consultation Stage - 18th August 2021
Public Consultation: Section 42- 15th February 2022
Targeted Non-Statutory Consultation - 31st August 2022
Registration of Interest Response - 22nd March 2024

The additional information supplied does not cause any change to UKHSA's responses above.

Yours faithfully


On behalf of UK Health Security Agency
[Redacted]


Please mark any correspondence for the attention of National Infrastructure Planning Administration.



1


G.4. Prescribed consultees in Schedule 1 of the APFP Regulations: - Elmstone Hardwicke Parish Council

Notice of Proposed Changes to an Accepted Development Consent Order for the M5 Junction 10 Improvements Scheme



 Green

 This sender  is from outside your organization.

 You replied to this message on 17/10/2024 21:15.

TR010063

Elmstone Hardwicke Parish Council would like to comment on the Notice of Proposed Changes to an accepted Development Consent Order re M5 Junction 10 Improvement Scheme.

Change 6 - Flood Storage area reconfiguration.

The current scheme proposes a flood storage area, however alternative solutions suggest two separate basins to store 23,500m³ and 61,000m³ below the current ground level. New culverts will be created under the A4019 with a new ditch to carry flows to Leigh Brook.

The Leigh Brook drains the area to the North of the A4019 while the River Chelt drains the area to the south. Existing weather patterns already fill the Leigh Brook resulting in localised flooding to fields, roads and properties. The revised proposal is tantamount to utilising the land around the Leigh Brook as the surplus storage pond. Given this land is already saturated in wet weather increased flooding in this area is inevitable.

No detailed modelling of this diverted flow has been done which takes into account of existing local flooding issues.

If a pond of 200,00m³ was required to keep the land around the River Chelt from flooding, moving over half that water into the Leigh Brook is not the solution. There is no spare capacity in the Leigh Brook in adverse weather.

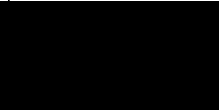
Given the Leigh Brook passes back south under the A4019 about a kilometre north of Junction 10 at Knightsbridge where it subsequently joins back into the River Chelt, it makes no sense to push water into the Leigh Brook.

The proposal is simply a design to ease construction and reduce cost at the expense of flooding an area thats already prone to flooding.

With plans approved for over 2000 to be built on the North Side of the A4019 between Sainsbury's and Elmstone Hardwicke , the capacity of the Leigh Brook which drains this area will be put under further pressure.






The potential flooding by increasing the amount of water going into The Leigh brook will also impact the B4019 between Booth Engineering and The Gloucester Old spot, also the A4019 at Knightsbridge.

Who will be expected to maintain this new ditch?



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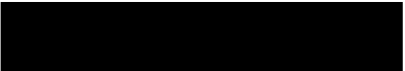
Please take a moment read the council's privacy notices, which explain how we use and look after your information, and your rights. They are available on our web site. If you have any queries about this, please contact the Parish Clerk at the email address on the Parish Council's web site.


 Reply  Reply All  Forward  


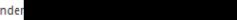
Thu 17/10/2024 17:31


G.5. Prescribed consultees in Schedule 1 of the APFP Regulations: - Historic England


Re: Notice of Proposed Changes to an Accepted Development Consent Order for the M5 Junction 10 Improvements Scheme

 Light Green

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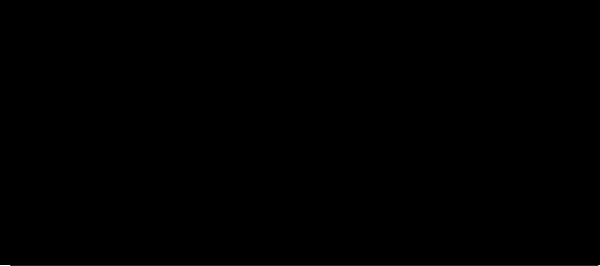
 You replied to this message on 21/10/2024 15:47.
If there are problems with how this message is displayed, click here to view it in a web browser.


Dear 

Thank you for the notification regarding a proposed change to the above scheme.

Having reviewed the proposed changes we have no comments to make and will not be making any representations to the Examining Authority regarding this.


Kind Regards



 Historic England

Work with us to champion heritage and improve lives. Read our Future Strategy and get involved at historicengland.org.uk/strategy.
Follow us: [Facebook](#) | [Twitter](#) | [Instagram](#) | [Sign up to our newsletter](#)



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Mon 21/10/2024 14:18

G.6. Prescribed consultees in Schedule 1 of the APFP Regulations: - Environment Agency

M5 J10 Notice of Proposed Changes to an Accepted Development Consent Order for the M5 Junction 10 Improvements Scheme

Light Green
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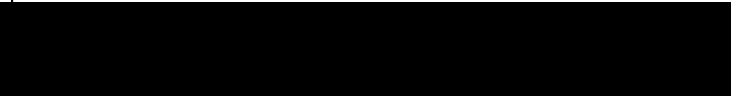
 Change of Application 2.pdf
93 KB


Good morning,

Apologies for the slight delay. Please find attached our comments. Once we have reviewed the updated documents, we will provide further detailed comments to Application 2.

If you have any questions, contact me.

Kind regards,


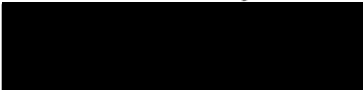



Mobile:  www.gov.uk/environment-agency

Join our new [Viva Engage](#) community for discussions on Nationally Significant Infrastructure Projects

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Attached Response: -


Gloucestershire County Council



27 October 2024

Dear Madam

REGULATION 8 OF THE INFRASTRUCTURE PLANNING (COMPULSORY ACQUISITION) REGULATIONS 2010

NOTICE OF PROPOSED CHANGES TO AN ACCEPTED DEVELOPMENT CONSENT ORDER

M5 JUNCTION 10 IMPROVEMENTS SCHEME

Thank you for consulting us on the proposed changes to the above scheme which was received on 26 September 2024.

We have reviewed the following documents:

M5 Junction 10 Improvements Scheme, Change Applications Consultation Document: TR010063 – App 10.14: Volume 10: October 2024

We are providing an overview on the design change application as we have only reviewed the above document. However, once we have reviewed the updated Flood Risk Assessment and Environmental documents which we received on 18 October 2024, we will then provide detailed comments.

Change Application 1 – We have no comments to make on this application

Change Application 2 – The seven changes proposed in this application, please see comments below.

Flood Risk

Change 1 – In principle the Environment Agency support this change. Only concern in relation to flood risk would be the reduction in the width of the embankment and hence loss of flood plain storage, this would be deemed a positive as it would potentially reduce the compensation mitigation.

Change 2 – In principle Environment Agency support this change. Replacement of the box culvert with clear span viaduct/bridge arrangement across the flood plain is a preferred solution as it has far less potential impact on out of bank flood flows. However, the viaduct/bridge spans must be equal or greater than the existing culvert width designs and as a minimum span the full width of the out of bank Flood Zone 3b flow path (including the appropriate allowance for climate change). Again, the longer lengths these viaducts are the less material will need to be placed in the flood plain to construct the road embankment, thus reducing the mitigating compensation works. These changes would be subject to additional model reviews and submission of appropriate detailed drawings.

Change 3 – In principle the Environment Agency support this change. The change in principal design from a skewed crossing to a perpendicular crossing, is a preferred option.

Easements from the top of bank of the River Chelt would normally follow the principals set out below.

- Minimum 8 metre one bank and 3 metre on opposite bank.
- We would accept 5 metres on bank and 4/5 metre opposite bank.

It should be ensured the above unobstructed easements extend past any supporting embankments.

Detailed fully dimensioned design drawings would need to be submitted as part of the overall detailed design before this could be agreed formerly. Drawings should also show all relevant modelled flood levels.

Change 4 – In principle the Environment Agency have no objection. Subject to detailed design drawings being submitted that show the appropriate freeboard of the highway above relevant modelled flood levels.

Change 6 – In principle the Environment Agency have no objection. Subject to updated flood modelling being submitted to confirm the proposals deliver an appropriate level of compensation.

Hydraulic Modelling

In principle we have no concerns with the seven changes proposed. However, we need to review the modelling files and check the changes have been appropriately represented within the updated hydraulic modelling.

Biodiversity

We welcome that you have considered the impacts of biodiversity in the changes proposed. Design changes should be reflected in the BNG Metric assessment, and the provision of mitigation measures/ offsets delivered by the scheme.

It is positive to see the proposals include measures for additional planting for offsetting or enhancements.

Change 2 - Culverts are known to fragment habitats, having a negative impact on the commuting of some species (such as otters and fish). Therefore, we agree of the proposal to construct open-span bridges as an alternative, which will facilitate commuting by wildlife.

We recommend that the new bridges are fitted with mammal ledges, to facilitate mammal commuting during flooding.

Change 3 - The re-profiling of the river will remove suitable habitat around the bridge. However, the proposed mitigation in the form of re-meandering downstream of the bridge, the creation of riffles and pools and the planting of new trees along the banks will increase habitat heterogeneity, adequately mitigating for the re-profiling works.

We recommend the use of green/soft bank protection as opposed to gabion baskets/hard bank protection as part of the re-profiling works, where possible.

Change 6 – We recommend the installation of open watercourses as opposed to culverts, but we appreciate this may not be possible as the water needs to flow under the A4019.

As the new conveyance channel will connect to the Leigh Brook, there is the potential for migratory fish (such as eels) to enter the new channel, culvert and basin during high-water flows, and become trapped when water subsides. We suggest that fish are either somehow excluded or that they have a method to escape (e.g. modifying channel inverts to ensure that water could naturally reside and there wouldn't be any pools cut off, allowing a continuity of water for fish to swim back to the Brook)

Water Quality

The only change that could impact water quality is Change 1, however a filter drain should provide better treatment than a swales which should lead to a small improvement. Please consult the LLFA for surface water.

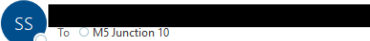
We will provide detailed comments in due course. If you have any questions, please let me know.


Kind Regards,






G.7. Prescribed consultees in Schedule 1 of the APFP Regulations: - National Highways


Consultation Response - National Highways [DLAP-UKMATTERS.FID4425830]

To:  M5 Junction 10

 Light Green

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 You replied to this message on 28/10/2024 21:17.

 Consultation Response Change Application 1 and 2(201427910.1).docx
131 KB

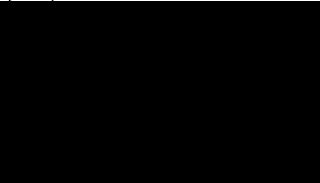
Dear Sirs

Please find attached the consultation response on behalf of National Highways.


This was originally sent on Friday but I have received a Postmaster message, suggesting it did not get to you.

Please can you acknowledge receipt.


Many thanks



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www.dlapiper.com




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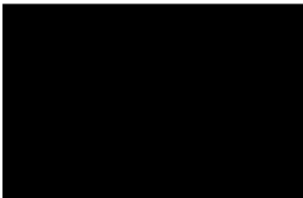


Mon 28/10/2024 19:54

Attached Response: -



Ref: TR010063



25 October 2024

Dear Sirs

Response to Consultation Regarding Proposed Changes to an Accepted Development Consent Order
M5 Junction 10 Improvements Scheme

This email constitutes the consultation response from National Highways, in respect of Change Application 1 and Change Application 2.

Change Application 1 – Amendments to Land Rights

National Highways is supportive of Change Application 1 and raises no concerns or issues.

The amendments sought, in so far as they relate to the interests of National Highways, have been requested by the Applicant following discussion with National Highways, who agree that they are necessary to ensure that there is no impediment to delivery of the scheme.

Change Application 2 – Changes 1 to 7 as set out in the consultation notice


Change 1 – Link Road replacement of swales with filter drain
Change 2 – Link road replacement of box culverts with bridges
Change 3 – Link road River Chelt bridge structural form
Change 4 – Link road alignment

National Highways makes no comment on changes 1 to 4 inclusive. The changes relate solely to the Local Road Network and are not considered to impact on the Strategic Road Network.

Change 5 – Relocation of NRTS Transmission Station

1

Registered office Bridge House, 1 Walnut Tree Close, Grafton GU1 4LZ
National Highways Limited registered in England and Wales number 05345363



GENERAL

National Highways are happy with the proposed change and raise no issues or concerns.

Change 6 – Flood storage area reconfiguration

In principle, National Highways raises no objection to this proposed change. However, National Highways' response is provided without sight of the Environment Agency's response to the consultation. Ultimately, National Highways are not the approving authority for reservoirs and therefore we reserve our position to supplement our response in light of the EA's position.

It appears that the change would result in any earthworks associated with the southbound M5 on-slip ordinarily being outside the scope of the Reservoirs Act 1975. However, National Highways will require a legally binding agreement to be entered into with the Applicant to state that during and post construction, any and all assets that are to be under the ownership or control of National Highways as landowner or highway authority are not considered elements under the 1975 Act. Additionally, the agreement will need to absolve and indemnify National Highways from any and all liability or obligation arising from the mis-management or non-maintenance of the proposed culverts under the A4019, whose purpose is to drain the flood plain at times where flood waters would overtop the proposed ponds. Should the ponds overtop and the surrounding area flood, any dammed flood water held as a result of the culverts failing would result in the earthworks of the M5 southbound on-slip and A4019 becoming minor and/or major elements under the 1975 Act (because the resultant water body would be retained by the earthworks). This would result in a situation identical to that currently being examined, to which National Highways has already raised concerns. National Highways cannot accept ownership of or responsibility for a reservoir or part thereof.

Change 7 – Infill of existing northbound on-slip loop

National Highways are happy with the proposed change and raise no issues or concerns.

The change addresses a concern that has previously been raised by National Highways in examination of the DCO, and the change sought is considered to satisfactorily address this issue.

If you have any queries, please do contact me at your earliest convenience.

Yours sincerely



Registered office Bridge House, 1 Walnut Tree Close, Guildford GU1 4LZ
National Highways Limited registered in England and Wales number 06348363



GENERAL


G.8. S43 consultees for the purposes of s42 consultation (LA):- Joint Councils Gloucestershire County Council as Local Highway Authority, Tewkesbury Borough Council and Cheltenham Borough Council as Local Planning Authorities

RE: Notice of Proposed Changes to an Accepted Development Consent Order for the M5 Junction 10 Improvements Scheme

 Reply  Reply All  Forward  

Fri 25/10/2024 22:01

Light Green

 You replied to this message on 28/10/2024 16:58.

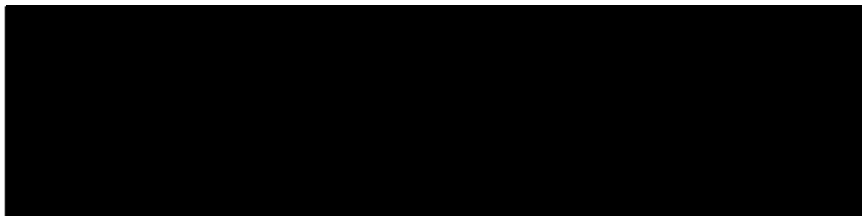
 TR010063 Joint Councils Change Application Consultation Response Letter.pdf
231 KB

Dear 

Please find attached a response to this consultation, which is written on behalf of Gloucestershire County Council (GCC), including GCC in its role as the Local Highway Authority, Cheltenham Borough Council (CBC) and Tewkesbury Borough Council (TBC) as Local Planning Authorities (LPAs) (together 'the Joint Councils'). The Joint Councils are the host authorities for the GCC Major Projects Team ('the Applicant') M5 Junction 10 Improvements Scheme Development Consent Order (DCO) ('the Scheme').

Kind regards

Attached Response: -



Date: 25 October 2024

Dear 

Application by Gloucestershire County Council for an Order Granting Development Consent for the M5 Junction 10 Improvements Scheme: TR010063

Joint Councils' Response to Consultation on Proposed Changes to the M5 Junction Improvements Scheme Development Consent Order

This letter is written on behalf of Gloucestershire County Council (GCC), including GCC in its role as the Local Highway Authority, Cheltenham Borough Council (CBC) and Tewkesbury Borough Council (TBC) as Local Planning Authorities (LPAs) (together 'the Joint Councils'). The Joint Councils are the host authorities for the GCC Major Projects Team ('the Applicant') M5 Junction 10 Improvements Scheme Development Consent Order (DCO) ('the Scheme').

The Joint Councils were invited by the Applicant on 26 September 2024 to respond to their Change Applications 1 and 2 consultation. The Joint Councils note the Applicant's proposal to apply for non-material amendments to the DCO Application comprising Changes 1 to 8 as set out in their Notification of Change Requests [AS-061] dated 12 August 2024. Two Change Applications have been submitted by the Applicant to date and both Applications have been accepted by the Examining Authority (ExA).

The Joint Councils have reviewed the plans and documents submitted by the Applicant to support the two Change Applications. The following sets out the Joint Councils' comments on the Applicant's Change Applications.

Change Application 1

Change Application 1 comprises Change 8 within the Applicant's Notification of Change Requests [AS-061], which relates to upgrades to Land Rights. The Joint Councils note that the Application has been accepted on 17 September 2024.

The Joint Councils have reviewed the Applicant's submissions for Change Application 1. The Joint Councils have no comments on the changes proposed by the Applicant. The Joint Councils would wish to review any further iterations of the Applicant's submissions particularly in respect of

hedgerows, street and road closures and measures, acoustic fences and landscaping, Article 7 of the draft DCO and any other matters requested by the Joint Councils technical team.

Regarding changes to the hedgerow plots as set out in the Change Application Summary Report [AS-063], the Joint Councils would like to remind the Applicant that as part of the licence mitigation/compensation, the Applicant will be required to undertake management and monitoring of habitat included in their licence. The Joint Councils' interpretation of the proposed changes is to change the Applicant's rights to access to ensure the Applicant are not obstructed in terms of not just monitoring, but being able to undertake necessary management works on hedgerow H48. If the Applicant do not have this guarantee, and if they are unable to undertake agreed monitoring and management, they will be in breach of their future licence.

Change Application 2

Change Application 2 comprises Changes 1 to 7 within the Applicant's Notification of Change Requests [AS-061], which relates to changes in the design of the Scheme. The Joint Councils note that the Application has been accepted on 18 October 2024.

The Joint Councils have reviewed the Applicant's submissions for Change Application 2. The Joint Councils would like to comment on the following submission items:

Change Application 2 Draft Development Consent Order [AS-088]

The Joint Councils have no comments on the changes proposed by the Applicant. The Joint Councils would review any further iterations of the Applicant's submissions particularly in respect of hedgerows, street and road closures and measures, acoustic fences and landscaping, Article 7 of the draft DCO and any other matters requested by the Joint Councils technical team.

Change Application 2 Environmental Statement Addendum [AS-093]

The Joint Councils would like to comment on the chapters of the Addendum regarding topic assessments:

- Chapter 8 Biodiversity – the Joint Councils note that no update has been provided for BNG in relation to the metric and the descriptions to explain this. However, some clarity is requested over the text in paragraph 8.4.7. It is not clear what the outcome of this is on the watercourse element of the BNG assessment in terms of increase or reduction in units.
- Chapter 9 Road Drainage and Water Environment (Surface Water Quality) – regarding Change 1 (Link Road replacement of swales with filter drains), although the change document notes that filter drains provide a lower percentage removal than swales (numbers provided below) it does not explain how the magnitude of impact remains the same, given the notable differences in treatment efficiencies. Can the applicant confirm how the magnitude has been retained (i.e. due to adequate mitigation, elsewhere in the catchment (for both sediments and metals)?

The Joint Councils have no comments on the other chapters of the Addendum.

Change Application 2 Environmental Statement: Appendix 8.1 Flood Risk Assessment Addendum [AS-095]

A clear summary of the changes with respect to Flood Risk Management is presented. It is understood and noted that as part of the changes the compensatory flood storage area is now proposed to be split into two basins and removing the previous requirement to use the M5 or A4019

road embankments as impounding reservoirs. Elements that fall under the Reservoirs Act are now proposed to revert to GCC as Local Highway Authority without shared responsibility with National Highways.

The FRA addendum set out the results of modelling of the design including the changes and confirms that there are only minor changes in flood depth in general with no significant change in flood extents or impact on receptors. Larger changes in flood depth compared to the previous design are noted in the Compensatory Flood Storage Area, however, this is understood as integral to the functioning of the FSA with the changes applied.

The design changes have, in addition to the 1%AEP design event, been tested for the 0.1%AEP extreme flood and 1%AEP upper end climate change event and in both cases the model results presented indicate no material changes to post-construction flood risk.


Summary of Changes to Register of Environmental Actions and Commitments [AS-096]

The Joint Councils note that changes are proposed to be made to items B23, WE1, WE2, WE3, WE12, WE19. The Joint Councils would like to comment on changes to item WE2. The Joint Councils request evidence from the Applicant to understand how the removal of swales will not result in a change in magnitude of impact.

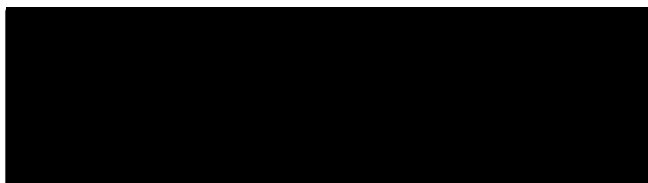
Change Application 2 General Arrangement Plans [AS-098]

The Joint Councils would like to understand the need for ladder markings on the centreline of the link road either side of the River Chelt overbridge.

The Joint Councils have no further comments on the other submission items within Change Application 2.


In conclusion, the Joint Councils would like to reiterate their position in support of the Scheme in principle. If you require any further information, please do not hesitate to get in contact via the M5 J10 Joint Councils project team 

Yours sincerely,



G.9. S44 Consultees

RE: Reminder Notice of Proposed Changes to an Accepted Development Consent Order for the M5 Junction 10 Improvements Scheme

Light Green
① This sender  is from outside your organization.
① You replied to this message on 21/10/2024 15:47.
This message was sent with High importance.

Dear 

Thank you for your email, the contents of which I note.

I have met with your appointed agents (cc'd Carter Jonas and clearly stated the additional information we require, briefly set out below:-

1. Proposed drainage strategy and how this may impact the retained property – what mitigation has taken place
2. Proposed ecological mitigation and how this may impact the retained property – what mitigation has taken place
3. Will the proposed drainage works alter flood designation on the retained property

Please may I ask that you revert to your appointed agents on the issues raised in order that this is not lost in translation.  and  please can you revert to the 'homework' which we discussed when we last met in respect of the following points:-

- Ecological work / surveys and proposed impact of Bat Corridors and any other mitigation that your ecologists consider will impact the wider ownership and proposed promotion of the same – we will need to have this reviewed by independent ecologists so please can you seek a fee undertaking for this and then I will get a fee estimate once you have provided the information.
- Valuation Methodology / Comparable Evidence – I have not had this yet and it is needed to review the draft Heads of Terms – please provide commentary on proposed 'hope value' you have considered together with commentary on the value of Environmental Services (BNG e.t.c) that you have attributed to the Value – we discussed in person what I required to progress matters however, I have not had this yet.
- Please provide details of the levels of mitigation being placed on  in respect of:-
 - Flood Attenuation
 - BNG
 - Wider Ecology mitigation – bats e.t.c.
- Noting the above I requested an apportionment of what is being delivered to support the land take associated with the Arkell land and what is then delivered for the wider scheme i.e. an apportionment – please provide this data for our consideration.
- Please confirm that the revised flood / attenuation works will not alter the flood modelling in the area / will it result in land being redesignated in terms of flood risk.

I welcome your response as we are concerned that the revised flood and ecological works will impact the wider ownership in respect of alternative higher value uses.

For completeness, I have cc'd  who may wish to make his own specific representation on this matter.


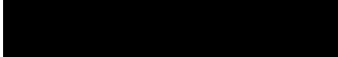
Kind regards

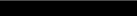

Reply Reply All Forward Print More

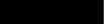
Mon 21/10/2024 14:04

Additional Response: -

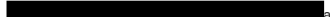
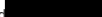
RE: Reminder Notice of Proposed Changes to an Accepted Development Consent Order for the M5 Junction 10 Improvements Scheme


 

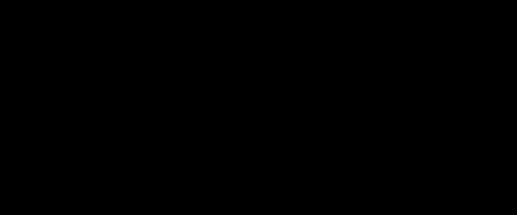
Light Green
ⓘ This sender  from outside your organization.
ⓘ You replied to this message on 24/10/2024 21:11.

Dear 

To add to my email below, please note the following having now consulted with my client again:-

1. There is a mains water supply that services the farm, livestock fields and properties at Butlers Court Farm and Cottages. We welcome commentary on how this supply will be maintained as part of the works.
2.  and  you will recall we raised this when we met and would welcome your response.

Kind regards






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Wed 23/10/2024 20:12

G.10. Member of the Public

CONSULTATION ON M5 JUNCTION 10

  To M5 Junction 10

 This sender  is from outside your organization.

 You replied to this message on 21/10/2024 15:46.

Thank you for the opportunity to comment in conjunction with the above.

I object to the proposed DCO on the grounds of the high cost of the proposed junction amendments and new road to West Cheltenham. £249M is far too expensive during a time of national financial restraint. This money would be better put to delivering better public transport rather than roads.

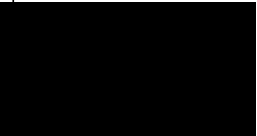
Having worked in Ashchurch, the M5 is already far too busy at peak times and this scheme will only encourage more traffic. There are three alternatives I would like to suggest please, as below:






- Improve Ashchurch for Tewkesbury railway station and its access as a public transport hub for both trains and buses.
- In conjunction with a above, utilise the current siding leading to Ashchurch Army Depot as an extra platform at the station to allow trains from the South to turnback. Extend London Paddington trains from Swindon and Cheltenham to Ashchurch to provide more trains per hour.
- Mandate the Ministry of Defence to use the rail link and their on-site sidings for all armoured vehicle movements rather than using road transport. These sidings are still useable.

There need to be active alternative public transport initiatives before £249M is wasted and not resolve the congestion.

We are in a zero carbon crisis plus financial constraint. This should be significantly reduced or cancelled.

Thank you.



 Reply  Reply All  Forward  

Sat 19/10/2024 23:22

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