



GODFREY-PAYTON
CHARTERED SURVEYORS

Old Bablake
Hill Street
Coventry CV1 4AN

PARTNERS

R J K MORTON FRICS FAAV
P A BRITTEN BSc FRICS
G E WILSON BSc MRICS FAAV
J R PALFREYMAN BSc MRICS
P E COWEN BSc MRICS

ASSOCIATES

T C CARSBURG BSc MRICS
P J MAWSON FRICS
R J WEST MARLA

CONSULTANTS

J G JACOBS FRICS
A RUSSELL-WILKS BSc FRICS MRTPI
M F H WHITE MRICS FAAV

Telephone: 024 7622 6684

E-mail: coventry@godfrey-payton.co.uk

Website: www.godfrey-payton.co.uk

The Planning Inspectorate
M42 Junction 6
DOC Hearing
Temple Key House
2 The Square
Bristol
BS1 6PN

13th November 2019

Dear Sirs,

**Re. Representation submitted on behalf of David & Camilla Burton
Church Farm Accommodation, Church Lane, Bickenhill B92 0DN
Deadline 9 Submission**

We write further to the previous submissions which have been submitted by David and Camilla Burton as part of your enquiry, and specifically in respect of the Examining Authority's draft Development Consent Order (dDCO) commentary and schedule of changes which were issued on 8th November 2019.

We are grateful to members of the Panel for the manner in which they have listened to the arguments which have been put forward by Interested Parties (IP's), and in principle we fully support the recommendations which are set out in the commentary for the Applicant to consider prior to submission of the final dDCO on 15th November.

In welcoming the detail of the latest commentary, we wish to add the following observations:

1. Comment no.7 (Recommendation 4)

In addition to the proposed amendment, we hope that the ExA may also be prepared to include a recommendation that SMBC should consult with all relevant IP's in respect of the protocol which is to be devised for addressing the noise issues arising from the construction works between the hours of 7 and 8 a.m. and should take on board the points raised in that regard during this enquiry. We will make a similar suggestion directly to SMBC.

2. Comment no.9 – R4 (3) d (xvi) – Outline Compound Management Plan Appendix 1.

We welcome and fully support the ExA's proposed amendment to the siting and layout for main compound. It is perhaps also worth noting that a consequence of the ExA's proposal would include the removal of the previously proposed hardcore track which was identified to run along the east side of the new link road between the main compound and the realigned Catherine De Barnes Lane (once complete). It is our understanding that the ExA's proposal will purely result in an agricultural access being provided off the Catherine De Barnes Lane to enable access to and egress from the retained agricultural land following completion of the scheme, with such agricultural access also being used on the rare occasions that it is required by Severn Trent Water from access to and egress from their aqueduct. In the event that an entry and exit to the revised compound layout can be incorporated as shown on the Plan shown at Action No.4 of REP6 – 015 (page 13) then there is no requirement for any form of exit from the main site compound along the east side of the new link road directly onto the realigned Catherine De Barnes Lane.

3. Comment no.12 – New R14 – Configuration of the main site compound.

The ExA's proposals are once again welcomed and fully supported. By way of supplementary comment, we would also ask the ExA to recommend that in respect of proposed new clause 14 (1) the relevant planning authority must be encouraged to take on board all detailed statements and submissions by IP's in respect of the scheme which have been submitted to the enquiry in reaching any decision relating to the configuration proposals for the main site compound. It is important that the relevant planning authority takes on board, and acts upon, the many valid concerns which have been raised throughout the examination process.

Whilst we again fully support the ExA's approach in respect of proposed new R14, we believe that the words stating "unless otherwise agreed by the relevant planning authority," should be removed from R14 (2) to avoid ambiguity or a change of approach at a later stage within the scheme.

In addition, we would prefer to see a rephrasing of the final sentence of the proposed new R14 (2) whereby it becomes "those access arrangements may entail the provision of traffic lights and the possible reprogramming of additional phases in constructing the main line link road such that a right turn is possible at the point of exit, or the prohibition of a right turn at the northern exit where working arrangements dictate that it is not safe or practical to include a right turn exit."

4. Comment no.13 – New R15 altering the priority of the Catherine De Barnes Lane and St. Peters Lane junction.

Once again, we fully support the ExA's proposals, and believe that they represent a more equitable solution in the circumstances. In respect of the proposed insertion of new 15 (2) we would prefer to see a small amendment revising the wording of that clause to..."unless otherwise agreed by the relevant planning authority following a period of public and statutory consultation, the scheme must..."

5. Comment no.14 – New R16 concerning relocation of the underground storage tank and adjacent access.

Again we welcome the ExA's proposals, and believe that they represent a considerable improvement to the detail which was set out in the original dDCO. Once again, we would prefer to see a similar amendment to that suggested above incorporated into proposed clause 16 (2) whereby it is revised to state that "unless otherwise agreed by the relevant planning authority following a period of statutory consultation, the amended scheme must..."

We reiterate our full support for the Examining Authority's proposals, and trust that Highways England will take the suggestions seriously in the light of the many issues which have been raised throughout the enquiry. Whilst the alterations which are being proposed do not result in us withdrawing our holding objection to the scheme, we believe that if the recommendations were to be adopted it is likely that the impact of the scheme in respect of our own residential and business premises would be of less material impact than would otherwise have been the case had the original proposals progressed.

Consequently we look forward to the Highways England dDCO incorporating the ExA's full recommendations so far as reasonably possible.

Yours sincerely,

Philip Cowen MRICS
Partner
Godfrey-Payton
philipcowen@godfrey-payton.co.uk