

## Jeff Brown

---

**From:** Lands <Lands@BPA.CO.UK>  
**Sent:** 07 December 2020 15:20  
**To:** Jeff Brown; Paul Gethins; FRM Planning; David Lowe; Anna Stocks; Matthew Green; Johnson, Katie; Joanne Archer; planningm@highwaysengland.co.uk; Town Planning; bill.blincoe [REDACTED] plantprotection@cadentgas.com; Lands; mainlinepipelines@fishergerman.co.uk  
**Subject:** RE: Land North East of Junction 10 M42, Near Dordon, North Warwickshire - Request for EIA Scoping Opinion

Dear Sirs/Madam

BPA Pipelines - Not Affected.

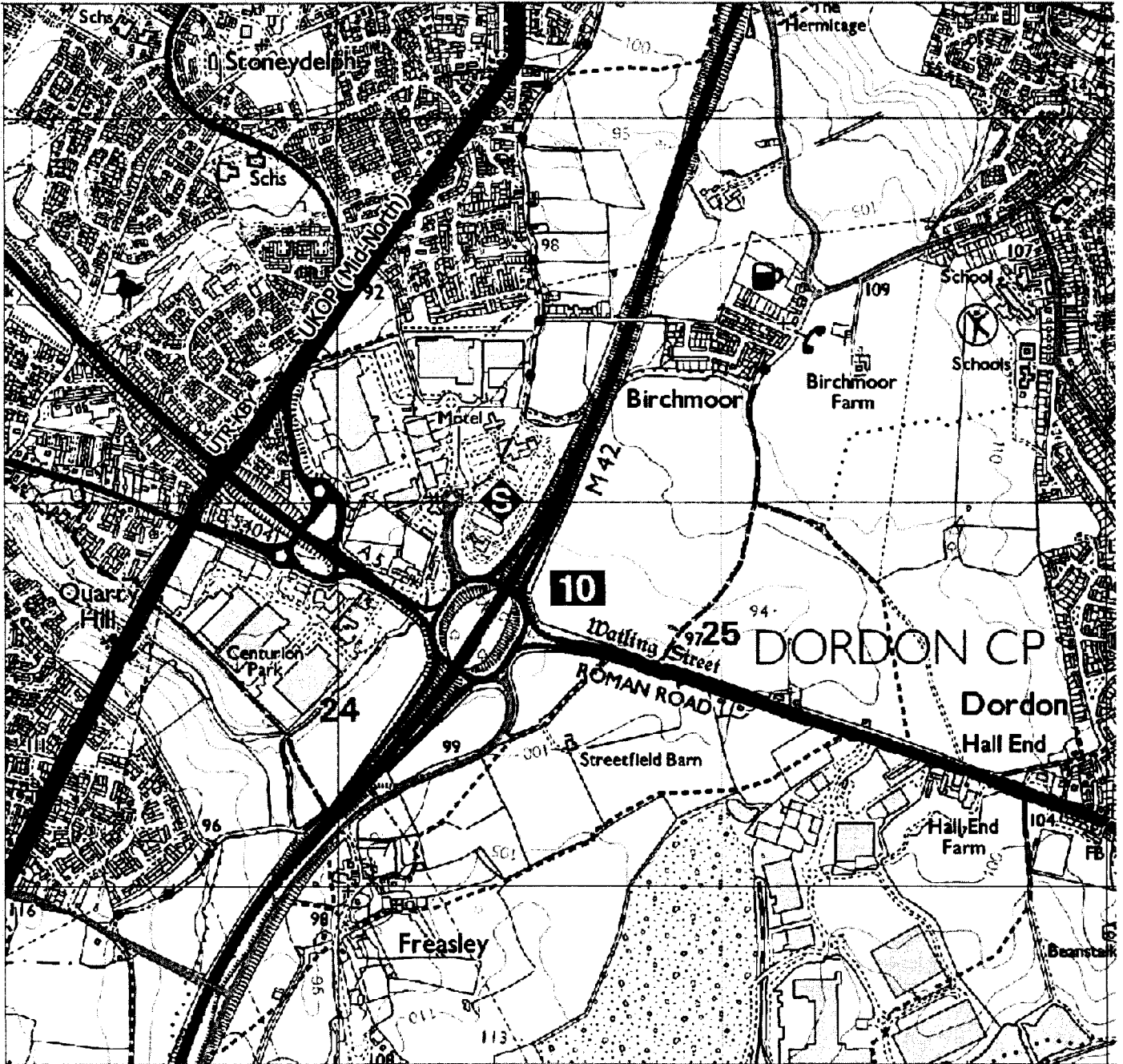
Thank you for your correspondence enclosing details of your proposals as listed above. We are not aware that any of BPA Pipelines apparatus, falls within the vicinity of the above noted location.

However, if the location of your work should change, please contact us immediately, on **07766 781 297** or email [REDACTED]

Whilst we try to ensure the information we provide is accurate, the information is provided Without Prejudice and we accept no liability for claims arising from any inaccuracy, omissions or errors contained herein.

Yours faithfully

BPA Pipelines  
[lands@bpa.co.uk](mailto:lands@bpa.co.uk)



Lands

+44 (0)1442 218911  
Lands@BPA.CO.UK



British Pipeline Agency Limited  
BPA Head Office • 5-7 Alexandra Road  
Hemel Hempstead • Hertfordshire • HP2 5BS • UK  
www.bpa.co.uk



From: Jeff Brown <[redacted]>

Sent: 23 November 2020 14:37

To: Paul Gethins <[redacted]>; FRM Planning <frmplanning@warwickshire.gov.uk>;  
David Lowe <[redacted]>; Anna Stocks <[redacted]>; Matthew Green <[redacted]>

Johnson, Katie Joanne Archer  
<j[redacted]planningm@highwaysengland.co.uk; Town Planning  
<town.planning@hs2.org.uk>; [redacted]plantprotection@cadentgas.com; Lands  
<Lands@BPA.CO.UK>; mainlinepipelines@fishergerman.co.uk  
**Subject:** FW: Land North East of Junction 10 M42, Near Dordon, North Warwickshire - Request for EIA Scoping  
Opinion

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Dear All

As you can see from the email below we have been asked for a Scoping Opinion in respect of a forthcoming planning application for B2, B8 and E Class Uses on land in the north-east quadrant of Junction 10 of the M42 with the A5.

Under the EIA Regulations, the Council has five weeks in which to respond with its Opinion.

I would therefore be grateful to receive your comments on the content of the Scoping Report as attached. If these could be forwarded in the next few weeks please. I'd like to aim to get a response before the Christmas break.

You will see from the email that the Appendices to the report are contained in a separate link

Many thanks

Jeff Brown  
Head of DC  
NWBC

---

**From:** Warrington, James [redacted]  
**Sent:** 20 November 2020 17:36  
**To:** planappconsult <planappconsult@NorthWarks.gov.uk>  
**Cc:** Jeff Brown <[redacted]> 'Edward Hodgetts'  
[redacted] Hann, Doug <[redacted]>  
**Subject:** Land North East of Junction 10 M42, Near Dordon, North Warwickshire - Request for EIA Scoping Opinion

FAO Mr Jeff Brown

**TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 -  
REQUEST FOR EIA SCOPING OPINION**

I write further to your earlier dialogue with David Hodgetts in respect of the above site and, on behalf of Hodgetts Estates, hereby submit a request to North Warwickshire Borough Council (NWBC) to adopt a formal EIA Scoping Opinion in respect of the proposed development and associated development parameters set out within the attached EIA Scoping Request Report. Please note, the attached version of the scoping report excludes appendices (due to large file size). A full copy of the report including appendices – ie the version to be registered and considered - is available via the following file transfer link: <https://we.tl/t-6sWHOKSNkE>

The 'Area of Interest' for the purposes of the ES scoping request and EIA itself are set out in the plan contained at Appendix A of the report.

The report has been prepared in the context of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (SI 2017/571) and the Planning Practice Guidance (PPG) (last updated March 2019). Part 4 (15) of the Regulations enables anyone minded to make an EIA application to ask the relevant local planning authority to state in writing their opinion as to the information to be provided in the environmental statement (a "scoping opinion").

The content of the scoping report identifies the proposed development; the need for an EIA to be undertaken; and, the scope of the proposed ES including reference to specific subject areas to inform the council's scoping opinion.

We look forward to receiving NWBC's formal Scoping Opinion within the statutory timescales. I would be grateful if you could please confirm safe receipt of the attached scoping report and the full version with appendices via the link and advise of the relevant reference number once it has been registered.

By copy, **Jeff**, I can confirm from our side that we have availability next Thursday (26/11) in the afternoon for the high-level pre-application meeting mentioned by David. Please can you advise if this would work for you and Dorothy – say 14:00 – 15:30? We may not need the full timeslot but would prefer to have it blocked out in diaries. If this is not a suitable time then please could you advise of an alternative and we will accommodate. I can then issue a MS Teams invite.

Kind regards

**James Warrington** BA(Hons) MSc MRTPI  
Principal Planner

**WSP**

WSP Global Inc.  
8 First Street  
Manchester  
M15 4RP  
[wsp.com](http://wsp.com)

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Your Gas Network

Jeff Brown  
North Warwickshire Borough Council  
The Council House  
South Street  
Atherstone  
Warwickshire  
CV9 1DE

Plant Protection  
Cadent  
Block 1; Floor 1  
Brick Kiln Street  
Hinckley  
LE10 0NA  
E-mail: [plantprotection@cadentgas.com](mailto:plantprotection@cadentgas.com)  
Telephone: +44 (0)800 688588

**National Gas Emergency Number:**  
**0800 111 999\***

**National Grid Electricity Emergency Number:**  
**0800 40 40 90\***

\* Available 24 hours, 7 days/week.  
Calls may be recorded and monitored.

[www.cadentgas.com](http://www.cadentgas.com)

**Date:** 26/11/2020

**Our Ref:** WM\_GW2B\_3NWP\_026777

**Your Ref:** 70075293 (JP)

**RE: Formal Planning Application, B78 1TB land in the north-east quadrant of Junction 10 of the M42 with the A5.**

Thank you for your enquiry which was received on 23/11/2020.  
Please note this response and any attached map(s) are valid for 28 days.

An assessment has been carried out with respect to Cadent Gas Limited, National Grid Electricity Transmission plc's and National Grid Gas Transmission plc's apparatus. Please note it does not cover the items listed in the section "Your Responsibilities and Obligations", including gas service pipes and related apparatus.

For details of Network areas please see the Cadent website (<http://cadentgas.com/Digging-safely/Dial-before-you-dig>) or the enclosed documentation.

### **Are My Works Affected?**

**Searches based on your enquiry have identified that there is apparatus in the vicinity of your enquiry which may be affected by the activities specified.**

**Can you please inform Plant Protection, as soon as possible, the decision your authority is likely to make regarding this application.**

If the application is refused for any other reason than the presence of apparatus, we will not take any further action.

Please let us know whether Plant Protection can provide you with technical or other information that may be of assistance to you in the determination of the application.

Due to the presence of Cadent and/or National Grid apparatus in proximity to the specified area, the contractor should contact Plant Protection before any works are carried out to ensure the apparatus is not affected by any of the proposed works.

## **Your Responsibilities and Obligations**

The "Assessment" Section below outlines the detailed requirements that must be followed when planning or undertaking your scheduled activities at this location.

It is your responsibility to ensure that the information you have submitted is accurate and that all relevant documents including links are provided to all persons (either direct labour or contractors) working for you near Cadent and/or National Grid's apparatus, e.g. as contained within the Construction (Design and Management) Regulations.

This assessment solely relates to Cadent Gas Limited, National Grid Electricity Transmission plc (NGET) and National Grid Gas Transmission plc (NGGT) and apparatus. This assessment does **NOT** include:

- Cadent and/or National Grid's legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent and/or National Grid's assets in private land. You must obtain details of any such restrictions from the landowner in the first instance and if in doubt contact Plant Protection.
- Gas service pipes and related apparatus
- Recently installed apparatus
- Apparatus owned by other organisations, e.g. other gas distribution operators, local electricity companies, other utilities, etc.

It is **YOUR** responsibility to take into account whether the items listed above may be present and if they could be affected by your proposed activities. Further "Essential Guidance" in respect of these items can be found on either the [National Grid](#) or [Cadent](#) website.

This communication does not constitute any formal agreement or consent for any proposed development work; either generally or with regard to Cadent and/or National Grid's easements or wayleaves nor any planning or building regulations applications.

Cadent Gas Limited, NGGT and NGET or their agents, servants or contractors do not accept any liability for any losses arising under or in connection with this information. This limit on liability applies to all and any claims in contract, tort (including negligence), misrepresentation (excluding fraudulent misrepresentation), breach of statutory duty or otherwise. This limit on liability does not exclude or restrict liability where prohibited by the law nor does it supersede the express terms of any related agreements.

If you require further assistance please contact the Plant Protection team via e-mail ([click here](#)) or via the contact details at the top of this response.

Yours faithfully

Plant Protection Team

# ASSESSMENT

## Affected Apparatus

The apparatus that has been identified as being in the vicinity of your proposed works is:

- High or Intermediate pressure (above 2 bar) Gas Pipelines and associated equipment

As your proposal is in proximity to apparatus, we have referred your enquiry / consultation to the following department(s) for further assessment:

- Cadent Pipelines Team

**We request that you take no further action with regards to your proposal until you hear from the above. We will contact you within 28 working days from the date of this response. Please contact us if you have not had a response within this timeframe.**

## Requirements

**BEFORE carrying out any work you must:**

- **Ensure that no works are undertaken in the vicinity of our gas pipelines and that no heavy plant, machinery or vehicles cross the route of the pipeline until detailed consultation has taken place.**
- Carefully read these requirements including the attached guidance documents and maps showing the location of apparatus.
- Contact the landowner and ensure any proposed works in private land do not infringe Cadent and/or National Grid's legal rights (i.e. easements or wayleaves). If the works are in the road or footpath the relevant local authority should be contacted.
- Ensure that all persons, including direct labour and contractors, working for you on or near Cadent and/or National Grid's apparatus follow the requirements of the HSE Guidance Notes HSG47 - 'Avoiding Danger from Underground Services' and GS6 - 'Avoidance of danger from overhead electric power lines'. This guidance can be downloaded free of charge at <http://www.hse.gov.uk>
- In line with the above guidance, verify and establish the actual position of mains, pipes, cables, services and other apparatus on site before any activities are undertaken.



# GUIDANCE

## **High Pressure Gas Pipelines Guidance:**

If working in the vicinity of a high pressure gas pipeline the following document must be followed: 'Specification for Safe Working in the Vicinity of Cadent and/or National Grid High Pressure Gas Pipelines and Associated Installations - Requirements for Third Parties' (SSW22). This can be obtained from: <http://www2.nationalgrid.com/WorkArea/DownloadAsset.aspx?id=33968>

## **Dial Before You Dig Pipelines Guidance:**

<http://www2.nationalgrid.com/WorkArea/DownloadAsset.aspx?id=33969>

## **Standard Guidance**

### **Essential Guidance document:**

<http://www2.nationalgrid.com/WorkArea/DownloadAsset.aspx?id=8589934982>

### **General Guidance document:**

<http://www2.nationalgrid.com/WorkArea/DownloadAsset.aspx?id=35103>

### **Excavating Safely in the vicinity of gas pipes guidance (Credit card):**

<http://www.nationalgrid.com/NR/rdonlyres/A3D37677-6641-476C-9DDA-E89949052829/44257/ExcavatingSafelyCreditCard.pdf>

### **Excavating Safely in the vicinity of electricity cables guidance (Credit card):**

<http://www.nationalgrid.com/NR/rdonlyres/35DDEC6D-D754-4BA5-AF3C-D607D05A25C2/44858/ExcavatingSafelyCreditCardelectricitycables.pdf>

Copies of all the Guidance Documents can also be downloaded from the [National Grid](#) and [Cadent](#) websites.

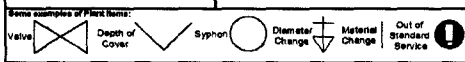


ID: WM\_GW2B\_3NWP\_026777  
 USER: James.Parker  
 DATE: 26/11/2020  
 DATA DATE: 25/11/2020  
 REF: 70075293 (JP)  
 MAP REF: SK2400  
 CENTRE: 424821, 300939

View extent: 2890m, 3670m  
 0m 200m  
 Approximate scale 1:10000  
 on A3 Colour Portrait

**Do not proceed without further consultation**  
 This plan shows those pipes owned by Cadent Gas Limited in its role as a Licensed Gas Transporter (GT). Gas pipes owned by other GTs, or otherwise privately owned, may be present in this area. Information with regard to such pipes should be obtained from the relevant owners. The information shown on this plan is given without warranty, the accuracy thereof cannot be guaranteed. Service pipes, valves, syphons, stub connections, etc., are not shown but their presence should be anticipated. No liability of any kind whatsoever is accepted by Cadent Gas Limited or their agents, servants or contractors for any error or omission. Safe digging practices, in accordance with HS(G)47, must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all persons (either direct labour or contractors) working for you or near gas apparatus. The information included on this plan should not be referred to beyond a period of 28 days from the date of issue.

Map 1 of 1 (GAS)  
 MAPS Plot Server Version 1.11.0  
**Cadent**  
 Your Gas Network  
 Requested by: North Warwickshire Borough Council  
 This plan is reproduced from or based on the OS map by Cadent Gas Limited, with the sanction of the controller of HM Stationery Office.  
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 Ordnance Survey Licence number 100024886



# ENQUIRY SUMMARY

## Received Date

23/11/2020

## Your Reference

70075293 (JP)

## Location

Centre Point: 424821, 300939

X Extent: 648

Y Extent: 781

Postcode: B78 1TB

Location Description: B78 1TB land in the north-east quadrant of Junction 10 of the M42 with the A5.

## Map Options

Paper Size: A3

Orientation: PORTRAIT

Requested Scale: 2500

Actual Scale: 1:10000 (GAS)

Real World Extents: 2890m x 3670m (GAS)

## Recipients

pprsteam@cadentgas.com

## Enquirer Details

Organisation Name: North Warwickshire Borough Council

Contact Name: Jeff Brown

Email Address: [REDACTED]

Telephone: 01827 715 341

Address: The Council House , South Street, Atherstone, Warwickshire, CV9 1DE

## Description of Works

PA Hybrid planning application seeking: (i) Full planning permission for new access point off A5; and (ii) Outline planning permission for development of land within Use Class B2 (general industry), Use Class B8 (storage and distribution) and Use Class E (office, research and development and light industry) and ancillary infrastructure and associated works, development of overnight lorry parking facility and ancillary infrastructure and associated works. Details of access submitted for approval in full, all other matters reserved SP

## Enquiry Type

Formal Planning Application

## Development Types

Development Type: Development for use by General Public

## Jeff Brown

---

**From:** David Lowe <[REDACTED]>  
**Sent:** 24 November 2020 09:59  
**To:** Jeff Brown; Anna Stocks  
**Subject:** Re: Land North East of Junction 10 M42, Near Dordon, North Warwickshire - Request for EIA Scoping Opinion  
**Attachments:** Pre\_application\_advice(Sept2020).pdf; Additional\_map.pdf; Email -DL - additionalmap.pdf

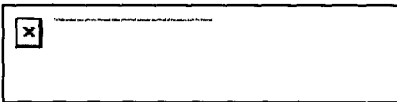
Morning Jeff

As the report suggests WCC Ecology provided pre-application advice, which outlined any additional surveys we suggested was required. I have attached our report and correspondence for completeness.

Hope this helps...

Thanks

**David Lowe B.Sc Hons MCIEEM BES**  
**Team Leader, Ecology, Historic Environment & Landscape**  
Planning Delivery  
Environment Services  
PO Box 43  
Warwick  
CV34 4SX  
Tel: 01926 418076



---

**From:** Jeff Brown <[REDACTED]>  
**Sent:** 23 November 2020 14:36  
**To:** Paul Gethins <[REDACTED]> FRM Planning <frmplanning@warwickshire.gov.uk>;  
David Lowe <[REDACTED]> Anna Stocks <[REDACTED]> Matthew Green  
<[REDACTED]> Johnson, Katie <[REDACTED]> Joanne Archer  
<[REDACTED]>; planningm@highwaysengland.co.uk <planningm@highwaysengland.co.uk>;  
Town Planning <town.planning@hs2.org.uk>; Bill Blincoe <[REDACTED]>  
plantprotection@cadentgas.com <plantprotection@cadentgas.com>; lands@bpa.co.uk <lands@bpa.co.uk>;  
mainlinepipelines@fishergerman.co.uk <mainlinepipelines@fishergerman.co.uk>  
**Subject:** FW: Land North East of Junction 10 M42, Near Dordon, North Warwickshire - Request for EIA Scoping Opinion

Dear All

As you can see from the email below we have been asked for a Scoping Opinion in respect of a forthcoming planning application for B2, B8 and E Class Uses on land in the north-east quadrant of Junction 10 of the M42 with the A5.

Under the EIA Regulations, the Council has five weeks in which to respond with its Opinion.

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Many thanks

Jeff Brown  
Head of DC  
NWBC

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**Subject:** Land North East of Junction 10 M42, Near Dordon, North Warwickshire - Request for EIA Scoping Opinion

FAO Mr Jeff Brown

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Kind regards

**James Warrington** BA(Hons) MSc MRTPI  
Principal Planner

**WSP**

M [REDACTED]

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Manchester  
M15 4RP  
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**Website - [www.northwarks.gov.uk](http://www.northwarks.gov.uk)**

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**Pre-application Advice**



Date: September 2020

**Application:**

**Land Adjacent to M42, North Warwickshire**

**For**

**Aspect Ecology**

**Warwickshire County Council**

**Ecological Services**

**THE DIAGRAMS SUPPLIED HAVE BEEN MADE AVAILABLE TO WARWICKSHIRE COUNTY COUNCIL FOR THE PURPOSES OF PROVIDING PRE-APPLICATION ADVICE ONLY AND HAVE BEEN PROVIDED IN CONFIDENCE**

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## Advice Remit

Thank you for your pre-application request for ecological planning advice for the above site. We have viewed the documents submitted; including the covering email (Annex 2), Red and Blue Line Plan, 11/08/2020 (Figure 1), Ecological Constraints and Opportunities - 5971/CON1, July 2020 (Figure 2) and the Development Plan - 4263\_CA\_00\_00\_DR\_A\_00067, 11/08/2020 (Figure 3) together with County data sources including aerial photography, the Warwickshire Biological Records Centre (WBRC) and Habitat Biodiversity Audit (HBA) for existing records and information.

The developer has specifically requested this advice to cover any necessary survey work required in order to inform the scheme and a forthcoming planning application and their associated timescales/seasonal considerations of any surveys. Aspect Ecology propose to undertake

- a desktop study (including review of information from WBRC)
- extended Phase 1 survey and
- specific reptile surveys of the suitable habitats identified.
- A BIA/net gain assessment

It is suggested that Aspect Ecology have suggest that further bat foraging/activity surveys are not required

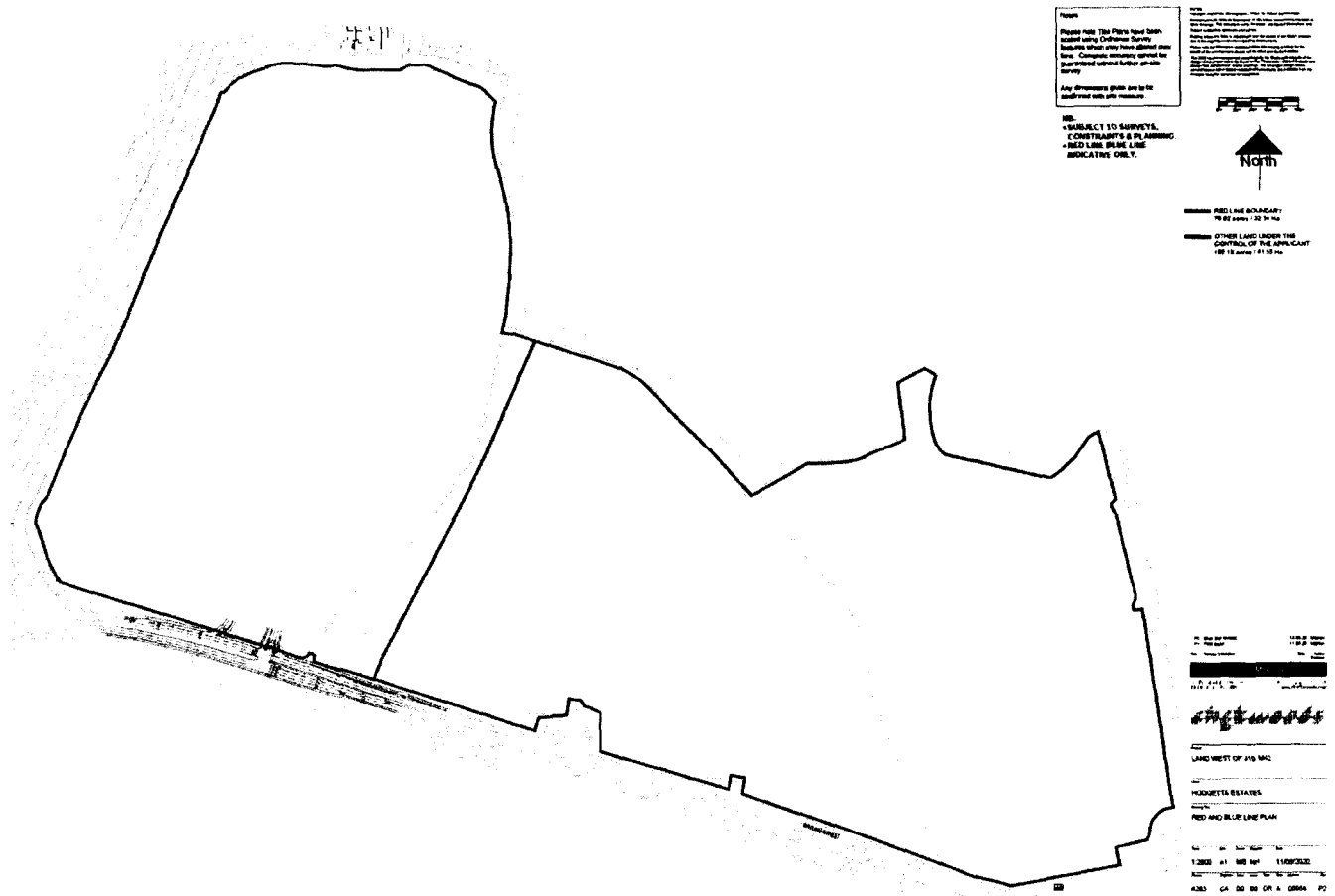


Figure 1: Red & Blue Line Plan

## Site Assessment

Warwickshire County Council has not visited the site and relies upon the ecological description supplied in the accompanying information.

The site has been described from an initial survey visit (date unknown) as *“the internal areas of the site are formed entirely by arable [cereal] cropped areas – the only exceptions being the small section at the southern boundary, which is hardstanding [apparently a former compound for motorway works to the M42] and the footpath corridor running north-south.”*

From this visit the site was *“highlighted as having potential for reptiles, which is purely a grassland strip with no hedgerows/trees, taller or woody vegetation present”*.

The Habitat Biodiversity Audit broadly agrees with this assessment of the red line. The extended blue line area was also recorded as arable with a small copse within the northern boundary.

There are no national or Local Wildlife Sites within or immediately adjacent to the site

There are no records for protected, important or invasive species records within the red or blue line boundaries. There are records for grass snake, slow worm, great crested newt, Japanese knotweed, Lichen Case-bearer (a moth), Dingy skipper and bats near to the site.

### Recommendations:

- **A WBRC search is obtained for the site**
- **An extended Phase 1 survey will be required to confirm habitats on site and their condition, plus any signs or features used or potentially used by protected and important species.**

### Protected Species

**Great Crested Newt:** Great crested newt has been recorded near to the site, however, there are no obvious ponds near to either the red line or the blue line, although it is difficult to see under the tree canopies of the woodland and its surrounding habitats outside of the blue boundary. It is also noted that the Development Plan (Figure 1) shows significant landscaping zones that could be used to buffer construction works from any newt that looks to enter the site; especially if these zones are to be 'retained and enhanced' and not negatively impacted upon.

**Bats:** Bats have been recorded near to the site; however, the only commuting and foraging routes are along the edges of the site that will be protected by the significant landscaping zone; especially if these zones are to be 'retained and enhanced' and not negatively impacted upon. If this zone is retained, then there should be no impact on features used by these species. The only tree removal would be at the entrance, however, the Ecological Opportunities and Constraints Plan suggest that the trees here have no bat potential.

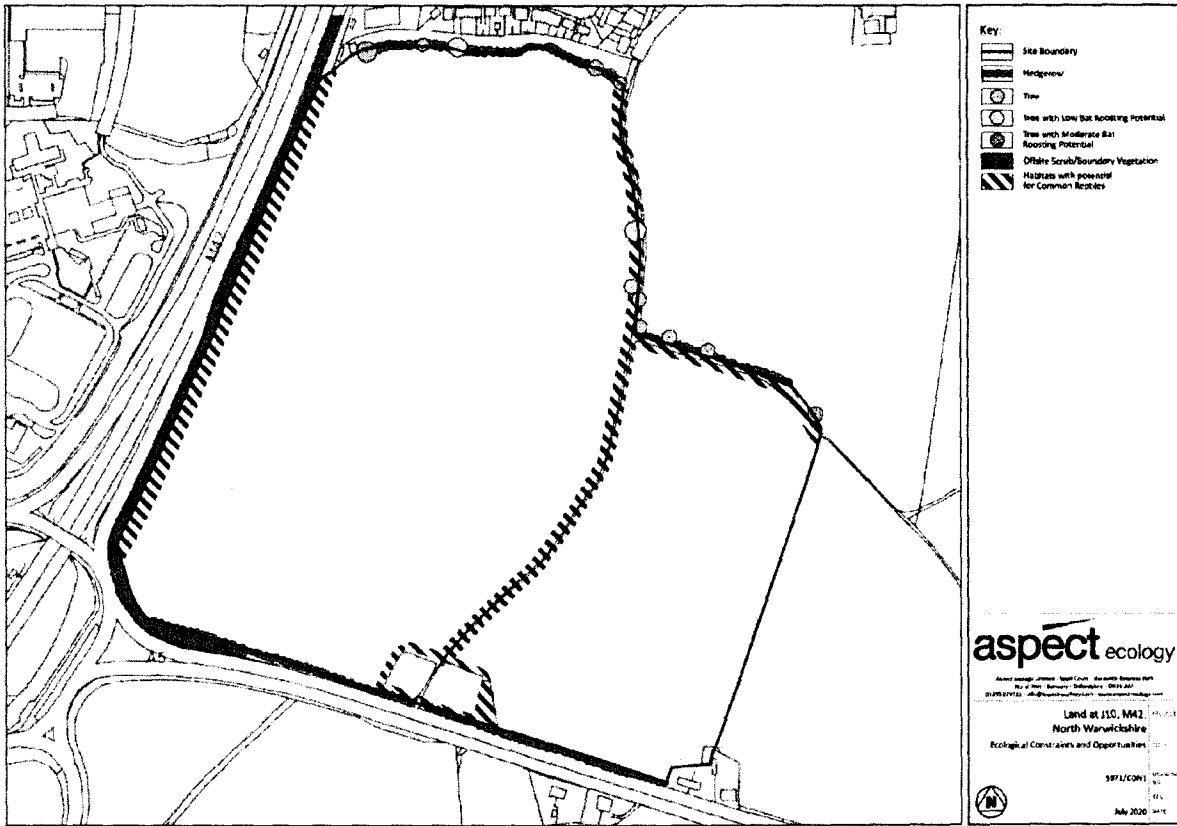


Figure 2: Ecological Constraints and Opportunities Plan

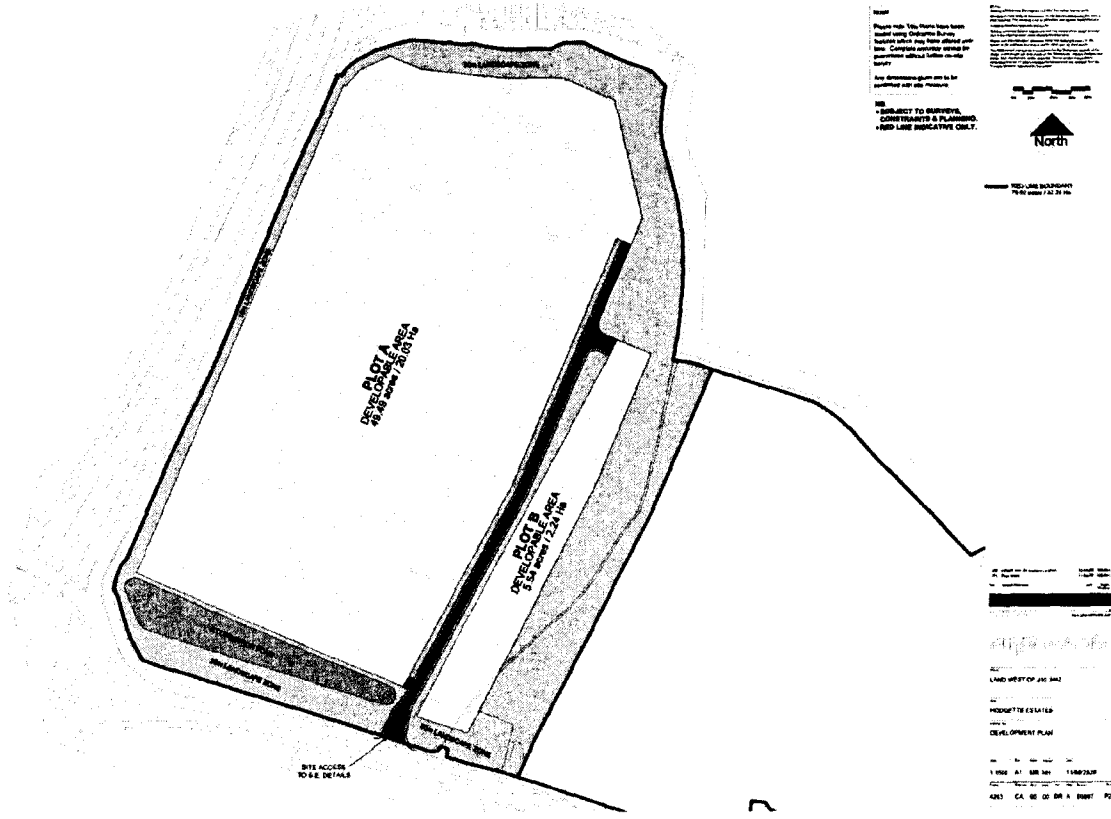


Figure 3: Development Plan

**Reptiles:** Grass snake and slow worm has been recorded close to the site and could be present in the marginal habitat or around the old compound area. If the fields are maintained for arable until any construction then it could be argued that surveys for grass snake could be carried out prior to commencement and moved to a purpose built and secured area; managed during construction. However, if the fields are left to succession then grass snakes may move into the 'set-a-side' over this abandonment period. If this period extends into the breeding season then a more comprehensive reptile mitigation strategy will be required.

**Badger:** no references to badger activity has been included in the submitted material.

**Breeding Birds:** The fields are expansive and could support overwintering / foraging potential for birds and no references to birds nesting or otherwise have been included in the submitted material.

#### **Recommendations:**

- **No great crested newts surveys are required unless a pond is found on the northern boarder and even then this species could be managed through a Construction and Environmental Management Plan condition (Annex 1).**
- **If the landscape zone is being retained and enhanced without negatively impacted upon existing habitat and a survey of the entrance hedgerow confirms no features for bat roosts, then no bat surveys will be required as they will not be impacted upon by the development.**
- **Reptiles will need to be carefully considered during the pre-construction management of the site. No pre-determination surveys would be required should arable-to-ground commencement of development be relatively continuous. If there is a significant gap between ceasing of arable and development, then surveys may be required. This strategy can be covered within the Construction and Environmental Management Plan condition (Annex 1) or a specific Protected Species Contingency Plan**
- **Confirmation of any or no badger activity needs to be referenced in any submitted planning application documentation (potentially under a separate heading).**
- **An overwintering bird assessment and potential survey will be required especially as there are regionally significant water features near to the site. These assessments will need to be carried out to best practice guidelines.**
- **A lighting strategy is likely to be requested on any determination.**

Please note that the extended Phase 1 survey may highlight the need or no need for additional surveys. WCC Ecology would be happy to assist further once this survey has been carried out.

#### **Biodiversity Impact Assessment**

A Biodiversity Impact Assessment will be required, and we recommend that either the latest Defra Biodiversity Metric 2.0 or the Warwickshire Coventry and Solihull calculator v19.1 is used. We understand that a masterplan or illustrative layout has not yet been finalised but once available we would be happy to review any draft BIA and provide comments. It is noted that there is a significant area within the blue line that could be used to compensate for any residual area from the blue line. Any gains could be recorded to offset other developments within the wider area.

All on site enhancements will need to be secured through a Landscape and Ecology Management Plan (Annex 1) and should any residual gains wish to be used to offset an developments, then there areas will need to be secured through a legal instrument ensuring management for no less than 30 years.

## **ANNEX 1 – CEMP & LEMP conditions**

### **Construction environmental management plans (Biodiversity) – Condition**

No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of “biodiversity protection zones”.
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

*NOTE See BS 42020:2013, Clause 10, for a comprehensive list of issues and activities that may be considered and included within a CEMP.*

### **D.4.5 Landscape and ecological management plans (LEMPs) – Condition (Also referred to as a Habitat or Biodiversity Management Plan)**

A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior [... to the commencement or occupation ...] of the development [or specified phase of development]. The content of the LEMP shall include the following.

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

*NOTE To ensure that some form of covenant is in place to ensure that the management body that takes on long-term responsibility for implementation of the LEMP (management of the ecological areas) is to do so in strict accordance with the details contained therein.*

## ANNEX 2 - email

**From:** Colin Lee  
**Sent:** 17 August 2020 11:00  
**To:** David Lowe  
**Cc:** Planning Ecology  
**Subject:** M42

Dear David,

Further to our brief conversation last week, I mentioned the site in North Warwickshire that we have been asked to look at and having gone back to the landowner, they have now confirmed that they would like us to request your formal pre-application response in regard to our proposed scope of surveys at the site (I understand that the planning officer at NWBC had confirmed to them that WCC 'Ecological Services' is a statutory consultee for ecology and biodiversity measures in the Borough and would therefore be contacted in regard to the site as part of their consideration of any application).

I attach copies of the 'Red and Blue Line Plan' and 'Development Plan' identifying the site and development proposals, which are provided in confidence. I also attach a copy of our initial ecological constraints and opportunities plan, prepared following our recent initial survey visit (as discussed, the internal areas of the site are formed entirely by arable [cereal] cropped areas – the only exceptions being the small section at the southern boundary, which is hardstanding [apparently a former compound for motorway works to the M42] and the footpath corridor running north-south, highlighted as having potential for reptiles, which is purely a grassland strip with no hedgerows/trees, taller or woody vegetation present).

On the basis of the development plan, it is clear that substantial buffers can/will be incorporated to the relevant (vegetated) boundaries with the exception of the required access onto the A5 (which is already well-lit), and potential clearly exists for substantial new habitats and benefits/enhancements to be designed in as part of the scheme design moving forward. I would also anticipate any lighting being necessarily restricted to the development areas (suitably designed to avoid light-spill into the buffers/site boundaries and ensure dark corridors are maintained around all sides (with the exception of the access).

As this stage, the developer is keen (particularly noting the current seasonal progression) to establish the necessary survey work required in order to inform the scheme and a forthcoming planning application (along with associated timescales/seasonal considerations).

On this basis, in order to inform the scheme, we currently propose to undertake a desktop study (including review of information from WBRC), extended Phase 1 survey and specific reptile surveys of the suitable habitats identified. It is also anticipated that the proposals/application would be informed by BIA/net gain considerations including the use of the latest WCC BIA calculator tool, in line with the standard approach taken across the sub-region.

At this stage, given the nature of the site and on the basis of the survey work and development plan information provided to date (in particular noting the substantial buffers to be maintained to all relevant vegetated boundaries and potential for additional planting/benefits, along with the clearly negligible potential of the internal areas), we do not consider that further bat foraging/activity survey work would gain any particularly useful information nor be warranted in regard to the site, albeit (noting that we are currently right at the end of the available season for this type of work) *I would be grateful in particular for urgent confirmation of your agreement that further such [bat activity] surveys can be scoped out on the basis of this information.*

On the basis of the information set out (and subject to forthcoming scheme design and masterplanning reflecting the above and incorporating ecological enhancements where appropriate/possible), it is currently our consideration that the above survey/assessment approach will ensure that all significant ecological matters associated with the proposals are adequately addressed. I would therefore be grateful for your confirmation that the proposed scope of surveys would provide appropriate information to inform the forthcoming scheme/planning application in line with your identification as a consultee on the scheme by NWBC (or otherwise confirm any additional surveys/consideration you would expect to require).

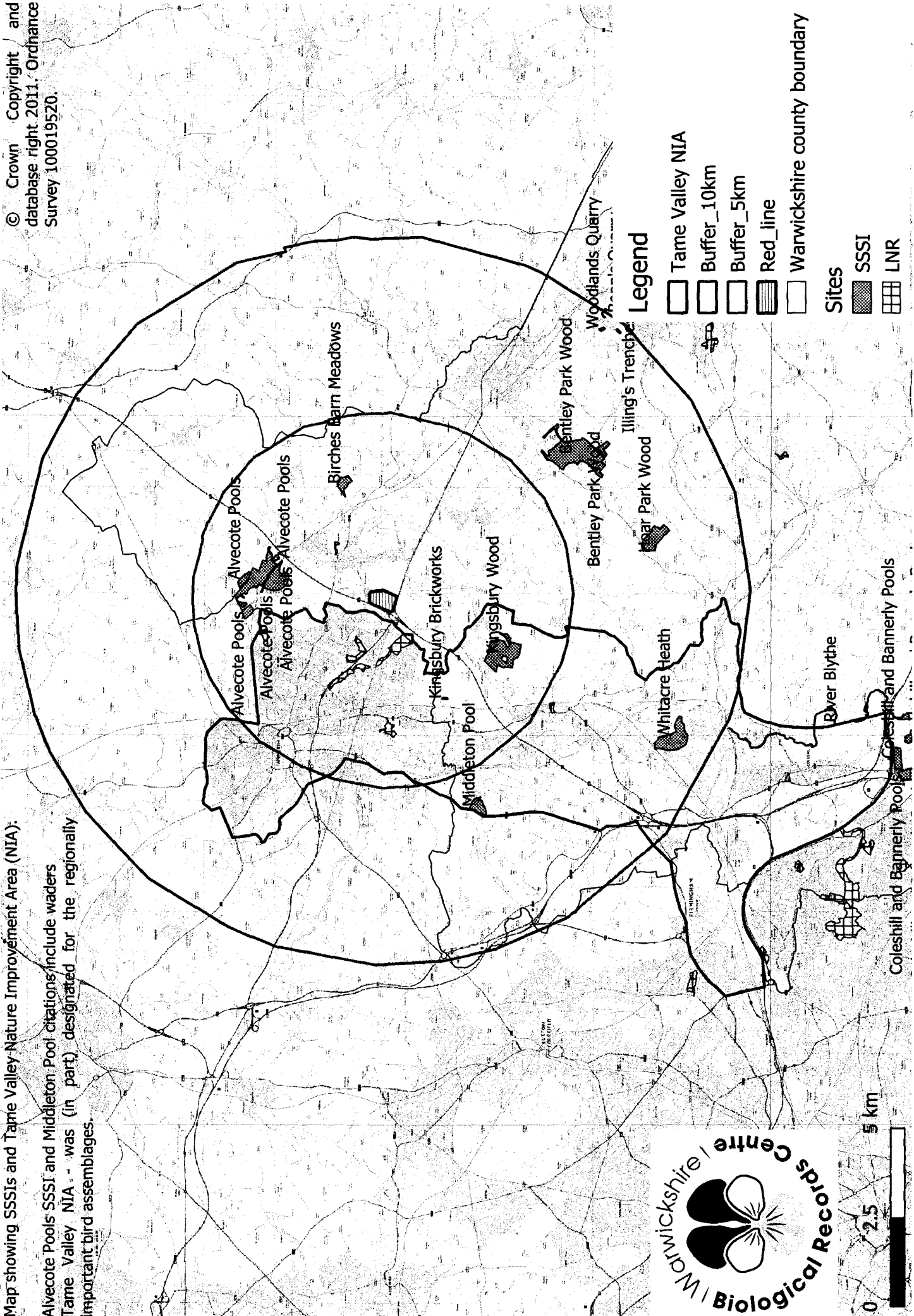
*I understand from our conversation that you are able to provide pre-application advice in line with the above, however this would be chargeable and I would therefore be grateful if you could confirm the relevant charges and processes in order to facilitate this request.*

I trust this is all self-explanatory, however if you have any queries or it would be useful to discuss further, please don't hesitate to contact me.

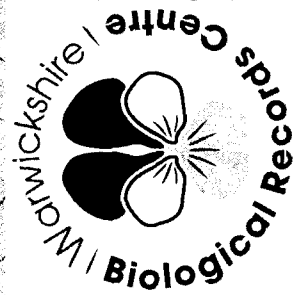
Kind regards

**Colin Lee**  
Associate Director

Map showing SSSIs and Tame Valley Nature Improvement Area (NIA):  
 Alvecote Pools SSSI and Middleton Pool citations include waders  
 Tame Valley NIA - was (in part) designated for the regionally important bird assemblages.



- Legend**
- Tame Valley NIA
  - Buffer\_10km
  - Buffer\_5km
  - Red\_line
  - Warwickshire county boundary
- Sites**
- SSSI
  - LNR



Many thanks

Colin

**Colin Lee**  
Associate Director

Visit our website for the latest news from Aspect Ecology: **October 2020 - Success at appeal. Inspector finds in favour of Aspect Ecology's evidence in respect of the level of Biodiversity Net Gain required and that at the outline stage it is not necessary to identify a specific offset site.** For further details please click [here](#).

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**From:** David Lowe [redacted]  
**Sent:** 15 September 2020 11:02  
**To:** Colin Lee [redacted]  
**Subject:** Re: M42

Colin

Please find attached our pre-application advice for the Land adjacent to the M42 at Junction 10.

If you have any queries on the advice or additional question, please feel free to ask. We can also review any BIA baseline once you have prepared it.

Thanks  
**David Lowe B.Sc Hons MCIEEM BES**  
**Team Leader, Ecology, Historic Environment & Landscape**  
Planning Delivery  
Environment Services  
PO Box 43  
Warwick  
CV34 4SX  
Tel: 01926 418076



**Planning Authority  
of the Year**

---

**From:** Colin Lee [redacted]  
**Sent:** 11 September 2020 11:30  
**To:** David Lowe [redacted]  
**Cc:** Gillian Crump [redacted]  
**Subject:** RE: M42

Hi Dave,



Apologies for chasing, but I'm conscious it's been a few weeks and the client is pushing (and is particularly concerned in regard to seasonal windows and any delays to their programme should further surveys be needed!) – are you able to let me know when you anticipate you'll be able to get this back to us?

Thanks

Colin

Colin Lee

Associate Director

t: [REDACTED]

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**From:** David Lowe <[REDACTED]>  
**Sent:** 19 August 2020 16:35  
**To:** Colin Lee <[REDACTED]>  
**Cc:** Gillian Crum <[REDACTED]>  
**Subject:** Re: M42

Colin

Cheers... we are on to it!

Thanks

**David Lowe B.Sc Hons MCIEEM BES**  
**Team Leader, Ecology, Historic Environment & Landscape**  
Planning Delivery  
Environment Services  
PO Box 43  
Warwick  
CV34 4SX  
Tel: 01926 418076



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of the Year

**From:** Colin Lee <[REDACTED]>  
**Sent:** 19 August 2020 16:22  
**To:** David Lowe <[REDACTED]>  
**Cc:** Gillian Crum <[REDACTED]>  
**Subject:** RE: M42

Thanks David,

I understand that the payment has now been made (payment reference: K97 GWK5 UDH).  
To confirm – no site visit required.  
Let me know if you need anything else.

Kind regards

Colin

**Colin Lee**  
Associate Director

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**From:** David Lowe <[redacted]>  
**Sent:** 18 August 2020 14:24  
**To:** Colin Lee <[redacted]>  
**Cc:** Gillian Crump <[redacted]> Warwickshire Biological Records Centre <[wbrc@warwickshire.gov.uk](mailto:wbrc@warwickshire.gov.uk)>  
**Subject:** Fw: M42

Colin

Thank you for the attached and email description. Always good to talk.

We will commence on receipt of payment which can now be done via the Gov website for which Gill can give you the details (as it has just been added). I assume that you will not want a site visit, but would like confirmation before we begin. More information on our service can be found [here](#).

Development type	Site visit plus written advice	Written advice
Major developments (10+, 1000m2 or more floor space or development on sites 1ha or larger)	£1080	£864

Please note that a Desk Study is not included in this cost, but the information in the WBRC would be used to inform our response. If you would like to have this included let me know request form and costs [here](#). I have copied in the WBRC crew so that they are aware that any request for this area would be part of a wider package.

Thanks  
**David Lowe B.Sc Hons MCIEEM BES**  
**Team Leader, Ecology, Historic Environment & Landscape**  
Planning Delivery  
Environment Services  
PO Box 43  
Warwick



---

**From:** Colin Lee <[REDACTED]>  
**Sent:** 17 August 2020 11:00  
**To:** David Lowe <[REDACTED]>  
**Cc:** Planning Ecology <[planningecology@warwickshire.gov.uk](mailto:planningecology@warwickshire.gov.uk)>  
**Subject:** M42

Dear David,

Further to our brief conversation last week, I mentioned the site in North Warwickshire that we have been asked to look at and having gone back to the landowner, they have now confirmed that they would like us to request your formal pre-application response in regard to our proposed scope of surveys at the site (I understand that the planning officer at NWBC had confirmed to them that WCC 'Ecological Services' is a statutory consultee for ecology and biodiversity measures in the Borough and would therefore be contacted in regard to the site as part of their consideration of any application).

I attach copies of the 'Red and Blue Line Plan' and 'Development Plan' identifying the site and development proposals, which are provided in confidence. I also attach a copy of our initial ecological constraints and opportunities plan, prepared following our recent initial survey visit (as discussed, the internal areas of the site are formed entirely by arable [cereal] cropped areas – the only exceptions being the small section at the southern boundary, which is hardstanding [apparently a former compound for motorway works to the M42] and the footpath corridor running north-south, highlighted as having potential for reptiles, which is purely a grassland strip with no hedgerows/trees, taller or woody vegetation present).

On the basis of the development plan, it is clear that substantial buffers can/will be incorporated to the relevant (vegetated) boundaries with the exception of the required access onto the A5 (which is already well-lit), and potential clearly exists for substantial new habitats and benefits/enhancements to be designed in as part of the scheme design moving forward. I would also anticipate any lighting being necessarily restricted to the development areas (suitably designed to avoid light-spill into the buffers/site boundaries and ensure dark corridors are maintained around all sides (with the exception of the access).

As this stage, the developer is keen (particularly noting the current seasonal progression) to establish the necessary survey work required in order to inform the scheme and a forthcoming planning application (along with associated timescales/seasonal considerations).

On this basis, in order to inform the scheme, we currently propose to undertake a desktop study (including review of information from WBRC), extended Phase 1 survey and specific reptile surveys of the suitable habitats identified. It is also anticipated that the proposals/application would be informed by BIA/net gain considerations including the use of the latest WCC BIA calculator tool, in line with the standard approach taken across the sub-region.

At this stage, given the nature of the site and on the basis of the survey work and development plan information provided to date (in particular noting the substantial buffers to be maintained to all relevant vegetated boundaries and potential for additional planting/benefits, along with the clearly negligible potential of the internal areas), we do not consider that further bat foraging/activity survey work would gain any particularly useful information nor be warranted in regard to the site, albeit (noting that we are currently right at the end of the available season for this type of work) *I would be grateful in particular for urgent confirmation of your agreement that further such [bat activity] surveys can be scoped out on the basis of this information.*

On the basis of the information set out (and subject to forthcoming scheme design and masterplanning reflecting the above and incorporating ecological enhancements where appropriate/possible), it is currently our consideration that the above survey/assessment approach will ensure that all significant ecological matters associated with the proposals are adequately addressed. I would therefore be grateful for your confirmation that the proposed scope of surveys would provide appropriate information to inform the forthcoming scheme/planning application in line with your identification as a consultee on the scheme by NWBC (or otherwise confirm any additional surveys/consideration you would expect to require).

*I understand from our conversation that you are able to provide pre-application advice in line with the above, however this would be chargeable and I would therefore be grateful if you could confirm the relevant charges and processes in order to facilitate this request.*

I trust this is all self-explanatory, however if you have any queries or it would be useful to discuss further, please don't hesitate to contact me.


Kind regards

Colin

Colin Lee  
Associate Director

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Mr Jeff Brown  
North Warwickshire Borough Council  
The Council House  
South Street  
ATHERSTONE  
Warwickshire  
CV9 1DE

**Our ref:** UT/2020/119000/01-L01

**Your ref:** -

**Date:** 08 December 2020

Dear Mr Brown,

**TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT)  
REGULATIONS 2017 - REQUEST FOR EIA SCOPING OPINION - B2, B8 AND E  
CLASS USES.**

**LAND IN THE NORTH-EAST QUADRANT OF JUNCTION 10 OF THE M42 WITH THE  
A5.**

Thank you for referring the above request to the Environment Agency.

Having reviewed the submitted information against our remit, we have no concerns regarding the proposed development and have no further comments to make at this time.

Yours sincerely

**Paul Gethins  
Planning Specialist**

Direct dial [REDACTED]

Direct e-mail [REDACTED]

Our ref:  
Your ref: 70075293

Mr J Brown  
Head of Development Control  
North Warwickshire Borough Council  
Via Email

Ben Simm  
Spatial Planner  
Highways England  
The Cube  
199 Wharfside Street  
Birmingham  
B1 1RN



14 December 2020

Dear Sir/Madam

**70075293 – Land North East of M42 J10 Near Dordon, North Warwickshire - Environmental Impact Assessment (EIA) Scoping Opinion**

Thank you for inviting Highways England on 23 November 2020 to provide comments on the scope of an Environmental Impact Assessment prepared by WSP on behalf of the applicants, Hodgetts Estates, in support of an application for the development of land to the north east of M42 Junction.

HIGHWAYS ENGLAND (“we”) has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

We have been engaging with the applicants through pre-application discussions on a variety of matters including the transport assessment, and access arrangements for the development proposals.

Having reviewed the updated EIA Scoping Report, we have set out below both the general and specific areas of interest that Highways England would require to be considered as part of an Environmental Statement (ES). The comments relate specifically to matters arising from the Highways England’s responsibilities to manage and maintain the Strategic Road Network (SRN) in England.

We will provide respond on matters which effect the M42 and A5 Corridors which form the SRN at this location. Any comments relating to the local road network should be sought from the appropriate local highway authority, Warwickshire County Council.

General aspects to be addressed in all cases include:

- An assessment of transport related impacts of the proposal must be carried out and reported as described in the Department for Transport (DfT) *Guidance on Transport Assessment* and *Circular 02/2013: The Strategic Road Network and the Delivery of Sustainable Development*, and comply with the National Planning Policy Framework and the Planning Practice Guidance. It is noted that the *Guidance on Transport Assessment* has been archived, however still provides a good practice guide in preparing a Transport Assessment. In addition, the Ministry of Housing, Communities and Local Government (MHCLG) also provides guidance on preparing Transport Assessments (TA).
- Environmental impact arising from any disruption during construction, traffic volume, composition or routing change and transport infrastructure modification should be fully assessed and reported.
- Adverse change to noise and air quality should be particularly considered, including in relation to compliance with the European air quality limit values and/or in local authority designated Air Quality Management Areas (AQMAs).
- In terms of the preparation of the Environmental Statement, attention should be given to the advice provided in DfT Circular 02/2013 paragraphs 45 to 48.
- Advice and standards for environmental assessment of development affecting trunk roads can also be found in the Design Manual for Roads and Bridges (DMRB).

Site-specific considerations:

- The proposed site incorporates and shares a common boundary with the M42 and A5 Corridors. Any boundary treatments, anticipated changes to the boundary and works abutting and within the SRN boundary, particularly regarding earthworks and surface water drainage, must be agreed with Highways England.
- It is acknowledged that initial trip generation assessment has been undertaken and analysis we have not been able to fully consider the information. Within Chapter 10 the following need to be considered;
  - Trip generation;
  - Trip distribution;
  - Modelling scenario assessment years
  - Committed developments and infrastructure
  - Access arrangements assessments

Therefore we do not agree with the statements provided in paragraphs 10..19 – 10.1.25 and consider it premature to conclude that impacts will be negligible until a full and robust assessment has been concluded.

- Junction capacity assessments must be carried out for the following scenarios:
  - Opening Year Reference Scenario (the year in which the development is expected to be opened);
  - Opening Year Reference plus Committed Development Scenario; and
  - Opening Year Development Scenario – Opening Year plus Committed Development plus the proposed development, which will determine whether any mitigation is required for the SRN.
- The impact of the development should also be assessed for ten years after the year the application is registered or the end of the relevant Local Plan whichever is the greater. This is for information so that Highways England can inform their programme of works for the future. Please note that all committed developments and infrastructure on the surroundings of the site should be included in the opening year scenario assessment. We recommend liaising with relevant local planning authorities to determine the consented developments to be incorporated in the assessment.
- The development will require a new access onto the A5 Corridor. This will need to be robustly modelled and be supported by clear drawings to scale which demonstrate the visibility splays and forward stopping sight distances based on higher between the speed limit or 85<sup>th</sup> percentile speeds. In addition, the scheme will need to be supported by a Road Safety Audit and Non-Motorised Users Audit in accordance with paragraph 11 of Circular 02/2013.
- The nearest point of impact of development traffic on the SRN will be Junction 10 of the M42 Motorway, which is located to the southwest of the proposed site.
- In addition to M42 junction 10, other SRN junctions and sections that the proposed development is likely to have an impact on will be identified and assessed through modelling assessments once the methodology has been agreed. At present, we consider that this should include the following corridors:
  - A5, between M42 Junction 10 and the A5 / A47 Dodwells Roundabout Junction
  - M42 Corridor between Junction 7 – Junction 11

The precise extents, locations of impact and, where necessary, mitigation will be subject to the outcomes of further modelling and discussion.

- Based on the indicative information presented to date, we consider that the affected SRN junctions and sections should be assessed for the opening year scenario in line with *Circular 02/2013*.
- The needs of non-motorised users must be considered as part of the proposals, particularly where new desire lines will be created and where works to the SRN are proposed. This will include the assessment and review process for walking, cycling and horse-riding.



- In terms of developing mitigation proposals, the applicant and appointed consultants should be encouraged to engage as early as possible to allow for early identification of any potential concerns with proposed options.
- Any proposals or requirements for mitigation affecting the SRN will must be supported by a Stage 1 Road Safety Audit and a Non-Motorised Users Audit. The findings of the audits and designer's response, as agreed with the relevant highway authority, should be reported either in the TA or ES.
- The applicant will need to undertake sufficient design work to demonstrate suitability of proposals on the SRN and compliance with the DMRB. Given the nature of the proposals to introduce a new junction onto the A5 in close proximity to M42 Junction 10 junction, this will include the consideration of 3D design elements to demonstrate the access can be accommodated to the required standards and the areas of earthworks and ancillary features such as drainage ponds are identified.

These comments imply no pre-determined view as to the acceptability of the proposed development in traffic, environmental or highway terms. Should the applicant wish to discuss the merits of the proposal in terms of the likely impact on the SRN they may contact me directly.

Yours Sincerely



Ben Simm  
Spatial Planner  
Email: [REDACTED]

## Warrington, James

---

**From:** Jeff Brown <[REDACTED]>  
**Sent:** 14 December 2020 16:43  
**To:** Warrington, James  
**Subject:** FW: Land North East of Junction 10 M42, Near Dordon, North Warwickshire - Request for EIA Scoping Opinion

... another response

Jeff

---

**From:** Town Planning <town.planning@hs2.org.uk>  
**Sent:** 14 December 2020 16:40  
**To:** Jeff Brown <[REDACTED]>  
**Subject:** RE: Land North East of Junction 10 M42, Near Dordon, North Warwickshire - Request for EIA Scoping Opinion

**OUR REF: HS2-NWC-PE-021**

Dear Jeff,

Thank you for consulting HS2 Ltd on the above matter.

Having reviewed the details of these proposals as set out in the Scoping Report with colleagues I can confirm that the redline boundary area outlined on the plans by Hodgetts Estates are not impacted by the formal Phase 2b Eastern Leg safeguarding directions issued following publication of the Working Draft Environmental Statement (WDES) for consultation in October 2018. Accordingly HS2 Ltd has no objections in principle to these development proposals in planning terms. Links to the WDES community area report on LA01 Lea Marston to Tamworth can be found [here](#) with accompanying [maps](#).

Further information and statutory guidance on the HS2 safeguarding process is available on our website at: <https://www.gov.uk/government/collections/safeguarding-information-and-maps-for-hs2#guidance>.

As you may also be aware HS2 Ltd published and consulted on design refinement proposals (DRC) to this area of the high speed railway in June 2019 and proposed the introduction of a twin bored tunnel for 2.2km to avoid the realignment of the M42, the Island at J10 and disruption to the strategic road network at this very busy interchange. [DRC June 2019](#) provides the narrative for this proposal and the associated map link can be accessed here: [\(Realignment of the route at junction 10\)](#).

Following the DRC consultation and the government's publication of the findings of the Oakervee review into HS2 in February 2020, the Phase 2b Eastern Leg of HS2 is now the subject of an Integrated Rail Plan review (IRP) for the north and Midlands taking account of the aspirations of Northern Powerhouse Rail, Midlands Rail Hub, and other major Network Rail schemes. The IRP review is being conducted by the National Infrastructure Commission (NIC) and will ensure these aspirations are scoped, designed, deliverable, and can be operated as an integrated network. The NIC have published their interim report which can be accessed [here](#) and a final report is anticipated in early 2021.

In light of the above the eastern leg of Phase 2b of HS2 continues to be an emerging scheme, the design of which will not be fixed until hybrid Bill deposit. In the meantime the safeguarded area includes the land that we have currently identified as being likely to be needed to build and operate the railway. The SoS for Transport may issue new or revised Directions at any point if circumstances change: for example, if more detailed engineering work reveals that additional land is required or that land can be removed from safeguarding.

I hope the above comments are of assistance to both yourselves and the developer and should you require any further information please do get in touch at: [town.planning@hs2.org.uk](mailto:town.planning@hs2.org.uk).

Kind regards,

---

**James Fox | Safeguarding Planning Manager, Infrastructure Directorate | HS2 Ltd**

[REDACTED] | [Facebook](#) | [Twitter](#) | [LinkedIn](#)

High Speed Two (HS2) Limited, Two Snowhill, Snow Hill Queensway, Birmingham, B4 6GA | [www.gov.uk/hs2](http://www.gov.uk/hs2)

---

**From:** Jeff Brown [REDACTED]

**Sent:** 23 November 2020 14:37

**To:** Paul Gethins <[REDACTED]>; FRM Planning <frmplanning@warwickshire.gov.uk>;  
David Lowe [REDACTED]; Anna Stocks (WARWICKDC) <[REDACTED]>  
Matthew Green <[REDACTED]>; Johnson, Katie [REDACTED] Joanne  
Archer <[REDACTED]>; planningm@highwaysengland.co.uk; Town Planning  
<town.planning@hs2.org.uk>; [REDACTED] plantprotection@cadentgas.com;  
lands@bpa.co.uk; mainlinepipelines@fishergerman.co.uk

**Subject:** FW: Land North East of Junction 10 M42, Near Dordon, North Warwickshire - Request for EIA Scoping Opinion

Dear All

As you can see from the email below we have been asked for a Scoping Opinion in respect of a forthcoming planning application for B2, B8 and E Class Uses on land in the north-east quadrant of Junction 10 of the M42 with the A5.

Under the EIA Regulations, the Council has five weeks in which to respond with its Opinion.

I would therefore be grateful to receive your comments on the content of the Scoping Report as attached. If these could be forwarded in the next few weeks please. I'd like to aim to get a response before the Christmas break.

You will see from the email that the Appendices to the report are contained in a separate link

Many thanks

Jeff Brown  
Head of DC  
NWBC

---

**From:** Warrington, James <[REDACTED]>

**Sent:** 20 November 2020 17:36

**To:** planappconsult <[planappconsult@NorthWarks.gov.uk](mailto:planappconsult@NorthWarks.gov.uk)>

**Cc:** Jeff Brown [REDACTED]  
[REDACTED]

**Subject:** Land North East of Junction 10 M42, Near Dordon, North Warwickshire - Request for EIA Scoping Opinion

FAO Mr Jeff Brown

**TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 - REQUEST FOR EIA SCOPING OPINION**

I write further to your earlier dialogue with David Hodgetts in respect of the above site and, on behalf of Hodgetts Estates, hereby submit a request to North Warwickshire Borough Council (NWBC) to adopt a formal EIA Scoping Opinion in respect of the proposed development and associated development parameters set out within the attached EIA Scoping Request Report. Please note, the attached version of the scoping report excludes appendices (due to large file size). A full copy of the report including appendices – ie the version to be registered and considered - is available via the following file transfer link: <https://we.tl/t-6sWHOkSNkE>

The 'Area of Interest' for the purposes of the ES scoping request and EIA itself are set out in the plan contained at Appendix A of the report.

The report has been prepared in the context of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (SI 2017/571) and the Planning Practice Guidance (PPG) (last updated March 2019). Part 4 (15) of the Regulations enables anyone minded to make an EIA application to ask the relevant local planning authority to state in writing their opinion as to the information to be provided in the environmental statement (a "scoping opinion").

The content of the scoping report identifies the proposed development; the need for an EIA to be undertaken; and, the scope of the proposed ES including reference to specific subject areas to inform the council's scoping opinion.

We look forward to receiving NWBC's formal Scoping Opinion within the statutory timescales. I would be grateful if you could please confirm safe receipt of the attached scoping report and the full version with appendices via the link and advise of the relevant reference number once it has been registered.

By copy, **Jeff**, I can confirm from our side that we have availability next Thursday (26/11) in the afternoon for the high-level pre-application meeting mentioned by David. Please can you advise if this would work for you and Dorothy – say 14:00 – 15:30? We may not need the full timeslot but would prefer to have it blocked out in diaries. If this is not a suitable time then please could you advise of an alternative and we will accommodate. I can then issue a MS Teams invite.

Kind regards

**James Warrington** BA(Hons) MSc MRTPI  
Principal Planner



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Manchester  
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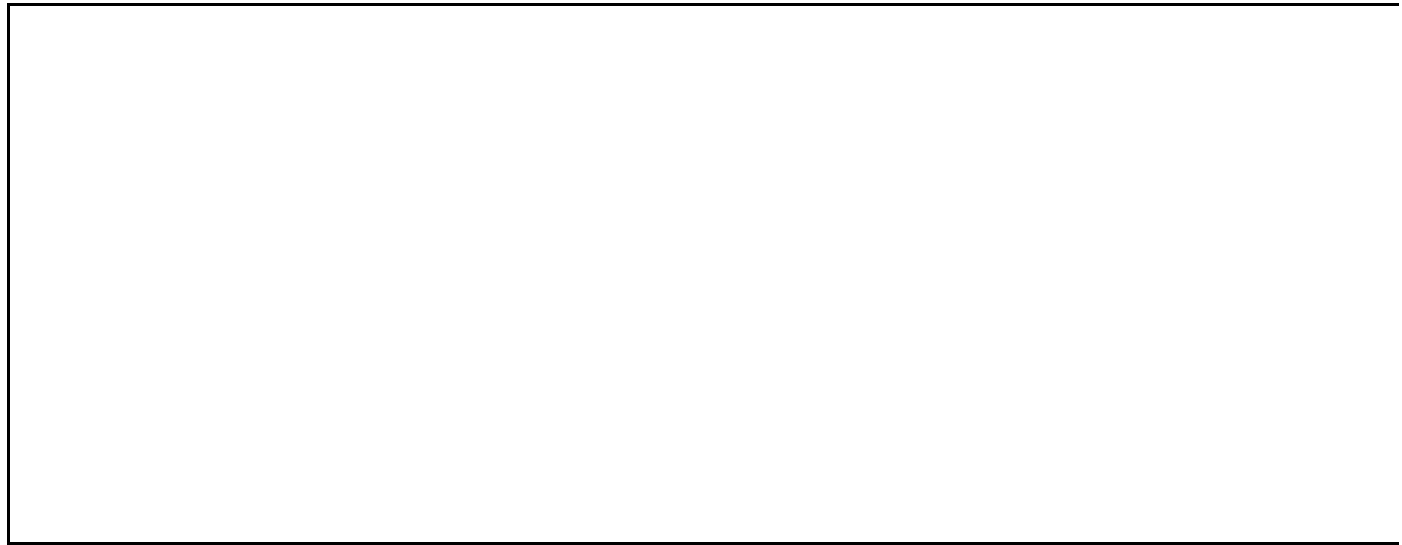
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## Warrington, James

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**From:** Jeff Brown <[REDACTED]>  
**Sent:** 16 December 2020 09:26  
**To:** Warrington, James  
**Subject:** FW: Land North East of Junction 10 M42, Near Dordon, North Warwickshire - Request for EIA Scoping Opinion

FYI – a further response

Jeff

---

**From:** Richard Gent <[REDACTED]>  
**Sent:** 16 December 2020 07:46  
**To:** Jeff Brown <[REDACTED]>  
**Subject:** RE: Land North East of Junction 10 M42, Near Dordon, North Warwickshire - Request for EIA Scoping Opinion

Morning Jeff,

Thank you for forwarding the EIA scoping document which I have forwarded and discussed with my client at MLP.

MLP has a legal agreement with the landowner which is in the form of a lease. The lease states; if the land owner wishes to develop the land, the landowner should consult the pipeline operator and use reasonable endeavours to arrange the development so as suit the position of the pipeline. The plans contained within the EIA scoping document appear to indicate that the landowner has arranged the development to suit the position of the pipeline.

MLP's view is that there needs to be further consultation with the developer which will include discussions on levels and services crossings as the EIA scoping document does not provide that level of detail. For developments like this MLP prefers to talk directly with the landowner and generally does not make comment on public forums, such as planning portals.

Kind regards

Richard

Richard Gent BSc (Hons)

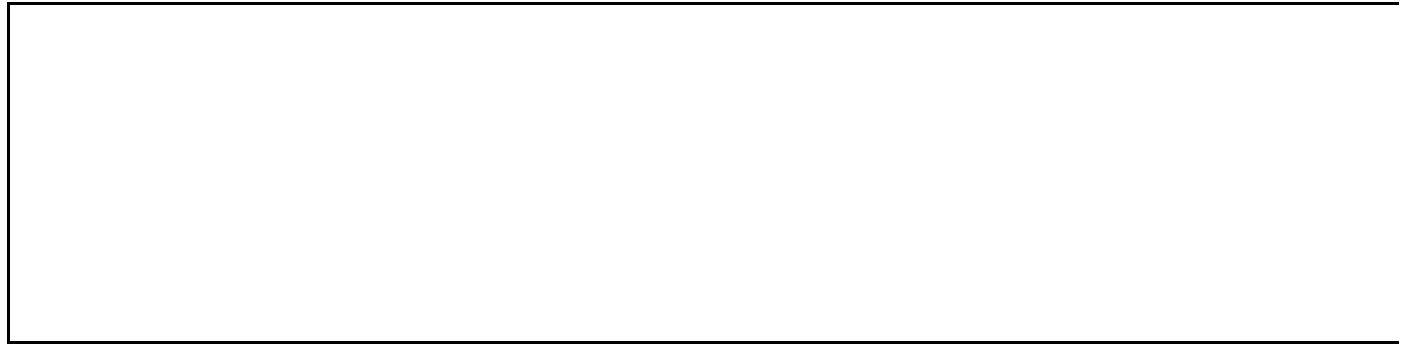
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For and on behalf of Fisher German LLP

[REDACTED]  
[REDACTED]

[REDACTED]

The Estates Office - Norman Court - Ivanhoe Business Park - Ashby de la Zouch - LE65 2UZ



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**From:** Mainline Pipelines <MainlinePipelines@fishergerman.co.uk>

**Sent:** 23 November 2020 15:48

**To:** Richard Gent <[REDACTED]>; Harry Fromant <[REDACTED]>

**Subject:** FW: Land North East of Junction 10 M42, Near Dordon, North Warwickshire - Request for EIA Scoping Opinion

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Your ref: Scoping request no application number provided  
Our ref: WCC001978/FRM//001  
Your letter received: 23/11/2020



Mr J Brown  
Head of Planning  
North Warwickshire Borough Council  
The Council House  
South Street  
Atherstone CV9 1DE

Flood Risk Management  
Warwickshire County Council  
Shire Hall  
Warwick  
Warwickshire  
CV34 4RL  
Tel: 01926 412982  
[FRMPlanning@warwickshire.gov.uk](mailto:FRMPlanning@warwickshire.gov.uk)  
[www.warwickshire.gov.uk](http://www.warwickshire.gov.uk)

**FAO Jeff Brown**

07 December 2020

Dear Mr Brown,

**PROPOSAL:** **Town and Country Planning (Environmental Impact Assessment) Regulations 2017 - Request for EIA Scoping Opinion in respect of a forthcoming planning application for B2, B8 and E Class Uses on land in the north-east quadrant of Junction 10 of the M42 with the A5**

**LOCATION:** **Land North East of Junction 10 M42, Near Dordon, North Warwickshire**

**APPLICANT:**

Warwickshire County Council as the Lead Local Flood Authority (LLFA) has reviewed the scoping opinion which was received on the 23 November 2020.

The Scoping Opinion application presents the strategic proposals for the Land North East of Junction 10 M42, Near Dordon, North Warwickshire development. At this time no technical details relating to flood risk have been submitted and as such the LLFA will require ongoing consultation at outline and detailed design to ensure the proposals are acceptable in terms of flood risk. However, having reviewed the strategic information the LLFA would like to highlight a few points at this early stage as to what will be required as the site proposals are developed.

A full Flood Risk Assessment for the development proposals will be required under the NPPF and this should include details of how flood risk from all sources affects the proposed development. It should assess whether the development type is appropriate for the proposed location, whether the site's flood risk is too great for the development and if the proposed development will increase flood risk elsewhere.

To be included within an FRA the following points are details for which the LLFA would seek further information, these are specific to the development site and have been identified following this scoping application.



*Working for  
Warwickshire*

The development site has a very low risk of surface water flooding. Additionally, as outlined within the scoping opinion, SuDS systems will be a requirement of the LLFA throughout the development site. The LLFA would expect to see wherever possible above ground SuDs within the green corridors within the scoping documents. Design of the Sustainable drainage features should be in line with the principles set forward in WCC Flood Risk Standing Advice, The Non Statutory Technical Advice for SuDS and The SuDS Manual CIRIA C753. As stated previously, each stage of any drainage strategy should include consultation with the LLFA to ensure proposals will be acceptable. The above will ensure flood risk is not increased off-site as a result of the development and surface water on-site is managed in a sustainable manner.

The LLFA requires that a full appraisal of site conditions (topography, hydrology, hydrogeology and land use) is included within their FRA/drainage strategy. There should also be an appraisal of the drainage hierarchy (as detailed in Paragraph 080 of the Planning Practice Guidance) and identification of viable outfalls included on the drainage design.

The LLFA requires that the developer provide all calculations for greenfield run off rates, proposed discharge rates and volumes, and provide calculations for attenuation requirements with the correct allowance given for climate change.

Please also provide any cross-sections for any SuDS features, demonstrating design in accordance with the CIRIA SuDS Manual C753.

Within the drainage strategy, the LLFA requires a modelling report of the whole drainage network demonstrating its performance during the critical storm in a 1 in 1 year, 1 in 30 year, and 1 in 100 year (plus allowance for climate change) return periods.

Information on how exceedance flows will be managed on site should be provided. Using the post-developed site topography, it should be demonstrated that exceedance flows will not be directed toward property or flow onto third party land. Intelligent but simple design (such as kerb heights, location of manholes etc) can help avoid flooding in events exceeding the design of the system by considering appropriate exceedance routes through green corridors. Further information on building layout, surface pathways and storage can be found in CIRIA C635 '*Designing for exceedance in urban drainage – good practice*'.

We also require written agreement from any third party asset or land owners required to enable the operation of the drainage infrastructure (such as evidence of an agreement with the adopting body) such as Severn Trent Water.

Finally, we will need to see the expected adoption and maintenance regimes for all drainage features.

Yours sincerely



Louise Goode  
Flood Risk Management Officer

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Reviewed Documents:

- EIA Scoping Report (inc. appendices) dated November 2020