

Planning Inspectorate
M42 Junction 6

BY EMAIL ONLY:

M42Junction6@planninginspectorate.gov.uk

2nd September 2019

Dear Sir/Madam,

RE: M42 Junction 6 Improvement Scheme

Response from Warwickshire Wildlife Trust to the Examiners Second Written Questions

Thank you for consulting Warwickshire Wildlife Trust (WKWT) as an owner of land affected by the proposed scheme and as an organisation with interest in land affected by the proposed scheme. Thank you for an opportunity to comment on these second written questions.

WKWT, Solihull MBC and Natural England have sought to collaborate as much as possible in our response to examiners questions and we have a considerable amount of common ground. This detailed work has also been summarised and submitted in Natural England's response to Examiners Second Written Questions (02/09/19).

Relevant examiners questions 2.3.1 and 2.3.2:

ExQ2 2.3.1 - Please submit an agreed position on V.9 of the Technical Note by Deadline 4 (2 September 2019). Please indicate whether the consequent controls necessitated should be contained within the DCO or accommodated in a separate Section 106 Agreement

ExQ2 2.3.2 - The Panel welcome the consideration being given to the possibility of a new requirement to deliver the monitoring necessary to mitigate the effects of the scheme on the Bickenhill Meadows SSSI (SE unit). Please submit the necessary documentation by Deadline 4

Agreed Collective Response to Technical Note TN9.1

The applicants were issued with an email (dated 14 August) on behalf of Natural England, Solihull MBC Ecology and WKWT. This collated the comments in respect of the updated technical note on Bickenhill Meadows SSSI SE Unit updated Technical Note TN9.1. This has been submitted by Natural England in their response to Examiners Second Written Questions (02/09/19).

I would like to confirm that WKWT is in agreement with this table and its content and it fully reflects our combined views.

Agreed Collective Outstanding Issues

These were agreed between WKWT, Solihull MBC and Natural England, regarding Bickenhill SSSI SE parcel. This was also included in Natural England's response to Examiners Second Written Questions and were again also sent on behalf of all three organisations to the applicant.

I would like to confirm that WKWT is in agreement that these are outstanding issues:

- What is the timescale for agreement of the threshold/triggers from which to monitor against? Triggers must be agreed before the DCO is approved and should be based on changes in balance between wet and dry NVC communities or species distribution over the site.
- What is the contingency plan if there is too much or too little water reaching the SSSI / if monitoring shows that damage is found, and what is the feedback loop for this? There must be appropriate contingency measures included in the design of the mitigation to respond to monitoring feedback. How it could be modified to increase or decrease water supply to the site?
- The feedback loop needs to have a clear set of rules to it including a resolution process (in case required)
- Design and location of the swale on Shadowbrook Lane and any other infrastructure relating to the mitigation scheme that SMBC will be responsible for maintaining in the long term.
- The MG5 community within the SSSI should also be included in the monitoring scheme

WKWT also agrees with Natural England and Solihull MBC that this above information, to be included in the Hydrological Monitoring and Management Plan, is crucial and needs to be developed and brought forward as soon as possible.

WKWT continues to **object** to this aspect of the project until such a point that this further detail can be provided to a satisfactory standard.

Draft Position Statement for Bickenhill Meadows SE Unit

I have been on annual leave for a fortnight until today, during which time the “Bickenhill Meadows SE Unit Draft Position Statement” has been provided (27/08/19). I am not, as yet able to comment on this draft position statement but will provide comments as soon as I can.

Relevant examiners questions 2.3.1 and 2.3.2:

ExQ2 2.3.3 - It is understood that the woodland soil survey was completed in June 2019. Please submit the results of that survey by Deadline 4 (2 September 2019). Do the results support the translocation of ancient woodland from Aspbury's Copse? And, if not, where should such translocation take place?

Ancient Woodland is considered an irreplaceable habitat and WKWT does not support its removal. WKWT has not as yet seen woodland soil survey information or any other evidence to suggest that this is appropriate and continues to **object** to this aspect of the development.

Please contact me if you have any queries regarding this response.

Yours sincerely

Vanessa Evans
Planning & Biodiversity Officer
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Warwickshire Wildlife Trust is a local nature conservation charity established in 1970 to further the protection and enhancement of wildlife and wild places and to encourage a greater appreciation of all aspects of the natural environment across Warwickshire, Coventry and Solihull. We have over 23,000 members and over 500 volunteers. We manage 70 nature reserves across the sub-region, totalling over 770ha, but work beyond these to promote our objectives throughout our area. We are a lead partner in three landscape scale nature conservation schemes which aim to restore and create wildlife habitat and promote opportunities for local communities to access wildlife. We also campaign to promote and secure positive outcomes for wildlife through the planning system and are recognised by local authorities across that region as a consultee on planning applications, strategic planning documents, and other matters affecting the area in which those whom it represents live. We act as secretariat for our Local Nature Partnership.