

Church Farm Accommodation
Church Lane
Bickenhill
Solihull
B92 0DN

The Inspector
M42 Junction 6 DCO Hearing
The Planning Inspectorate
Temple Quay House
2 The Square
Bristol
BS1 6PN

5th November 2019

Dear Sirs,

**Re. Representation of David and Camilla Burton of Church Farm Accommodation,
Church Lane, Bickenhill B92 0DN**

Deadline 8 Submission

We write following Highway England deadline 7 submission and the responses tendered by HE to the concerns raised during the Issue Specific Hearings throughout October.

We would like to reiterate that we are completely opposed to the entire project and feel that the construction will have a significant detrimental effect to our business, our home, our village and the surrounding area.

If the project should go ahead then we insist that the following points are reviewed, answered and incorporated into the DCO:

8.86 ExA Ref No.17

Construction Phasing

Phase 1 of the document supplied specifies that this phase will take 52 weeks – can this be confirmed as we were advised that this would be completed within a 3-month period? If the time frame of 52 weeks is correct, we need a clearer breakdown of this particular phase of the construction.

8.88 ExA Ref No.9

Attenuation tank siting

From their replies, we **do not** believe that HE have reviewed our proposal in sufficient detail, and therefore our strong objection to their proposal to site the attenuation tank to the north of St Peters Lane remains.

Firstly, HE State that that visibility when exiting the site of the proposed relocated attenuation tank would be impaired as the access would be on a tight bend in the road. Currently this is correct but, as can be seen on plan HGN-SK-CH-0151, submitted by HE in document 8.86 (pg. 25), the restructuring of the junction removes the tight bend referred to as a reason for discounting this. The restructuring of the road would also remove some or all of the tree obstructions referred to as another reason for discounting this proposal. The traffic coming out of the village will also be minimal and there are many other properties along St Peters Lane that have a similar access/egress to that proposed which are used on a daily basis, not a twice per year basis (as advised during the ISH on the dDCO meeting of the 23rd October 2019). This therefore becomes an invalid argument for not relocating the attenuation tank.

Secondly, the access considered in Volume 8.73 [REP6-015/Volume 8.73] was an access directly off the realigned Catherine-de-Barnes road – our submission suggests an access off the quieter, local road of St Peters Lane. As the attenuation tank will only be accessed on a bi-annual basis, this will result in a vehicle accessing the same area proposed if the attenuation tank is located on the north side every 6 months.

In addition, as the restructuring of St Peter Lane causes this to now be a virtually straight road, access to the current position to the north, and access to the proposed position to the south will be virtually identical – we would even suggest that the access turn left through a gate on the north side of St Peters Lane would propose an even greater risk as stationary traffic is likely to be positioned on the junction between the realigned Catherine-De-Barnes road and St Peters Lane. Our suggestion takes this traffic off the main road and onto the very start of the local road, reducing this danger.

In relation to the land take mentioned – the land is already being utilised for the temporary realigned Catherine-De-Barnes road while the bridge is being constructed, has already been marked for environmental mitigation and is already included within the scope of the dDCO. The land will already be impacted and therefore will not be further affected.

The argument regarding the constraints for the tank is a little insulting – surely if HE are capable of designing a full road infrastructure, they would be able to design a tank to fit within the pocket of land to the south of St Peters Lane, removing the need for the tarmac access road behind our property? It may not be as simple as the north site but a small amount of work on the part of HE has the potential to make a large difference to our business/home, without impacting to any greater degree on others.

Due to the points above, we suggest that there is **no valid argument against relocating the attenuation tank to the south of St Peters Lane** and we are also dismayed at the obvious lack of assessment of our proposal by HE given the responses submitted, in particular to the access/egress from the site suggested - it appears that HE are trying to rely on old responses given in previous submissions for a revised and very genuine proposal to try to overcome some of the major difficulties which we have identified at present.

Realigned Catherine-De-Barnes/St Peters Lane junction

The responses given by HE do not take into consideration one major key factor – that the majority of traffic using the realigned Catherine-De-Barnes road while the main road construction is being undertaken will be either be a) travelling south along the CDB overbridge, turning right onto the realigned CDB road or b) travelling north along the realigned CDB road, turning left onto the CDB north overbridge and, under the current design, there is the propensity for traffic travelling south to

completely miss the RH turn at the junction to the immediate east of the overbridge, and drive directly into Bickenhill village.

The current CDB road sees vehicles travelling at excessive speed and a significant concern is that traffic at this speed has the potential to enter the village without the realisation that they are doing so.

The other concern will be the volume of traffic having to stop at the junction to make either the RH or LH turn – if the current volume of traffic seen on the CDB road goes through this junction, it will be introducing a hazard closer to the village, increasing the noise due to the deceleration and acceleration required at junction and creating a busy junction where one is not needed.

A right-hand bend with appropriate signage would at least alert drivers to the direction they need to travel, taking them in the correct direction - whether this deviates from standard or not (I'm aware that there are many examples of these tight bends locally and nationally).

Whatever is required to make the vehicles using this road go in the correct direction needs to be implemented – whether this is signage, increased corner radii, special tarmac colouring or flashing lights and arrows – it needs to be implemented to ensure that the priority route is not up St Peters Lane and directly into our village as shown in the current plans!

Site Compound Working Hours

As discussed at ISH 7, the current proposed working hours of the site compound are not in any way conducive to the successful running of our Bed & Breakfast business during the period of construction and its longevity once the project has been completed. The early morning hours between 7-8am, whether a soft start or not, will impact our business and our main source of income, and will lead to adverse “public reviews” on websites and social media.

The reason for this is that we know from experience that our guests are not usually awake at 7am and any noise would have the potential to disturb their sleep. If the working hours are changed so that the start time is 8am (see following suggestions), most of our guests will already be awake, reducing the chances of their sleep being disturbed and therefore reducing the chances of negative reviews. In turn, this has the propensity to reduce the compensation claims that are likely to arise from these reviews and the effect of the early start.

We understand HE's concerns regarding the length of the project and the impact that reduced working hours would have on this, but this would be our preferred option to ensure that our business survives the construction project and is still a continued, viable source of income without incurring significant bad reviews that could cause the business to close.

To highlight the significance of the effect that we potentially attribute to the 7-8am soft start, we would suggest that the additional hour is included at the end of the day, changing the working hours from 8am-7pm. This would have the potential to cause less impact on our business for the reasons stated above.

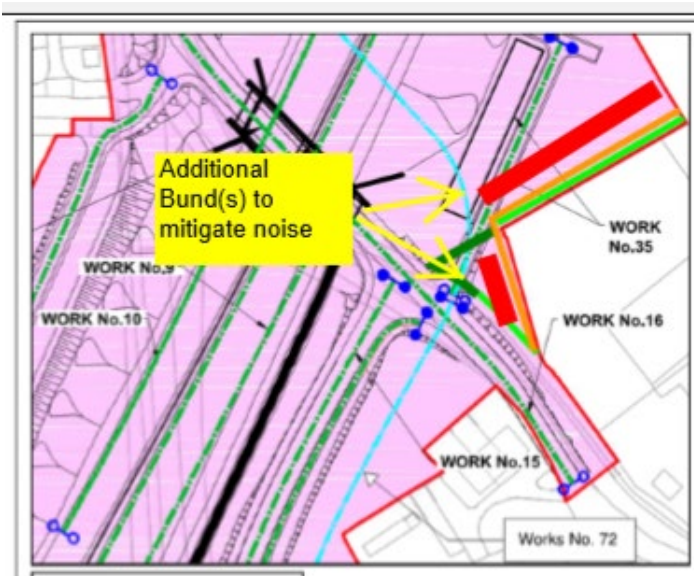
Noise Mitigation Measures – temporary and realigned CDB Road to the rear of our property

We are very disappointed with the minimal noise abatement proposed in 8.86 ExA Ref No.17 – we have advised repeatedly over the last 6 months that an acoustic fence would not be sufficient

enough to keep the noise levels similar to those experienced currently – and HE have just included this as the only option!

We need additional initiatives and, with a lack of better solutions tendered by HE, we propose that a raised bund behind the acoustic fence is also included to buffer the noises from the road and construction work being undertaken. We would also like hedgerow in front of both acoustic fences to the rear and side – not just the utilising of the existing hedgerow along the one boundary.

If the access road is removed (and we emphatically hope it is), this would allow a significant bund to be created to defend against the road noise from both the temporary realigned CDB road, the actual realigned CDB road, the pilling works, the road construction and other multiple sources of noise expected during the project. The plan below shows a rough idea of what we expect to be included as a minimum, if HE have any additional suggestions then we are open to further discussions. We would also suggest that the 2 bunds highlighted in the plan are joined once the traffic is diverted over the CDB North overpass bridge and the temporary realigned CDB road is removed.



The effort taken to mitigate the noise from the compound for other residents in the locality has seen a number of initiatives implemented, but we do not feel that appropriate mitigation has been included in respect of our own property and the source of the noise is a lot closer with the potential to cause significantly more disturbance given both our residential use and that of our paying customers from night to night.

We are also disappointed that the plans submitted do not contain any legible dimensions to be able to gauge distances and heights – this is a key requirement of a plan!

Night work

We are aware that there are several instances of night work required and also expected occurrences where the working noise levels exceed the acceptable levels.

As our Bed & Breakfast takes bookings well in advance, we already have significant business going into 2020 and we are aware that no dates have yet been set for any works to begin. We need to know what period of notice we will receive prior to these works commencing and be assured that this will be a significant amount of time to allow us to give our guests the choice of staying through

the works or finding alternative accommodation (with the relevant compensation claim following) – a 2 day notice period will not be enough, we would be expecting this to be a minimum of 6 weeks.

This is a very big concern for us now and will become an even bigger concern as the months progress as we are not yet able to forewarn any guests due to stay with us that there will be construction works in progress within close proximity to their bedrooms.

Regards,

Camilla and David Burton