

CORRECTION NOTICE**THE M5 JUNCTION 10 DEVELOPMENT CONSENT ORDER 2025 (S.I. 2025 No. 795)****SCHEDULE 4 TO THE PLANNING ACT 2008
CORRECTION OF ERRORS IN DEVELOPMENT CONSENT DECISION****29 October 2025**

The Secretary of State received requests dated 11 July 2025 from Gloucestershire County Council (“the Applicant”) and 15 July 2025 from National Highways Limited (“NH”) for the correction of errors and omissions in the M5 Junction 10 Development Consent Order 2025 (“the Order”), under paragraph 1(5)(a) of Schedule 4 to the Planning Act 2008 (“the Act”).

In accordance with paragraph 1(7) of Schedule 4 to the Act, on 18 July 2025, the Secretary of State notified each relevant local planning authority of the two requests for corrections.

The two requests have been considered, along with the observations upon them provided by the Applicant and NH following the Secretary of State’s letter of 18 July 2025, and a letter received in support of the Applicant’s request from Cheltenham Borough Council and Tewkesbury Borough Council dated 11 July 2025.

The Secretary of State has made the following decision on corrections to the Order. Unless otherwise stated, the corrections that have been made, or not made, relate to requests made by the Applicant:

Corrections to Articles**Article 11 - street works (11 (5))**

That the 42-day approval period for street works is amended to 28 days in line with what was agreed during Examination.

Secretary of State’s rationale: to correct a drafting error, which mistakenly did not reflect the Secretary of State’s agreement with the Examining Authority as to the appropriate period for approval.

Corrections to Schedules**Schedule 2 - detailed design (11 (3)(a))**

That the General Arrangement Plans are stated as being certified by the Secretary of State and not the relevant planning authority.

Secretary of State's rationale: to correct a typographical error.

Schedule 10 - documents to be certified (revision numbers)

That the Schedule 10 tables are revised to reflect that the Environmental Statement Glossary is revision 1 rather than revision 0.

Secretary of State's rationale: to correct a typographical error.

Requested corrections not made

Schedule 2 - approval authority

Article 2 defines the relevant planning authority as the planning authority for that area with the appropriate legislative competence under the Town and Country Planning Act 1990 - a definition applied to the approval regime for obligations under Schedule 2 (requirements). Both the Applicant, and NH submitted that this definition is a correctable error. The Applicant proposed corrections to refer exclusively to the Applicant as county planning authority, and NH suggested that it be reverted to the Secretary of State in line with the draft Order recommended by the Examining Authority. Both parties, for different reasons, consider that the definition inserted by the Secretary of State produces unintended outcomes, or that her reasoning for adopting that drafting was misconstrued.

Secretary of State's rationale: The Secretary of State has had regard to the correspondence from both parties proposing corrections, and the letters supporting the Applicant's proposal from the other authorities in the area. The Secretary of State does not consider the proposals regarding the definition constitute a correctable error within paragraph 1(3) of Schedule 4 to the Planning Act 2008. She considers that the drafting applied reflects her position as set out in the decision letter, notwithstanding that the Applicant and NH may disagree with it or consider it misconstrued. The Secretary of State considers that the proposals to vary the definition and associated drafting would be most appropriately addressed by a change application under Schedule 6 to the 2008 Act.

LEGAL CHALLENGES RELATING TO APPLICATIONS FOR DEVELOPMENT CONSENT ORDERS

Under section 118(4) of the Act, a decision under paragraph 1 of Schedule 4 to correct an error in an Order granting development consent can be challenged only by means of a claim for judicial review. A claim for judicial review must be made to the High Court during the period of 6 weeks beginning with the day after the day on which the Order making the correction is published. The M5 Junction 10 Development Consent Order 2025 (as made) is to be published on the Planning Inspectorate website at the following address:

[M5 Junction 10 Improvements Scheme - Project information](#)

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

These notes are provided for guidance only. A person who thinks they may have grounds for challenging the decision to make the Correction Order referred to in this notice is advised to seek legal advice before taking any action. If you require advice on the process for making any challenge you should contact the Administrative Court Office at the Royal Courts of Justice, Strand, London, WC2A 2LL (020 7947 6655).