



## 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 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 19<sup>th</sup> of December 2023 and was accepted on 16<sup>th</sup> 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 4<sup>th</sup> of September 2024 and the Applicant proposes to submit Change Application 2 on the 1<sup>st</sup> 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 19<sup>th</sup> 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 23,500m<sup>3</sup> and 61,000m<sup>3</sup> entirely below the current ground level, with conveyance channels to pass flood water forward under the M5 and the A4019 road embankments; lower the Witheridge 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](http://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](http://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
<b>Cheltenham Library</b> 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
<b>Tewkesbury Library</b> 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](mailto: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@atkinsglobal.com](mailto:m5junction10@atkinsglobal.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](mailto: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](mailto:M5Junction10@atkinsrealis.com)
- Telephone: 01454 667900
- Post: ‘FREEPOST M5 JUNCTION 10’