

The Planning Inspectorate  
National Infrastructure Planning  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN

Date: 15 July 2019

APPLICATION NO.: M42Junction6  
CASE OFFICER: Derek Lawlor  
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Dear Sirs

**TR010027 - Application by Highways England for an Order Granting Development Consent for the M42 Junction 6 Improvement Project**

**Matters to be responded to in accordance with Deadline 3 of Rule 8 letter dated 31<sup>st</sup> May 2019**

Further to the Rule 8 letter issued by The Planning Inspectorate on 31<sup>st</sup> May 2019 and the subsequent discussions at the two Issue Specific Hearings (ISH) on the 2<sup>nd</sup> July, please accept this letter from Solihull Metropolitan Borough Council ("the Council") in response to Deadline 3 matters;

- Post hearing submissions including written submissions of oral cases, arising from Hearings on 2<sup>nd</sup> July 2019
- Responses to any further information requested by the Panel

Issue Specific Hearing on the draft Development Consent Order

During the ISH, the Inspector requested the Council's response to a number of requirements and articles contained within the draft DCO. The Council has considered these matters and provides the following response;

*Article 12 – Street Works and Article 13 – Application of the 1991 Act – The Council considers that powers within Section 58, Section 58(A) and Section 73(A) should remain with the Local Highway Authority (LHA) because the LHA is the correct body to ensure cooperation and coordination with utility providers and Highways England to balance the hierarchy for need of works.*

*Article 39 – Felling or lopping of trees and removal of hedgerows – The Council has considered this article in relation to Advice Note 15, and the hedgerow report submitted as part of the Environmental Statement.*

The Council wishes to explore the hedgerow mitigation further with the applicant, and will update the Statement of Common Ground accordingly on this matter.

*Article 50 – Amendment of local legislation – The Council has reviewed Article 50 and has no comment to make at this time.*

*Requirement 6 – Contaminated land and groundwater – The Council considers the Requirement acceptable, and has no further comments to make at this time.*

*Requirement 7 – Protected Species - The Council considers the Requirement acceptable, and has no further comments to make at this time.*

*Article 48 – Removal of human remains and Requirement 9 – Archaeological Remains – The Council considers it is reasonable that Article 48 is included in the DCO, as stated in the Council’s Rule 6 response submitted to PINS on 24<sup>th</sup> June 2019. The County Archaeologist further comments;*

*Human remains are normally dealt with under specific legislation which will be superseded by the proposed DCO. Those various pieces of legislation cover a wider scope than just archaeological human remains. I can only comment on their requirements in relation to bodies recovered during archaeological work and/or held by museums. Therefore my following comments relate to the archaeological implications of the DCO order only; you may wish to obtain wider advice on section 48 of the DDCO.*

*Whilst there are no known burial within the application site, it is not unusual for human remains, including burials and cremations, to be identified during development.*

*Archaeological sites previously identified from the wider area demonstrate that this area was occupied during the prehistoric and later periods; it would not therefore be unexpected to find the remains of those associated with that occupation.*

*As human remains are dealt with under specific legislation which will be superseded by this consent, and there is a potential for previously unidentified human remains to be identified prior to, or during the works, it would be appropriate for the DCO to include specific provision for the handling of human remains.*

*I would expect any archaeologically significant human remains to be archaeologically excavated and appropriately investigated and recorded, prior to any re-internment. Section 9 [ of the DDCO secures such a programme of work; it would be useful if section 48 explicitly recognised that human remains may have archaeological interest.*

The Council does not consider that there is a conflict between Article 48 and Requirement 9.

## Issue Specific Hearing on Need for improvements at junction 6 on the M42

### **1/ UK – Central – context**

UK Central is a key element in the Council's long term strategy to develop the regional economy. By attracting the right kind of inward investment and encouraging high quality, design-led developments the Council will create jobs and prosperity for communities across Solihull, not only today but for the next generation too.

The Council's UK Central brings together Solihull's world class business, transport and entertainment assets with the borough's reputation as an outstanding place to work, live and raise a family, to encourage major UK and international businesses to bring their headquarters and employment opportunities to the borough.

UK Central includes four growth areas

1. The area around the new HS2 Interchange site known as "The Hub"
2. Regeneration zones in the North of the borough including Chelmsley Wood and Kingshurst
3. Solihull Town Centre
4. Blythe Valley Park

### **2/ Urban Growth Company – Context and Potential Employment Opportunities**

The Urban Growth Company (UGC) is a special purpose delivery vehicle, established by the Council to lead and develop major infrastructure investment in The Hub, a key component of the UK Central strategic economic growth area. The UGC will help to realise the full economic potential of the 1,300 hectare Hub area, set to be home to the HS2 Interchange Station from 2026, which will itself spark the creation of a truly international transport hub and world-class development opportunity. The Council shared with Highways England in 2017 that there was likely to be around 12,000 jobs associated with the Arden Cross site around the HS2 Interchange Station but the Council now considers that the number of jobs is likely to be less.

The Hub comprises Birmingham Airport, the NEC, Jaguar Land Rover, Birmingham Business Park and the Arden Cross site, which will be home to the HS2 Interchange Station.

The UGC plans to create new jobs, homes, commercial space and unrivalled connectivity at The Hub that will benefit people across the whole of the West Midlands and beyond.

To fully realise the immense opportunity, the UGC has developed a Hub Growth and Infrastructure Plan (HGIP). This sets out the infrastructure requirements and growth ambitions for The Hub which will become Europe's best-connected destination for business, leisure and living; a new and outstanding gateway to the UK.

By maximizing the economic assets of Birmingham Airport, the National Exhibition Centre, High Speed 2 and the motorway network, The Hub will be a driving force behind the region's economic growth, adding a predicted £6.2bn GVA per annum to the economy.

### **3/ Phasing of highway infrastructure works – SMBC's strategy**

The Council recognises that there will be a need to deliver a significant amount of highway infrastructure to realise the ambitions of The Hub. The Council's strategy is based on a phased plan to improve the strategic road network in advance of the growth requirements. This is proposed to be in a phased approach recognising that there needs to be network resilience in the construction works to allow the highly significant businesses in the area to continue to function without significant congestion.

**Phase 1** started in 2014 with the replacement of the A45 southern bridge over the West Coast Railway Line which created significant additional capacity for traffic on this busy strategic route.

**Phase 2**, if approved, will be the improvements by Highways England at M42 J6 by 2023. The Council supports the scheme which will address current congestion and journey time reliability issues on the M42 and at M42 junction 6 which at present are significant constraints to future investment and economic growth. The scheme will have greater benefit for resilience for future growth of the UK Central Hub and wider West Midlands region by;

- Promoting safe and reliable operation of the wider corridor
- Increasing capacity of the junction
- Improving accesses to key businesses - Junction 6 is the gateway to an expanding Birmingham Airport, the National Exhibition Centre, Birmingham Business Park and other key businesses in the area. In addition to this planned growth, there is also the proposed HS2 station, expected to be operational by 2026. The improvements to junction 6 will support access to these key businesses.

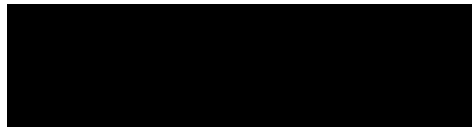
- Supporting future economic growth - Current congestion and journey time reliability issues on the M42 and at junction 6 are significant constraints to future investment and economic growth. An improvement to the junction will encourage continued investment in the regional economy and support new corporate, commercial and residential development opportunities.

**Phase 3** - The Council are working in collaboration with HS2, Highways England, Transport for West Midlands and other major stakeholders to develop improvements to the strategic road network around the HS2 Interchange Station in time for the opening of the HS2 Phase 1 in 2026. This also includes other improvements to the strategic highways network in the area along the A45 and A452 under their route corridor studies.

**Phase 4** - work is progressing on the more medium term requirements to address the needs of the development around The Hub. Part of this planning process includes a wider modelling study and also feasibility studies to address how The Hub will connect with both the M6 and the M42 motorways beyond 2026 and up to 2041.

Solihull Metropolitan Borough Council is meeting with Highways England and their consultants on Tuesday 16<sup>th</sup> July 2019. Following this meeting, the Council is hopeful that they will then be in a position to update the Inspector on a number of matters and that the Statement of Common Ground can be updated to reflect these discussions.

**Signed**

A solid black rectangular box used to redact the signature of Derek Lawlor.

**Derek Lawlor  
UK – Central Delivery Group Manager  
Metropolitan Borough of Solihull Council**