

A46 Coventry Junctions (Walsgrave)

Scheme number: TR010066

5.2 Consultation Report Annexes

Annex H: Section 42 letters and consultation materials

APFP Regulations 5(2)(q)

Planning Act 2008

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

Volume 5

November 2024

Infrastructure Planning

Planning Act 2008

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

**A46 Coventry Junctions (Walsgrave)
Development Consent Order 202[x]**

CONSULTATION REPORT ANNEXES
Annex H: Section 42 letters and consultation materials

Regulation Number	Regulation 5(2)(q)
Planning Inspectorate Scheme Reference	TR010066
Application Document Reference	TR010066/APP/5.2
Author	A46 Coventry Junctions (Walsgrave) Project Team, National Highways

Version	Date	Status of Version
Rev 0	November 2024	Application Issue

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H1. Section 42 (1)(a) letter



Our ref: TR010066/S42(1)(a)/10 2023

A46 Coventry junctions (Walsgrave)
National Highways
2 Colmore Square
38 Colmore Circus
Birmingham
B4 6BN

0300 123 5000

24 October 2023

Dear

A46 Coventry junctions (Walsgrave)
STATUTORY CONSULTATION – 25 October to 6 December 2023
PLANNING ACT 2008 SECTION 42(1)(a): DUTY TO CONSULT ON A PROPOSED APPLICATION

I am writing to you regarding National Highways' proposed **A46 Coventry junctions (Walsgrave) scheme**, which would help to ease congestion and reduce queuing along the A46 corridor by providing a grade separated junction approximately 0.8km to the north of the existing roundabout location. The new junction will replace the existing roundabout.

The proposed scheme is identified as a Nationally Significant Infrastructure Project (NSIP) under the Planning Act 2008 (as amended) (the 2008 Act). This means we are required to make an application for a Development Consent Order (DCO) to get the consent we need to build the scheme. This application will be made to the Planning Inspectorate ('the Inspectorate') who will examine the application on behalf of the Secretary of State. We intend to make our application for a DCO in the **autumn of 2024**.

During the pre-application process, we must consult with a variety of persons and organisations about our proposed application in accordance with the requirements of the 2008 Act. Your organisation has been identified as a prescribed consultee for the purposes of Section 42(1)(a) of the 2008 Act and Regulation 3 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended).

This letter is notice of National Highways' pre-application statutory consultation from **Wednesday 25 October to Wednesday 6 December 2023**.

This statutory consultation is an opportunity for you to share your views on our proposals. We strongly encourage you to provide your views to us now through this statutory consultation. This will enable us to take your views into account in developing and refining our proposals before submitting our application to the Inspectorate.

As the project is an Environmental Impact Assessment (EIA) development, as defined by the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) we have prepared, and provided, a Preliminary Environmental Information Report (PEIR) to help you understand the likely effects of our proposals. Furthermore, an Environmental Statement will be submitted with the application.

To view the full suite of consultation documents listed below, as well as a fly-through video of the proposals, please visit the project website at <https://nationalhighways.co.uk/A46Coventry> from 25 October 2023. These are provided to help you understand the proposals and share your views with us:

- The consultation brochure;
- The consultation response form;
- The PEIR accompanied by a Non-Technical Summary; and
- Mapbook containing General Arrangements, Plan and Profile drawings and Land Use drawings of the scheme.

A copy of the Section 48 Notice is enclosed, which provides formal notification of the application (in accordance with Regulation 13 of the EIA Regulations). It also provides you with details of the availability of consultation materials in hard copy at deposit locations.

During the consultation period a series of public consultation events will be held where you can speak with the Project Team. These are detailed in the consultation brochure. This information can also be found online from **Wednesday 25 October 2023** at: <https://nationalhighways.co.uk/A46Coventry>.

The consultation brochure, as published on our website, details how you can comment on our proposals. Any responses to this consultation in respect of the scheme should be sent to the following:

- **Online:** <https://nationalhighways.co.uk/A46Coventry>
- **By email:** A46CoventryJcns@nationalhighways.co.uk
- **By post:** FREEPOST A46 WALSGRAVE SCHEME

To allow us time to collect and assess all responses to this consultation before finalising our application, please ensure your response reaches us by 11.59pm on **Wednesday 6 December 2023**.

Further information about the Planning Act process and Development Consent Orders can be found on the Inspectorate's National Infrastructure Planning website: <https://infrastructure.planninginspectorate.gov.uk/>.

Should you have any queries about this correspondence, the proposed scheme or the consultation, please do not hesitate to contact me using the details provided below.

Yours sincerely,

A black rectangular box redacting the signature of Emma Winter.

Emma Winter
National Highways Project Manager for A46 Coventry junctions (Walsgrave)
Email: A46CoventryJcns@nationalhighways.co.uk
Tel: 0300 123 5000

Enc.

- Section 48 notice

H2. Section 42 (1)(b) letter



Our ref: TR010066/S42(1)(b)/10 2023

A46 Coventry junctions (Walsgrave)
National Highways
2 Colmore Square
38 Colmore Circus
Birmingham
B4 6BN

0300 123 5000

24 October 2023

Dear

A46 Coventry junctions (Walsgrave)
STATUTORY CONSULTATION – 25 October to 6 December 2023
PLANNING ACT 2008 SECTION 42(1)(b): DUTY TO CONSULT ON A PROPOSED APPLICATION

I am writing to you regarding National Highways' proposed **A46 Coventry junctions (Walsgrave) scheme**, which would help to ease congestion and reduce queuing along the A46 corridor by providing a grade separated junction approximately 0.8km to the north of the existing roundabout location. The new junction will replace the existing roundabout.

The proposed scheme is identified as a Nationally Significant Infrastructure Project (NSIP) under the Planning Act 2008 (as amended) (the 2008 Act). This means we are required to make an application for a Development Consent Order (DCO) to get the consent we need to build the scheme. This application will be made to the Planning Inspectorate ('the Inspectorate') who will examine the application on behalf of the Secretary of State. We intend to make our application for a DCO in the **autumn of 2024**.

During the pre-application process, we must consult with a variety of persons and organisations about our proposed application in accordance with the requirements of the 2008 Act. Your organisation has been identified as a relevant local authority for the purposes of Section 42(1)(b) of the Planning Act 2008 and Regulation 3 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended).

This letter is notice of National Highways' **pre-application statutory consultation from Wednesday 25 October to 6 Wednesday December 2023**.

This statutory consultation is an opportunity for you to share your views on our proposals. We strongly encourage you to provide your views to us now through this statutory

consultation. This will enable us to take your views into account in developing and refining our proposals before submitting our application to the Inspectorate.

As the project is an Environmental Impact Assessment (EIA) development, as defined by the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) we have prepared, and provided, a Preliminary Environmental Information Report (PEIR) to help you understand the likely effects of our proposals.

To view the full suite of consultation documents listed below, as well as a fly-through video of the proposals, please visit the project website at <https://nationalhighways.co.uk/A46Coventry> from 25 October 2023. These are provided to help you understand the proposals and share your views with us:

- The consultation brochure;
- The consultation response form;
- The PEIR accompanied by a Non-Technical Summary;
- Mapbook containing General Arrangements, Plan and Profile drawings and Land Use drawings of the scheme.

A copy of the Section 48 Notice is enclosed, which provides formal notification of the application (in accordance with Regulation 13 of the EIA Regulations). It also provides you with details of the availability of consultation materials in hard copy at deposit locations.

During the consultation period a series of public consultation events will be held where you can speak with the Project Team. These are detailed in the consultation brochure. This information can be found online from **Wednesday 25 October 2023** at: <https://nationalhighways.co.uk/A46Coventry>.

The consultation brochure, as published on our website, details how you can comment on our proposals. Any responses to this consultation in respect of the scheme should be sent to the following:

- **Online:** <https://nationalhighways.co.uk/A46Coventry>
- **By email:** A46CoventryJcns@nationalhighways.co.uk
- **By post:** FREEPOST A46 WALSGRAVE SCHEME

To allow us time to collect and assess all responses to this consultation before finalising our application, please ensure your response reaches us by 11.59pm on **Wednesday 6 December 2023**.

Further information about the Planning Act process and Development Consent Orders can be found on the Inspectorate's National Infrastructure Planning website: <https://infrastructure.planninginspectorate.gov.uk/>

Should you have any queries about this correspondence, the proposed scheme or the consultation, please do not hesitate to contact me using the details provided below.

Yours faithfully,



Emma Winter
National Highways Project Manager for A46 Coventry Junctions (Walsgrave)
Email: A46CoventryJcns@nationalhighways.co.uk
Tel: 0300 123 5000

Enc.
Section 48 notice

H3. Section 42 (1)(d) category 1 and 2 letter



Our ref: TR010066/S42(1)(d)Cat1&2/10 2023

A46 Coventry junctions (Walsgrave)
National Highways
2 Colmore Square
38 Colmore Circus
Birmingham
B4 6BN

0300 123 5000

24 October 2023

Dear

**A46 COVENTRY JUNCTIONS (WALSGRAVE)
STATUTORY CONSULTATION – 25 OCTOBER to 6 DECEMBER 2023
PLANNING ACT 2008 SECTION 42(1)(d) and 44: DUTY TO CONSULT ON A
PROPOSED APPLICATION**

I am writing to you regarding the consultation on National Highway's proposed **A46 Coventry junctions (Walsgrave)** scheme, which would help to ease congestion and reduce queuing along the A46 corridor by providing a grade separated junction approximately 0.8km to the north of the existing roundabout location. The new junction will replace the existing roundabout.

We are now writing to you because we believe that you are:

- An owner, lessee, tenant or occupier of land or property affected by the proposed scheme; or
- You have an interest in the land; or have power to sell and convey the land, or to release the land.

The enclosed plans detail where your land or property is situated in relation to the proposed scheme.

To enable construction and ongoing operation of the scheme, we may need to seek legal powers to compulsorily acquire your land, or rights over land. We may also need to take temporary possession of your land. As part of our ongoing engagement with those affected by our scheme we have previously contacted you regarding the proposals, if this is not the case it may be because we have only recently identified your legal interest in the land.

In order to obtain powers of compulsory acquisition and to gain planning consent to build the scheme we are required to make an application for a Development Consent Order (DCO). The application will be made to the Planning Inspectorate ('the Inspectorate'), who will examine the application and make a recommendation to the Secretary of State, who will ultimately decide whether the application is granted permission and whether we are able to use compulsory acquisition powers. We intend to make our application for a DCO in the **autumn of 2024**.

Before submitting our application, we must consult people that have a legal interest in the land that will be compulsory acquired by the scheme. This letter is notice of National Highway's **pre-**

application statutory consultation from Wednesday 25 October to Wednesday 6 December 2023.

This statutory consultation is an opportunity for you to share your views on our proposals. We strongly encourage you to provide your views to us now through this statutory consultation. This will enable us to take your views into account in developing and refining our proposals before submitting our application to the Inspectorate.

We would like to use this consultation to understand the potential impacts that the scheme may have on your land or interest. We would also like to work with you to reduce any impacts as far as possible and we can do that more effectively if we fully understand how you use the land and how our scheme will affect that use. You may also wish to consider whether your interests in any surrounding land not acquired by the scheme will be affected. Please use the contact details below to give us your comments.

Please note that whilst you will be entitled to compensation if your land or interests are acquired, or if temporary possession is taken, this is not a matter upon which you can comment in this consultation. The amount of compensation due will be a matter to be determined at the time that land/rights are taken by National Highways and any disputes will be determined by the Lands Tribunal (Upper Chamber) and not by the Inspectorate. We are also interested in understanding whether we have captured the correct information about everyone who has an interest in land. Therefore, it would be very helpful if you either could confirm our Land Interest Plan(s) are accurate and complete, or update us on anything we have missed. Please use the Land Interest Questionnaire to reply to this matter.

As the project is Environmental Impact Assessment (EIA) development as defined by the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) we have prepared, and provided, a Preliminary Environmental Information Report (PEIR) to help you understand the likely effects of our proposals.

To view full suite of consultation documents listed below, please visit the project website at <https://nationalhighways.co.uk/A46Coventry>. These are provided to help you understand the proposals and share your views with us:

- The consultation brochure;
- The consultation response form;
- The PEIR accompanied by a Non-Technical Summary;
- Mapbook containing General Arrangements, Plan and Profile drawings and Land Use drawings of the scheme.

As you have an interest in the affected land, we are enclosing the following documents in hard copy to help you understand our proposals and share your views with us:

- Consultation brochure – providing you with details of the consultation materials available at deposit locations;
- Consultation response form;
- Land Plans – Plans showing what land in the area of the proposed scheme we believe you have an interest in, including that lying outside but adjacent to the red line boundary;
- Land Interest Schedule;

- A plan showing the extents of proposed scheme, which is called the “red line boundary plan”;
- Land Interest Questionnaire – You may have seen this previously as part of our land referencing exercise. If so, please still review and mark any changes; and
- Farm Data Collection and Assessment Form – An assessment needs to be made of how the Scheme may impact agriculture in the area. The information from this form will feed into the Environmental Assessment which will consider how the proposals will impact farming operations and farm businesses, both during construction and after the development has been completed. The project team will be in touch to organise a meeting to talk through the proposals and run through the form, and it would be really helpful if this can be completed and returned before the end of the statutory consultation period.

National Highways has produced the following guidance in relation to compulsory acquisition and compensation which can be viewed via the <https://nationalhighways.co.uk/A46Coventry>:

- Your property and National Highways road proposals
- Your property and discretionary purchase
- Your property and compulsory purchase
- Your property and blight

We would also like to invite you to meet with our Project Team for further discussion at one of the events listed below. Please let us know if you would like to discuss any specific issues.

To arrange an appointment with the Project Team or if none of these events are suitable, please contact us as detailed at the bottom of this letter.

Location:	Date:	Time:
Wyken Community Centre, Westmorland Road, Coventry, CV2 5PY	Saturday 4 November 2023	10am - 2pm
Warwickshire Shopping Park Community Centre, 1c Kynner Way, Binley, Coventry, CV3 2SB	Friday 17 November 2023	2pm – 8pm
Brinklow Community Hall, 43 Broad Street, Brinklow, Rugby, CV23 0LS	Thursday 30 November 2023	2pm – 8pm

During the consultation period a series of public consultation events will be held where you can speak with the Project Team, these are detailed in the enclosed consultation brochure. Copies of consultation documents will be made available at the deposit locations, for further details please see the enclosed consultation brochure or visit the scheme website details below. This information can also be found online from **Wednesday 25 October 2023** at:
<https://nationalhighways.co.uk/A46Coventry>

The enclosed consultation brochure details how you can comment on our proposals. Any responses to this consultation in respect of the scheme should be sent to the following:

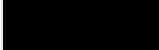
- **Online:** <https://nationalhighways.co.uk/A46Coventry>
- **By email:** A46CoventryJcns@nationalhighways.co.uk
- **By post:** FREEPOST A46 WALSGRAVE SCHEME

To allow us time to collect and assess all responses to this consultation before finalising our application, please ensure your response reaches us by 11.59pm on **Wednesday 6 December 2023**.

Further information about the Planning Act process and Development Consent Orders can be found on the Inspectorate's National Infrastructure Planning website:
<https://infrastructure.planninginspectorate.gov.uk/>

Should you have any queries about this correspondence, the proposals or the consultation, please do not hesitate to contact me using the details provided below.

Yours faithfully,



Emma Winter
Project Manager, A46 Coventry Junctions (Walsgrave)
Email: A46CoventryJcns@nationalhighways.co.uk
Tel: 0300 123 5000

Enc.

- Hardcopy of Consultation brochure
- Hardcopy of Consultation response form
- Hardcopy of Land Plans
- Hardcopy of Land Interest Schedule
- Hardcopy Red Line Boundary Plan
- Hardcopy of Land Interest Questionnaire
- Hardcopy of Farm Data Collection and Assessment Form

H4. Section 42(1)(d) category 3 letter



Our ref: TR010066/S42(1)(d)Cat3/10 2023

A46 Coventry junctions (Walsgrave)
National Highways
2 Colmore Square
38 Colmore Circus
Birmingham
B4 6BN

****Address****

0300 123 5000

09 November 2023

Dear Owner and Occupier,

**A46 COVENTRY JUNCTIONS (WALSgrave)
STATUTORY CONSULTATION – 25 OCTOBER AND 22 DECEMBER (CATEGORY 3
LAND INTERESTS)
PLANNING ACT 2008 SECTION 42(1)(d) and 44: DUTY TO CONSULT ON A
PROPOSED APPLICATION**

I am writing to you regarding the consultation on National Highway's proposed A46 Coventry junctions (Walsgrave) scheme, which would help to ease congestion and reduce queuing along the A46 corridor by providing a grade separated junction approximately 0.8km to the north of the existing roundabout location. The new junction will replace the existing roundabout.

We are writing to you because we believe that you might be entitled to make a relevant claim for compensation due to the effects of construction or when the new or altered road is in use. If your property or business has been adversely affected by the construction works carried out for the scheme you may be able to claim compensation under section 152 of the Planning Act 2008 or under section 10 of the Compulsory Purchase Act 1965. Or, under Part I of the Land Compensation Act 1973 compensation can be claimed by people who own and occupy property that has been reduced in value by physical factors caused by the use of a new or altered road. Physical factors are noise, vibration, smell, fumes, smoke, artificial lighting and the discharge on to the property of any solid or liquid substance.

Being consulted under this category does not confirm entitlement to a future claim. Entitlement to compensation is assessed by our professional valuers at the time that a claim is made. We recommend that you take professional advice before making a claim.

The proposed scheme is identified as a Nationally Significant Infrastructure Project (NSIP) under the Planning Act 2008 ("the 2008 Act"). This means we are required to make an application for a Development Consent Order (DCO) to get the consent we need to build the scheme. This application will be made to the Planning Inspectorate ("the Inspectorate") who will examine the application on behalf of the Secretary of State, to get permission to construct and operate the scheme. We intend to make our application for a DCO in the autumn of 2024.

This letter is notice of National Highway's statutory consultation from 25 OCTOBER to 6 DECEMBER. **However, we have recently identified you as a Category 3 stakeholder under**

Registered office Bridge House, 1 Walnut Tree Close, Guildford GU1 4LZ
National Highways Company Limited registered in England and Wales number 09346363





Section 42(1)(d), we have therefore extended the deadline for your comments until 23:59pm FRIDAY 22 DECEMBER.

This statutory consultation is an opportunity for you to share your views on our proposals. We strongly encourage you to provide your views to us now through this statutory consultation. This will enable us to take your views into account in developing and refining our proposals before submitting our application to the Inspectorate. You may have already responded to this consultation, but we would accept any further comments following your review of this letter.

As the project is Environmental Impact Assessment (EIA) development as defined by the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) we have prepared, and provided, a Preliminary Environmental Information Report (PEIR) to help you understand the likely effects of our proposals.

To view the full suite of consultation documents listed below, please visit the project website at <https://nationalhighways.co.uk/A46Coventry>. These are provided to help you understand the proposals and share your views with us:

- The consultation brochure – providing details of consultation materials available at deposit locations;
- The consultation response form;
- The PEIR accompanied by a Non-Technical Summary; and
- Mapbook containing General Arrangements, Plan and Profile drawings and Land Use drawings of the scheme.

As you may be entitled to make a relevant claim, we are enclosing the following documents in hard copy to help you understand our proposals and share your views with us:

- Consultation brochure; and
- Consultation response form.

National Highways has produced the following guidance in relation to compensation which can be viewed via <https://nationalhighways.co.uk/A46Coventry>:

- Your property and National Highways road proposals
- Your property and discretionary purchase
- Your property and Part I compensation

We would also like to invite you to meet with our Project Team for further discussion at one of the events listed below. Please let us know if you would like to discuss any specific issues.

To arrange an appointment with the team or if none of these events are suitable, please contact us as detailed at the bottom of this letter.

Location:	Date:	Time:
Warwickshire Shopping Park Community Centre, 1c Kynner Way, Binley, Coventry, CV3 2SB	Friday 17 November 2023	2pm – 8pm



Location:	Date:	Time:
Brinklow Community Hall, 43 Broad Street, Brinklow, Rugby, CV23 0LS	Thursday 30 November 2023	2pm – 8pm

Hard copies of consultation documents will be made available at the deposit locations until the 6 December, for further details please see the enclosed consultation brochure or visit the scheme website details below. This information can also be found online at:

<https://nationalhighways.co.uk/A46Coventry>

The enclosed consultation brochure details how you can comment on our proposals. Any responses to this consultation in respect of the scheme should be sent to the following:

- **Online:** <https://nationalhighways.co.uk/A46Coventry>
- **By email:** A46CoventryJcns@nationalhighways.co.uk
- **By post:** FREEPOST A46 WALSGRAVE SCHEME

To allow us time to collect and assess all responses to this consultation before finalising our application, please ensure your response reaches us by 11.59pm on **Friday 22 December 2023**.

Further information about the 2008 Act process and Development Consent Orders can be found on the Inspectorate's National Infrastructure Planning website:

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

Should you have any queries about this correspondence, the proposed scheme or the consultation, please do not hesitate to contact me using the details provided below.

Yours faithfully,



Emma Winter
Project Manager, A46 Coventry Junctions (Walsgrave)
Email: A46CoventryJcns@nationalhighways.co.uk
Tel: 0300 123 5000

Enc.

- Hardcopy of Consultation brochure
- Hardcopy of Consultation response form
- FREEPOST envelope

Equitable Interests

Rights in or over land which fail to qualify as legal rights take effect as equitable interest therefore estates, interests, and charges in or over land which are not legal estates are referred to as equitable interests. Examples of such interest include:

- a) Option to purchase (The right to buy a property at a given price within a specific period of time).
- b) Contract to purchase (A contract the buyer initiates which details the purchase price and conditions of the transaction and is accepted by the seller. Also known as an agreement for sale).
- c) Beneficiary of a trust (A trust is a relationship whereby a party called a trustee holds property, either real or personal, for the benefit of other parties or persons, or for some purpose permitted by law).
- d) Wherever the legal owner(s) of property can be compelled to hold that property for the benefit of the equitable owner(s). Where groups of individuals are concerned, a person may be both a legal and an equitable owner. For example, a man may own a house and hold it for the benefit of himself and his wife (or a wife for her husband).
- e) Legal rights in a property that do not include the right to sell its legal title. This may apply to a mortgage lender.

Question 16

If you hold a joint interest in common, please provide details of all other parties.

Question 18

- a) Sometimes it is necessary to make further enquiries as a result of new information or changes to the plans for the scheme. Please provide the name and telephone number of the individual(s) whom we should contact.
- b) If a third party (a solicitor, for example) has been instructed to complete this questionnaire on behalf of the person with an interest in the property, please supply written confirmation of that fact.

**** Please return the completed questionnaire, in the PREPAID envelope provided ****