

Meeting note

Project name M5 Junction 10 Improvements Scheme

File reference TR010063

Status Final

Author The Planning Inspectorate

Date 7 October 2021

Meeting with Gloucestershire County Council (the Applicant)

Venue Microsoft Teams

Meeting objectives Project update

Circulation All attendees

Summary of key points discussed and advice given

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

Scoping Opinion

The Applicant updated the Inspectorate with the work that had been undertaken since the Inspectorate had provided its Scoping Opinion. The Applicant noted that they are preparing figures for the Environmental Statement (ES) and in doing so are responding to advice provided in the Opinion. The Applicant made these viewable to the Inspectorate during the meeting and queried whether these constituted an acceptable level of detail. The Inspectorate advised that the level of detail appeared broadly appropriate but noted that acceptability depended on multiple elements of consideration which would be applied when the final ES is submitted with an application.

The Applicant asked for clarification of the Scoping Opinion around scoping out heat and radiation issues from the ES, and the reasoning or justification that would be expected to be presented. The Inspectorate advised that they would expect to find an explanation as to why heat and radiation were not relevant to the scheme based on its characteristics and the potential for significant environmental effects to occur. While it is understood that the assessment will follow guidance within the Design Manual for Roads and Bridges (DMRB), the ES should explain why this particular element of the guidance applies to the scheme.

The Applicant noted agreement with the Inspectorate on the use of 2019 air quality monitoring data, the justification for the use of such data being that data from 2020-21 was compromised by changes in road usage wrought by the Covid-19 pandemic. The Applicant queried whether baseline noise surveys that had occurred after May 2021 would be deemed acceptable by the Inspectorate

within the ES. The Inspectorate advised it was for the Applicant to justify such decisions in the ES.

In response to further points raised, the Inspectorate also advised that it was for the Applicant to justify their decisions within the ES on the scoping out of badgers and plants within the ES and the data collection method for night-time assessments. The Inspectorate advised that while the ES must be based on the Scoping Report, that does not preclude the Applicant from making further refinements to the assessments in response to their understanding of the likely significant effects of the scheme as investigations progress.

Programme update

The Applicant explained that the Statement of Community Consultation (SoCC) had now been finalised and the statutory consultation was due to begin on 8 December 2021 and run for ten weeks. Following this, the Applicant explained they will allow time to review the comments that have arisen from the SoCC and then begin work on forming Statements of Common Ground (SoCG) with necessary bodies.

The Inspectorate queried whether the Applicant had an update on the application submission date. The Applicant advised that application submission was expected in autumn 2022 and noted that the background driver for submission came from Homes England (HE) through the funding that had been allocated through the Housing Infrastructure Fund (HIF).

The Applicant continued to note that discussions with HE were ongoing and that HE had provided the Applicant with the assurances around land purchases that had been sought. The Applicant advised that discussions with affected property owners were ongoing. The Applicant noted that, at this stage of the Project, no unforeseen events had occurred which threatened the submission date.

The Inspectorate queried the level of Applicant engagement with statutory bodies. The Applicant stated that work to update the baseline flood map with the Environment Agency was ongoing and had been positive. They further noted that work alongside Natural England covering the Habitats Regulations Assessment (HRA) was ongoing, and that they continued to work closely with National Highways.

The Inspectorate queried whether any Compulsory Acquisition work had begun at this stage. The Applicant answered by first noting that the powers granted by the Development Consent Order (DCO) do provide for Compulsory Acquisition if necessary but noted that all landowners affected by the scheme had engaged with them to some extent and stated that discussions were ongoing. The Applicant further noted that engagement with the local community had remained constructive, with the focus on how the scheme could be designed to most benefit the community. As the scheme reaches statutory consultation stage, the Applicant stressed that outright opposition to the scheme had not emerged as an issue.

In anticipation of the commencement of the statutory consultation, the Applicant queried what the Inspectorate's expectations were with regard to documentation submission. The Inspectorate responded by stating they would expect to see the fulfilment of the requirements set out in the PA2008, namely the issuing of the section 46 notice. The Inspectorate noted that this notice would be published on the National Infrastructure (NI) website and advised that providing clear information on how to become involved in the statutory consultation within this notice could enable those viewing this notice on the NI website to involve themselves in the statutory consultation if they wish.

Any Other Business

The Applicant queried the current resourcing for this project by the Inspectorate. The Inspectorate responded to note that Martin Almond, Operations Manager for Transport, would be leading on this project while it remained in Pre-Application, a Case Manager should be appointed by the next meeting. Both parties agreed to the next project update meeting being held prior to the start of statutory consultation on 8 December 2021.

The Inspectorate advised new [guidance](#) had been provided in respect of the use of hyperlinks in documents. The Inspectorate advised that the Applicant become acquainted with this guidance in advance of application submission.

The Inspectorate queried whether the Applicant had engaged any hard to reach groups, noting that part of the land required for the project included land currently occupied by an unauthorised Gypsy and Traveller site. The Applicant advised they are working closely with many organisations to meet with underserved groups and would follow up with Tewkesbury Borough Council regarding the Gypsy Traveller site.