

CORRECTION NOTICE

THE A46 COVENTRY JUNCTIONS (WALSGRAVE) DEVELOPMENT CONSENT ORDER 2026 (S.I. 2026 No. 537)

SCHEDULE 4 TO THE PLANNING ACT 2008 CORRECTION OF ERRORS IN DEVELOPMENT CONSENT DECISIONS

22 May 2026

The Secretary of State received a request dated 18 March 2026 (“the request”) from National Highways (“the Applicant”) for the correction of errors and omissions in the A46 Coventry Junctions (Walsgrave) Development Consent Order 2026 (“the Order”), under paragraph 1(5)(a) of Schedule 4 to the Planning Act 2008 (“the Act”).

Prior to her consideration of this request, the Secretary of State identified a technical publishing error in relation to the original Statutory Instrument document, which required its republication under a new number. This only related to the manner of publication and does not affect the validity of the Order, nor the approved development.

In accordance with paragraph 1(7) of Schedule 4 to the Act, on 26 March 2026, the Secretary of State notified each relevant local planning authority of the request for corrections. Warwickshire County Council were also notified.

The request has been considered, along with the observations upon it received from Rugby Borough Council, and the Secretary of State has made the following decision on corrections to the Order.

Corrections to articles

Article 2 (interpretation)

In paragraph (1) omit the definition of “the 2017 Regulations”

Secretary of State’s rationale: to remove a redundant reference.

In paragraph (1), within the definition of “classification of roads plans”, for “Schedule 11” substitute “Schedule 10”

Secretary of State’s rationale: to amend a cross-referencing error.

Article 7 (limits of deviation)

In paragraph (3), for “paragraph (1)”, substitute “paragraph (2)”

Secretary of State’s rationale: to amend a cross-referencing error.

Article 10 (application of the 1991 Act)

In paragraph (1)(b) after “the powers conferred by sections 64(a) (dual carriageways and roundabouts)” insert “and”

Secretary of State’s rationale: to amend a typographical error.

Article 11 (street works)

In paragraph (2) after “for the purposes of” omit “the sections of”

Secretary of State’s rationale: to amend a typographical error.

Article 17 (permanent stopping up of streets and private means of access)

In paragraph (1) for “Schedule 3 (permanent stopping up of streets and private means of access” substitute “Schedule 3 (permanent stopping up of highways and private means of access & provision of new highways and private means of access)”

Secretary of State’s rationale: to amend a typographical error.

Article 18 (classification of roads and speed limits, etc.)

In paragraph (3) replace “developed” with “development”

Secretary of State’s rationale: to amend a typographical error.

In paragraph (6) after “...falling within regulation 3(4” insert “)”

Secretary of State’s rationale: to amend a typographical error.

Article 23 (authority to survey and investigate the land)

In paragraph (1) after “any land shown within the Order Limits” insert “and, where reasonably necessary, any land which is adjacent to, but outside the Order limits,”

Secretary of State’s rationale: The Secretary of State considered the Applicant’s wording in the original Order too imprecise and removed the words “may be affected”. However, the removal of those words was not intended to limit the power only to land within the Order limits. The wording, in the form proposed by the Applicant, was omitted in error and the Secretary of State agrees that this omission should be corrected, using the Applicant’s proposed wording, which is consistent with the approach the Secretary of State has taken in other recent Orders.

Rugby Borough Council, in responding to the Secretary of State's notification of 26 March 2026, considered that the Applicant's proposed wording remained too imprecise, and that because areas of the Order limits are adjacent to the Coombe Pool Site of Special Scientific Interest ("SSSI") and the Coombe Abbey Registered Park and Gardens ("RPG"), additional wording may be appropriate to carve those areas out from the powers afforded to the Applicant by article 23(1).

Having considered their comments, the Secretary of State remains satisfied that the Applicant's proposed wording is the appropriate correction to the omission outlined above. She does not agree that it remains too imprecise, noting that this drafting has been applied in other Orders. She acknowledges the Council's concerns about the impact of the exercise of the article on those sites. However, it was not part of her decision to qualify the power to survey and investigate the land in the suggested manner. Therefore, any extent to which the Order does not do so does not constitute a correctable error capable of redress by way of an order under Schedule 4 of the Planning Act 2008. Notwithstanding this, in relation to SSSIs more broadly, she notes that the statutory regime to protect such sites continues to apply irrespective of the Order and anything found in this article.

Article 29 (compulsory acquisition of rights and imposition of restrictive covenants)

In paragraph (2), for "Schedule 6 (land in only which new rights etc. may be acquired)" substitute "Schedule 6 (land in which only new rights etc. may be acquired)"

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

Article 35 (application of the 1981 Act)

In paragraph (9) after "But see article 36(3)" insert "(

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

Article 39 (temporary use of land for maintaining the authorised development)

In paragraph (9) for "paragraph (6)" substitute "paragraph (8)"

Secretary of State's rationale: to amend a cross-referencing error.

Article 42 (apparatus and rights of statutory undertakers in stopped up streets)

In paragraph (1), for "(permanent stopping up of streets)" substitute "(permanent stopping up of streets and private means of access)"

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

Article 43 (recovery of costs of new connections)

In paragraph (2) for “article 39 (temporary use of land for maintaining the authorised development)” substitute “article 41 (statutory undertakers)”

Secretary of State’s rationale: to amend a cross-referencing error.

Article 45 (existing powers and duties of the undertaker)

For “the 2000 Act” substitute “the 2008 Act”

Secretary of State’s rationale: to amend a typographical error.

Article 47 (operational land for purposes of the Town and Country Planning Act 1990)

After “(cases in which land is to be treated as” insert “not”

Secretary of State’s rationale: to amend a typographical error.

Correction to Schedules

Schedule 1 (authorised development)

In Schedule 1 In the administrative areas of Coventry City Council and Rugby Borough Council, in (a) (i) after “2I” insert “, 3B”

Secretary of State’s rationale: to amend a typographical error.

In Schedule 1 In the administrative areas of Coventry City Council and Rugby Borough Council, in (a) (ii), after “1C” insert “,”

Secretary of State’s rationale: to amend a typographical error.

In Schedule 1 Work No. 1A(b), for “access plan” substitute “access plans”

Secretary of State’s rationale: to amend a typographical error.

In Schedule 1 Work Nos. 1A(c) and 2A(b), for “traffic regulations plans” substitute “traffic regulation plans”

Secretary of State’s rationale: to amend typographical errors.

In Schedule 1, Work No. 2I, for “Works Plans” substitute “works plans”

Secretary of State’s rationale: to amend a typographical error.

Schedule 2 (requirements), Part 1 (requirements)

In sub-paragraph 4(2) after “must include the following management plans and method statements” omit “and method statements”

Secretary of State’s rationale: to amend a typographical error.

In paragraph 12 after “must be constructed and installed in accordance with” insert “the”

Secretary of State’s rationale: to amend a typographical error.

In paragraph 12 for ““by or on behalf for”” substitute “by or on behalf of”

Secretary of State’s rationale: to amend a typographical error.

In sub-paragraph 13(1) for “county planning officer” substitute “relevant lead local flood authority”

Secretary of State’s rationale: to amend a typographical error. The scheme will be carried out within both Coventry City Council and Warwickshire County Council administrative areas, and so the appropriate contact will be the relevant lead local flood authority.

In sub-paragraph 13(3) for “article” substitute “paragraph”

Secretary of State’s rationale: to amend a typographical error.

In sub-paragraph 13(3) for “of that description listed” substitute “described as “Environmental statement Appendix 13.1”

Secretary of State’s rationale: to amend a cross-referencing error.

In sub-paragraph 14(1) for “Pre-Commencement Plan” substitute “pre-commencement plan”

Secretary of State’s rationale: to amend a typographical error.

Schedule 2 (requirements), Part 2 (procedure for discharge of requirements)

In sub-paragraph 17(3) for “21 day business period” substitute “21 business day period”

Secretary of State’s rationale: to amend a typographical error.

In sub-paragraph 17(4) for “part only” substitute “only part”

Secretary of State’s rationale: to amend a typographical error.

Inserted Schedule 2A

In sub-paragraph 1(2) after “A46 Coventry Junctions (Walsgrave)...” omit “Junction”

Secretary of State’s rationale: to amend a typographical error.

Schedule 5 (hedgerows and trees), Part 1 (removal of hedgerows)

In column (1) of the rows relating to references nos. H3-H7, H13, H16 and H17 for “tree” substitute “trees”

Secretary of State’s rationale: to amend a typographical error. The hedgerow and trees plans are defined in Schedule 10.

Schedule 7 (modification of compensation and compulsory purchase enactments for creation of new rights and imposition of restrictive covenants)

In paragraph 4 after “(modification of Part 1 of the 1965 Act)” omit “)”

Secretary of State’s rationale: to amend a typographical error.

In sub-paragraph 5(2) for “1964” substitute “1965”

Secretary of State’s rationale: to amend a typographical error.

In sub-paragraph 5(2)(a) after “or the restrictive covenant imposed” insert “, or”

Secretary of State’s rationale: to amend a typographical error.

Schedule 8 (land of which temporary possession only may be taken)

In the section titled Land plans – Sheet 2 and 2A of 5, in column (2) of the row relating to 2/3f, for “Hungerly” substitute “Hungerley”

Secretary of State’s rationale: to amend a typographical error.

Schedule 9 (protective provisions), Part 1 (for the protection of electricity, gas, water and sewage undertakers)

In sub-paragraph 2(d)(ii) after “sewage disposal works at future date)” insert a space

Secretary of State’s rationale: to amend a typographical error.

Proposed corrections not made under this request

Contents

For Schedule 4, Part 3, replace “FOOTWAY” with “FOOTWAYS”

Secretary of State’s rationale: Whilst the Secretary of State accepts this typographical error, the table of contents is not an operable part of the document which records the decision. Its correction does not constitute a correctable error within the meaning of Schedule 4 of the Act. Notwithstanding this, the Secretary of State arranged for this error to be corrected on republishing of the Order.

Schedule 4 (classification of roads, etc.), Part 3 (footway)

In the title of Part 3, replace “FOOTWAY” with “FOOTWAYS

Secretary of State’s rationale: Whilst the Secretary of State accepts this typographical error, this heading title is not an operable part of the document which records the decision. Its correction does not constitute a correctable error within the meaning of Schedule 4 of the Act. Notwithstanding this, the Secretary of State arranged for this error to be corrected on republishing of the Order.

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 A46 Coventry Junctions (Walsgrave) Development Consent (Correction) Order 2026 is to be published on the Planning Inspectorate website at the following address:

<https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/TR010066>

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).