Section 0.3.7 – Both planning applications (EXTRA MSA and Agapanthus MSA) remain underdetermined currently for the following reasons: –

- EXTRA MSA – Request for an amendment to the Transport Assessment. Revising the DCO scheme and the Extra MSA proposal given that this is a material consideration for the Extra MSA application.

- Agapanthus MSA – There are a number of technical issues relating to the highway design and structural engineers that the applicant’s remit in discussion with Highways England. 

The latest letter dated 14th May 2019 from Highways England (copy attached) indicates the following additional information: 

- C. Consideration of options for strengthening or replacement of the North Bridge of MSA junction 7 which require modification to be capable of supporting the extra load of traffic over the bridge deck. Highways England need to be assured that the proposed works to the bridge structure are both technically suitable and capable of practical delivery without causing further disruption of the MSA during construction.

A. A number of further technical drawings are also required to be submitted by the applicant alongside issuance of Approvals in Principle for consideration of how the scheme will affect a number of existing Departures from Standards for Highways England. Highways England have advised that these forms a necessary part of the agreement of the Planning Design of the scheme.

B. On satisfactory completion of these outstanding matters of engineering design the scheme will then be subject to an Independent Safety Audit (ISA) and safety Risk Assessment (SRA).

The Council has advised both applicants that the applications need to be determined simultaneously to enable a proper comparative exercise to be undertaken. No date has been currently set for both applications to be considered by the Council’s Planning Committee.

Section 0.3.5 of the 2019 version of the Extra MSA proposal states that north facing slip roads were removed from the proposed new junction 5a as it was considered the junction in its current form would provide improved safety and operational issues. 

- In the light of the 2019 version of the Extra MSA proposal, it is argued that although the new junction 5a is not indicated within the new junction 5a and the council’s current planning strategy, it will result in a number of new safety and operational issues being introduced into the existing network. 

Audit and Review - electricity supply, computerised traffic analysis etc. 

- The council acknowledges that 90% of traffic on the new junction 5a will be pedestrian access led and the council’s current planning strategy, it will result in a number of new safety and operational issues being introduced into the existing network. 

0.3.5.4 Clearly, the statements at paragraph 4.3.5 and 3.13 concern against each other. The 2019 version of the Extra MSA proposal states that north facing slip roads are removed from the proposed new junction 5a as it was considered the junction in its current form would provide improved safety and operational issues. 

Highways England continue to engage with EXTRA MSA.

The sitting of the decision of the 2019 version of the Extra MSA proposal are broadly in the same location. Ultimately, the MSA would share the decision with the council on the M25 with amendments. The details submitted with MSA planning application to which I design changes would be required to be the MSA scheme into the DCO proposal including the northbound and southbound slip roads.

Highways England in reaction to the EXTRA MSA proposal have identified four departures for standard from high priority. These are:

- Southbound worsening length between junction 5a and the M25 (MSA);
- Northbound worsening length between the M25 and junction 6; 
- Northbound worsening length between the MSA and junction 6; 
- MSA-northbound changing slip road Site Stopping Distance (SDD) 

The Council in determining the MSA application would need to identify and quantify the harm that is caused by these departures to standards in highway safety terms and balance them against the very special circumstances case advanced.

Section 4.1.3.5 of the 2019 version of the Extra MSA proposal states that north facing slip roads were removed from the proposed new junction 5a as it was considered the junction in its current form would provide improved safety and operational issues. 

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The Council in determining the MSA application would need to identify and quantify the harm that is caused by these departures to standards in highway safety terms and balance them against the very special circumstances case advanced.
1.1.6 Anti-competitive Methodology: Table 3.5 of the ES presents a high asset value to Grade 1 and Grade II* listed buildings as well as to conservation areas containing very important buildings. Conservation areas with important buildings are categorised as having a medium asset value. On this basis, the Applicant, Lin and Dee are asked whether there is a contradiction between the heritage heritage value afforded to both landscapes in Addington Conservation Area and Bickenhill Conservation Area, resulting in the former containing one Grade I listed building and two Grade II* listed buildings, whilst the latter contains one Grade II listed building. If so, how would this affect the significance of effects for both of these heritage assets?

We refer to the attached report from Conservation Officer for advice.

1.1.7 Addington Conservation Area

Is there a discrepancy between the moderate adverse construction impacts on Bickenhill Conservation Area as set out in Table 7.3 with the large adverse construction effects predicted for Linport (set out in Table 5.5) and large adverse effects on landscape Character Area 2 (LCA2) set out in paragraph 8.6 (ii) of the ES?

We refer to the attached report from Conservation Officer for advice.

1.1.8 Bickenhill Conservation Area

Similarly, could the Applicant explain any perceived inconsistencies between the prediction of a neutral significance operational effect on Bickenhill Conservation Area as set out in Table 7.8 with the large adverse effects on visual amenity predicted for Linport in Table 7.6, both in year one and year 15 as well as the large adverse effect predicted for LCA2 in year 195, relating to the moderate adverse in year 18?

We refer to the attached report from Conservation Officer for advice.

1.1.9 Addington Conservation Area

Given that the scheme would result in the loss of several historic fabric remnants of medieval origins, and the partial loss of medieval and post-medieval landscape as well as ancient woodland, could the Applicant provide further justification to the conclusion within the ES of a right adverse effect on the historic landscape during the construction phase?

We refer to the attached report from Conservation Officer for advice.

1.1.10 Paragraph 7.6 – 7.8 of the ES states that the scheme has been designed, as far as possible, to avoid and minimise impacts and effects on cultural heritage through the process of design development, and by embedding measures into the design of the Scheme. A number of standard measures have been identified, which would be implemented by the contractor to reduce the impacts and effects that construction of the Scheme would have on cultural heritage remains. No compensation or enhancement measures have been identified as being required. The Applicant (Lin) and LK are requested to comment further on this position, having regard to paragraph 5.17 of the NNRAs, which states that applicants should look for opportunities for new development within the setting of heritage assets to enhance or better reveal their significance.

We refer to the attached report from Conservation Officer for advice.

1.1.11 Are there any surface highway works that would be beneficial to promote or enhance a new character of the heritage landscape?

We have asked Highways England to provide a response to this question which we will then review and make a response to the Inspector.

1.1.11.1 No additional advice on infrastructure was considered.

We refer to the attached report from Conservation Officer for advice.

1.1.12 How many additional jobs in order are recommended within the traffic modelling?

We refer to the attached report from Conservation Officer for advice.

1.1.13 What are the views of SULH/AMC in relation to Q. 1.11.2

We refer to the attached report from Conservation Officer for advice.

1.1.14 The external forecasts for growth at Birmingham Airport are published from DfT, UK Aviation Forecasts, January 2013 (Constrained Central Forecast, and CAA Passenger Survey Report, 2011) (APPL 179, 3.11). These documents are not necessarily living in the truth and although they suggest some 12.2m and 17.2m passengers by 2040 under scenario A and B, respectively, more recent forecasts (DfT, UK Aviation Forecasts, 2017) indicate higher figures. 18m already (2015), 30m in 2028 and 70m in 2048 albeit that airport expansions elsewhere could reduce numbers a bit.

We refer to the attached report from Conservation Officer for advice.

1.1.15 In the traffic modelling based on a reanalysis under-estimation of passengers at Birmingham Airport and, if so, can adjustments be made to incorporate the most recent forecasts?

We refer to the attached report from Conservation Officer for advice.

1.1.16 In the feature of the traffic at junction 4 in the M52 is its variability, both at peak times and over the year in response to exhibitions, events and holidays etc. Moreover, this variability appears to significantly affect congestion. In the TA this variability is addressed by the year of parking and traffic data obtained from the NCC and the resulting traffic flow as South Way for 2011 (APPL 176, Figures 6.4-6.4). However, the 2016 peak hour modelled flows of 702 AM and 762 PM (APPL 176, Figure 4.25) reflect the average actually observed (600-800) it is therefore inevitable (not just possible) that these flows are different to the modelled flows and still occur frequently (and from the daily distribution. APPL 176 Figure 4.4) and about 17% of days. The traffic modelling would thus appear to effectively ignore much of the variability identified, some of which is substantial in that it affects assessment. And, if not why not?

We refer to the attached report from Conservation Officer for advice.

1.1.17 What are the effects of wet weather on the operation of junction 4? How should these effects be accounted for in the 50/50 of the observed data and peak hour distributions (APPL 176, Figures 5.4 and 5.4). It is clear that, if a specificity would not be appropriate, please explain why.

We refer to the attached report from Conservation Officer for advice.

1.1.18 We have advised the DfT that during peak periods, in particular in the morning, the Resilience plan is too inactive whilst there are shows and exhibitions at the NCC. Obviously, if the M52 is in as capacity the NCC directs traffic of Northway even though their destination may be M25. Since the new junctions and new dual carriageway are in operation, there will be less traffic exiting from Northway. However, the NCC will take this up capacity by directing more traffic on to Southway and up to junction 4. AMC suggest that a sensitivity test might also be worthwhile.

We refer to the attached report from Conservation Officer for advice.

1.1.19 How do these higher volumes of traffic leaving the NEC via Southway compare with the annual and peak hour distributions of traffic recorded in the TA (APPL 176, Figures 6.4-6.4)?

We refer to the attached report from Conservation Officer for advice.

1.1.20 What is the effect of closing weekends, school holidays and bank holidays on these distributions of traffic leaving the NEC (APPL 176, Figures 6.4-6.4)?

We refer to the attached report from Conservation Officer for advice.
This is the document in plain text.
<table>
<thead>
<tr>
<th>Question</th>
<th>BMG Response</th>
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<tbody>
<tr>
<td>This article requires the Applicant’s justification in the circumstances of this particular dICO and NAIPA. Why is it that the Applicant considers human remains may be found? Although the scheme includes significant cutting, it is not necessarily compatible to Crossrail, cited as a precedent.</td>
<td>Human remains - reasonable that it is covered</td>
</tr>
</tbody>
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