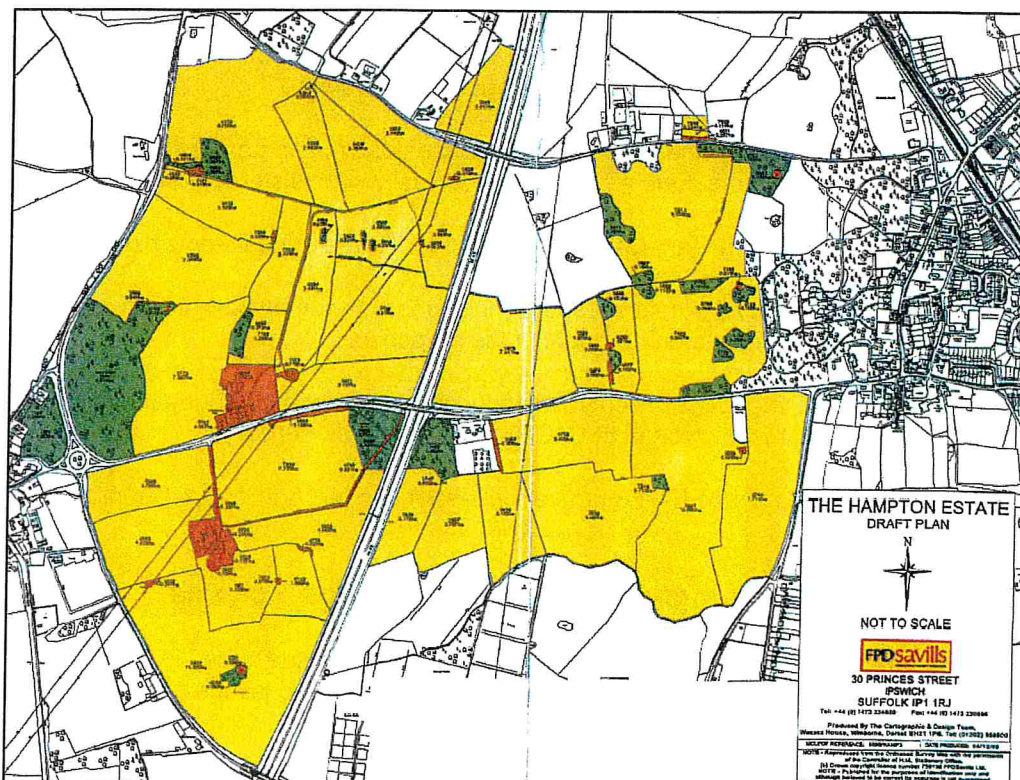


**Job Name:** M42 Junction 6 Improvement – Development Consent Order (TR010027)  
**Job No:** 45977  
**Note No:** 2  
**Date:** 16<sup>th</sup> September 2019  
**Prepared By:** N Fern  
**Subject:** Transport/Highways Representations on behalf of the Gooch Estate

## 1. Introduction and Background

- 1.1. This Technical Note has been prepared by Peter Brett Associates (“PBA”) – now part of Stantec on behalf of the Major Sir Timothy Gooch Will Trust – Hampton Estate (the “Gooch Estate”). It follows a review of the application by Highways England (the “Applicant”) for an order granting development consent for proposals to improve Junction 6 of the M42 to allow better movement of traffic on and off the A45 supporting access to Birmingham Airport and preparing capacity for the new HS2 station (the “Scheme”) – Planning Inspectorate Reference TR010027.
- 1.2. This second Technical Note responds to Highways England’s comments from July 2019 (Document: 8.33 *The Applicant’s comments to written representations which were received at Deadline 1*), prepared in response to the previous written representations made by PBA on behalf of the Gooch Estate in Technical Note 1 (May 2019).
- 1.3. In view of the nature of the Scheme, which is considered to be “nationally significant”, the Scheme proposals are the subject of a Development Consent Order (DCO) application to provide the necessary Planning and Compulsory Acquisition powers to construct and maintain the Scheme.
- 1.4. A significant area of the Gooch Estate would be subject to compulsory acquisition, temporary possession and acquisition of rights in the DCO. The Gooch Estate is shown in Figure 1.

Figure 1 – Gooch Estate Location Plan



- 1.5. Although the Gooch Estate does not in principle object to the Scheme, it has some concerns regarding the Scheme impact on its operational/farming activities and access routes over its land, both during construction and in the operation of the Scheme.
- 1.6. PBA has been commissioned by the Gooch Estate to advise with respect to the possible effects of the Scheme and associated impact on the Gooch Estate's accesses.
- 1.7. This Technical Note relates specifically to transport and highway matters.

## 2. Timeline Summary of Events

2.1. Below provides a summary timeline of events in respect of transport/highways submissions and meetings:

- Birketts LLP on behalf of the Gooch Estate submitted relevant representations to the application setting out a summary of the initial comments and concerns with the Scheme on the operation of the Gooch Estate on 28<sup>th</sup> March 2019. These representations identified a number of transport and highways concerns and request for further information.
- The Applicant provided an initial informal response via email to some of the concerns raised (email of 29<sup>th</sup> April 2019, attached to this Technical Note).
- Technical Note 1 (dated May 29<sup>th</sup> 2019) was prepared by PBA and submitted as part of the Gooch Estates written representations for Deadline 1. Technical Note 1 considered the informal email responses from the Applicant.
- On June 4<sup>th</sup> 2019, a meeting was held between Highways England, AECOM, Ardent, Savills, PBA, and the Gooch Estate. This meeting was to discuss, inter alia, the identified concerns within Technical Note 1. A number of actions were outlined for AECOM to consider and respond to. Minutes of the meeting are attached to this Technical Note.
- At the time of writing this Technical Note 2, no response has been received from AECOM in regard to the actions from the June 4<sup>th</sup> meeting, despite repeated contact from PBA.
- As part of Deadline 3 (July 2019), the Applicant has provided a formal response to PBA's Technical Note 1. This was contained within document "8.33 *The Applicant's comments to written representations which were received at Deadline 1*".

PBA would note that the Applicant's response does not, in part, follow the discussions and actions set out in the June 4<sup>th</sup> meeting (principally inconsistencies and different advice).

No revised/updated General Arrangement Plans were submitted as part of Deadline 3.

Furthermore, the Applicant's response includes non-committal words such as "anticipates" "intention" and "expected" throughout the response.

PBA are seeking revised General Arrangement drawings to include these requested changes, and a commitment, through the DCO process, to their delivery.

2.2. This Technical Note 2 has been prepared to respond to the Applicants' Deadline 3 response.

## 3. Identified Transport / Highways Comments on the Scheme

3.1. The following sections are structured in the order of each issue raised in the Gooch Estates relevant representation dated 28<sup>th</sup> March 2019. The identified issues are as follows:

- i) Maintaining existing field access points:



- B4102 Solihull Road
- B4438 Catherine-de-Barnes Lane
- ii) Proposed access track (dual purpose)
- iii) Proposed accommodation bridge (Public Right of Way)
- iv) Existing Catherine-de-Barnes Roundabout
- v) Catherine-de-Barnes Lane / Shadowbrook Lane realigned priority T junction
- vi) Proposed Barber's Coppice Roundabout

3.2. Each issue summarises the following correspondence for completeness:

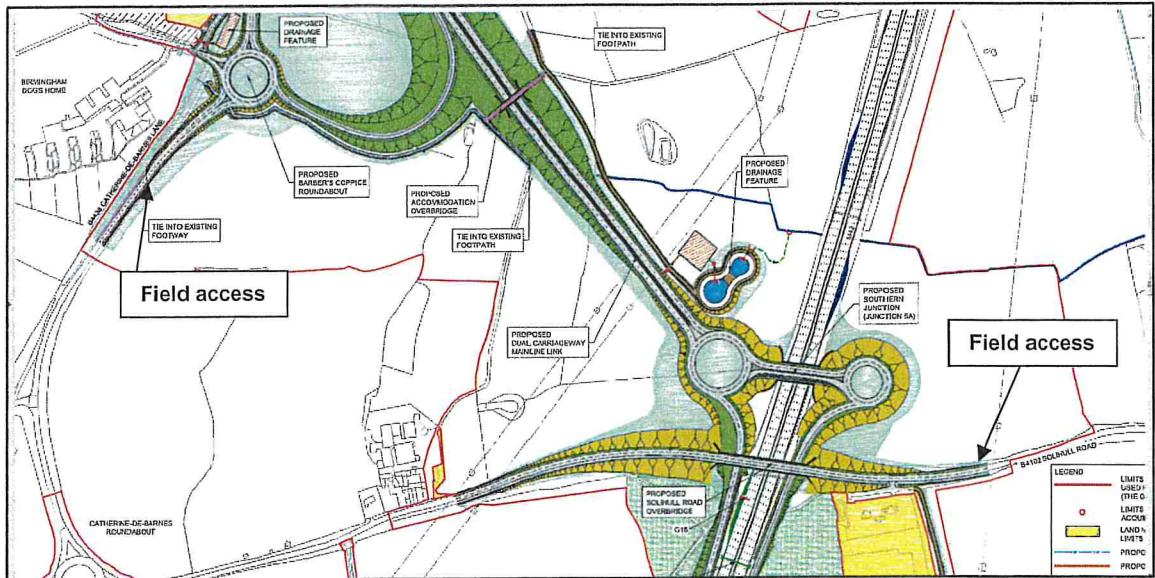
- Gooch Estate Relevant Representation (prepared by Birketts LLP) submitted on 28<sup>th</sup> March 2019
- Applicant's initial informal response (email) to the representations on 29<sup>th</sup> April 2019
- PBA's review and comments on the Applicant's informal response (Technical Note 1, May 29<sup>th</sup> 2019)
- Comments and actions from the June 4<sup>th</sup> 2019 meeting
- Applicant's formal response at Deadline 3 contained within document "8.33 *The Applicant's comments to written representations which were received at Deadline 1*"
- PBA's further review and comments on the Applicant's response.

## 4. Maintaining Existing Field Access Points

### Gooch Estate Representations (March 28<sup>th</sup> 2019)

- 4.1. The Gooch Estate must maintain access to existing fields in the vicinity of the DCO Scheme, and there are at least two existing access points that could be affected by the Scheme. The General Arrangement plan (Sheet 2 of 7) does not provide sufficient detail to conclude whether existing field access points will be retained. The two existing access points are:
- i) **B4102 Solihull Road** – there is an existing field access east of the M42 located off Solihull Road immediately to the west of the powerline. This provides access to the fields north of Solihull Road (close to the proposed new eastern dumbbell of Junction 5a). Confirmation is required that the existing field access will be maintained, and the proposed earthworks associated with the proposed Solihull overbridge (i.e., any gradient changes) does not preclude access for agricultural vehicles in and out of this existing access point.
  - ii) **B4438 Catherine-De-Barnes Lane** – there is an existing field access east of Catherine-De-Barnes Lane located approximately 160m south of the proposed Barber's Coppice Roundabout. Confirmation is required that the existing field access will be maintained as a result of the proposed road realignment.

An extract of Sheet 2 of 7 is reproduced below, identifying the two points of access in question.



**Applicant's Informal Response (email)**

**i) B4102 Solihull Road –**

No comment made by the Applicant.

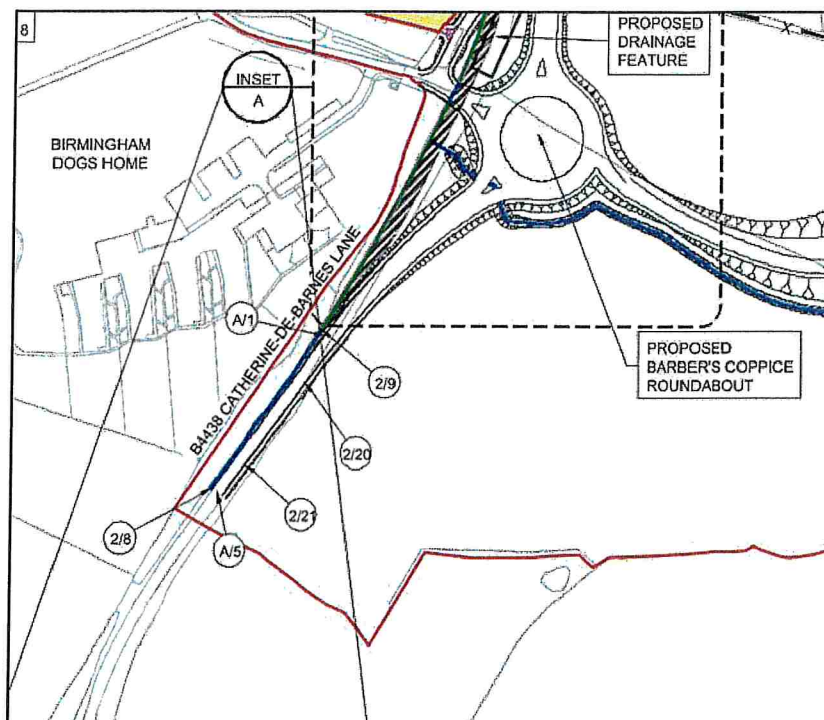
**ii) B4438 Catherine-De-Barnes Lane –**

*Due to the introduction of the new mainline link road and subsequent realignment of Catherine-de-Barnes Lane a number of existing access points onto the Gooch Estate are impacted by the scheme. Sheets 2 and 3 of the Streets, Rights of Way and Access Plans submitted as part of the Development Consent Order identify the location of the existing access points and the proposed realigned access points. These are detailed below and the drawings attached:*

*Point 2/20 – existing access point to be stopped up due to the realigned Catherine-de-Barnes Lane, access to fields to be maintained via an alternative access point at 2/21 as shown on Sheet 2 of the Streets, Rights of Way and Access Plans. Form and type of access to be agreed as part of accommodation work negotiations.*







**PBA’s Technical Note 1, May 29<sup>th</sup> 2019**

- 4.2. The Applicant acknowledges that the existing field access is impacted by the Scheme and is to be stopped up with an alternative access point being provided approx. 90m to the south off Catherine-De-Barnes Lane. This is towards the edge of the field, next to Barbers Coppice woodland.
- 4.3. PBA would like to understand the rationale for moving the access so far south, and not reinstated in a similar location. This is because moving the field access south restricts visibility to the access due to the bend on Catherine-De-Barnes Lane and the woodland. This is not ideal for slow moving agricultural vehicles entering / exiting the access, particularly for vehicles travelling northbound. For a 50mph speed limit, this results in a sub-standard visibility splay requiring a visibility splay of 160m.
- 4.4. The Applicant also states that the form and type of access is to be agreed as part of the accommodation works negotiations. This should be a like-for-like provision.

**Comments and actions from the June 4<sup>th</sup> 2019 meeting**

- 4.5. The accesses were discussed in the meeting, with AECOM to undertake further visibility splay assessments given the issue raised. This was to confirm the best location of the new access provision, potentially moving the access north, closer to Barbers Coppice Roundabout to respond to this concern.

**Applicant’s Response (Deadline 3, July 2019)**

Solihull Road

*In respect to the field access gate positioned on the eastbound carriageway of Solihull Road, it is expected that the proposed Solihull Road works will tie into the existing Solihull Road, just east of this field access location.*

*However, the Applicant anticipates that the works adjacent to this field access gate will be limited to activities such as minor verge or kerbing works where the proposed carriageway ties into Solihull Road on its existing alignment.*

### B4438 Catherine-De-Barnes Lane

*The Applicant proposed to relocate the existing field access on the B4438 Catherine-de-Barnes Lane south towards Barber's Coppice woodland. This was proposed to avoid any interference with the proposed merge point of the B4438 Realigned Catherine-de-Barnes Lane where it exits Barber's Coppice Roundabout.*

*Following a review of the concerns raised in the technical note in respect to visibility at Barber's Coppice, the Applicant proposes, subject to discussions with the local highway authority and the Gooch Estate, to shift the field gate access north of Point 2/21 presented in the Streets, Rights of Way and Access Plans submitted as part of the dDCO [APP-009/Volume 2.5].*

### **PBA's Review (September 2019)**

#### Solihull Road

- 4.6. PBA are grateful for the response on this matter. PBA seek full details of the proposed Solihull Road works and the precise details (revised General Arrangement drawing) on where the works will tie into the existing Solihull Road field access. PBA would be grateful for provision of a swept path analysis which supports the design.

#### B4438 Catherine-De-Barnes Lane

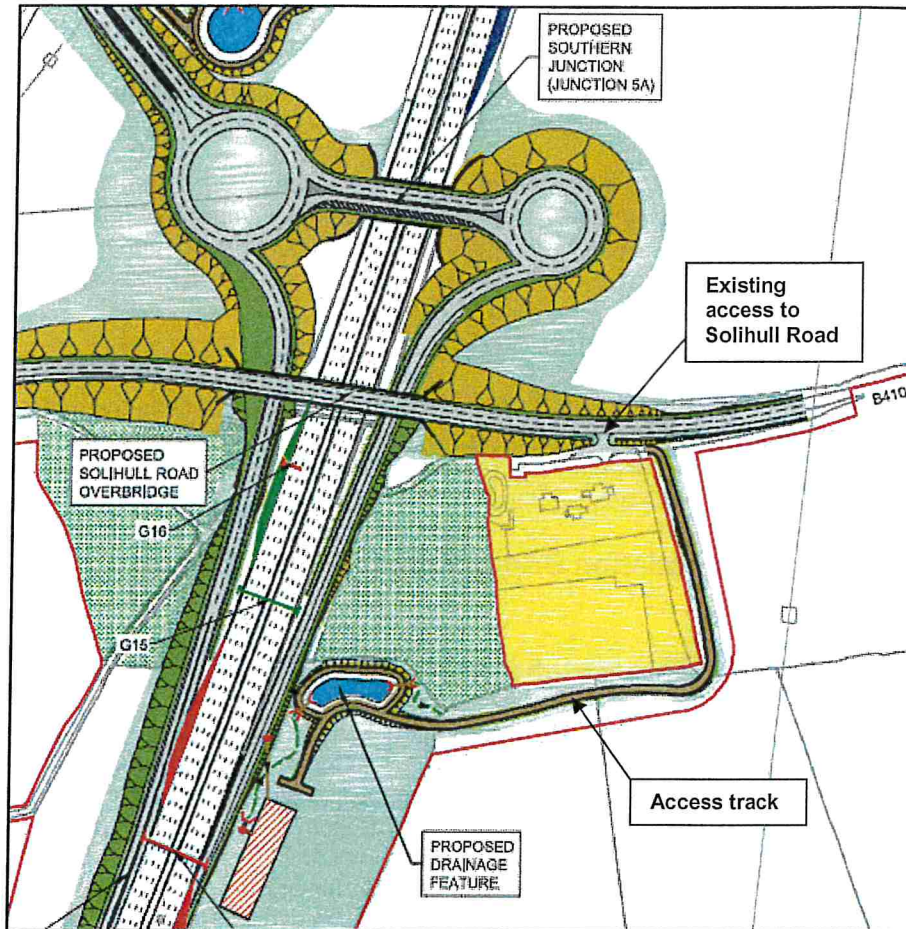
- 4.7. The Applicant's response is acknowledged, although does not provide any further update from the June 4<sup>th</sup> meeting. PBA request a revised General Arrangement drawing is prepared showing the exact access location to demonstrate commitment to the relocation. PBA also seek sight of the visibility review undertaken to confirm that this revised access location is suitable.

## **5. Proposed Access Track – Dual Purpose**

### **Gooch Estate Representations (March 28<sup>th</sup> 2019)**

- 5.1. There is a proposed access track shown on the General Arrangement plan (Sheet 2 of 7) within the Estate's land ownership located south of the B4102 Solihull Road. This is to access the proposed drainage feature located next to the M42. The Gooch Estate would benefit from having rights of access to use this private access track to gain access to the southern field parcels. This would be for agricultural vehicles, in particular combine harvesters and therefore wide enough to accommodate such a vehicle.
- 5.2. An extract of Sheet 2 of 7 is reproduced below, highlighting the access track.





**Applicant’s Initial Response (email)**

*In reference to the access track which shall extend off the existing access track in the Gooch Estate Land this shall be as follows (however I imagine this may be subject to further negotiation or accommodation works)*

*Access track to be 3.5m wide with a 0.5m verge on both sides. The track shall be of unsurfaced construction consisting of capping and sealed sub-base Type 1.*

**PBA’s Technical Note 1, May 29<sup>th</sup> 2019**

- 5.3. PBA would still query whether the Gooch Estate can have rights of access to this new access track. The Applicant states it will be an unsurfaced track that is 3.5m wide with a 0.5m verge on both sides. This width should be sufficient for tractors (generally 2.5m wide), but not for combine harvesters (which are generally 4m wide). Therefore, combines will have to use an alternative access unless the Applicant can provide a 4m wide access track.

**Comments and actions from the June 4<sup>th</sup> 2019 meeting**

- 5.4. At the meeting, it was confirmed that as designed the access track would be fully secured for Highways England use only (due to concerns from the property owners in the area). An alternative access was being explored with a new access from Solihull Road through the Gooch land, to link to the access track (this would remove the property owners objections). If included, then Highways England would be open to allowing a combined access in which maintenance would be up to the Gooch Estate and Highways England to ensure that the gate is secured.



**Applicant’s Response (Deadline 3, July 2019)**

*The Applicant is not seeking to alter the Gooch Estate’s existing field access onto land to the south of Solihull Road, which is positioned east of the overhead cable alignment.*

*The Applicant has proposed the construction of an access track on land plot 2/3e for the inspection and maintenance of the surface water attenuation and treatment devices. If the Gooch Estate wants a right of access over this proposed access track, the Applicant is open to discussions to determine the practicalities of these modifications.*

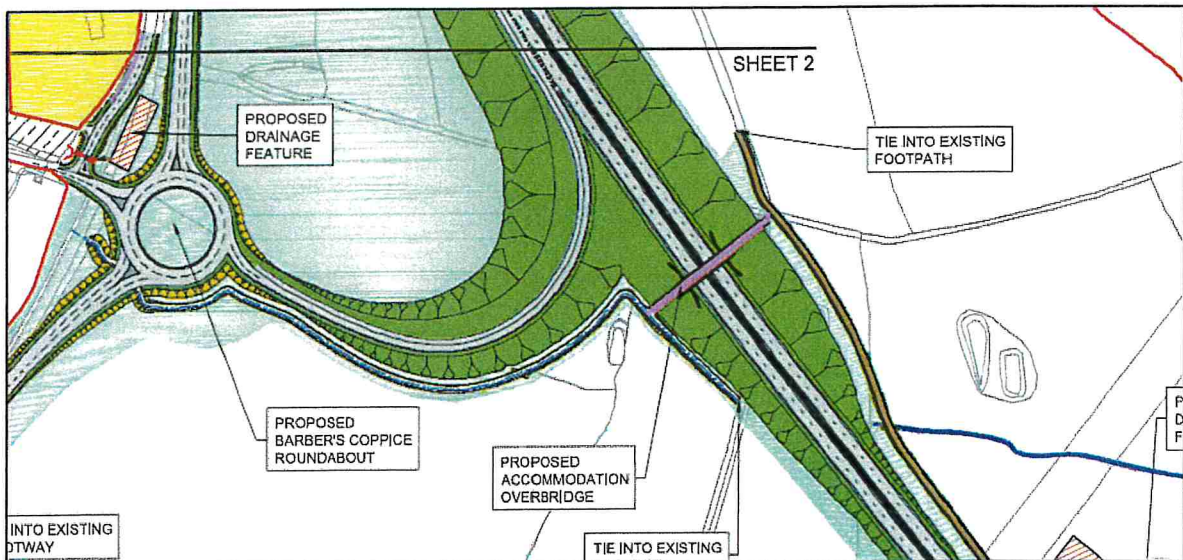
**PBA’s Review (September 2019)**

- 5.5. The Applicant’s response is noted, although provides no reference to the update provided at the June 4<sup>th</sup> meeting. PBA request an update on the comments made at the meeting, with the end intention to provide a revised/updated General Arrangement plan showing a potential new access from Solihull Road to the access track.

**6. Proposed Accommodation Bridge (Public Right of Way)**

**Gooch Estate Representations (March 28<sup>th</sup> 2019)**

- 6.1. There is a proposed accommodation footbridge over the new M42 to prevent severance of Public Rights of Way M122 and M123. The proposed accommodation overbridge should also be an agricultural overbridge to provide continued access to severed land to the north of the new M42. Without such an overbridge provision, access to the severed northern field parcels as a result of the scheme will only be via Shadowbrook Lane. Shadowbrook Lane is a narrow rural lane (4-4.5m in width) and not appropriate for agricultural vehicles (combine harvesters). The proposed 90 degree bends at either end of the accommodation overbridge should also be capable of accommodation turning of agricultural vehicles, and should be adjusted accordingly.
- 6.2. An extract of Sheet 2 of 7 is reproduced below highlighting the proposed accommodation bridge (pink).



**Applicant’s Initial Response (email)**

*Having met with the Gooch Estate we have provided the following narrative previously.*



“Following a query at the consultation meeting held in London on the 25th September relating to the accommodation bridge we can confirm that the structure has been designed to accommodate 40 tonne vehicles in accordance with the Design Manuals for Roads and Bridges, document number BD100/16. This design also takes cognisance of accommodation bridge’s requirement to serve both farm vehicles, pedestrians and cyclists.”

Please find attached a copy of the latest drawings for the accommodation bridge...however please note that these designs are still subject to detailed design and subsequent approvals.

**PBA’s Technical Note, May 29<sup>th</sup> 2019**

- 6.3. The Applicant has confirmed that the overbridge will be designed to accommodate 40 tonne vehicles, to serve farm vehicles, pedestrians and cyclists. From the supplied drawings, the bridge carriageway width will be 4m, with 1m verges either side.
- 6.4. PBA have considered this proposed provision in relation to a tractor, and a combine harvester (with trailer). The figures below provide two swept path analysis of these agricultural vehicles using the proposed accommodation bridge and access track undertaken by PBA.

Figure 2 – Tractor swept path

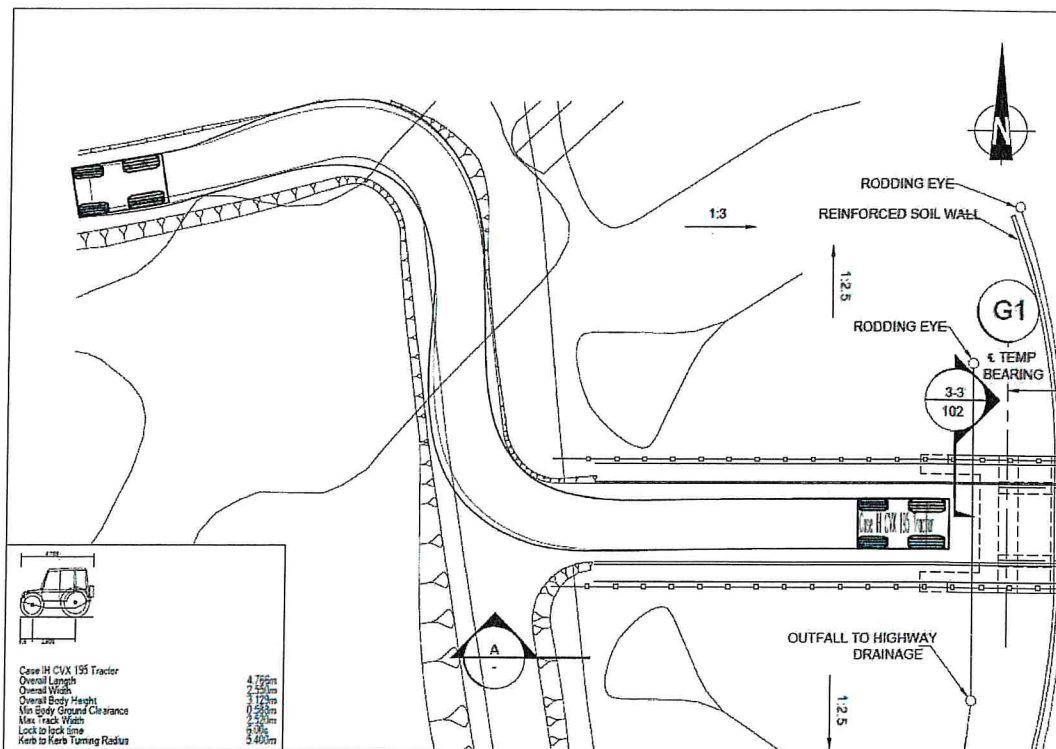
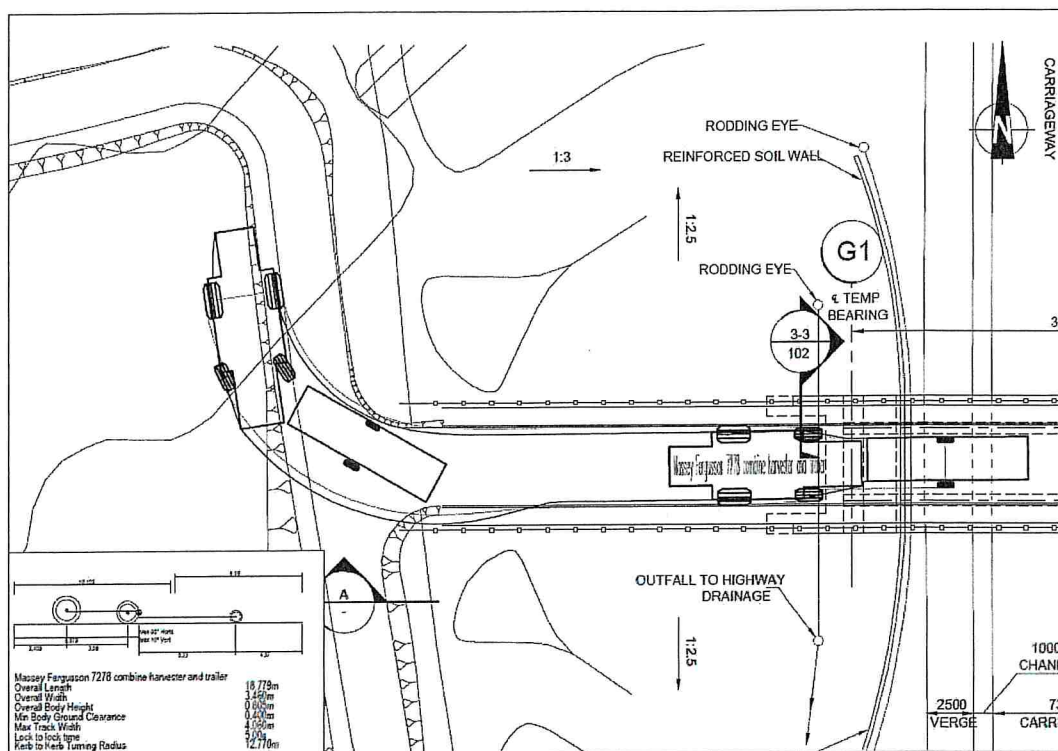


Figure 3 – Combine harvester swept path



- 6.5. In terms of the bridge width, the tractor is shown to cross within the bridge carriageway (at 2.5m wide). The combine harvester width is 4.060m meaning it would need to use one of the verges to cross (which is not ideal).
- 6.6. PBA have also attempted to track the vehicles around the two 90 degree bends the Applicant are proposing on the southern side of the accommodation bridge. The swept path drawings above demonstrate this is not achievable. Therefore, PBA would request that, as part of the detailed design, two separate new gated accesses are provided directly opposite the bridge on the southern and northern sides to the Gooch Estate land to allow the safe passage of agricultural vehicles. PBA note that the southern side may potentially have an issue with gradients between the track and the field. This will need to be considered in this provision.

**Comments and actions from the June 4<sup>th</sup> 2019 meeting**

- 6.7. The concerns raised were discussed and acknowledged by the Applicant, although any alteration would be undertaken at the detailed design stage.

**Applicant’s Response (Deadline 3, July 2019)**

*The Applicant can clarify that the linetype presented on Sheet 3 of the General Arrangement Plan [APP-008/Volume 2.4] is for a new public right of way to mitigate the severance of existing public right of way M122.*

*As recommended in the Peter Brett Associates technical note, it is the intention of the Applicant to provide access points directly approaching the accommodation overbridge to enable vehicles to traverse between the respective fields to the north and south of the new mainline link road.*

**PBA’s Review (September 2019)**

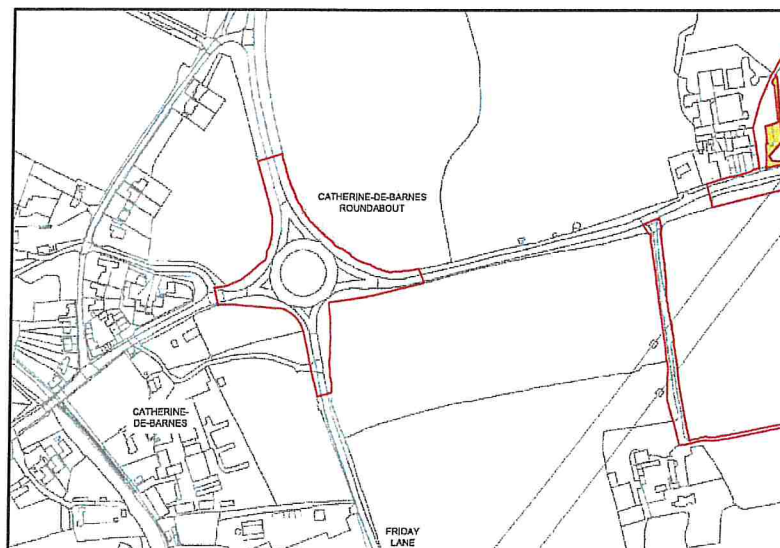


- 6.8. The Applicant's response is acknowledged and welcomed, and provides more detail than the meeting held on June 4<sup>th</sup>. PBA request confirmation of this intention, with a revised General Arrangement drawing so it is committed through the DCO process, since there is a level difference that needs to be considered in such a provision.

**7. Existing Catherine-De-Barnes Roundabout**

**Gooch Estate Representations (March 28<sup>th</sup> 2019)**

- 7.1. On the General Arrangement plan (Sheet 2 of 7) the existing roundabout is shown to be within the Order Limits, with a section of the Gooch Estate's land taken on the eastern side of Friday Lane and on the southern side of Solihull Road. Clarification is required as to why this roundabout (and land) is required within the Order Limits since no reference can be found in the application material to mitigation/enhancement works at this roundabout. Furthermore, PBA requests sight of the ARCADY junction capacity assessment model results for this existing roundabout.
- 7.2. An extract of Sheet 2 of 7 is reproduced below.



**Applicant's Initial Response (email)**

- 7.3. No comment made by the Applicant.

**Comments and actions from the June 4<sup>th</sup> 2019 meeting**

- 7.4. Highways England explained the reasoning for including the roundabout within the Order Limits. This was to cover signing works at the roundabout, and that there were no physical works to be done.

**Applicant's Response (Deadline 3, July 2019)**

*The land surrounding and including Catherine-de-Barnes Roundabout has been included to enable the Applicant to undertake any signage or road marking modifications necessary to reflect the wider scheme proposals.*

Furthermore, the traffic forecast comparisons, which compared a do-nothing scenario, no scheme, to a do-something scenario, implementing the Scheme, identified that the Scheme would not add any traffic to this junction. Henceforth no capacity or ARCADY assessments have been undertaken.

**PBA's Review (September 2019)**

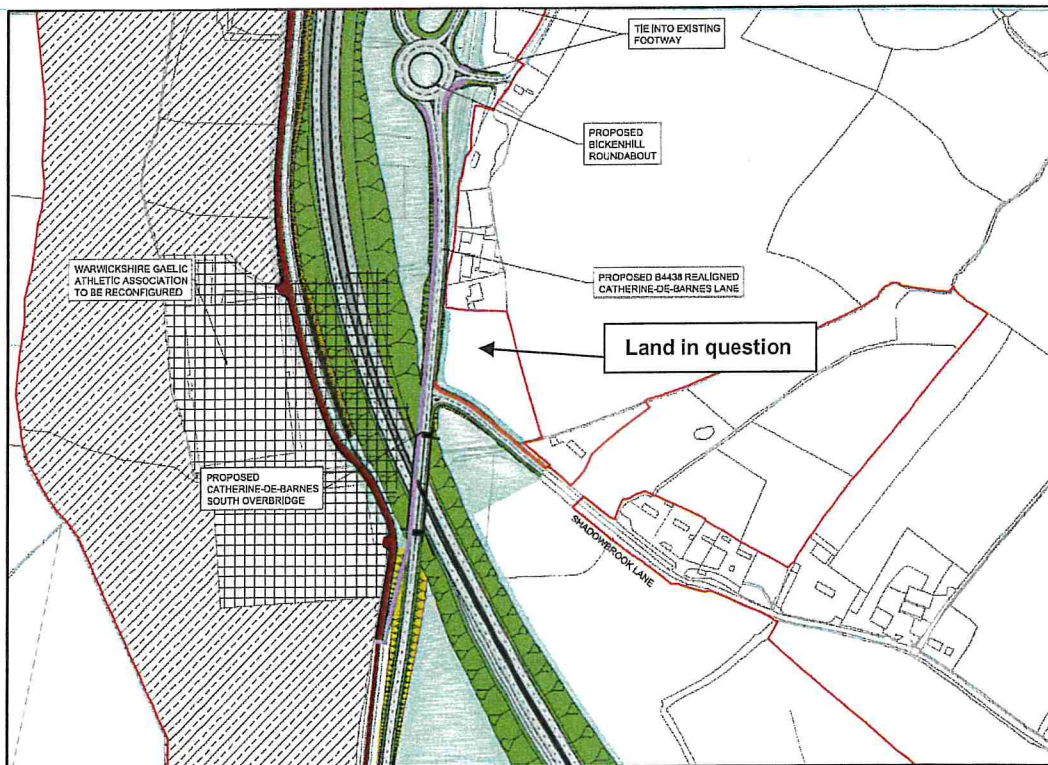
7.5. PBA acknowledge the response, and has no further comments to make at this stage.

**8. Catherine-De-Barnes Lane / Shadowbrook Lane realigned priority T junction**

**Gooch Estate Representations (March 28<sup>th</sup> 2019)**

8.1. The parcel of land to the north-east of the proposed junction is shown to be within the Order Limits but does not appear to be utilised in the Scheme. PBA would request that any remnants of the parcel of land not used is transferred to the Gooch Estate to provide the potential to enhance the junction in the future should our client's severed northern land parcel be developed for strategic development. PBA also request sight of the PICADY junction capacity assessment model results that support the proposed Catherine-De-Barnes Lane / Shadowbrook Lane realigned priority T junction.

8.2. An extract of Sheet 3 of 7 is reproduced below.



**Applicant's Initial Response (email)**

8.3. No comment made by the Applicant.

**Comments and actions from the June 4<sup>th</sup> 2019 meeting**



- 8.4. At the meeting, Highways England confirmed they are considering moving the Shadowbrook Lane priority T junction slightly further north in order to improve the visibility and alignment of this junction so that entry onto Catherine-de-Barnes Lane would be safer. This would utilise the area of land to the north-east of Shadowbrook Lane (the land of interest to the Gooch Estate). It was also acknowledged that the current design, as shown on the General Arrangement drawings, would mean that the southern part of the new junction would be on earthworks over the new carriageway.
- 8.5. In terms of the Gooch Estates' interest in the land ownership in question north of Shadowbrook Lane (currently owned by Birmingham Airport), Highways England stated that potentially the land could go back onto the open market once Highways England has completed the scheme. Highways England confirmed this was something that could be explored.

### **Applicant's Response (Deadline 3, July 2019)**

*In respect to the request for the PICADY junction capacity assessment, the Applicant has provided the results of this assessment below. These results indicate that the junction will operate well within its operational capacity with the 2041 traffic demand forecasts.*

*In accordance with current practice, any part of plot 3/32a which is not permanently acquired by the Applicant shall be returned to the current owner.*

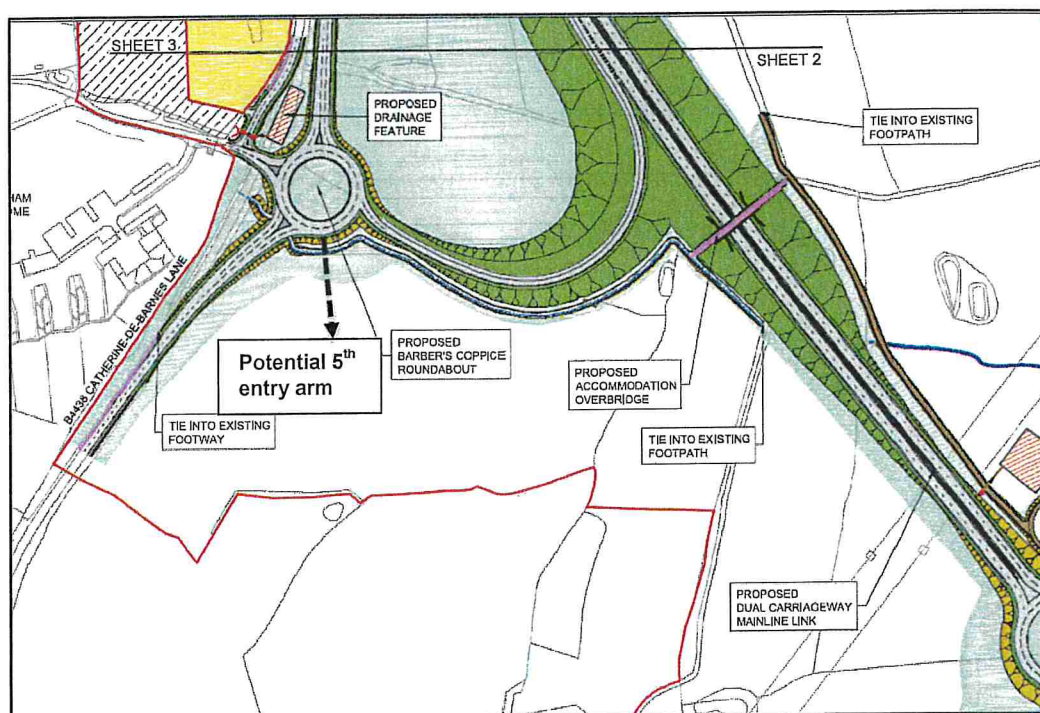
### **PBA's Review (September 2019)**

- 8.6. PBA welcome the provision of the PICADY results.
- 8.7. PBA request an update from Highways England on the Shadowbrook Lane priority junction relocation, as per the comments made in the June 4<sup>th</sup> meeting (and sight of a revised General Arrangement drawing).
- 8.8. The response regarding the future of the area of land north of Shadowbrook Lane is inconsistent with the comments/advice given in the June 4<sup>th</sup> meeting. PBA request clarity regarding this land and future intentions.

## **9. Proposed Barber's Coppice Roundabout**

### **Gooch Estate Representations (March 28<sup>th</sup> 2019)**

- 9.1. The new roundabout and road network make some of the Estate's land geographically isolated and difficult to access. In order to ensure that the land can be adequately accessed, the Estate requests a fifth entry arm to the new roundabout on the southern side to afford access to their land to the south.
- 9.2. An extract of Sheet 2 of 7 is reproduced below.



**Applicant's Initial Response (email)**

9.3. No comment made by the Applicant.

**Comments and actions from the June 4<sup>th</sup> 2019 meeting**

9.4. Highways England stated in the meeting that providing a further access off Barber's Coppice Roundabout would not be Highways England's preferred option, as it would require alteration to the roundabout and link onto the new road.

**Applicant's Response (Deadline 3, July 2019)**

*The Applicant has considered the Gooch Estate's request in relation to the provision of a fifth arm off Barber's Coppice Roundabout and concluded this would have significant implications due to the entrance and egress of slow moving agricultural vehicles obstructing the movement of vehicles on the roundabout, which carries a risk of queues and standing traffic. The provision of fifth arm would also increase the risk of conflict of agricultural vehicles with other traffic and pedestrians using the footpath, south of the roundabout.*

*Therefore, the Applicant considers that the alteration to the position of the relocated field gate access detailed earlier in this response is the most proportionate approach to take in maintaining access to the Gooch Estate in this region.*

**PBA's Review (September 2019)**

9.5. The safety concerns are noted, but PBA would comment that the Applicant is over-emphasising the significance of this interaction given the limited frequency of such use (i.e., agricultural vehicles obstructing the movement of vehicles on the roundabout).

9.6. An agricultural access could be designed securely (gated access) and safely, with a gated access positioned with sufficient distance from the roundabout circulatory carriageway. Agricultural vehicles would not overhang into the circulatory carriageway when the gate is closed.



- 9.7. A fifth entry arm providing field access would provide ease of access to the geographically isolated and difficult to access areas caused by the Scheme.

**Appendix 1**

Applicant informal email response



## Beth Youngs

---

**From:** Michael Horton <MHorton@savills.com>  
**Sent:** 09 May 2019 15:07  
**To:** Nigel Fern  
**Subject:** FW: M42 Junction 6 Information for the Gooch Estate

Nigel  
As referred to in my email.  
Regards  
Mike

**From:** Nicola Harrington [mailto:NicolaHarrington@ardent-management.com]  
**Sent:** 29 April 2019 15:46  
**To:** Michael Horton <MHorton@savills.com>  
**Subject:** M42 Junction 6 Information for the Gooch Estate

Mike, good afternoon, further to our conversation today, various emails exchanged on this subject and the recent representation made by the Gooch Estate to the Planning Inspector by Birketts LLP, I have attached a draft document setting out heads of terms for an option agreement to be drawn up between the parties.

In relation to the representations made, I have been forwarded the information as below from the scheme engineers in respect to your concerns relating to field access retention, accommodation bridge size and access routes and hopefully these will cover off these points within the representation. HE will endeavour to formally respond to the representation shortly and may include this information again but I thought you would like to see this now as it relates to practical accommodation works in the main.

Now you have the draft HoT and details about some of the key issues raised please can we arrange a meeting to discuss the land requirements, accommodation works, option agreement HoT etc.

To make the most of this meeting, I would suggest that the District Valuer, Highway England's Project Manager, engineer, stakeholder engagement and possibly designers attend the meeting, please can this therefore be in Birmingham so that the correct parties can attend and be able to answer the various queries.

I look forward to your response and receiving some dates for the first 3 to 4 weeks of May so that I can then arrange a meeting.

Kind regards

Nicola



**Nicola Harrington BSc (Hons) MRICS FAAV | Technical Director**

**Ardent** | 1<sup>st</sup> Floor, 2 Snow Hill, Birmingham, B4 6GA

Tel: +44 (0)121 231 3173 | [REDACTED] 44 [REDACTED]

E: [nicolaharrington@ardent-management.com](mailto:nicolaharrington@ardent-management.com) | W [www.ardent-management.com](http://www.ardent-management.com)



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**From:** Hemingway, James <[james.hemingway@aecom.com](mailto:james.hemingway@aecom.com)>  
**Sent:** 17 April 2019 11:30  
**To:** Nicola Harrington <[NicolaHarrington@ardent-management.com](mailto:NicolaHarrington@ardent-management.com)>  
**Cc:** Crocker, Nicholas <[nicholas.crocker@aecom.com](mailto:nicholas.crocker@aecom.com)>; Edroos, Mohamed M <[Mohamed.Edroos@aecom.com](mailto:Mohamed.Edroos@aecom.com)>  
**Subject:** M42 Junction 6 Information for the Gooch Estate

Good Morning Nicola,

Following yesterday's meeting please find attached and below the information requested in relation to the Gooch Estate.

### **Accommodation Bridge**

Having met with the Gooch Estate we have provided the following narrative previously.

*"Following a query at the consultation meeting held in London on the 25<sup>th</sup> September relating to the accommodation bridge we can confirm that the structure has been designed to accommodate 40 tonne vehicles in accordance with the Design Manuals for Roads and Bridges, document number BD100/16. This design also takes cognisance of accommodation bridge's requirement to serve both farm vehicles, pedestrians and cyclists."*

Please find attached a copy of the latest drawings for the accommodation bridge...however please note that these designs are still subject to detailed design and subsequent approvals.

### **Access track to Attenuation tank on the Gooch Estate Land**

In reference to the access track which shall extend off the existing access track in the Gooch Estate Land this shall be as follows (however I imagine this may be subject to further negotiation or accommodation works)

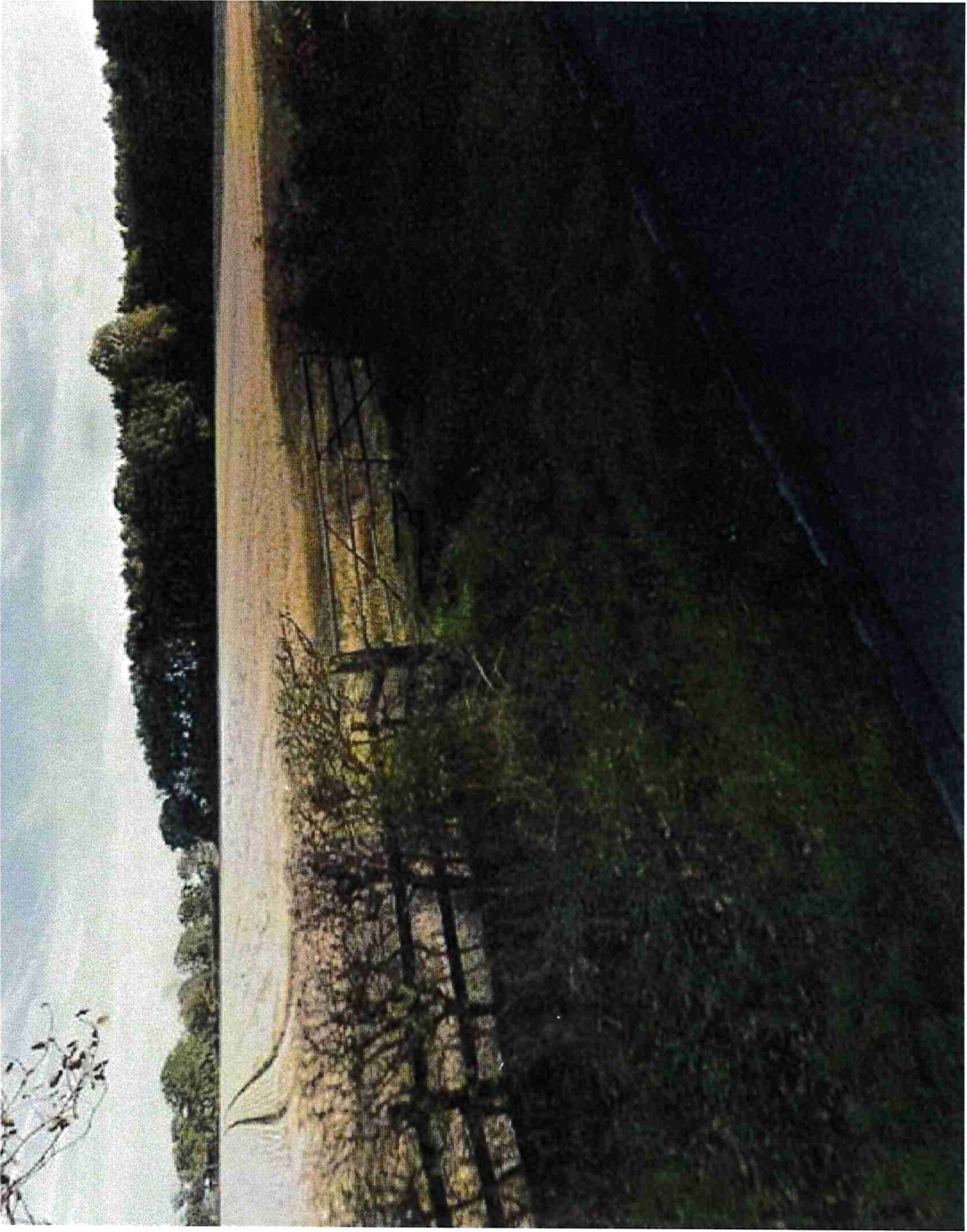
Access track to be 3.5m wide with a 0.5m verge on both sides. The track shall be of unsurfaced construction consisting of capping and sealed sub-base Type 1.

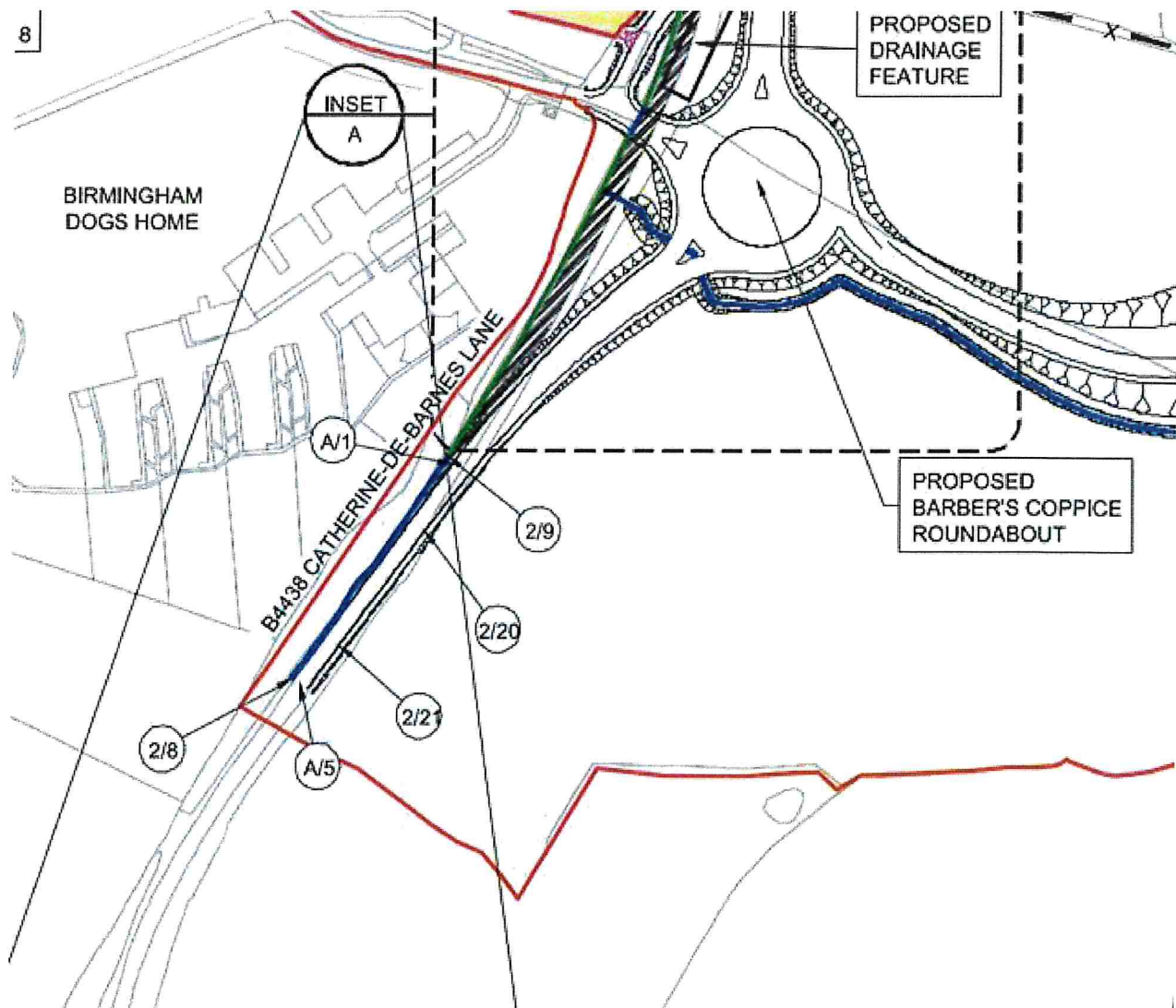
### **Existing access points to Gooch Estate Land**

Due to the introduction of the new mainline link road and subsequent realignment of Catherine-de-Barnes Lane a number of existing access points onto the Gooch Estate are impacted by the scheme. Sheets 2 and 3 of the Streets, Rights of Way and Access Plans submitted as part of the Development Consent Order identify the location of the existing access points and the proposed realigned access points. These are detailed below and the drawings attached:

**Point 2/20** – existing access point to be stopped up due to the realigned Catherine-de-Barnes Lane, access to fields to be maintained via an alternative access point at 2/21 as shown on Sheet 2 of the Streets, Rights of Way and Access Plans. Form and type of access to be agreed as part of accommodation work negotiations.





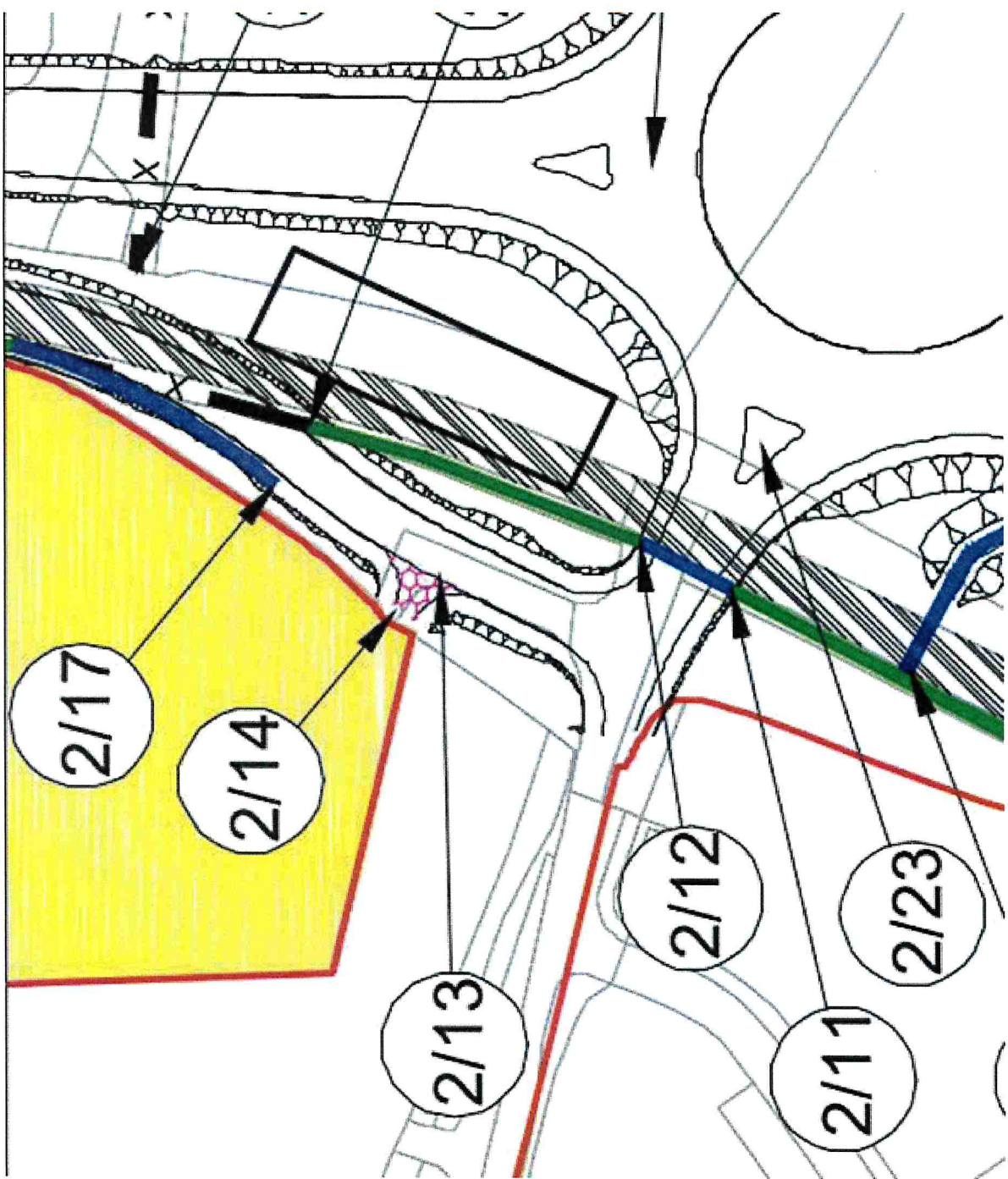


**Point 2/16** – existing field access point to be stopped up due to the Realigned Catherine-de-Barnes Lane. This field will become part of the landlocked teardrop piece of land between the Realigned Catherine-de-Barnes Lane, Mainline Link and Mainline Link on-slip. Access to this parcel of land to be maintained by new field access at point 3/57 as shown on Sheet 3 of the Streets, Rights of Way and Access Plans. Form and type of access to be agreed as part of accommodation work negotiations.

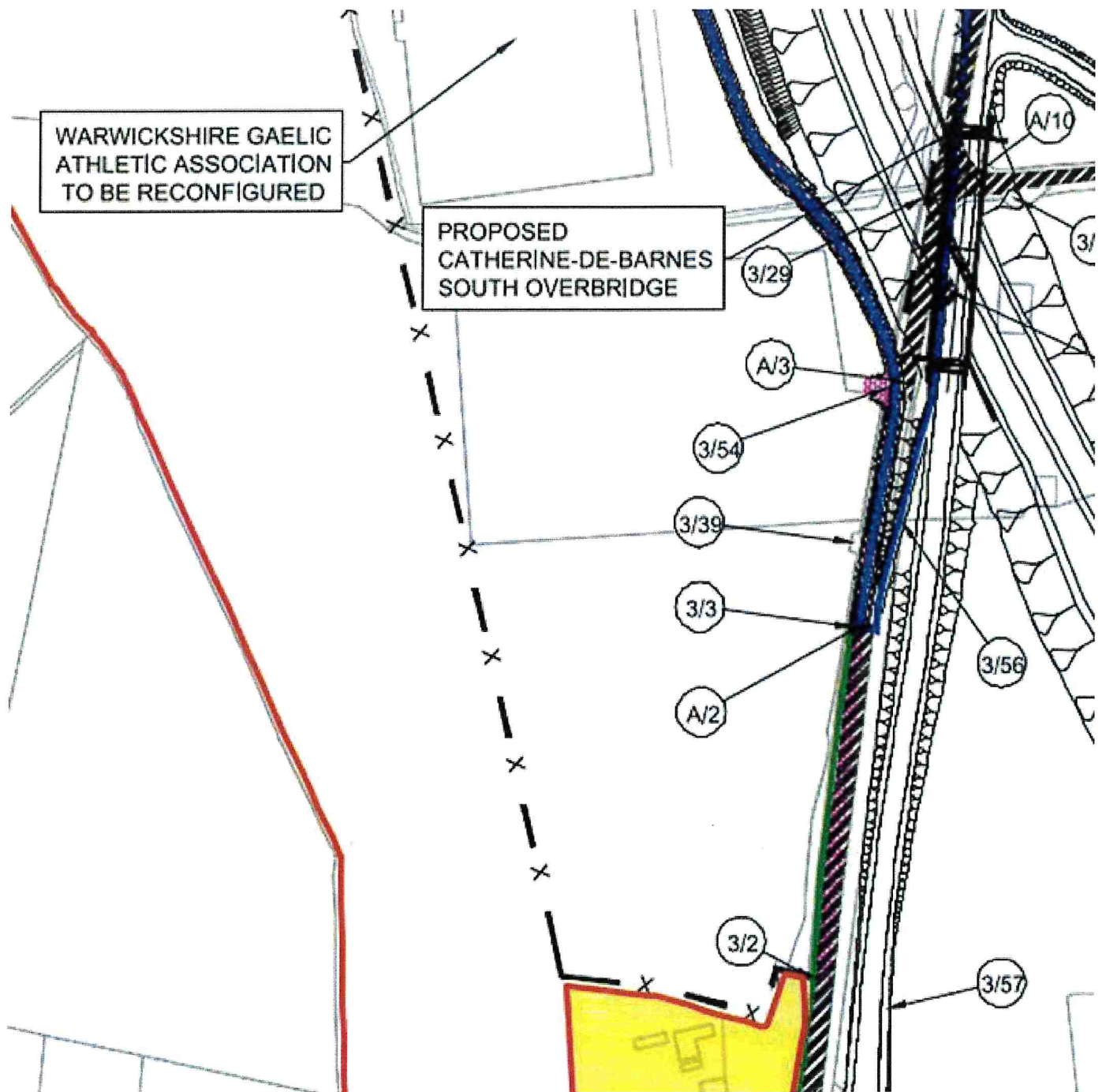




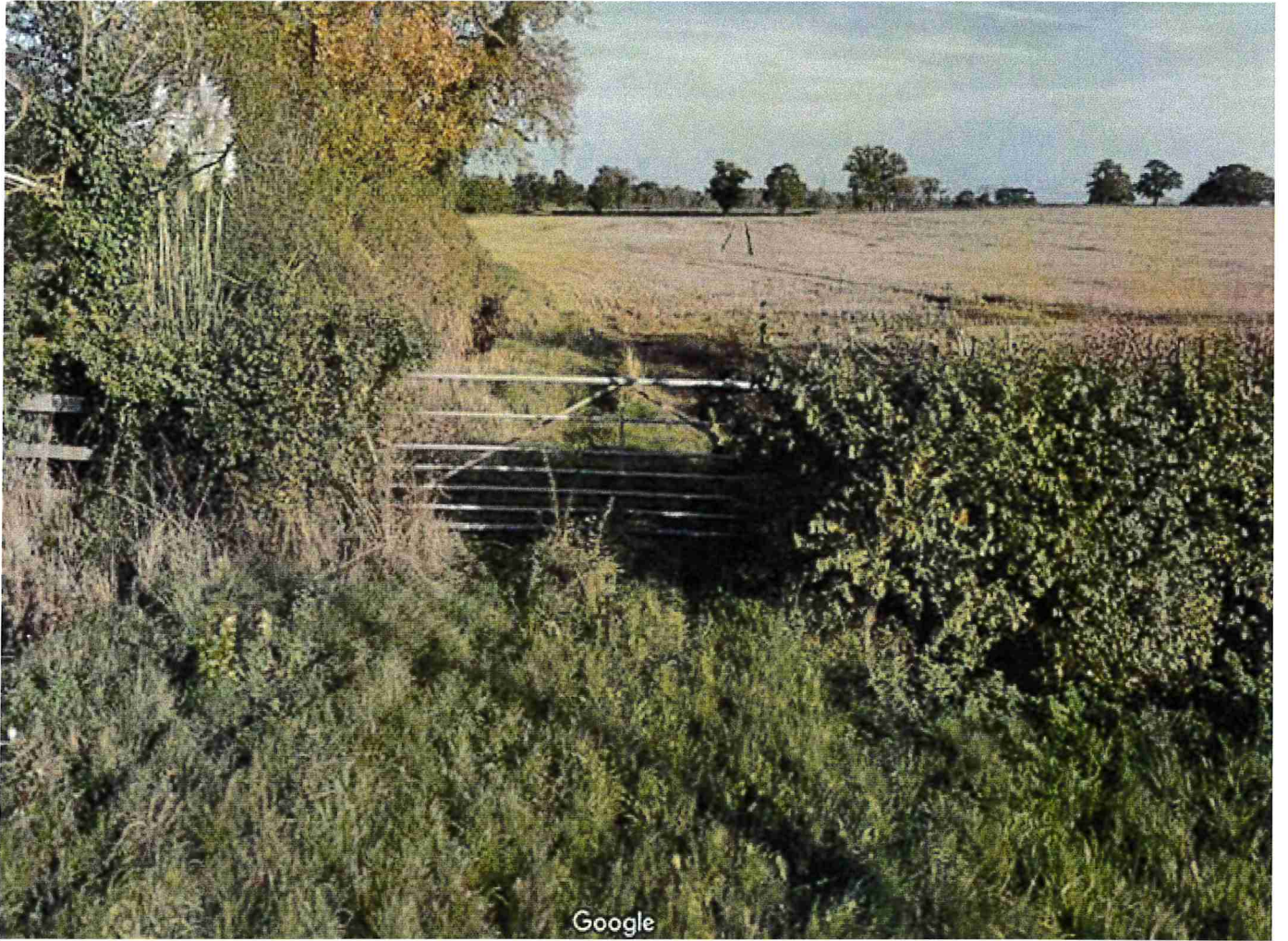






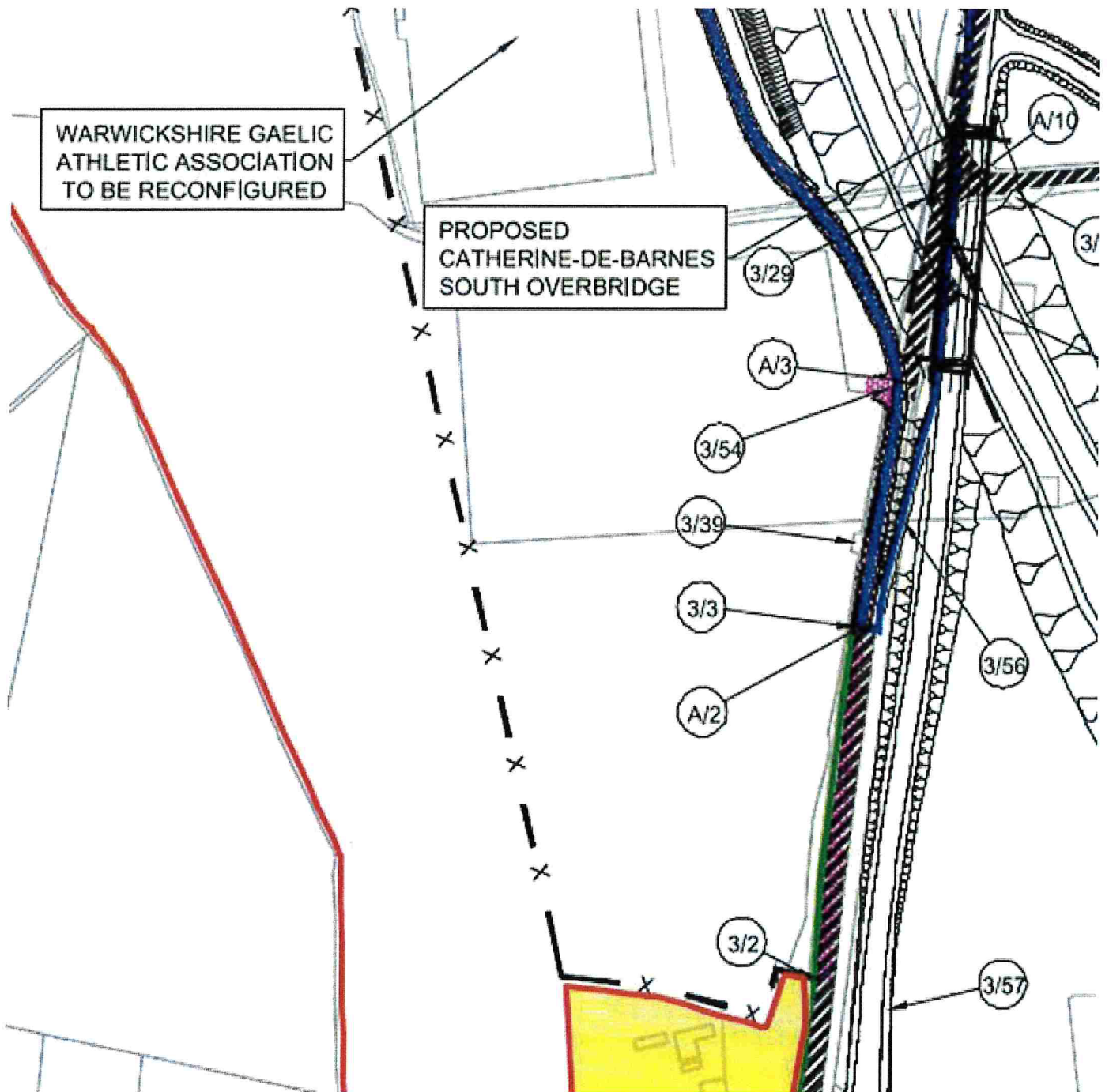


**Point 3/56** – existing field access point to be stopped up due to being within the footprint of the new mainline link road. Access to landlocked parcel of land to be maintained by point 3/57 as shown on Sheet 3 of the Streets, Rights of Way and Access Plans. Access to field to the east of the proposed mainline link road to be maintained via existing access points of Shadowbrook Lane or via the proposed accommodation bridge.



Google





Kind Regards.

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## Appendix 2

June 4<sup>th</sup> 2019 meeting notes between Highways England and the Gooch Estate



# Minutes

|   |   |  |  |
|---|---|--|--|
| <b>Meeting name</b><br>M42J6 Meeting with<br>Gooch Estate | <b>Meeting date</b><br>04.06.19   | <b>Attendees</b><br>Megan Thomas<br>(AECOM)<br>Mohamad Edroos<br>(AECOM)<br>Nicola Harrington<br>(Ardent)<br>Jonathon Pizzey (HE)<br>Michael Horton<br>(Savills)<br>Nigel Fern (Stantec)<br>Lucinda Hutson<br>(Gooch Estate) | <b>Issues for<br/>discussion</b><br>1. Highways<br>issues<br>2. Permanent<br>and<br>temporary<br>land take<br>3. DCO Issues<br>4. Severance of<br>land parcels |
| <b>Time</b><br>12-2pm                                     | <b>Location</b><br>Savills Office,<br>55 Colmore Row,<br>Birmingham<br>B3 2AA |  |  |
| <b>Project name</b><br>M42J6                              | <b>Prepared by</b><br>Megan Thomas  |  |  |

| Ref | Action   | Actions                  |
|-----|--|--------------------------|
| 01  | MH explained that Gooch Estates want to enter into a Statement of Common Ground (SoCG) with Highways England (HE). The purpose of this would be to set out historical matters discussed and resolved, as well as ongoing issues such as land take.   | <b>HE to draft SoCG.</b> |
| 02  | <p>MH suggested that ME liaise directly with NF in relation to highways queries and details.</p> <p>MH queried if there was a reason as to why we aren't entering into a Land and Works Agreement. JP explained that an Options Agreement was more preferable as HE could access the land faster once the DCO is decided (works due to start in March 2020).</p> <p>MH was concerned that if an Options Agreement is to be entered into between Gooch Estates and HE, any agreed compensation for severance, injurious affection and long term impact of the scheme of the Scheme, may not be included in any land purchase price unless this is documented and included in the Options Agreement, or paid via a separate agreement with HE., JP confirmed The District Valuer will cover compensation queries in their engagement with the Estate.</p>  |                          |
| 03  | <p><u>Highways Issues</u></p> <p>NF submitted a report to the Inspectorate in relation to the Gooch Estate's concerns about highways issues, namely access related. NF produced a plan which highlighted the severance of the Gooch Estate Land, as shown on the annotated General Arrangement Plan sheet 2 of 7 which will be sent via email to MH.</p> <p>The following points relate to the specific access related points to be addressed:</p> <p>Query 1: TN31 – This land will be temporary used for a satellite compound. Is the access here to be retained (like-for-like) and will access be available at all times for farming operations when land is not being used by HE?</p> <p>ME/JP – Final access design still needs to be agreed with SMBC – access to this land would not be permitted until the satellite compound is removed, and the land returned to the Gooch Estates.</p> <p>Query 2: TN4 – Can the access to the attenuation pond (SE of Junction 5A) either be shared with Gooch Estate, or, HE just have a RoW over the land and a</p> |                          |

| Ref | Action  | Actions   |
|-----|---|---|
|     | <p>shared gate to the point with the Estate, so that the land take is reduced in this area. NF also queried whether the gate for access would be secured.</p> <p>JP confirmed that as designed the access track would be fully secured for HE use only – due to concerns from the property owners in the area. An alternative, access was being explored with a new access from the Solihull Road through the Gooch land, to link to the access track – which would remove the property owners objections – if this was included then HE would be open to allowing a combined access in which case the maintenance would be up to Gooch Estates/HE to ensure that the gate is secured.</p> <p>Query 3: Access E (into the field – just North of Barbers Coppice, opposite Birmingham Dogs Home) – Gooch Estate does not understand the rationale behind the proposed position shown by HE, as this part of the road is curved and 50 mph, with limited visibility due to its proximity to the ancient woodland and the fact that this access would be used by slow moving agricultural vehicles. They suggested a new access would be better provided from the Barbers Coppice Roundabout.</p> <p>JP explained that providing a further access off Barbers Coppice Roundabout would not be HE’s preferred option, as it would require alteration to the roundabout and link onto the new road.</p> <p>ME to undertake further visibility assessments, To confirm the best location of the new access provision, potentially moving it north, closer to Barbers Coppice Roundabout.</p> <p>Query 4: Plot 2/11 shown on the S56 plan (temporary use): NF questioned why the existing Catherine de Barnes roundabout was shown in the Order Limits, when there did not appear to be any design/engineering reason as to why it would be. ME explained that there are signing works to be done in the area and that there was no other physical works to be done.</p> <p>Query 5: Plot 2/3w as shown on the S56 plan through the farmyard area of Hampton Lane Farm – MH noted that Gooch Estate are seeking confirmation from HE that this will be available to them at all times for farming operations and be jointly used by the parties, as it is the main access to the plots of land in the area. JP explained that HE would need temporary access for construction purposes in order to get machinery and construction materials to the bridge in the middle of the land. JP also confirmed that Skanska would work closely with the Gooch estate to share access during the works, and communicate in advance with the estate if this access needed to be closed temporarily.</p> <p>Query 6: Plan 1 showing the accommodation bridge near Barbers Coppice roundabout: Could the track/hard surfaced area on either side allow a combine harvester with a trailer behind it to access the track without encroaching into the field adjoining, as it needs to be fully hard surfaced- the track needs to be wide enough to allow this.</p> <p>JP explained this alteration would be undertaken in detailed design, which will be undertaken by HE’s and their contractors</p> <p>Query 7: MH queried how the environmental mitigation landlocked area adjoining Barbers Coppice roundabout would be accessed. JP explained that there would need to be a field access off Catherine de Barnes Lane for whoever needs to maintain it in the future. Gooch Estate registered their interested in potentially retaining ownership of this and entering into an environmental retention/maintenance restrictive covenant to maintain it in the future if HE does not want to own land that is not needed in the long term.</p> <p>Query 8 : Gooch estate were concerned about the access from Catherine de Barnes Lane, into and out of Shadowbrook lane – especially for large vehicles.</p> | <p><b>ME to undertake further visibility assessments from Barbers Coppice Roundabout.</b></p> |



| Ref | Action   | Actions  |
|-----|--|--|
|     | <p>JP explained HE is considering moving Shadowbrook Lane slightly further north in order to improve the visibility and alignment of this junction so that entry onto Catherine de Barnes Lane is safer. This will be undertaken as part of the detailed design. Gooch Estate would like to be provided with these details if this occurs.</p> <p>Query 9: The Gooch estate asked about the ownership of the land to the North of Shadowbrook lane, south of Bracey's Nursery. Currently, the land is owned by Birmingham Airport, however, potentially the land could go back onto the open market once HE has finished with it. MH queried whether HE would be interested in a deal with regards compensation, to which JP this is something which could be explored..</p>   |  |
| 04  | <p><b>MH requested to be provided with a CAD/GIS drawing to be provided, showing the permanent land requirements for the Scheme, so that this could be overlaid by Savills' GIS team onto a Gooch Estate plan.</b> This would be so that it would make clear the shape and size of the remaining fields in order to start the advance planning of new net areas for cropping, in addition for use in relation to severance and injurious affection claims.</p> <p>NH asked MH to specify exactly what is required so that this information can be provided by HE or Ardent.</p> <p>JP noted that Skanska will be the principle contractor for the Scheme, and that Mott MacDonald will take over from AECOM in relation to the finalising the detailed design. Both will need to be present at future discussions regarding the finalising of access arrangements.</p>   | <p><b>See bold text in action column ref 04.</b></p> |
| 05  | <p><u>DCO provisions</u></p> <p>Guillotine provisions were dealt with at the Issue Specific Hearing on the draft DCO on 22<sup>nd</sup> May 2019.</p> <p>Queries on the Limits of Deviation have been dropped by Gooch Estates.</p> <p>Gooch Estate queried whether it would be possible to enter into land swaps rather than receive payment for their land. The parcels of land that were of interest to them belong to Heath End estate, or between Shadowbrook Lane and Bracey's Nurseries. As the land to the north of Shadowbrook Lane is owned by Birmingham Airport, this would need to be discussed with the DV.</p> <p><b>MH to make contact with the DV (Selina Wakeham) to progress the Options Agreement and land sale to HE. Contact details below:</b></p> <p><b>Selina Wakeham BSc (Hons) MRICS   Principal Surveyor   Property Services   Nottingham   Valuation Office Agency</b><br/> <b>RICS Registered Valuer</b><br/> <b>Ground Floor Ferrers House, Castle Meadow Road, Nottingham NG2 1AB</b><br/> <b>Telephone: 03000 501186   Mobile: 07918 225132   E mail:</b><br/> <b>selina.wakeham@voa.gsi.gov.uk</b></p> | <p><b>See bold text in action column ref 05.</b></p> |
| 06  | <p>MH was concerned that the scheme orders included very large swathes of land for temporary access with rights.</p> <p>JP confirmed that this was to provide access for Cadent Gas to move their existing apparatus in the area, and once HE has agreed their design, we will be able to identify the actual land requirements with more certainty.</p> <p><b>JP to send the agreed route of the Cadent Gas pipeline diversion to MH when received.</b></p> <p>MH asked where HE stood in relation to the proposed MSA at junction 5a,</p>  | <p><b>See bold text in action column ref 06.</b></p> |

| Ref | Action   | Actions |
|-----|--|---------|
|     | JP confirmed that the Scheme would not preclude the MSA, and it is up to SMBC to determine the way forward in relation to the Gooch Estate land. |         |