

APPENDIX 13: SECTION 42 CONSULTATIONS - GLA CONSULTEE LETTER

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Highways Agency
The Cube
199 Wharfside Street
Birmingham
B1 1RN

10 November 2014

Dear Sir/Madam

M4 Junctions 3 to 12 Smart Motorway Scheme
Statutory pre-application consultation until 21 December 2014
Planning Act 2008 Section 42: Duty to consult on a proposed application

I am writing regarding the M4 junctions 3 to 12 smart motorway scheme (the "Scheme"). The Scheme would improve the M4 between junction 3 (Hayes) and junction 12 (Theale), by making it a smart motorway.

Smart motorways use the latest technology to improve journeys by sensing traffic flow, and setting speed limits accordingly, to keep traffic moving smoothly. Smart motorways deliver cost effective benefits, when compared to traditional motorway widening, with less environmental impact during construction.

The Scheme involves permanently converting the hard-shoulder into a traffic lane (referred to as All Lane Running), and using technology to vary speed limits and manage traffic, creating much needed extra capacity to support economic growth. Signs and signals will be used to inform drivers of conditions on the highway network, when and where variable mandatory speed limits are in place, and when lanes are closed. There are a number of hard shoulder discontinuities on the M4 between junction 4 and junction 8/9, where existing bridges over or under the M4 limit the available carriageway width. It is proposed that these bridges are widened, or demolished and rebuilt, in order to enable All Lane Running along the Scheme. The aims of the Scheme include: relieving congestion and smoothing the flow of traffic; and improving journey times and journey time reliability.

The Highways Agency (the "Agency") is seeking development consent for the Scheme under the Planning Act 2008 (the "2008 Act"). This legislation requires the Agency to make an application to the Secretary of State for Transport for a Development Consent Order ("DCO") to construct the proposed scheme. The Agency intends to make the application for development consent in early 2015.

The Agency is now commencing formal pre-application consultation about the Scheme, in accordance with section 42 of the 2008 Act, until 21 December 2014. The Agency is



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writing to you because you are a statutory consultee under section 42 of the 2008 Act and Regulation 3 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009. We are also required to provide you with a copy of the preliminary environmental information ("PEI") in accordance with Regulation 11 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009.

In accordance with the 2008 Act, and the above Regulations, please find enclosed with this letter:

1. A formal notice of the Agency's proposed application under section 42 of the 2008 Act;
2. A copy of the notice published under s.48(1) of the 2008 Act; and
3. A copy of the PEI, in the form of a PEI Report, together with a Non-Technical Summary, on the enclosed DVD.

The main components of the Scheme are set out in the enclosed notice, and in the PEI Report. Please note that, as set out in the enclosed notice, responses to this consultation must be received by the Agency by 23:59 on Sunday 21 December 2014.

Further consultation materials including a questionnaire, Planning Act 2008 Factsheet, flyer giving details of exhibitions, plans of the Scheme and a consultation brochure can be found on the project webpage at www.highways.gov.uk/roads/road-projects/M4-Junctions-3-12. A CD or paper copies of the Scheme summary leaflet, Section 48 Notice, Planning Act fact sheet and a questionnaire will be supplied free of charge. The consultation materials will also be available at deposit locations along the route of the proposed scheme. Details of the deposit locations can be found in the enclosed notice, and on the project webpage at the above address.

Any responses to this consultation or other representations in respect of the Scheme should be sent by post to Highways Agency, M4 J3-J12 Smart Motorway Team, Major Projects, The Cube, 199 Wharfside Street, Birmingham, B1 1RN or by email to M4J3to12SmartMotorway@highways.gsi.gov.uk.

Any response or representation in respect of the proposed Application MUST (i) be received by the Applicant on or before 23:59 hours on Sunday 21 December 2014, (ii) be made in writing, (iii) state the grounds of the response or representation, (iv) indicate who is making the response or representation, and (v) give an address to which correspondence relating to the response or representation may be sent.

Yours faithfully

[Redacted signature]

Lynne Stinson
Project Manager
MP Smart Motorways Programme
Email: [Redacted email address]



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Section 42 of the Planning Act 2008

Regulation 11 Infrastructure Planning (Environmental Impact Assessment) Regulations 2009

NOTICE OF A PROPOSED APPLICATION FOR A DEVELOPMENT CONSENT ORDER

TO:

Notice is hereby given to you that the SECRETARY OF STATE FOR TRANSPORT (the "Applicant") of The Department for Transport, Great Minster House, 33 Horseferry Road, London, SW1P 4DR, proposes to apply under section 37 of the Planning Act 2008 for a development consent order (the "Application").

The Applicant has commenced pre-application consultation under section 42 of the Planning Act 2008. You are being served with this notice, the preliminary environmental information, and other information, enclosed with this notice because you are a statutory consultee within Section 42(1)(c) of the Planning Act 2008, and in accordance with Regulation 11 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009.

The proposed Application relates to improvements to the M4 Motorway between Junctions 3 and 12 to upgrade it to a smart motorway. The length of the project is approximately 52 kilometres and is situated in the London Boroughs of Hounslow and Hillingdon, Counties of West Berkshire, Buckinghamshire and South Buckinghamshire, the Royal Borough of Windsor and Maidenhead and the Boroughs of Bracknell, Wokingham, Slough and Reading. The project is a Nationally Significant Infrastructure Project under section 14 of the Planning Act 2008.

The proposed development consent order will authorise improvements and alterations to the highway comprising the M4 Motorway and other development including:

1. conversion of the hard shoulder to a running lane ("all lane running");
2. widening or demolition and rebuilding of existing overbridges, underbridges, subways and culverts;
3. widening and realignment of the M4 Motorway and side roads;
4. installation and removal of signs and/or gantries with associated cabinets and cabling;
5. installation of above ground traffic detection radar units and closed circuit television cameras;
6. construction of Emergency Refuge Areas ("ERAs");
7. the compulsory acquisition of land including rights in or over land required for the purposes of the project, or to facilitate or incidental to the project;
8. imposition of variable speed limits and other traffic management and control measures; and
9. development including plant, equipment and buildings comprised in the project including:

- 9.1 construction sites, lay-down areas, working areas and temporary works and structures;
- 9.2 site access, internal site roads and vehicle parking;
- 9.3 landscaping and replacement planting;
- 9.4 foul drainage provision and surface water management systems;
- 9.5 permanent and/or temporary changes to the highway network for the project and other access facilities;
- 9.6 the application and/or disapplication of legislation relevant to the project including inter alia legislation relating to the compulsory acquisition of land and traffic management; and
- 9.7 such ancillary, incidental and consequential provisions, permits or consents as are necessary and/or convenient.

The project is an environmental impact assessment development. Accordingly, the Applicant has made preliminary environmental information available in the form of the enclosed Preliminary Environmental Information ("PEI") Report. A Non-Technical Summary ("NTS") of the PEI Report has also been prepared.

A copy of the PEI Report and NTS may also be inspected free of charge at the following locations during normal opening hours:

West Drayton: West Drayton Library, Station Road, West Drayton UB7 7JS

Slough: Slough Library, 85 High Street, Slough, SL1 1EA

Theale: Theale Library, Church Street, Theale, Reading, West Berkshire, RG7 5BZ

Windsor and Maidenhead: Windsor and Maidenhead Council, Town Hall, St Ives Road, Maidenhead, SL6 1RF

Wokingham: Wokingham Library, Denmark Street, Wokingham, Berkshire, RG40 2BB

Windsor: Windsor Library, Bachelors Acre, Windsor, SL4 1ER

Binfield: Binfield Library, Benetfeld Road, Binfield, Bracknell, RG42 4JZ

Burnham: Burnham Library, Windsor Lane, Burnham, Buckinghamshire, SL1 7HR

Cippenham: Cippenham Library, Elmshott Lane, Cippenham, Slough, SL1 5RB

Datchet: Datchet Library, Montagu House, 8 Horton Road, Datchet, Slough, SL3 9ER

Eton Wick: Eton Wick Library, Village Hall, Eton Wick, Slough, SL4 6LT

Whitley: Whitley Library, 205 Northumberland Avenue, Reading RG2 7PX

Cranford: Cranford Library, Bath Road, Hounslow, Greater London, TW5 9TL

Denham: Denham Parish Council, Village Road, Denham UB9 5BN

Chalvey: Chalvey Community Centre, The Green, Chalvey SL1 2SP

The PEI Report and the NTS will be on display at the above locations and times and available for inspection until at least Sunday 21 December 2014. Copies of documents and further details about the project can also be found on the Applicant's website www.higways.gov.uk/roads/road-projects/M4-Junctions-3-12.

Further copies of documents may also be obtained by calling 0121 678 8350 or emailing M4J3to12SmartMotorway@highways.gsi.gov.uk. A CD or paper copies of the scheme summary leaflet, Section 48 Notice, Planning Act fact sheet, questionnaire and Statement of Community Consultation will be supplied free of charge. If requested, a DVD containing the PEI Report, which has been prepared for the Scheme, can be supplied.

Any responses to this consultation or other representations in respect of the project should be sent by post to Highways Agency, M4 J3-J12 Smart Motorway Team, Major Projects, The Cube, 199 Wharfside Street, Birmingham, B1 1RN or by email to M4J3to12SmartMotorway@highways.gsi.gov.uk.

Any response or representation in respect of the proposed Application MUST (i) be received by the Applicant on or before 23:59 hours on Sunday 21 December 2014, (ii) be made in writing, (iii) state the grounds of the response or representation, (iv) indicate who is making the response or representation, and (v) give an address to which correspondence relating to the response or representation may be sent.

Responses and other representations may be made public.

Highways Agency

10 November 2014