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To: All Interested Parties

Your Ref:

Our Ref: TR010027

Date: 31 October 2019

Dear Sir/ Madam

The Planning Act 2008 (as amended) Section 89 and The Infrastructure Planning (Examination Procedure) Rules 2010 (as amended) – Rule 9 Application by Highways England for an Order Granting Development Consent for the M42 Junction 6 Improvement

Proposed change to the original application

We are writing to inform you that the Panel is not yet in a position to make the procedural decision anticipated at the Compulsory Acquisition Hearing held on Tuesday 22 October 2019 regarding the Applicant's proposed changes to the submitted Development Consent Order (DCO).

Although the Consultation Statement [REP6-009] and the Supplementary Environmental Appraisal Report [REP6-013] carefully address the issues raised by proposed changes 1 and 2, neither document addresses the consequences that could arise from proposed change 3¹. The possibility that the removal of land parcels 3/1d and 3/45c could result in relatively isolated remnants of agricultural land that are difficult or uneconomic to farm and reduce options for potential habitat mitigation could have implications affecting the Environmental Impact Assessment. Further relevant information is due by Deadline 8 (5 November 2019). Hence, the Panel have decided that careful consideration of that further relevant information will be necessary in order to make a procedural decision on the materiality of the proposed change to the DCO.

Yours faithfully

David Cullingford

Lead Member of the Panel

¹ Change 1: Proposed change to the southern extent of the limits of deviation for Work No. 63 (diversion of the Severn Trent Aqueduct)

Change 2: Attenuation Tank Relocation (Work No. 34) from the north western quadrant of Barber's Coppice Roundabout to the south western quadrant

Change 3: Parcels of land to be removed from the Order, namely parcels 3/1d, 3/45c, 2/32c, 2/36 and 2/32a.