

A38 Derby Junctions

TR010022

5.2 Annex J: S46 Letter Sent to The Planning Inspectorate and Acknowledgement

Regulation 5(2)(q)

Planning Act 2008

Infrastructure Planning (Applications: Prescribed
Forms and Procedure) Regulations 2009

Infrastructure Planning

Planning Act 2008

The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

A38 Derby Junctions

Development Consent Order 202 []

5.2 Consultation Report Annex J

S46 Letter Sent to The Planning Inspectorate and Acknowledgement

Regulation Number	Regulation 5(2)(q)
Planning Inspectorate Scheme Reference	TR010022
Application Document Reference	5.2 Consultation Report Annex J
Author	A38 Derby Junctions Project Team, Highways England

Version	Date	Status of Version
Rev 1	March 2019	DCO Application

- 5 SEP 2018



Susannah Guest
PINS ref: TR010022
The Planning Inspectorate
Major Applications and Plans
Temple Quay House
Temple Quay
Bristol BS1 6PN

Paul Nagra
Highways England, Floor 5
Two Colmore Square
38 Colmore Circus
Birmingham, B4 6BN

4 September 2018

Dear Susannah

A38 Derby Junctions scheme – Section 46 notification under the Planning Act 2008

I am hereby notifying you under Section 46 of the Planning Act 2008 that Highways England ("the applicant") intends to apply under Section 37 of the Planning Act for a Development Consent Order (DCO) for the A38 Derby Junctions scheme.

Consultation Information

Highways England will be undertaking pre-application consultation under Section 42 of the Planning Act 2008 between 7 September 2018 and 18 October 2018. Please find enclosed on a USB drive the information being provided to consultees as part of this consultation. This is:

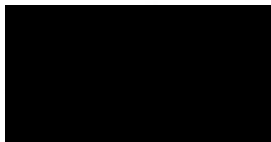
- Example covering letters, which include S42 letters issued to statutory consultees, Local Authorities, Category 1 and 2 consultees and Category 3 consultees
- Section 48 notice
- Consultation brochure and Response form
- Junction layout plans
- Red Line Boundary Plans
- Preliminary Environmental Information Report (PEIR), together with a Non-Technical Summary of the PEIR.

Consultation arrangements

Consultation materials will be available at a series of public information events, at public information points and online at www.highwaysengland.co.uk/A38-Derby-Junctions. Further details of the consultation arrangements can be found on the website and in the enclosed section 48 notice.

Should you have any queries, please do not hesitate to contact me using the details provided below. Please acknowledge that this notice has been received as a record of compliance.

Yours sincerely



Paul Nagra

Project Manager, A38 Derby Junctions scheme
Email: paul.nagra@highwaysengland.co.uk

Enc.

USB content list:

- Statutory Consultation Brochure and Response Form
- S48 notice
- S42 (a) Letter to Statutory Consultees
- S42 (b) Letters to Hosting Local and Neighbouring Local Authorities
- S42 (d) Letter to Cat 1 and 2 Consultees
- S42 (d) letter to Cat 3 Consultees
- Junction layout plans
- Red Line Boundary plans
- Preliminary Environmental Information Report (PEIR) and Non-Technical Summary of PEIR

A copy of this S46 Letter is also included in the USB for your records.



The Planning Inspectorate

National Infrastructure Planning
Temple Quay House
2 The Square
Bristol, BS1 6PN

Customer Services: 0303 444 5000
e-mail: A38DerbyJunctions@pins.gsi.gov.uk

Paul Nagra
Highways England, Floor 5
Two Colmore Square
38 Colmore Circus
Birmingham, B4 6BN

Your Ref:

Our Ref: TR010022

Date: 7 September 2018

Dear Mr Nagra

**Planning Act 2008 – Section 46 and The Infrastructure Planning
(Environmental Impact Assessment) Regulations 2017 – Regulation 8**

**Proposed application by Highways England for an Order Granting
Development Consent for the A38 Derby Junctions Scheme**

Acknowledgement of receipt of information concerning proposed application

Thank you for your letter of 5 September 2018 and the following documentation:

- Example covering letters, which include S42 Letters issued to Statutory Consultees, Local Authorities, Category 1 and 2 consultees and Category 3 consultees
- Section 48 Notice
- Consultation brochure and Response form
- Junction Layout Plans
- Red Line Boundary Plans
- Preliminary Environmental Information Report (PEIR), together with a Non-Technical Summary of the PEIR.

I acknowledge that you have notified the Planning Inspectorate of the proposed application for an order granting development consent for the purposes of section 46 of the PA2008 and supplied the information for consultation under section 42. The following reference number has been given to the proposed application, which I would be grateful if you would use in subsequent communications:

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I will be your point of contact for this application – my contact details are at the end of this letter.

The role of the Planning Inspectorate in the application process is to provide independent and impartial advice about the procedures involved and to have open

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discussions with potential applicants, statutory bodies and others about the processes and requirements of the new regime. It is important that you keep us accurately informed of your timetable and any changes that occur.

We will publish advice we give to you or other interested parties on our website and, if relevant, direct parties to you as the applicant. We are happy to meet at key milestones and/or provide advice as the case progresses through the pre-application stage.

Once you have prepared draft documents we are able to provide technical advice, in particular on the draft development consent order, explanatory memorandum, the consultation report and any draft HRA. You may therefore wish to build this into your timetables.

In the meantime, you may wish to have regard to the guidance and legislation material provided on our website including the Infrastructure Planning (Fees) Regulations 2010 (as amended) and associated guidance, which you will need to observe closely in establishing the correct fee to be submitted at the successive stages of the application process.

When seeking to meet your pre-application obligations you should also be aware of your obligation under the Data Protection Act 1998 to process personal data fairly and lawfully.

If you have any further queries, please do not hesitate to contact me.

Yours sincerely

Susannah Guest

Susannah Guest
Infrastructure Planning Lead

Major Applications and Plans

This communication does not constitute legal advice.
Please view our [Privacy Notice](#) before sending information to the Planning Inspectorate.

<https://infrastructure.planninginspectorate.gov.uk>

