

Application by Highways England for M54 to M6 Link Road
The Examining Authority's written questions and requests for information (ExQ1)
Issued on 20 July 2020
Responses From: I & A Simkin

Question directly to I & A Simkin

1.1 **1.4.6 - Plot 6/37**

***Plot 6/37** In their Relevant Representation [RR-033] Messrs I and A Simkin raise objections in respect of a number of plots, which will be considered. However, it is not clear whether they are raising an objection in respect of Plot 6/37 on the Land Plans [APP-007]. Could Messrs I and A Simkin please clarify this situation and, if objecting, explain their position.*

1.2 In response to Q1.4.6. Messrs Simkin clarify that they do object to the extent of temporary acquisition of plot 6/37. The extent of land acquisition is excessive in respect of its requirement for the realignment of the existing public right of way, Saredon 13. The route, Saredon BW13 is not used, as evidenced in Chapter 12 of the ES and therefore should be removed, as opposed to realigned as part of The Scheme. The bridleway does not offer any safe connectivity to any further network. The location would also be unappealing, if not dangerous, to horse riders.

Question asked to the Applicant

2.1 **1.12.10 - Agricultural Operations**

***Agricultural Operations** Paragraph 12.9.27 in Chapter 12 of the ES [APP-051] makes the statement that the effects "could be reduced if the owner and/or occupier is able, and chooses, to use compensation payments to replace assets". Could the Applicant please provide evidence to support this statement since this would result in another party having their landholding reduced.*

2.2 In response to Q1.12.10 Messrs Simkin wish to inform the Examining Authority that although in principle compensation payments may replace the financial value lost to the scheme, the minimal movement in the land market and lack of supply, especially within the locality, would prevent Messrs Simkin from purchasing an equivalent asset of the same value, to add to their existing holding to replace the land lost. The land lost to the scheme is a significant proportion of Messrs Simkin's holding, representing nearly 8% of their arable land.

3.1 **1.3.11. - Biodiversity off-setting calculation**

In looking at the Biodiversity off-setting matrix (Appendix 8.2 to Chapter 8 of the ES [APP-176]) there are a number of minor discrepancies between the figures set out in Tables 3.3, 3.4, 3.6 and 3.8 and those in the summaries, Tables 3.9 and 3.10 and thus the summaries in Tables 3.11 and 3.12. Could these be checked. The discrepancies appear to be in the following (although some others are clearly rounding issues):

- *Standing water Good condition (extant)*
- *Broad-leaved Moderate condition plantation (created)*

- *Standing water Moderate condition (extant)*
- *Running Water Good condition*

If the original figures are included, by the ExA's calculation, show that there would only be 94.93% of the value after the Proposed Development when compared with the before. This falls outside the +/-5% asserted to be of 'no significant effect'. This figure, obviously, also omits any consideration of ancient woodland. a) Could the Applicant please check the figures. b) Is the statement in paragraph 8.9.133 of Chapter 8 of the ES [APP-047] therefore justified?

- 3.2 It is our opinion that the assessment of baseline data of habitats taken for works across the scheme has been incorrectly assessed and therefore the area required for mitigation is flawed and overstated. The credibility of all the figures should be reviewed and how all the figures for 'area' used in the biodiversity unit calculations were arrived at should be clearly demonstrated.
- 3.3 A disproportionate area of the land for replacement species rich grassland is proposed to be on Messrs Simkin's land compared to other parts of the scheme. The area proposed to be taken for mitigation compared to the area taken for the scheme works on Messrs Simkins land is also extremely disproportionate.