

M42 Junction 6 Development Consent Order Scheme Number TR010027

8.98 Applicant's Comments on any Additional Information or Submissions Received by Deadline 8

Planning Act 2008

Rule 8 (1)(k)

The Infrastructure Planning (Examination Procedure) Rules 2010

Volume 8

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Infrastructure Planning

Planning Act 2008

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M42 Junction 6
Development Consent Order 202[]

**Applicant's Comments on any Additional Information or Submissions
Received by Deadline 8**

Regulation Number	Rule 8(1)(k)
Planning Inspectorate Scheme Reference	TR010027
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Author	M42 Junction 6 Project Team & Highways England

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1	15 November 2019	Final for submission at Deadline 9

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1 Applicant's Comments on any Additional Information or Submissions Received by Deadline 8

- 1.1.1 This document provides the comments of Highways England (the Applicant) on some of the responses made by Interested Parties to the Planning Inspectorate on Deadline 8, 5 November 2019 in respect of the M42 Junction 6 scheme (the Scheme) Development Consent Order (DCO) application.
- 1.1.2 The Applicant has sought to provide comments where it appeared to be helpful to the Examination to do so, for instance where a response includes a request for further information or clarification from the Applicant or where the Applicant consider that it would be appropriate for the Examining Authority (ExA) to have the Applicant's comments on a matter raised by an Interested Party in its response.
- 1.1.3 Where an issue raised within a response has been dealt with previously by the Applicant, for instance in the Applicant's own response to a question posed by the ExA in its second round of written questions or within one of the documents submitted to the Examination, a cross reference to that response or document is provided to avoid unnecessary duplication. The information provided in this document should, therefore, be read in conjunction with the material to which cross references are provided.
- 1.1.4 The Applicant has not provided comments on every response made by an Interested Party to the questions raised. In some cases, no comments have been provided, for instance, because the response provided a short factual response, it reiterated previously expressed objections in principle to the Scheme or expressions of opinion without supporting evidence, or it simply contradicted the Applicant's previous response to a question without providing additional reasoning.
- 1.1.5 For the avoidance of doubt, where the Applicant has chosen not to comment on matters raised by Interested Parties this is not an indication that the Applicant agrees with the point or comment raised or opinion expressed in that response.

Table 1-1 Applicant's comments

Submitted by	Title	Comments	
Philip O'Reilly	Response to Highways England Deadline 7 Documents 8.80, 8.83, 8.84, 8.86 & 8.89	Doc 8.84 – 2.2.22 Taxi Parking	<p>Philip O'Reilly comment: Response provided in separate Deadline 8 document. See item 16 under 'Response to Action Points - Issue Specific Hearing 7 on the draft Development Consent Order – 23rd October 2019' Suffice to say, and despite this assurance from Highways England, information “setting out the parameters of potential landscaping and treatment around “my property to mitigate the effect of taxi parking” was not provided in the Highways England letter I received on 25th October 2019</p> <p>The Applicant comment: The Letter to Mr O'Reilly dated 25th October 2019 states: <i>“I would like to provide you with the following assurances:</i></p> <p><i>1) Subject to the need to obtain any necessary approvals from Solihull Metropolitan Borough Council (SMBC), these approvals being forthcoming and any conditions attached to that approval, an appropriate gate and fencing will be provided to the existing access to Four Winds off Woodhouse Lane.</i></p> <p><i>2) In advance of the completion of any works needed to return land that will be subject to the Ad Medium Filum rule, the Principal Contactor will liaise with you and your parents as the registered owners of Four Winds to agree the provision of appropriate fencing or boundary treatment for this land.”</i></p>
Philip O'Reilly	Response to Highways England Deadline 7 Documents 8.80, 8.83, 8.84, 8.86 & 8.89	Doc 8.84 – 2.5.7	<p>Philip O'Reilly comment: Nick Evans (NE) of BDB Pitmans confirmed at the hearing that Highways England had only factored in a once yearly occurrence of standing traffic on Catherine de Barnes Lane, whereas the reality is it is at least a once weekly occurrence and sometimes will occur two or three times a week.</p>

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			<p>The Applicant comment:</p> <p>As Paragraph 2.5.7 of the Applicants written Submission of Oral Case for ISH on dDCO on 23 October 2019 makes clear, the Applicant considers that most of the standstill traffic is caused by congestion on local roads not by issues on the M42. The reference to one occurrence per year was given in the context of the M42. [Rep 7-009/Vol 8.84]</p>
Philip O'Reilly	Response to Highways England Deadline 7 Documents 8.80, 8.83, 8.84, 8.86 & 8.89	Doc 8.86 – ExA ref 20	<p>Philip O'Reilly comment:</p> <p>Highway England refer to document Transport Assessment Report [APP-174/Volume 7.2] and suggest the annual average daily Traffic Flow southbound to Catherine-deBarnes Lane shall be 8,532 under the do minimum scenario compared to 8,348 under the do something scenario. This is totally incorrect and misleading. The actual 2041 Traffic Flows in front of my property are 9077 under the do minimum scenario compared to 12156 under the do something scenario as stated in Figure 7.3 and Figure 7.4 of Highways England document 'TR010027-000262-TR010027_M42J6_7-2_Transport_Assessment_Report'. That amounts to a difference between do minimum and do something of almost 34 per cent based on year 2041 only. It is an increase in Traffic Flow of 3079. However, when the 2016 do minimum Traffic Flow figure of 7447 is compared to the 2041 do something Traffic Flow figure of 12156, the difference is 4709. That amounts to an increase in Traffic Flow in front of my property of more than 63 per cent.</p> <p>Also note, that these calculations have used the 2016 Traffic Flow data for the 'Middle' section of Catherine de Barnes Lane shown in Figure 7.3. It may be more accurate to use the Traffic Flow data for the 'South End' section of Catherine de Barnes Lane. In which case, the impact will be even higher:</p> <p>2041 Traffic Flow of 8562 under the do minimum scenario compared to 12156 under the do something scenario amounts to a difference between do minimum and do something of almost 42 per cent based on year 2041 only. It is an increase in Traffic Flow of 3564. When the 2016 do minimum Traffic Flow figure of 7164 is compared to the 2041 do something Traffic Flow figure of 12156, the difference is 4992. That amounts to an increase in Traffic Flow in front of my property of almost 70 per cent.</p>

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		<p>ISSUES WITH THE FORECAST TRAFFIC FLOW DIAGRAMS FOR CATHERINE DE BARNES LANE (See Appendix C):</p> <p>The forecast Traffic Flows are shown in the following diagrams:</p> <p><i>Figure 7.1 - the 'DM' (without the improvement scheme) forecast Traffic Flows for the AM, IP and PM peak hours in the 2016 base year and the 2021 and 2041 future years.</i></p> <p><i>Figure 7.2 - the 'DS' (with the improvement scheme) forecast Traffic Flows for the AM, IP and PM peak hours in the 2021 and 2041 future years.</i></p> <p><i>Figure 7.3 - the 'DM' (without the improvement scheme) forecast AADT flows in the 2016 base year and the 2021 and 2041 future years.</i></p> <p><i>Figure 7.4 - the 'DS' (with the improvement scheme) forecast AADT flows in the 2016 base year and the 2021 and 2041 future years.</i></p> <p><i>Figure 7.5 - the differences between the 'DS' and 'DM' forecast Traffic Flows for the AM, IP and PM peak hours in the 2021 and 2041 future years.</i></p> <p><i>Figure 7.6 - the differences between the 'DS' and 'DM' forecast Traffic Flows in terms of AADT flows in the 2021 and 2041 future years.</i></p> <p>Figure 7.1 - Do-Minimum Peak Hour Flows (2016 Base – 2021 – 2041)</p> <table border="1" data-bbox="824 983 2011 1142"> <thead> <tr> <th colspan="4">Southbound AM Data taken from Figure 7.1</th> <th colspan="4">Southbound IP Data taken from Figure 7.1</th> <th colspan="4">Southbound PM Data taken from Figure 7.1</th> </tr> <tr> <th>Year</th> <th>North End</th> <th>Middle</th> <th>South End</th> <th>Year</th> <th>North End</th> <th>Middle</th> <th>South End</th> <th>Year</th> <th>North End</th> <th>Middle</th> <th>South End</th> </tr> </thead> <tbody> <tr> <td>2016</td> <td>614</td> <td>409</td> <td>360</td> <td>2016</td> <td>347</td> <td>285</td> <td>262</td> <td>2016</td> <td>1222</td> <td>1050</td> <td>1057</td> </tr> <tr> <td>2021</td> <td>634</td> <td>419</td> <td>366</td> <td>2021</td> <td>461</td> <td>359</td> <td>329</td> <td>2021</td> <td>1434</td> <td>1222</td> <td>1196</td> </tr> <tr> <td>2041</td> <td>514</td> <td>310</td> <td>272</td> <td>2041</td> <td>631</td> <td>485</td> <td>435</td> <td>2041</td> <td>1390</td> <td>1156</td> <td>1144</td> </tr> </tbody> </table> <ul style="list-style-type: none"> - All other roads on the diagram show an increase in Traffic Flow in year 2041 but Highways England are stating that Southbound Traffic Flow on Catherine de Barnes Lane will be lower during AM and PM hours, and higher during IP hours, in 2041 when compared to 2021 - Almost half the Traffic Flow in AM hours is going missing on the journey from the north end of Catherine de Barnes Lane to the south end - There appears to be a false assumption that a lot of traffic is / will be using Shadowbrook Lane 	Southbound AM Data taken from Figure 7.1				Southbound IP Data taken from Figure 7.1				Southbound PM Data taken from Figure 7.1				Year	North End	Middle	South End	Year	North End	Middle	South End	Year	North End	Middle	South End	2016	614	409	360	2016	347	285	262	2016	1222	1050	1057	2021	634	419	366	2021	461	359	329	2021	1434	1222	1196	2041	514	310	272	2041	631	485	435	2041	1390	1156	1144
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		<p>Figure 7.2 - Do-Something 2021 – 2041</p> <table border="1" data-bbox="824 379 1995 579"> <thead> <tr> <th></th> <th colspan="2">(A) Diverge Slip from proposed Mainline link to Bickenhill Roundabout</th> <th colspan="2">(B) Southbound Realigned Catherine de Barnes Lane from Bickenhill Roundabout to Barber's Coppice Roundabout</th> <th colspan="2">(C) Southbound Realigned Catherine de Barnes Lane from Barber's Coppice Roundabout to Hampton Lane Roundabout</th> </tr> <tr> <th>Year</th> <th>2021</th> <th>2041</th> <th>2021</th> <th>2041</th> <th>2021</th> <th>2041</th> </tr> </thead> <tbody> <tr> <td>AM</td> <td>643</td> <td>819</td> <td>563</td> <td>583</td> <td>359</td> <td>268</td> </tr> <tr> <td>IP</td> <td>473</td> <td>632</td> <td>496</td> <td>657</td> <td>372</td> <td>406</td> </tr> <tr> <td>PM</td> <td>1396</td> <td>1607</td> <td>1315</td> <td>1418</td> <td>1149</td> <td>1165</td> </tr> </tbody> </table> <ul style="list-style-type: none"> - Do-Something will result in a higher southbound Traffic Flow of 1607 during PM hours in 2041 compared to the Do-Minimum Traffic Flow of 1390 - There is an increase in southbound Traffic Flow in 2041 at the north end of Catherine de Barnes Lane but there is a reduction in Traffic Flow at the south end - There appears to be a false assumption that a lot of traffic is / will be using Shadowbrook Lane - Most of the vehicles that arrive at Bickenhill Roundabout from the Mainline Link road in AM hours in 2041 will apparently not reach Hampton Lane Roundabout - 819 vehicles arrive at Bickenhill Roundabout but only 268 vehicles will get to Hampton Lane Roundabout - More than a third of the vehicles that arrive at Bickenhill Roundabout from the Mainline Link road in IP hours in 2041 will apparently not reach Hampton Lane Roundabout - 632 vehicles arrive at Bickenhill Roundabout but only 406 vehicles will get to Hampton Lane Roundabout - More than a quarter of the vehicles that arrive at Bickenhill Roundabout from the Mainline Link road in PM hours in 2041 will apparently not reach Hampton Lane Roundabout - 1607 vehicles arrive at Bickenhill Roundabout but only 1165 vehicles will get to Hampton Lane Roundabout - Southbound Traffic Flow during inter-peak hours from Bickenhill Roundabout to Barber's Coppice Roundabout to Hampton Lane Roundabout is shown higher than during AM hours by 2041 		(A) Diverge Slip from proposed Mainline link to Bickenhill Roundabout		(B) Southbound Realigned Catherine de Barnes Lane from Bickenhill Roundabout to Barber's Coppice Roundabout		(C) Southbound Realigned Catherine de Barnes Lane from Barber's Coppice Roundabout to Hampton Lane Roundabout		Year	2021	2041	2021	2041	2021	2041	AM	643	819	563	583	359	268	IP	473	632	496	657	372	406	PM	1396	1607	1315	1418	1149	1165
	(A) Diverge Slip from proposed Mainline link to Bickenhill Roundabout		(B) Southbound Realigned Catherine de Barnes Lane from Bickenhill Roundabout to Barber's Coppice Roundabout		(C) Southbound Realigned Catherine de Barnes Lane from Barber's Coppice Roundabout to Hampton Lane Roundabout																																
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		<p>Figure 7.3 - Do-Minimum AADT 24hr Flows (2016 Base – 2021 – 2041)</p> <table border="1" data-bbox="824 371 1220 531"> <thead> <tr> <th colspan="4">Southbound Data taken from Figure 7.3</th> </tr> <tr> <th>Year</th> <th>North End</th> <th>Middle</th> <th>South End</th> </tr> </thead> <tbody> <tr> <td>2016</td> <td>9386</td> <td>7447</td> <td>7164</td> </tr> <tr> <td>2021</td> <td>10902</td> <td>8690</td> <td>8218</td> </tr> <tr> <td>2041</td> <td>11687</td> <td>9077</td> <td>8562</td> </tr> </tbody> </table> <ul style="list-style-type: none"> - It appears that a lot of vehicles are going missing on the journey from the north end of Catherine de Barnes Lane to the south end - More than a quarter of the vehicles that start their journey at the north end of Catherine de Barnes Lane will apparently not reach the south end - 11687 vehicles start their journey at the north end but only 8562 vehicles get to the south end. - There appears to be a false assumption that a lot of traffic is / will be using Shadowbrook Lane <p>Figure 7.4 - Do-Something AADT 24hr Flows (2016 Base – 2021 – 2041)</p> <table border="1" data-bbox="824 608 2049 869"> <thead> <tr> <th rowspan="2">Year</th> <th colspan="6">Section of Road</th> </tr> <tr> <th>(A) Northbound Realigned Catherine de Barnes Lane from Hampton Lane Roundabout to Barber's Coppice Roundabout</th> <th>(B) Southbound Realigned Catherine de Barnes Lane from Bickenhill Roundabout to Barber's Coppice Roundabout</th> <th>(C) Northbound Realigned Catherine de Barnes Lane from Barber's Coppice Roundabout to Bickenhill Roundabout</th> <th>(D) Southbound Realigned Catherine de Barnes Lane from Barber's Coppice Roundabout to Hampton Lane Roundabout</th> <th>(E) (Northbound) Merge Slip from Barber's Coppice Roundabout to proposed Mainline link</th> <th>(F) (Southbound) Diverge Slip from proposed Mainline link to Bickenhill Roundabout</th> </tr> </thead> <tbody> <tr> <td>2016</td> <td>6475</td> <td>7447</td> <td>6241</td> <td>7164</td> <td>N/A</td> <td>N/A</td> </tr> <tr> <td>2021</td> <td>8787</td> <td>10509</td> <td>719</td> <td>7999</td> <td>10021</td> <td>10868</td> </tr> <tr> <td>2041</td> <td>11829</td> <td>12156</td> <td>793</td> <td>8348</td> <td>13886</td> <td>13362</td> </tr> </tbody> </table> <ul style="list-style-type: none"> - In 2016, 7447 vehicles will travel southbound on the Realigned Catherine de Barnes Lane from Bickenhill Roundabout to Barber's Coppice Roundabout but in 2041 that figure rises by 63 per cent to 12156 vehicles. That is an increase in southbound Traffic Flow of more than 4700 vehicles - It appears that a lot of vehicles are going missing on the journey from the north end of Catherine de Barnes Lane to the south end - There appears to be a false assumption that a lot of southbound traffic is / will be using Shadowbrook Lane - In 2041, 13362 vehicles take the Diverge Slip from proposed Mainline link to Bickenhill Roundabout but only 12156 will travel southbound on the Realigned Catherine de Barnes Lane from Bickenhill Roundabout. - On a daily basis 1206 vehicles from the Diverge Slip from proposed Mainline link and 793 vehicles from the northbound Realigned Catherine de Barnes Lane will be going into Bickenhill on a daily basis in 2041. That amounts to 1999 vehicles - Almost a third of the vehicles that exit Bickenhill Roundabout in 2041 will apparently not reach Hampton Lane Roundabout 	Southbound Data taken from Figure 7.3				Year	North End	Middle	South End	2016	9386	7447	7164	2021	10902	8690	8218	2041	11687	9077	8562	Year	Section of Road						(A) Northbound Realigned Catherine de Barnes Lane from Hampton Lane Roundabout to Barber's Coppice Roundabout	(B) Southbound Realigned Catherine de Barnes Lane from Bickenhill Roundabout to Barber's Coppice Roundabout	(C) Northbound Realigned Catherine de Barnes Lane from Barber's Coppice Roundabout to Bickenhill Roundabout	(D) Southbound Realigned Catherine de Barnes Lane from Barber's Coppice Roundabout to Hampton Lane Roundabout	(E) (Northbound) Merge Slip from Barber's Coppice Roundabout to proposed Mainline link	(F) (Southbound) Diverge Slip from proposed Mainline link to Bickenhill Roundabout	2016	6475	7447	6241	7164	N/A	N/A	2021	8787	10509	719	7999	10021	10868	2041	11829	12156	793	8348	13886	13362
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		<p>- 12156 vehicles exit Bickenhill Roundabout but only 8348 vehicles will get to Hampton Lane Roundabout</p> <p>- In 2016, only 283 vehicles do not travel the full distance from Bickenhill Roundabout to Hampton Lane Roundabout but in 2041 this number has increased by almost 1250 per cent to 3808</p> <p>Comments on Southbound Traffic Flow (from Figure 7.4):</p> <p>The majority of vehicles that currently travel southbound from the Clock Interchange are using Catherine de Barnes Lane to travel to their destination via Hampton Lane Roundabout.</p> <p>The journey following completion of the Scheme will be as follows:</p> <ul style="list-style-type: none"> - Exit Clock Interchange onto the Mainline Link road - Leave the Mainline Link road and continue onto Bickenhill Roundabout via the Diverge Slip from proposed the Mainline Link road - Exit Bickenhill Roundabout and travel Southbound on the Realigned Catherine de Barnes Lane to Barber's Coppice Roundabout - Exit Barber's Coppice Roundabout and continue to Hampton Lane Roundabout <p>As the majority of these vehicles will exit Bickenhill Roundabout and travel Southbound on the Realigned Catherine de Barnes Lane to Barber's Coppice Roundabout, then continue from Barber's Coppice Roundabout to Hampton Lane Roundabout, the relevant Traffic Flows are section (B) and section (D).</p> <p>Highways England state that in 2041 the daily Traffic Flow from Bickenhill Roundabout to Barber's Coppice Roundabout (step 3 above) will be 12156 (section (B)). The Traffic Flow from Barber's Coppice Roundabout to Hampton Lane Roundabout (step 4 above) is stated as 8348 (section (D)), a difference of 3808. Highways England are forecasting that on a daily basis in 2041, 3808 vehicles that travel south from Bickenhill Roundabout to Barber's Coppice Roundabout are doing so to get onto the Mainline Link road, as they are not continuing to Hampton Lane Roundabout. That amounts to almost a third of all southbound vehicles.</p>

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		<p>It is unlikely that 3808 vehicles have left the Mainline Link road will make the same mistake on a daily basis and are simply travelling back to the Clock Interchange or are leaving Bickenhill on a daily basis so where have these 3808 vehicles come from?</p> <p>If step 2 of the journey is included, the Traffic Flow for the Diverge Slip from proposed Mainline link to Bickenhill Roundabout (section (F)) is 13362. The Traffic Flow from Barber's Coppice Roundabout to Hampton Lane Roundabout (step 4 above) is stated as 8348 (section (D)), the difference is 5014 vehicles. Are Highways England suggesting that on a daily basis in 2041, 5014 vehicles will exit the Mainline Link road but will not continue to Hampton Lane Roundabout?</p> <p>Comments on Northbound Traffic Flow (from Figure 7.4):</p> <p>The majority of vehicles that currently travel northbound from Hampton Lane Roundabout are using Catherine de Barnes Lane to travel to their destination via the Clock Interchange.</p> <p>The journey following completion of the Scheme will be as follows:</p> <ul style="list-style-type: none"> - Exit Hampton Lane Roundabout onto the Realigned Catherine de Barnes Lane and continue to Barber's Coppice Roundabout - Exit Barber's Coppice Roundabout onto the Merge Slip to the proposed Mainline Link road - Continue on the Mainline Link road to the Clock Interchange <p>However, a small number of vehicles will be accessing Bickenhill.</p> <p>The journey from Barber's Coppice Roundabout to Bickenhill Roundabout (and onto Bickenhill) will be as follows:</p> <ul style="list-style-type: none"> - Exit Barber's Coppice Roundabout onto the Realigned Catherine de Barnes Lane and continue to Bickenhill Roundabout - Exit Bickenhill Roundabout onto the Realigned Catherine de Barnes Lane and continue to Bickenhill <p>The majority of vehicles that exit Hampton Lane Roundabout onto the Realigned Catherine de Barnes Lane will be accessing the Mainline Link road via the Merge Slip off Barber's Coppice Roundabout, and the relevant Traffic Flows are section (A) and section (E). However, some vehicles will exit Barber's Coppice Roundabout onto the Realigned Catherine de Barnes Lane and</p>

Submitted by	Title	Comments																								
		<p>continue onto Bickenhill Roundabout to access Bickenhill. The relevant Traffic Flow for this is section (C).</p> <p>Highways England state that in 2041 the daily Traffic Flow from Hampton Lane Roundabout to Barber's Coppice Roundabout (step 1 above) will be 11829 (section (A)). The Traffic Flow from Barber's Coppice Roundabout onto the Merge Slip to the proposed Mainline Link road (step 2 above) is stated as 13886 (section (E)), a difference of -2057.</p> <p>Some of the vehicles that exit Hampton Lane Roundabout and travel onto Barber's Coppice Roundabout will continue northbound to Bickenhill Roundabout and for this the Traffic Flow is 793 (section (C)). As such, the difference between the Traffic Flow from Barber's Coppice Roundabout onto the Merge Slip to the proposed Mainline Link road is $((11829 - 793) - 13866) = -2830$.</p> <p>However, the Southbound Traffic Flow calculation confirmed the Traffic Flow onto the Merge Slip to the proposed Mainline Link road is 3808.</p> <p>The difference between the two figures is $(3808 - 2830) = 978$.</p> <p>Are we to assume that on a daily basis 978 vehicles will vanish when they get to Barber's Coppice Roundabout?</p> <p>Figure 7.5 – 2021 (Opening Year 2023) Peak Hour Differences (DS-DM) & 2041 (Design Year 2038) Peak Hour Differences (DS-DM)</p> <table border="1" data-bbox="824 970 1928 1217"> <thead> <tr> <th rowspan="2">Year</th> <th colspan="2">(A) Southbound on Catherine de Barnes Lane from Clock Interchange</th> <th colspan="2">(B) Southbound on Mainline Link road to Junction 5a</th> </tr> <tr> <th>2021</th> <th>2041</th> <th>2021</th> <th>2041</th> </tr> </thead> <tbody> <tr> <td>AM</td> <td>664</td> <td>1315</td> <td>655</td> <td>1010</td> </tr> <tr> <td>IP</td> <td>485</td> <td>879</td> <td>473</td> <td>878</td> </tr> <tr> <td>PM</td> <td>634</td> <td>730</td> <td>664</td> <td>512</td> </tr> </tbody> </table> <p>- Unfortunately Figure 7.5 omits the works between Clock Interchange and Hampton Lane Roundabout but does include Junction 5a</p> <p>- In 2021, during AM hours, 664 more vehicles will exit Clock Interchange traveling south and 655 of these vehicles will continue onto the Mainline Link road. It appears there will only be an increase of 9 vehicles using the Realigned Catherine de Barnes Lane in 2021 during AM hours</p>	Year	(A) Southbound on Catherine de Barnes Lane from Clock Interchange		(B) Southbound on Mainline Link road to Junction 5a		2021	2041	2021	2041	AM	664	1315	655	1010	IP	485	879	473	878	PM	634	730	664	512
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PM	634	730	664	512																						

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		<p>- In 2021, during PM hours, 634 more vehicles will exit Clock Interchange traveling south but 664 vehicles will continue onto the Mainline Link road. Where have the extra 30 vehicles come from?</p> <p>- In 2041, during AM hours, 1315 more vehicles will exit Clock Interchange traveling south and 1010 of these vehicles will continue onto the Mainline Link road. It appears there will be an increase of 305 vehicles using the Realigned Catherine de Barnes Lane in 2041 during AM hours</p> <p>- In 2041, during IP hours, 879 more vehicles will exit Clock Interchange traveling south and 878 of these vehicles will continue onto the Mainline Link road. It appears there will only be an increase of 1 vehicle using the Realigned Catherine de Barnes Lane in 2041 during IP hours</p> <p>- In 2041, during PM hours, 730 more vehicles will exit Clock Interchange traveling south and 512 of these vehicles will continue onto the Mainline Link road. It appears there will be an increase of 218 vehicles using the Realigned Catherine de Barnes Lane in 2041 during PM hours.</p> <div data-bbox="772 792 1808 1170" style="border: 1px solid black; padding: 5px;"> <p>Figure 7.6 – AADT 24hr Flows Differences (DS-DM) (2021 and 2041)</p> <table border="1"> <thead> <tr> <th></th> <th>(A) Southbound on Catherine de Barnes Lane from Clock Interchange</th> <th>(B) Southbound on Mainline Link road to Junction 5a</th> </tr> <tr> <th>Year</th> <th>Difference</th> <th>Difference</th> </tr> </thead> <tbody> <tr> <td>2021</td> <td>7957</td> <td>7991</td> </tr> <tr> <td>2041</td> <td>12953</td> <td>11275</td> </tr> </tbody> </table> </div> <p>- Unfortunately Figure 7.6 omits the works between Clock Interchange and Hampton Lane Roundabout but does include Junction 5a</p> <p>- In 2021, 7957 more vehicles will exit Clock Interchange traveling south and 7991 of these vehicles will continue onto the Mainline Link road. Where have the extra 34 vehicles come from?</p>		(A) Southbound on Catherine de Barnes Lane from Clock Interchange	(B) Southbound on Mainline Link road to Junction 5a	Year	Difference	Difference	2021	7957	7991	2041	12953	11275
	(A) Southbound on Catherine de Barnes Lane from Clock Interchange	(B) Southbound on Mainline Link road to Junction 5a												
Year	Difference	Difference												
2021	7957	7991												
2041	12953	11275												

Submitted by	Title	Comments
		<p>- In 2041, 12953 more vehicles will exit Clock Interchange traveling south and 11275 of these vehicles will continue onto the Mainline Link road. It appears there will be an increase of 1678 vehicles using the Realigned Catherine de Barnes Lane in 2041</p> <p>Given the above it is difficult to conclude that Highways England are correct when stating the annual average daily Traffic Flow southbound to Catherine-de-Barnes Lane shall be 8,532 under the do minimum scenario compared to 8,348 under the do something scenario.</p> <p>In fact, it is glaringly obvious that they have simply cherry-picked data in an attempt to justify their argument.</p> <p>It also appears that their Traffic Flow data is seriously flawed.</p> <p>As HE have used this flawed Traffic Flow data in their air quality assessment document 'TR010027-000139-TR010027_M42J6_6-1_Environmental_Statement_Chapter_6' and noise assessment document 'TR010027-000145-TR010027_M42J6_6-1_Environmental_Statement_Chapter_12' one must assume that these documents are not a true reflection of the impact of the scheme and they must be updated accordingly before any decision is made by the ExA.</p> <p>The Applicant comment:</p> <p>The Applicant's response to Action point 20 within Volume 8.86 [REP7-011/Volume 8.86] referred to southbound traffic along Catherine-de-Barnes Lane where it reaches Catherine-de-Barnes roundabout, not where it will reach the new Barber's Coppice roundabout. This is because the Applicant is of the view that this is the area currently most susceptible to the congestion described by Mr O'Reilly.</p> <p>Mr O'Reilly's subsequent comments largely relate to the traffic flow numbers not 'adding up' between road sections within the Transport Assessment Report (TAR) [APP-174/Volume 7.2]. The comments also question the validity of the traffic flow data which has been used to inform the air quality and noise assessments.</p> <p>The Applicant can confirm that the traffic flows presented in Figures 7.1 to 7.6 of the TAR provide a summary of the forecast flows produced by the M42 Junction 6 Local Area Model (LAM). As the figures referred to by Mr O'Reilly are summary figures, these do not provide flow information for</p>

Submitted by	Title		Comments
			<p>every road section which is why the totals do not add up and are not meant to. The Applicant's selection of links was made to simplify the presentation of the flows while allowing some comparisons to be made between forecast years and scenarios. The full information is contained in the LAM and informed both the traffic and environmental assessment, including the assessments of air quality and noise.</p>
Philip O'Reilly	Response to action points: ISH 7 on the draft Development Consent Order – 23 rd October 2019	16	<p>Philip O'Reilly comment:</p> <p>I can confirm a letter from Chris Harris (Highways England) was attached to an email received from Lydia Barnstable (AECOM) on 25th October 2019 and marked 'Private and Confidential'. However, it does not address the concerns I have raised. In short:</p> <ul style="list-style-type: none"> - The letter advises that I should engage a professional advisor but does not confirm that Highways England will meet the cost. - The letter confirms that works will be undertaken but does not provide any information or plan showing the extent of those works. - It is disappointing to say the least that Highways England are still unable to confirm how my property is affected by their scheme. - The letter does not confirm how the main access and the rear access to my property will be treated. - Instead of agreeing any fencing or boundary treatment to my property directly with Highways England it will need to be agreed with the Principal Contractor. - Although the works in front of my property have not changed a great deal since January 2018 Highways England have still not completed the Land Registry checks (but advise that they will be completed by 2nd November 2019) and therefore cannot confirm what land will revert to my ownership under the ad medium filum rule. No information has been provided prior to Deadline 8. - I would prefer to have control, and therefore ownership, of as much of the land outside the current boundary to my property up to the realigned Catherine de Barnes Lane to ensure it is properly maintained.

Submitted by	Title	Comments
		<ul style="list-style-type: none"> - Highways England are proposing to use a CPO to take land that reverts to my ownership under the ad medium filium rule without any discussion or agreement. - Highways England are continuing to apply a broad-brush approach to remedy the concerns of those affected by their scheme rather than addressing individual needs. - The letter does not confirm the extent of any hedging or fencing to my new boundary. - My property is a residential property and therefore the hedge planting should be suitable for a residential property rather than what one would expect to find around a field. - Planting to my boundary is proposed to be native hedge planting which does not appear to include any evergreen content. It is difficult to see how it will provide year-round visual screening to my property. - Hedge planting to the boundary of my property should provide immediate visual screening using established, mature plants. Any proposal to use 1m high plants that will take 5+ years to produce a sparse 2m hedge must be dismissed. - The letter advises that more details on potential species for hedges are given in table 6.7 of the Outline Biodiversity Management Plan, submitted to the Examination at Deadline 7. Table 6.7 does provide details of native hedge planting but does not contain any information on 'domestic' hedging. - Item 3.3.15 of HE document 'Outline Biodiversity Management Plan' states that "Woodland, woodland edge, individual and grouped trees, scrub and shrubs will be established by the PC across the Scheme for the purposes of landscape integration, visual screening and as mitigation / compensation for habitats and vegetation lost". If that is the objective then hopefully they will advise on how a seasonal hedge will provide year-round visual screening to my property. - The letter does not contain any information on what visual screening will be provided between my property and the Mainline Link road / Slip Road from Barber's Coppice. - Any fencing or boundary treatment to my property will be behind an area of 'environmental mitigation' but no details on what that means or the extent of the planting have been provided. - If the 'environmental mitigation' outside my property consists solely of native hedge planting it will provide seasonal cover only.

Submitted by	Title	Comments
		<p>- The land between the centre line of the existing Catherine de Barnes Lane (which I assume will be my new boundary under ad medium filum) and the realigned Catherine de Barnes Lane will be 25m wide but Highways England are unable to confirm if it will all be planted out. Needless to say, leaving large areas of grass verge is not an ideal solution in this location.</p> <p>- Proposed boundary treatments do not include any options for noise mitigation, particularly around the proposed 'Barber's Coppice Roundabout'.</p> <p>- No details on fencing specification such as dimensions, material, finish, etc. have been provided. One would expect the specification to provide a minimum lifespan of 30 years, not require painting (other than preservative treatment) and given our existing timber fencing is Oak any new fencing should ideally match.</p> <p>I would also add that on 29th October 2019 I suggested a meeting was arranged at the earliest possible convenience to move matters forward. Highways England have yet to respond.</p> <p>Hampton in Arden Parish Council also sent a request on 21st October 2019 for a meeting to be arranged. Highways England have yet to respond.</p> <p>Note: Item 2.2.22 of HE Document '8.84 Written Submission of Oral Case for ISH on dDCO on 23 October 2019' states the following:</p> <p><i>"PO'R discussed his concerns regarding the impact of taxi parking at his property and requested further information about the measures the Applicant could take to mitigate the effect of this. NE noted that the detail of measures could not be given at this stage. However, the Applicant would provide PO'R with a letter setting out the parameters of potential landscaping and treatment around PO'R's property to help address his concerns"</i>.</p> <p>As can be seen above, and despite this assurance from Highways England, information "setting out the parameters of potential landscaping and treatment around "my property to mitigate the effect of taxi parking" was not provided in the letter I received on 25th October 2019.</p>

Submitted by	Title	Comments
		<p>The Applicant comment:</p> <p>The Ad Medium Filum rule relies on historic land ownership, which is complex. Given the level of design undertaken, the Applicant has given Mr O'Reilly as much information as is available at this stage. As explained to Mr O'Reilly in the 25 October letter if further information comes to light that requires a change to the land ownership plan previously provided to him the Applicant will advise him as soon as practicable.</p> <p>The 25 October letter also confirmed the parameters, in the absence of a detailed design, that the Applicant's Principal Contractor would be complying with in relation to boundary hedges, boundary fencing and access gates. As the 25 October letter states, these will all be based on the Manual of Contract Documents for Highway Works (MCHW).</p>
Camilla and David Burton	Comments on any additional information or submissions received by previous deadline	<p>8.86 ExA ref 17</p> <p>Camilla and David Burton comment:</p> <p>Construction Phasing</p> <p>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.</p> <p>The Applicant comment:</p> <p>The Programme as set out in Document 8.86 is the latest programme information available. Phase 1 includes the construction of the temporary Catherine-de-Barnes Lane but additionally the prior surveys, ecological and environmental mitigation, and utility diversions. The construction of the realigned Catherine-de-Barnes Lane will take approximately 3 – 4 months as specified in Table 3.3 of Chapter 3 of the Environmental Statement [APP-048/Volume 6.1].</p>

Submitted by	Title	Comments	
Camilla and David Burton	Comments on any additional information or submissions received by previous deadline	8.88 ExA ref 9	<p>Camilla and David Burton comment:</p> <p>Night work</p> <p>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.</p> <hr/> <p>The Applicant comment:</p> <p>As explained previously the Applicant does not currently envisage that there will be a requirement for night working in the immediate vicinity of Church Farm Accommodation. None of the activities set out in Requirement 4(3)(c)(i) to (xiv) are expected to be carried out in this vicinity during the night.</p>