

**M54 to M6 Link Road**  
**TR010054**

**8.8 LA(B) Draft Statement of Common  
Ground with South Staffordshire  
Council**

APFP Regulation 5(2)(q)

Planning Act 2008

Infrastructure Planning (Applications: Prescribed  
Forms and Procedure) Regulations 2009

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**The Infrastructure Planning  
(Applications: Prescribed Forms and  
Procedure) Regulations 2009**

**M54 to M6 Link Road  
Development Consent Order 202[ ]**

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<b>Regulation Number</b>	Regulation 5(2)(q)
<b>Planning Inspectorate Scheme Reference</b>	TR010054
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<b>Author</b>	M54 to M6 Link Road Project Team and Highways England

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1 (P02)	October 2020	Draft for SSC review
2 (P03)	November 2020	Issue to ExA for Deadline 1

## STATEMENT OF COMMON GROUND

**This Statement of Common Ground has been prepared and agreed by (1) Highways England Company Limited and (2) South Staffordshire Council.**

Signed.....  
**Andrew Kelly**  
**Project Manager**  
**on behalf of Highways England**  
Date: [DATE]

Signed.....  
[NAME]  
[POSITION]  
**on behalf of South Staffordshire Council**  
Date: [DATE]

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# 1 Introduction

## 1.1 Purpose of this document

- 1.1.1 This Statement of Common Ground ('SoCG') has been prepared in respect of an application for a Development Consent Order ('the Application') under section 37 of the Planning Act 2008 ('PA 2008') for the proposed M54 to M6 Link Road ('the Scheme') made by Highways England Company Limited ('Highways England' or 'HE') to the Secretary of State for Transport ('Secretary of State').
- 1.1.2 This SoCG does not seek to replicate information which is available elsewhere within the Application documents. All documents are available on the Planning Inspectorate website.
- 1.1.3 This SoCG has been produced to confirm to the Examining Authority where agreement has been reached between the parties to it, and where agreement has not (yet) been reached. SoCGs are an established means in the planning process of allowing all parties to identify and so focus on specific issues that may need to be addressed during the examination.
- 1.1.4 **This SoCG has been drafted by Highways England based on correspondence with South Staffordshire Council during the development of the Scheme. The draft was provided to South Staffordshire Council on 24 October 2020, with comments received on 2 and 3 November 2020. The comments have been incorporated but there remain issues to resolve and expand upon going forward.**
- 1.1.5 **Highways England will continue to work to finalise the contents of this SoCG at the earliest opportunity as the Application proceeds through the Examination process.**

## 1.2 Parties to this Statement of Common Ground

- 1.2.1 This SoCG has been prepared by (1) Highways England as the Applicant and (2) South Staffordshire Council (SSC).
- 1.2.2 Highways England became the Government-owned Strategic Highways Company on 1 April 2015. It is the highway authority in England for the strategic road network and has the necessary powers and duties to operate, manage, maintain and enhance the network. Regulatory powers remain with the Secretary of State. The legislation establishing Highways England made provision for all legal rights and obligations of the Highways Agency, including in respect of the Application, to be conferred upon or assumed by Highways England.
- 1.2.3 SSC is the local planning authority for almost all the area within the Order limits, with the exception of a small area south of M54 Junction 2 that lies within the City of Wolverhampton Council area. SSC determines planning applications for the majority of development types in the district and has a statutory duty to prepare a development plan.

## 1.3 Terminology

- 1.3.1 In Table 3-1 in the Issues chapter of this SoCG, 'Not Agreed' indicates a final position. 'Under discussion' indicates where issues will be the subject of ongoing discussion wherever possible to resolve, or refine, the extent of disagreement between the parties. 'Agreed' indicates where the issue has been resolved.
- 1.3.2 It can be taken that any matters not specifically referred to in the Issues chapter of this SoCG are not of material interest or relevance to SSC, and therefore have not been the subject of any discussions between the parties. As such, those matters can be read as agreed, only to the extent that they are either not of material interest or relevance to SSC.

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## 2 Record of Engagement

2.1.1 A summary of the meetings and correspondence that has taken place between HE and SSC in relation to the Application is outlined in Table 2-1. A list of initials, names, role and organisation of the people mentioned in Table 2-1 is included at Appendix A of this document.

**Table 2-1: Record of Engagement**

Date	Form of correspondence	Key topics discussed and key outcomes
26/11/2018	Email from TB (Amey) to KH (SSC)	Requesting a 'noise' contact at SSC.
27/11/2018	Email from KH (SSC) to TB (Amey)	Advising of appropriate noise contacts at SSC.
27/11/2018	Email from SS (AECOM) to WG & JG (SSC)	Request to talk through noise assessment for local knowledge on any missed sensitive receptors and to run through proposed baseline monitoring.
05/12/2018	Email from SS (AECOM) to WG (SSC)	Note confirming telephone discussion on 05/12/2018 confirming agreement that: <ul style="list-style-type: none"> <li>SSC is content with 4no. long term noise monitoring locations proposed and request an additional location but may be problems with security for equipment.</li> <li>SSC is content with proposed monitoring and assessment methodologies.</li> <li>SSC is unaware of unusual noise sensitive receptors in area or proposed developments which may affect assessment.</li> <li>Noise/vibration from existing roads is not a source of complaint.</li> <li>SSC do not have specific requirements for construction noise – Aecom set out the Council's standard construction hours and indicate possible need for some limited night/weekend works e.g. to tie into existing roads.</li> </ul>
10/12/2018	Meeting with GM, KH, SF (SSC), AK (HE), TB (Amey), DL (AECOM)	Scheme update and timescales. Discussion re development of M54 traffic model.

Date	Form of correspondence	Key topics discussed and key outcomes
13/12/2018	Email from SS (AECOM) to WG (SSC)	Suggesting two possible locations for an additional long-term monitoring location and requesting an opinion.
14/12/2018	Email from WG (SSC) to SS (AECOM)	Advising that one of the proposed locations (M5a) is acceptable.
18/12/2018	Email from TB (Amey) to KH (SSC) and vice versa	Arranging cabinet meeting.
12/02/2019	Meeting with AK (HE), TB, DT (Amey), TP, DE (AECOM) and SSC Cabinet Members	Powerpoint presentation and update on scheme progress to SSC Cabinet members. Q&A session – documented in minutes. Followed by informal Cabinet Meeting Strategic SSC Members.
12/03/2019	Email from NP to EF	Noting that the ROF Featherstone has two options for access (options 7 or 9) and asked which one is more likely. Also asked whether ROF Featherstone can proceed without the Scheme (or whether it is therefore dependent development).
19/03/2019	Email from EF to NP (cc KH)	E-mail confirmed that 'I can confirm that the ROF Featherstone employment development cannot take place without the M54-M6 link road in place.' Also confirmed that there was currently equal likelihood of Options 7 and 9 for access going ahead. Option 7 connected the site into the A449 Stafford Road to the west of the site while Option 9 crossed the M54 joining the A460 south of M54 Junction 1.
20/03/2019	Email from TB (Amey) to KH (SSC)	Rearranging a cancelled meeting.
03/04/2019	Email from SS (AECOM) to WG (SSC)	Providing update on baseline noise monitoring survey and highlighting an access issue with one of the long-term locations (M4).
08/04/2019	Letter from AK (HE) to KH (SSC)	Letter requesting views on the draft SoCC.
01/05/2019	E-mail from KH (SSC) to KV (HE)	SSC comments on the draft SoCC.

Date	Form of correspondence	Key topics discussed and key outcomes
20/05/2019	Letter from AK (HE) to KH (SSC)	Letter setting out how HE has addressed comments from SSC on the SoCC.
23/05/2019	Letter from AK (HE) to SSC	Letter providing notice of the statutory consultation from 24 May 2019 to 5 July 2019.
17/06/2019	Meeting with AK (HE), TB, DT (Amey), TP, DE (AECOM) and SSC Cabinet Members	Update on progress and on Statutory Public Consultation. Q&A session – documented in minutes.
05/07/2019	Letter from KH (SSC)	SSC's response to HE's statutory consultation.
28/08/2019	Email from Planning (SSC) to CT (AECOM)	Attaching requested TPO schedules and plans.
09/09/2019	Meeting with GM, KH (SSC), TB (Amey), AL, JH (AECOM)	Post-consultation update. Consultation ongoing with Natural England & HE re Dark Lane realignment. Impact on woodland, noise impact discussed. Discussion on SSC's preference for a weight restriction on A460. HE confirmed this is not to be included in the Development Consent Order (DCO).
30/09/2019	Email from AMa (AECOM) to GM (SSC) and JC (SSC)	Spreadsheet of long list of developments to be considered in the cumulative assessment. Shapefile sent and a request for a review of the allocations and applications listed to ensure no developments have been missed. Further details on construction timescales where also requested.
01/10/2019	Email from PW (SSC) to AM (AECOM)	Request for information on the Scheme's construction programme to allow request on cumulative developments to be completed.
02/10/2019	Email from AM (AECOM) to PW (SSC)	Provided outline dates for the start and end of construction. Clarified that estimated dates for the start and completion of construction for those developments within the spreadsheet would aid the cumulative assessment.
03/10/2019	Email from SS (AECOM) to WG (SSC)	Email confirming content of telephone call: Confirming progress with noise assessment, in particular in line with NPSNN requirements re tranquillity and setting out locations which have been considered.

Date	Form of correspondence	Key topics discussed and key outcomes
		<p>Confirming agreement that there are no specific quiet areas, or areas valued for their tranquillity or acoustic environment in the study area. A plan was also provided.</p> <p>Confirming that baseline monitoring appendix of ES/part of chapter will be sent for review.</p>
04/10/2019	Email from WG (SSC) to SS (AECOM)	Confirming agreement that there are no specific quiet areas, or areas valued for their tranquillity or acoustic environment in the study area.
11/10/2019	Telephone conversation GH (AECOM) to WG (SSC)	Provided a brief outline of the Scheme and explanation of air quality assessment and dispersion model verification process. Discussed concerns relating to air quality impacts and committed developments, particularly West Midlands Interchange DCO.
11/10/2019	Email from PW (SSC) to AM (AECOM)	Updated version of the cumulative developments spreadsheet provided with edits shown in red.
05/11/2019	Meeting with SSC	Meeting accompanied by briefing note responding to SSC's consultation response. Included presentation to Cabinet and question and answer session with Highways England project manager, Aecom project manager, DCO lead, noise, air quality and EIA specialists.
06/11/2019	Email from KH (SSC) to AL (AECOM) and AK (HE)	Requesting confirmation on the distance from the last property on Dark Lane to the new road.
07/11/2019	Email from AL (AECOM) to KH (SSC)	Providing confirmation on the distance from the last property along Dark Lane to the edge of the highway. Providing latest draft of the Environmental Masterplan and draft General Arrangement Plans.
07/11/2019	Email from KH (SSC) to AL (AECOM)	Thanking AL for confirmation of the distance from the last property along Dark Lane to the edge of the highway.
11/11/2019	Letter from HE to SSC	Letter notifying of non-statutory supplementary consultation, 11 November 2019 – 11 December 2019.
20/11/2019	Email from AL (AECOM) to KH (SSC)	Attaching responses to queries raised by members on 5/11/19. Seeking a view on comments sent by HE to SSC. Asking which documents SSC may wish to review prior to submission. Also requesting feedback on whether SSC wanted to review any application documents prior to submission.

Date	Form of correspondence	Key topics discussed and key outcomes
28/11/2019	Email from KH (SSC) to AL (AECOM)	Attaching members comments on HE responses to members questions and adding additional questions for HE attention.
10/12/2019	Email from SS(AECOM) to WG (SSC)	Email and plan detailing construction noise receptors used in the assessment and requesting confirmation that they are a reasonable/representative selection.
20/12/2019	Email from TP (AECOM) to JG (SSC)	Attaching draft noise and air quality chapters of the ES for review and comment. Also attaching chapters draft Heritage, Landscape and Biodiversity chapters, Masterplan overview and the outline Environmental Management Plan.
02/01/2020	Email from WG (SSC) to SS (AECOM)	Confirmation that the construction noise receptors emailed to WG 10/12/2019 are reasonable and representative.
20/01/2020	Email from AL (AECOM) to KH (SSC)	Requesting discussion to assess whether there are issues which could be resolved prior to submission. Asking whether SSC has reviewed documents issued prior to Christmas.
20/01/2020	Email from AL (AECOM) to KH (SSC)	AL responding to KH e-mail of 28/11/2019 setting out responses to additional Members questions.
20/01/2020	Email from KH (SSC) to AL (AECOM)	Asking if issues raised by members on 5/11/19 and SSC responses needed to be added into Tables 3-1 or 3-2. KH also request AL to re-send attachment referred to in email on 20/11/19, with SSC responses. KH also asked who added comments in green to previous emails.
20/01/2020	Email from AL (AECOM) to KH (SSC)	Providing answers to previous queries re SSC responses and provided requested attachment of updated responses to SSC queries raised on 5/11/19.
20/01/2020	Email from AL (AECOM) to KH (SSC)	Attaching the draft DCO for review now or can wait for the submission version. Aecom will aim to continue discussions post submission to aim to resolve issues prior to Examination.
28/01/2020	Email from KH (SSC) to AL (AECOM)	Overall SSC remain supportive of the Scheme and will present that position for the Examination. Recognise fine balance between impact on heritage assets and the community. Comments from Conservation Officer requesting consideration of 6 heritage assets.  Concludes that the Scheme will not have a major impact on Moseley Old Hall. Potential impacts on setting of Hilton Hall. Further information requested.

Date	Form of correspondence	Key topics discussed and key outcomes
28/01/2020	Email from AL (AECOM) to KH (SSC)	Responding to queries in email from KH dated 28/1/20 and requesting clarification of requirements.
28/01/2020	Email from KH (SSC) to AL (AECOM)	Queries re previous email. Will call AL to discuss.
28/01/2020	Email from AL (AECOM) to KH (SSC)	Asking KH to confirm receipt of previous email on 20/12/19 sent by TP (Aecom) to Mr Gerring (SSC) re Air Quality and Noise Chapters of ES.
04/02/2020	Email from AL (AECOM) to KH, SP & SF(SSC)	Informing of DCO registry on 31/01/20 and attaching engagement records, with breakdown of activities and timescales.
04/02/2020	Email from KH (SSC) to AL (AECOM)	Responding to DCO registry, confirming approval by cabinet.
05/02/2020	Email from AL (AECOM) to KH (SSC)	Informing of Notification of Development revision due to changes in Order Limits. AL asked KH to confirm who best to send NoD GIS maps to.
06/02/2020	Email from KH (SSC) to AL (AECOM)	Responding to previous email re NoD and advising best person to send NoD GIS maps to. KH requested clarification on date for meeting (proposed 27/02/20).
10/02/2020	Email from AL (AECOM) to KH (SSC)	Requesting confirmation of times for meeting on 27/02/20.
11/02/2020	Email from AL (AECOM) to KH and PW (SSC)	Attaching Notification of Development and GIS files of order limits as submitted in DCO application.
18/02/2020	Email from TP (AECOM) to EH (SSC)	Chapter 6: Cultural Heritage of the ES and associated figures and appendices sent directly to the Conservation Officer for information.
26/02/2020	Email from AL (AECOM) to KH (SSC)	Attaching meeting agenda and presentation for meeting on 27/02/20.
27/02/2020	Meeting and presentation with AECOM and SSC	Progress meeting with lead officers at SSC. Presentation to council members on DCO process.
09/03/2020	Letter from HE to SSC	Letter and section 56 notice provided to SSC.
09/04/2020	Email from AL (AECOM) to KH,	Providing notification of extended relevant representations period until 18/05/2020, due to the

Date	Form of correspondence	Key topics discussed and key outcomes
	SF and SP (SSC)	impact of Covid-19. Informing of the decision to close deposit points.
10/04/2020	Email from KH (SSC) to AL (AECOM)	To confirm receipt of email sent on 09/04/2020, regarding relevant representation extension.
17/04/2020	Letter from HE to SSC	Letter notifying of extension to Relevant Representation period due to Covid-19.
20/04/2020	Email from HE to SSC	Providing notification of relevant representations period being extended.
18/05/2020	Email from KH (SSDC) to AK (HE) and AL (AECOM), cc'ing JC (SSC)	Requesting clarification on the traffic modelling for i54 Western Extension and the ROF Featherstone Strategic Employment Site.
03/06/2020	Email from AL (AECOM) to KH and WG (SSC) – 1 out of 4 emails	Providing revised noise chapters, relevant appendices for the ES and a cover letter explaining the rationale behind the revisions and how the results have changed since the chapter was submitted.
03/06/2020	Email from AL (AECOM) to KH and WG (SSC) – 2 out of 4 emails	Providing figures 11.1 and 11.2 of the revised noise assessment.
03/06/2020	Email from AL (AECOM) to KH and WG (SSC) – 3 out of 4 emails	Providing figures 11.3 and 11.4 of the revised noise assessment.
03/06/2020	Email from AL (AECOM) to KH and WG (SSC) – 4 out of 4 emails	Providing figure 11.5 of the revised noise assessment.
05/07/2020	Letter from SSC to HE	Providing SSC's response to the statutory consultation.
10/07/2020	Email from AL (AECOM) to KH (SSC)	Providing response to query (18/05/20) regarding the inclusion of the two key employment commitments in the traffic forecasting.
05/08/2020	Email from AL (AECOM) to KH (SSC)	Providing notification of design change and requesting input to confirm if the proposed approach to the consultation on the scheme changes is deemed adequate.

Date	Form of correspondence	Key topics discussed and key outcomes
18/08/2020	Email from AL (AECOM) to SP (SSC)	Requesting update on SSC's considerations of the proposed approach to consultation.
18/08/2020	Email from SP (SSC) to AL (AECOM)	Confirming SSC approves the approach to consultation and enquired whether there would be the opportunity for the proposed changes to be presented and explained via a Microsoft Teams meeting.
24/08/2020	Letter from HE to SSC	Letter notifying SSC of consultation on proposed DCO changes.
25/08/2020	Email from AL (AECOM) to SP (SSC)	Responding to query made on 18/08/2020 and confirming the format of the scheme changes on the HE website, including the animation of the approach to consultation of the M54 Junction 1. Providing response to query made on (18/08/2020) regarding provision of a recorded presentation of scheme changes. AL also request SSC to read through Nurton Development's response and provide feedback/SSC's position in regard to the response.
09/09/2020	Meeting with AK, GK (HE); RR, AL (AECOM); SB (Linkconnex); KH, SP (SSC); JC, WS, ND (SCC); AP (SFG); and SE (i-transport)	Meeting to provide update on ROF Featherstone, DCO progress and proposed Scheme changes.
15/09/2020	Email from AL (AECOM) to KH and SP (SCC)	Providing minutes actions from meeting on 09/09/2020 for review.
17/09/2020	Meeting with AK (HE); SB (Linkconnex); RR, DE, AMcN SH (AECOM); JC, WS, ND SCC; KH, SP (SSC); TW (Gowling)	Meeting to discuss outstanding matters regarding changes to the DCO and protective provisions.
18/09/2020	Email from AL (AECOM) to SP (SSC)	Asking if SSC would be sending a response to the consultation on scheme changes, in advance of the deadline of 21/09/2020.

Date	Form of correspondence	Key topics discussed and key outcomes
18/09/2020	Email from SP (SSC) to AL (AECOM)	Providing response to AL's email on 18/09/2020 regarding SSC's comments on the proposed consultation to design changes.
29/09/2020	Email from SP (SSC) to AL (AECOM)	Requesting details of submitted photomontages.
30/09/2020	Email from AL (AECOM) to SP (SSC)	Providing details of photomontage.
14/10/2020	Emails from AL (AECOM) to SP (SSC) and vice versa	Clarifying intended approach to SoCG, explaining the Written Representations process and SP informing AL that TC would be the new development management representative from SSC, with EF leading from a policy perspective.
20/10/2020	Phone call between AL (AECOM) and SP (SSC)	Discussion on approach to Open Floor Hearing, SoCG and LIR.
20/10/2020	Email from SP (SSC) to AL (AECOM)	Providing SSC's LIR so its content can inform the SoCG.
24/10/2020	Email from AL (AECOM) to TC, KH and EF	Provision of draft SoCG for comment.
26/10/2020	Phone call between TC (HPS) and AL (AECOM)	Discussion on approach to WQs and SoCG.
02/11/2020	Email from TC to AL	Provision of SSC comments on draft SoCG.
02/11/2020	Email exchange between AL and KH	Exchange to clarify initial comments from SSC
03/11/2020	Email from TC to AL	Email providing two minor revisions to the SoCG

2.1.2 It is agreed that the table above presents an accurate record of the key meetings and consultation undertaken between (1) Highways England and (2) SSC in relation to the issues addressed in this SoCG.

## 3 Issues

### 3.1 Introduction and General Matters

3.1.1 This chapter sets out the 'issues' which are agreed, not agreed, or are under discussion between SSC and Highways England.

3.1.2 The letter provided to Highways England by the Planning Inspectorate on the 20 August 2020 under Section 88 of the PA 2008 (as amended) and the Infrastructure Planning (Examination Procedure) Rules 2010 – Rule 6 (hereafter referred to as the 'Rule 6 Letter'), sets out the issues for Highways England and the relevant parties to address in their SoCG. Specifically, Annex F sets out the parties that the Planning Inspectorate wants Highways England to produce a SoCG with and the issues that they want to see addressed. This bullet point list has been replicated below<sup>1</sup>:

1. The effect on air quality
2. The effect on biodiversity
3. The effect on cultural heritage
4. Landscape and visual effects
5. The effect of noise and vibration
6. Socio-economic effects, including effects on delivery of development plan aims and objectives
7. The effect on the Green Belt and whether the 'other matters' amount to Very Special Circumstances
8. The loss of the Best and Most Versatile Agricultural Land
9. The effectiveness of proposed mitigation to address any areas where adverse effects are identified.
10. The draft Development Consent Order provisions and requirements including future procedures for approval of details

3.1.3 These issues are addressed in Table 3-1 in order, with an initial section on general principles and an 'other' section at the end to cover issues beyond that identified above. HE will continue to work with SSC to resolve outstanding issues.

3.1.4 This version of the SoCG covers issues raised prior to the Pre-Examination period, issues raised in SSC's Relevant Representation, their presentation at the Open Floor Hearing (OFH) on 21 October 2020 and other issues discussed with SSC.

### 3.2 Relevant Issues related to Application Documentation

3.2.1 Table 3-1 shows those matters which have been agreed or yet to be agreed by the parties.

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<sup>1</sup> The list here has been taken from the letter issued by the ExA on 28 August 2020 to clarify the Statements of Common Ground that have been requested. It should be noted that a shorter list of six matters for consideration was set out in the Rule 6 letter issued on 20 August 2020 and the Rule 8 letter issued by the ExA on 22 October 2020. The latter two documents comprised only items 1-6 of the topics listed here.

**Table 3-1: Issues Related to the Application Documentation**

Document	Subject	South Staffordshire Council Comments	Highways England Response	Status	Agreement likely <sup>2</sup>
<b>General principles of the Scheme and Relevant Planning Policy</b>					
e.g. RR-019 (SSC's RR) and comments on SoCG (02/11/20)	Support for the Scheme	<p>SSC acknowledges the Scheme will deliver a range of economic and other benefit to the District and the surrounding area, providing matters set out in the LIR and raised by local Councillors are addressed. These benefits will potentially include:</p> <ul style="list-style-type: none"> <li>• Relieve traffic congestion on the A460, A449 and A5, providing more reliable journey times;</li> <li>• Reduce air quality impacts associated with the A460 and surrounding roads;</li> <li>• Keep the right traffic on the right roads and improve safety by separating local community traffic from long distance and business traffic;</li> <li>• Reduce volumes of through-traffic in villages, improving local community access;</li> <li>• Investment in additional capacity will aid economic growth in the District and other nearby towns and cities by supporting the delivery and efficient operation of employment sites along the M54 corridor and surrounding areas (i.e. i54, ROF Featherstone, Hilton Cross and Hilton Main); and</li> <li>• Economic benefits through the construction and subsequent operation of the link road (i.e. manufacturing, business administration, plant hire, long term servicing and employment).</li> </ul> <p>HE agree with this position.</p>		Agreed	Agreed

<sup>2</sup> Indication on likelihood that the matter will be agreed by the close of the Examination period as rate by the applicant (app) and the Interested Party (IP). Dark green = agreed, light green = high likelihood of agreement, orange = medium likelihood of agreement, red = low likelihood of agreement. Position as agreed with SSC on 02/11/2020.

SSC Local Impact Report (LIR), Case for the Scheme [TR010054/APP/7.2] and comments on SoCG (02/11/20)	Sustainable development	SSC and HE agree that the Scheme comprises 'sustainable development' in the context of the presumption in favour of sustainable development in the National Planning Policy Framework (NPPF). <i>(HE notes that although HE understands this to be agreed, SCC's response on 02/11/20 was not 100% clear so it has been recorded as under discussion).</i>		Under discussion	High
	Relevant planning policy documents	SSC and HE agree that the relevant planning policies for the area of the Scheme within South Staffordshire are set out in the National Policy Statement for National Networks (NPSNN), NPPF, South Staffordshire Core Strategy 2012-2028, South Staffordshire Site Allocations Document (2018) (SAD) and the South Staffordshire Infrastructure Delivery Plan (2017) (IDP). The policies in these documents vary in their relevance and importance to the Scheme.  Planning policies set by Staffordshire County Council (SCC) as an upper tier authority and City of Wolverhampton Council (CWC) for the very small area within Wolverhampton could also be relevant but are not discussed between SSC and HE.		Agreed	Agreed
	Policy and the principle of the Scheme	SSC and HE agree that the principle of the Scheme is supported by local planning policy.  The M54 to M6 Link Road proposal is specifically mentioned in CP11 (Core Strategy) as a scheme to be delivered in the plan period and is relevant for the delivery of the Core Strategy Strategic Objective 13 in terms of improvements to transport and accessibility. The parties recognise that the Scheme is also mentioned in the SAD. The IDP recognises that the M54 to M6 link road Scheme is required.		Agreed	Agreed
	Compliance with the NPSNN	SSC broadly agree with the content of the table of compliance with relevant policy tests in the NPSNN. However, the CftS Appendix A fails to	The Case for the Scheme (CftS) Appendix A presents a table of compliance with relevant policy test in the NPSNN [AS-037].  The point on paragraph 5.33 was raised on 02/11/2020 so will be addressed in the next iteration of the SoCG.	Under discussion	Medium

		reference paragraph 5.33 of the NPSNN, which highlights the need to consider whether biodiversity opportunities have been maximised, including via planning obligations.			
	Compliance with local planning policy (SSC policy only)	The table in CftS Appendix B appears a fair reflection of compliance against the most relevant Core Strategy policies to the scheme. Most policy requirements appear to have been addressed, with the exception of those relevant to SSC's outstanding concerns regarding scheme mitigation (see section 9 of this SoCG).	The CftS Appendix B presents a table of compliance with relevant local planning policy [ <b>AS-037</b> ].	Under discussion	Medium
Environmental Statement (ES) in general	ES	SSC has no objections to the findings of the ES, including the proposed study areas (in relation to all technical disciplines); the limits of deviation (i.e. the Rochdale Envelope parameters); the assigned sensitivity of receptors; the assigned magnitude of impacts; the significance of residual effects (in relation to all technical disciplines) the proposed mitigation measures; and the application of expert judgements and assumptions.		Agreed	Agreed
ES Chapter 3 and Appendix 3.2	Assessment of alternatives	SSC requested an options appraisal setting out the	HE provided a briefing note on this topic to SSC on 5 November 2019 and gave a presentation to	Under discussion	High

Dark Lane Alignment Environmental Technical Note [TR010054/APP/6.3]		<p>predicted noise impact on the properties of the current option chosen and the alternative road alignments not selected. SSC requested to see how these have been assessed against the impacts identified by Natural and Historic England and how the decision to run the new road adjacent to the properties in Dark Lane has been arrived at. SSC agree that this options appraisal has been provided.</p>	<p>Cabinet on the optioneering process on the same day. This assessment is also presented in ES Chapter 3: Assessment of Alternatives [TR010054/APP/6.1] and Appendix 3.2 Dark Lane Alignment [TR010054/APP/6.3].</p>		
	Selection of best option	<p>Whilst SSC understand the options appraisal process and agree it has been communicated, SSC remains unconvinced that the best alignment has been selected at Dark Lane.</p>	<p>Comment received on 02/11/2020. To be discussed with SSC.I</p>	Under discussion	Low
<b>1. Effect on Air Quality</b>					
Chapter 5: Air Quality	Air Quality Assessment	<p>The parties agree that the ES appropriately assesses the effect of the Scheme on air quality and has no objections to the methodology or the findings.</p>		Under discussion	High

<p><b>[TR010054/APP/6.1]</b> and SSC LIR</p>	<p>Air Quality at Dark Lane</p>	<p>The assessment submitted states that air quality standards are unlikely to be breached in Dark Lane, although air quality levels are likely to deteriorate due to the proximity of the proposed road, for that reason there is concern. That said Highways England state there would be no significant effect on air quality during construction and operational stage. Whilst no comments or evidence to the contrary have been made by the Councils Environmental Health Team (SSC LIR page 15)</p>	<p>HE and SSC have discussed the air quality and noise effects at Dark Lane throughout the preparation of the DCO application. In November 2019 HE provided a briefing note to SSC on Dark Lane and gave a presentation to the SSC Cabinet on the topic. This presentation was attended by the team's air quality and noise technical specialists who presented on the findings, with a focus on Dark Lane. There was also an opportunity for questions. The assessment presented in the ES shows that the annual mean NO<sub>2</sub> concentrations are far below the objective values. In particular, the do-minimum annual mean NO<sub>2</sub> concentration predicted on Dark Lane at the receptor closest to the Scheme (R312) is 17.2 µg/m<sup>3</sup>, with a do-something concentration of 19.9 µg/m<sup>3</sup>, this equates to an impact of +2.7 µg/m<sup>3</sup>. The objective limit is 40 µg/m<sup>3</sup> so the levels are very significantly below objective levels. The statement that air quality is likely to deteriorate along Dark Lane is an oversimplification. Whilst there is a deterioration (albeit a small one and far below objective levels) close to the Scheme, there are much larger improvements elsewhere on Dark Lane. The do-minimum annual mean NO<sub>2</sub> concentration predicted on Dark Lane at the receptor closest to Cannock Road (A460) (R336) is 28.3 µg/m<sup>3</sup>, with a do-something concentration of 19.6 µg/m<sup>3</sup>, this equates to an impact of -8.7 µg/m<sup>3</sup>.</p>	<p>Under discussion</p>	<p>Medium</p>
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SSC LIR, draft DCO [TR010054/APP/3.1] and the OEMP [TR010054/APP/6.11]	Managing construction noise and dust	SSC would like to see working practices put in place that prevent/ reduce construction noise and dust presented within a Construction Environmental Management Plan (CEMP) - to be consulted on and agreed prior to any commencement of construction.	Requirement 4 on the draft DCO [TR010054/APP/3.1] requires the production of a CEMP, which is to be submitted and approved in writing by the Secretary of State, following consultation with the relevant planning authority and relevant highway authority.  The CEMP should be substantially in accordance with the Outline Environmental Management Plan (OEMP) [TR010054/APP/6.11], which includes measures on construction noise and dust.	Under discussion	High
<b>2. Effect on Biodiversity</b>					
ES Chapter 8: Biodiversity	Biodiversity net gain	SSC have some concerns regarding the lack of biodiversity net gain arising from the site and the 4.99% reduction in biodiversity that would result according to HE's own summary conclusions, but will leave more detailed comments on the technical aspects of the biodiversity methodology to SCC.	Comment received on 02/11/20, to be discussed with SSC.  The biodiversity net gain calculations have been amended in the latest version of the biodiversity metric calculations in Version 3 of the Environmental Statement Appendix 8.2: Biodiversity Metric Calculations submitted to the Planning Inspectorate on 9 October 2020. They are now higher than presented here, but do not deliver an overall area based net gain.	Under discussion	Medium
Environmental Masterplan (proposed changes version)	Scheme changes submitted 9 October 2020	Originally the field south of Dark Lane was to be planted however the recent Environmental	The Scheme changes were accepted by the ExA on 29 October 2020.  The reduction in environmental mitigation proposed in the Scheme changes is as a result of the reduced	Under discussion	Medium

<p><b>[AS-086 to AS-092/6.2]</b></p>		<p>Masterplan shows that this site is no longer within the Order Limits and therefore planting within this area is no longer proposed.</p> <p>The land north of Dark Lane was also to be planted with woodland entirely, however the recent Environmental Masterplan shows a significant reduction, this is somewhat disappointing. For further biodiversity gains along with improvements to landscape character and residential visual amenity we request further woodland planting is reconsidered in line with the County Ecologists recommendations.</p>	<p>impact of the Scheme on existing habitats, additional survey results and more detailed ecological assessment.</p> <p>The area to the south of Dark Lane was proposed to be used as a Great Crested Newt (GCN) receptor site for holding GCN during the construction of the works as well as providing part of the permanent mitigation for the loss of ponds assumed to support GCN. Four ponds affected by the Scheme could not be surveyed in 2018/2019, it was therefore assumed that these four ponds supported GCN and would need to be replaced at a ratio of 2:1 (as required by Natural England).</p> <p>Following the results of the Spring 2020 GCN surveys it was found that none of the ponds lost during the construction of the Scheme support GCN and therefore these ponds are only required to be replaced on a like for like basis (a total of eight ecology ponds).</p> <p>As the receptor site is no longer needed during the construction of the Scheme and there is a reduced need to provide replacement pond habitats, the three ecology ponds in this area and the associated terrestrial habitat included primarily to mitigate impacts on GCN are no longer required.</p> <p>In terms of using the area to the north of Dark Lane to deliver biodiversity net gains, it should be noted that HE is seeking to acquire land for the Scheme through compulsory acquisition. In order to secure those powers, Highways England must demonstrate that the land subject to compulsory</p>		
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			<p>acquisition is required for the Scheme or is required to facilitate or is incidental to the Scheme (section 122 of the PA 2008). This means that, whilst land required to mitigate the impact of the Scheme can be secured through compulsory acquisition, such powers do not extend to the acquisition of land solely for delivering biodiversity net gain. Unfortunately, this means this justification is unlikely to be sufficient to retain the whole of the field for planting.</p> <p>Highways England is nonetheless seeking to fully mitigate the impact of the Scheme on biodiversity by delivering no net loss in biodiversity. Both the original Scheme and the Scheme as amended by the documents submitted on 9 October 2020 would fulfil this aim, as shown in Appendix 8.2 Biodiversity Metric Calculations [TR010054/APP/6.1] versions 2 (unchanged Scheme) and 3 (Scheme changes version).</p>		
<b>3. Effect on Cultural Heritage</b>					
<p>Environmental Statement Chapter 6 [TR010054/APP/6.1] and SSC's LIR (page 18)</p>	<p>Designated heritage assets</p>	<p>The Conservation Officer has considered the proposed plans and assessments and confirms no major concerns with regards to the impact upon the setting of the designated heritage assets. As mentioned, the Grade I listed buildings</p>	<p>Agreed.</p>	<p>Agreed</p>	<p>Agreed</p>

		(Hilton Hall and The Conservatory at Hilton Hall) would be within relatively close proximity of the new road, however the proposed new road will not be visible from these assets. Also, whilst there will be additional road noise, this will be adding to an already existing background noise from the M54 to the south. No conservation objections are raised upon the proposed scheme.			
Environmental Statement Chapter 6 [TR010054/APP/6.1] and SSC's LIR (page 18)	Archaeology	The County's Archaeologist leads on archaeological matters and SSC therefore has no comments to make.	Agreed. HE is liaising with the County Archaeologist on archaeology.	Agreed	Agreed
Environmental Statement Chapter 6 [TR010054/APP/6.1]	Portobello Tower	If possible, SSC would like to see HE facilitate repairs at Portobello Tower.	Portobello Tower is a Grade II listed tower located in close proximity to the M54 to the north east of M54 Junction 1. The tower is in poor condition, derelict and inaccessible.  ES Chapter 6 confirms that the Scheme would have no more than a temporary slight effect on Portobello Tower during construction and a neutral effect	Under discussion	High

			<p>thereafter. Given the minimal effect the Scheme would have on the tower, no measures are required to mitigate the effect of the Scheme.</p> <p>Portobello Tower is an asset located outside the Order limits and works to the feature are not considered necessary or appropriate as part of the Scheme.</p> <p>In response to the request from SSC, Historic England and the Parish Council's to improve Portobello Tower an application has been submitted to HE's Environment Designated fund to undertake a condition survey and produce a heritage appraisal considering up to four options for the asset, ranging from the prevention of further degradation to the full restoration of the asset. If the application is successful, the work would also look at additional sources of funding that could be used in collaboration to support any works to the heritage asset. Should funding be allocated to this feasibility study this will be taken forward outside of the DCO process. This has been discussed with Historic England in a meeting on 30 June 2020. Historic England has confirmed they are content with this approach. This is set out in the SoCG with Historic England.</p> <p>For avoidance of doubt, the proposals associated with Portobello Tower and other Designated Funds applications are not part of the Application and are not material to decision making on the Application.</p>		
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		SSC has stated that the listed Portobello Tower to the east of the new M54 Junction 1 has fallen into disrepair and is at risk of further damage during construction. HE needs to be mindful of this during groundwork operations and ensure further damage does not occur, and if possible help facilitate repairs.	ES Chapter 6 confirms that the Scheme is not predicted to have more than a slight effect on Portobello Tower during construction. Suitable mitigation measures will be developed by the contractor prior to the start of works to reduce the risk of any harm to the tower during construction.	Agreed	Agreed
SSC's presentation at the OFH on 21 October 2020	Mile Wall	SSC and the Parish Councils have asked that the materials from the wall are preserved and used post construction.	Mile Wall runs along the east side of the A460 from Junction 1 northbound. It is not a listed structure or recorded in the local Historic Environment Record. HE nevertheless recognises the importance of Mile Wall to SSC, the Parish Councils and wider community. HE is working to examine possible options for Mile Wall and will continue to liaise with SSC and the Parish Councils in regard to this matter.	Under discussion	High
<b>4. Landscape and visual effects</b>					
Chapter 7: Landscape and Visual in the ES [TR010054/APP/	Viewpoints and photography	HE and SSC agree that viewpoint locations are appropriate and note that the locations for viewpoint photographs were agreed by the Landscape Officer at SCC. The parties agree that between November 2018 and August 2019 meetings and consultation events have been had and discussion around landscape mitigation, night-time viewpoints and heritage viewpoints at Hilton Hall as well as further discussions on mitigation.		Agreed	Agreed

6.1] and SSC's LIR (page 16)	Existing landscape	HE and SSC agree that transport and infrastructure elements influence the Scheme area, particularly at its northern and southern boundaries. These elements include the M6 (six lane motorway) and the M54 (a four-lane motorway), which divide the landscape, and add perceived highway influences. This effect is compounded by the busy A460 Cannock Road, which carries many cars and HGVs as they move between the M6 Junction 11 and the M54 Junction and therefore landscape value is considered to be low across numerous viewpoints.		Agreed	Agreed
	Reduction/mitigation of landscape effects	HE and SSC agree that the Scheme has been designed, as far as possible, to avoid and minimise impacts and effects on the landscape and visual environment. Several mitigation measures have been identified to reduce, remediate or compensate likely significant adverse environmental effects. These measures include some remodelling and woodland tree and shrub planting to help filter views.		Agreed	Agreed
SSC's LIR page 17	Timing of mitigation planting	The potential for early planting would be set out and the key locations for consideration are: either side of the Scheme to the north of Hilton Lane; to the west of the construction compound at Featherstone; and to the west of the Scheme adjacent to Brookfield Farm. This early planting would allow for visual effects to be reduced during construction and in Year 1, as the trees are	HE will consider this suggestion when looking at the construction programme and respond to SSC.	Under discussion	Medium

		more mature would filter views to the Scheme and its construction at an earlier stage.			
E.g. SSC's LIR page 17	Fence to the south of Dark Lane	SSC view the existing green fence to the south of Dark Lane as being unsightly and would welcome the replacement of this fence with a more visually pleasing boundary treatment (e.g. native species buffer planting) as part of the application.	The fence is not within the highway boundary and is currently owned by the landowner of the adjacent land. Highways England is examining whether works to Dark Lane fence can be incorporated into the Scheme and will continue to work with SSC, the Parish Councils and the owner of the fence on this matter.	Under discussion	Medium
<b>5. Noise &amp; Vibration Effects</b>					
Chapter 11: Noise and Vibration [TR010054/APP/6.1] and SSC's LIR p13-16	Noise and vibration	SSC is content that the ES appropriately assesses the effect of the Scheme on noise and vibration and that impacts would be managed through adherence to mitigation measures detailed in the OEMP. SSC agree that the mitigation measures proposed are appropriate (although please note line below on the height of noise barriers). SSC has no objection to the Scheme on noise grounds, having consulted SSC's Environmental Health officer.		Agreed	Agreed
Appendix 11.2 [TR010054/APP/6.3]	Noise baseline monitoring	SSC is content that the baseline monitoring undertaken to inform the baseline conditions is adequate.	Baseline monitoring is reported in Appendix 11.2 of the ES [TR010054/APP/6.3]	Agreed	Agreed
Chapter 11: Noise and Vibration	Noise barriers	SSC's LIR states: 'mitigation in the form of an approximately 3.0 m	The height of the noise barrier at Dark Lane was increased from 3 m to 4 m, and the barrier at Brookfield Farm from 2.5 m to 3 m as a result of	Under discussion	Medium

[TR010054/APP/6.1] and LIR page 15		high reflective noise barrier (on the west side of the main line) is proposed. Similar fencing is also proposed where the road passes close to Brookfield Farm, yet approximately 2.5 m high.'	updates to Chapter 9 following the update to the Design Manual for Roads and Bridges (DMRB) guidance. The results of the revised assessment and the changes to noise mitigation measures are reported in revision 2 of the Noise and Vibration Chapter submitted on 30 July 2020 [AS-046/6.1]. A letter was sent to SSC on 3 June 2020 explaining the changes to the noise chapter and attaching a revised version of the noise chapter and appendices.  The change in height of the noise barriers was not due to any change to traffic levels or the design. It is due to the change to the DMRB methodology, which meant that the same traffic levels are predicted to give rise to a different noise effects.		
<b>6. Socio-economic effects</b>					
N/A	Socio-economic benefits	SSC agrees that the link road has an important role in improving connectivity and in relieving traffic congestion in the local area, in particular on the A460 which is operating at capacity. It is also agreed that the link road will bring economic benefits to the district and the wider sub-region, including helping support the delivery of key strategic developments around the M54 corridor. Therefore, the principle of a proposed new link road is supported by SSC.	Agreed	Agreed	
<b>7. Effect on the Green Belt and whether the 'other matters' amount to Very Special Circumstances</b>					
Case for the Scheme section 8.6 [TR010054/APP/	Effect on the Green Belt and inappropriate development	SSC and HE agree that the majority of the Scheme is located in the Green Belt and that a Green Belt location is required given that the land between the two junctions is situated in the Green Belt.	Agreed	Agreed	

<p><b>7.2]</b> and SSC's LIR page 11-13</p>		<p>SSC and HE agree that the Scheme would have an adverse effect on the openness of the Green Belt, although the impact is limited by the low-lying nature of the majority of the link road.</p> <p>SSC and HE agree that there is no conflict with purposes a), b), d) and e) of the Green Belt as set out in the NPPF. The parties agree that the development would conflict with purpose c) of the Green Belt, because it would involve encroachment into the countryside.</p> <p>Given that the development would harm the openness of the Green Belt and conflict with the purpose of safeguarding the Green Belt from encroachment, the parties agree that the Scheme is 'inappropriate development' as defined in the NPPF.</p>			
	<p>Very Special Circumstances (VSC)</p>	<p>SSC confirm that a case can be made that the other considerations amount to the VSC required to outweigh the identified harm to the Green Belt, both in terms of the schemes inappropriateness and its conflict with one of the main purposes of including land in the Green Belt (i.e. encroachment). However, ultimately, the decision lies with the Inspector(s) on this matter</p>	<p>The VSC for the Scheme include:</p> <ul style="list-style-type: none"> <li>the need for the new link road: The NPSNN (paragraph 2.2) is clear that there is a critical need to improve national networks to address road congestion and provide safe, expeditious and resilient networks that better supports social and economic activity. The need for the M54 to M6 Link Road project is set out in numerous national and local policies and plans (see CftS section 8.6 [TR010054/APP/7.2]).</li> <li>the benefits of the Scheme: the Scheme would support the integration and improvement of part of the Strategic Road Network, whilst supporting economic growth in and around Staffordshire. It would support delivery and efficient operation of employment sites along the M54 corridor and surrounding areas such as i54, ROF Featherstone, Hilton Cross and Hilton Main. The Scheme would deliver significant benefits in</li> </ul>	<p>Agreed</p>	<p>Agreed</p>

			<p>respect of relieving of traffic congestion on local routes including the A449, A5 and A460; and</p> <ul style="list-style-type: none"> <li>the lack of alternatives with a lesser impact on the Green Belt: the Green Belt designation covers a wide area to the north, east, south and west of the Scheme. The purpose of the Scheme is to provide a link for strategic traffic travelling between the M54 Junction 1 and the M6 Junction 11. The location of the Scheme is therefore dictated by the location of these junctions and all possible routes for the new link road would pass through the Green Belt. The need to reduce the impact on the Green Belt has been considered throughout optioneering and Scheme design, resulting in a Scheme that minimises harm to the Green Belt where possible.</li> </ul> <p>Given the location of the M54 Junction 1 and M6 Junction 11, it would not be possible to deliver a new link using land that is outside of the Green Belt. There are no alternative options to deliver the Scheme in a non-Green Belt location and a demonstrable need for the Scheme. The need for the Scheme and lack of alternatives present VSC strongly in favour of the Scheme.</p>		
	Green Belt and planning balance	As stated above, SSC accepts that a case can be made that the other considerations in this case amount to the very special circumstances required to	Overall, whilst the Scheme will affect the key essential characteristics of the Green Belt and one of its purposes, this would be the case for any Scheme providing a new link between the M54 and the M6, and impacts have been limited wherever possible in the Scheme design. Whilst there is an	Agreed	Agreed

		<p>outweigh the identified harm to the Green Belt. In this respect, the proposal would accord with Green Belt policy in the NPPF and NPSNN.</p>	<p>impact on openness and permanence, and it will entail encroachment into the Green Belt by virtue of being within it, the harm is limited by: the low lying nature the Scheme including minimising lighting and using cuttings; a sensitive landscaping design; the route of the Scheme; and the fact that by the nature of the development, it will not encourage further development in the Green Belt. Indeed, the Scheme may encourage urban regeneration and use of brownfield land, for example at ROF Featherstone.</p> <p>The VSC presented in the rest of the CftS are significant and clearly outweighs the harm to the Green Belt, when this harm is attributed substantial weight, and all other harm. Therefore, the Scheme complies with policy on the Green Belt presented in the NPSNN and the NPPF.</p>		
<b>8. The loss of Best and Most Versatile Agricultural Land</b>					
N/A	Agricultural land	SSC and HE have not had detailed discussions on this topic, nor is it assessed in detail in SSC's LIR.		Agreed	Agreed
<b>9. The effectiveness on proposed mitigation to address any areas where adverse effects are identified</b>					
ES [TR010054/APP/6.1] and SSC's LIR		<p>SSC has expressed concerns on mitigation over:</p> <ul style="list-style-type: none"> <li>Potential for further improvements through works to the fence to the south of Dark Lane (see landscape and visual effects section above) and the associated removal of buffer planting south of Dark Lane from the order limits (see row with subject 'Scheme changes submitted 9 October 2020' above)</li> </ul>		Under discussion	Medium

		<ul style="list-style-type: none"> <li>Reduction in mitigation proposed by the Scheme changes (see 'other matters' section below).</li> </ul> <p>SSC is otherwise content with the proposed mitigation and agrees it will address adverse impacts as far as possible.</p> <p>This remains under discussion between the parties.</p>		
<b>10. The draft Development Consent Order provisions and requirements including future procedures for approval of details</b>				
Draft DCO [TR010054/APP/3.1]	Draft DCO	SSC has not yet provided any comments on the draft DCO or requirements within.	Under discussion	Medium
<b>Other matters</b>				
N/A	Mill Lane	<p>SSC expressed concern that closing off Mill Lane where it meets the A460 will increase the likelihood of fly tipping and therefore request an appropriate gate be installed at any blocked roads with the appropriate authority.</p> <p>SSC request that comments from Councillor Cope on fly parking are addressed.</p>	<p>HE listened to SSC's concerns on this issue. In addition to SSC's concerns, a number of local people voiced concerns that closure will require large articulated lorries to head north and pass through the village of Shareshill. There are tight bends, difficult junctions and pinch points along the alternative route that may cause difficulties for these vehicles and the local residents. For reasons raised by SSC and local people it is proposed that Mill Lane is kept open to traffic. This change was incorporated into the design prior to submission of the Application in January 2020.</p>	Agreed

N/A	Site Compounds	<p>SSC request that the temporary site compound to the west of Junction 11 and Junction 1 is restored to its existing condition.</p> <p>SSC request that all planting proposals be conditioned.</p>	<p>The two site compound areas would be permanently acquired by HE for environmental mitigation so would be restored in a way that would increase biodiversity and incorporate woodland screening (for the compound west of Junction 1). This means that the site compound areas would be restored, but not to exactly the existing condition.</p> <p>Requirement 4 on the draft DCO <b>[TR010054/APP/3.1]</b> ensures that no development will commence until a CEMP has been submitted and approved by the Secretary of State (following consultation with SSC and SCC). The CEMP must reflect the mitigation measures set out in the Record of Environmental Actions and Commitments table (presented in chapter 3 of the Outline Environmental Management Plan <b>[TR010054/APP/6.11]</b>) which includes a wide range of environmental mitigation measures.</p> <p>Requirement 5 on the draft DCO similarly ensures that the developments is landscaped in accordance with a landscaping scheme, which should be based on the environmental masterplan (figures 2.1-2.7 in the ES <b>[TR010054/APP/6.2]</b>). These two requirements ensure all planting proposals are implemented.</p>	Under discussion	High
E.g. SSC's LIR	Pedestrian Amenity	<p>SSC would welcome HE exploring opportunities to improve local amenity for local people, eg. pedestrian safety close to areas of construction eg. a</p>	<p>The proposals for improvements and diversions of Public Rights of Way are shown on the Streets, Rights of Way and Access plans <b>[TR010054/APP/2.7]</b> submitted with the application.</p> <p>No measures are proposed outside the Order limits.</p>	Under discussion	Medium

		pedestrian crossing in Westcroft or improving footpath conditions and signage in Featherstone. This includes consideration of a direct pedestrian link to Hilton Main Employment site as indicated by Councillor Cope.			
Streets, Rights of Way and Access plans <b>[TR010054/APP/2.7]</b>	Green Bridge	SSC requests that access be maintained to the PRow from Shareshill that cuts through Brookfields Farm and continues East before being directed south to cross the M6 at Hilton Lane. It is suggested that the access track be converted into a green bridge to double as an access track for the farm and a PRow for access to the countryside.	HE agrees that maintaining access would be beneficial and SSC's recommendations regarding provision of a single bridge to retain the PRow and land access were incorporated into the design prior to submission of the Application in January 2020. The PRow (bridleway) in question, Shareshill 1, is proposed to be realigned to cross the proposed link road on the accommodation bridge south of Brookfield Farm. However, it is not proposed to provide a green bridge at this location.	Agreed	Agreed
e.g. SSC's presentation at the OFH on 21 October 2020	Weight restriction	SSC requests that a weight restriction is placed on the A460 for vehicles approaching from the south, with the exception of the stretch of road between the new Junction	HE's position is that the DCO application should not include this provision because: 1/ The Scheme will achieve a significant reduction in the number of HGVs using the A460 without this measure. Without the Scheme in place there is forecast to be 3,114 HGVs per 12-hour day on the	Under discussion	Low

		<p>11 and M6 Diesel. This would effectively mean that HGV's could only access M6 Diesel from Junction 11.</p>	<p>A460 stretch through Hilton in 2024. The traffic model forecasts that this would reduce to 279 HGVs over a 12-hour day in 2024 with the Scheme in operation. Given this very significant (90%) reduction in HGV use resulting from the construction of the link road, HE does not agree that it is necessary for the DCO application to also incorporate a weight restriction along the A460.</p> <p>2/ When considering the traffic using M6 Diesel and a 'worst case scenario' in terms of future HGV use of the A460, traffic is still very significantly lower than at present. HE notes that SCC (as highway authority) has agreed that the traffic model is robust and does not challenge its conclusions. It is recognised that SCC, like SSC, is nevertheless continuing to request a weight restriction along the existing A460 post construction of the Scheme.</p> <p>3/ No evidence or rationale has been provided by SSC or SCC on why the residual HGV use of the A460 would be unacceptable.</p> <p>4/ No evidence has been provided to conclude that the weight restriction as proposed (or any alternative) would be effective or that it would not cause unintended adverse effects.</p> <p>There are a number of weight restrictions already in the area and care would need to be taken over the implementation of any weight restriction to ensure a restriction did not have undesirable effects by routing HGVs onto more minor surrounding roads.</p>		
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			5/ The A460 is a road operated by SCC. The length of the A460 between the M54 and the M6 is maintained by SCC as the local highway authority (LHA). Once the strategic trips have been removed from this length of the A460 through Featherstone and Shareshill, SCC will have more potential options for the control of HGV movements. However, this seems like a measure that could be planned and implemented by SCC at some future date if deemed necessary and appropriate.		
Comments received from during statutory consultation in May-July 2019. HE reported back on how comments were addressed in a briefing note and presentation on 6 November 2019.	M54 Junction 1	SSC and HE agree that the proposed junction arrangement at Junction 1 of the M54 is acceptable.		Agreed	Agreed
	M6 Junction 11	SSC expressed disappointment with the lack of free flow at Junction 11 of the M6 and wished to ensure that capacity at the Junction is future proofed to accommodate increases in traffic well into the future to avoid tailbacks along the new link road and from the M6 Toll impacting on the junction	The design of the junction was informed by the forecast 2039 traffic flows (Core' scenario). The Scheme design aims to meet the needs of all road users and be as 'future proof' as possible. LinSig modelling indicates that the roundabout is operating within its operational capacity at all peak times using 2039 flows and there is no significant queuing on the approaches.	Agreed	Agreed
Transport Assessment Report [TR010054/APP/7.4] and Outline	Inclusion of developments in the traffic model	SSC request confirmation that the road scheme has been modelled in terms of the proposed West Midland Interchange both	HE considered that the WMI was 'more than likely' to be delivered and therefore specifically represented this site as approximately 743,000 m <sup>2</sup> of mixed use industry and storage as a modelled	Agreed	Agreed

<p>Traffic Management Plan <b>[TR010054/APP/7.5]</b></p>		<p>during its construction and operation.</p>	<p>zone within the “Core” local traffic forecasts for the Scheme. As a specifically represented local development site, the trip generations, trip distributions and highway infrastructure improvements associated with the WMI development site were included in the local traffic forecasting process. These forecast trip demands were then assigned onto both the ‘Do-Minimum’ (no Scheme but including the WMI roads) highway network and onto the ‘Do-Something’ (with Scheme and including WMI roads) highway network. Schedule 2, Part 1 of the draft DCO <b>[TR010054/APP/3.1]</b> requirement 10 requires the production of a traffic management plan (TMP) prior to the commencement of development. The TMP would consider ways to minimise disruption to existing highway users during construction. HE will liaise with Four Ashes Ltd to manage the construction periods of the two developments in a way that minimises local impacts as far as possible.</p>		
<p>E-mail correspondence between KH and AL/AK in May-July 2020 and meeting on 19/09/20</p>	<p>ROF Featherstone</p>	<p>ROF Featherstone is allocated in the 2018 SAD DPD. The Examination into the SAD also confirmed that the ROF Featherstone employment site was deliverable. The site would make a significant contribution to</p>	<p>HE recognises the importance of ROF Featherstone to the local and regional economy and the role the Scheme will have in supporting delivery of the allocated site. HE has not assessed the deliverability of the site as a whole or either of the two access options, but has no reason to question SSC’s assertion that these are deliverable.</p>	<p>Under discussion</p>	<p>High</p>

		<p>the regional economy and meeting the well-established unmet employment needs of the wider economic market area. As such, the delivery of this employment growth is essential, not only to the continued economic growth of the District, but also on a regional level.</p> <p>SSC acknowledge that the delivery of the M54/M6 Link Road would assist the attractiveness of ROF Featherstone by improving capacity on the road network.</p>	<p>HE agrees that the Scheme would improve the capacity of the road network and in doing so, would assist the attractiveness of the site.</p>		
		<p>SSC questioned why ROF Featherstone had not been included in the traffic model given that it was an allocated, deliverable site.</p> <p>At the SAD Examination, it was confirmed by the Planning Inspectorate that two proposed access routes (Road Options 7 &amp; 9) were both deliverable. Following adoption of the SAD discussions with the</p>	<p><b>To emphasise, the below response is Highways England's current position. We note that SSC's comments of 02/11/20 state disagreement with the below and these comments will be discussed with SSC.</b></p> <p>ROF Featherstone was not included in the core scenario traffic forecasts. Traffic modelling/allocation and inclusion of development sites has been undertaken in line with the Department for Transport's Transport Appraisal Guidance (TAG). At the time that the Scheme's uncertainty log was developed, it was confirmed with Ed Fox (19 March 2019) at SSC that the ROF</p>	<p>Under discussion</p>	<p>Medium</p>

		<p>site promoters indicated that Option 9 was the most likely solution. However, since this time SSC has worked with stakeholders to select a preferred access route (Option 7). It is vital that the final M54/M6 Link Road allows for the traffic generated by ROF Featherstone in the design of this Scheme.</p>	<p>Featherstone development was 'dependent' on the Scheme.</p> <p>TAG unit M4 (<a href="https://www.gov.uk/government/publications/tag-unit-m4-forecasting-and-uncertainty">https://www.gov.uk/government/publications/tag-unit-m4-forecasting-and-uncertainty</a>) sets out the criteria for "The Without-Scheme Forecast" in Section 7.4 and the "With-Scheme Forecast" in Section 7.5. Paragraph 7.5.1 states: "... <i>housing or other developments that depend on the scheme <b>must not</b> be included in the with-scheme forecasts</i> .... ". Note: The TAG Unit emphasises "must not" in bold text.</p> <p>This is because a primary purpose of the traffic model is to evaluate the environmental impacts and economic business case of the Scheme. If a development is dependent, it would be excluded from both the 'do minimum' case and the 'do something' case, effectively disassociating the trips generated (and the development's related environmental effects) of the ROF Featherstone development from the construction of the link road. Including dependent development only in the 'Do-Something' case would skew the assessment incorrectly and would have meant that the road Scheme would not have been appraised in line with central government's guidance.</p> <p>HE confirms that, at the time the assumptions were being finalised for developments to be included in the traffic model, there was significant uncertainty on the access for the ROF Featherstone site (between options 7 and 9), which would have made</p>		
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			<p>it difficult to model, even if it had not been excluded for the above reason.</p> <p>However, the trip-end growth forecasts in the traffic model for the link road are from the DfT's National Trip End Model (NTEM), which includes an allowance for population growth and economic growth within each local planning authority area. Therefore, the traffic associated with economic growth in the area is nevertheless considered as part of the general growth model. Each time a development site is specifically modelled, the trip-end growth across the remainder of the District is reduced; which is done to avoid double-counting of trip growth. Modelling individual sites is therefore likely to give greater accuracy by predicting where trips will join a network but will not necessarily result in greater forecasts of the amount of traffic on the network. Therefore, even if ROF Featherstone had not been dependent development and detail on the access had been known in Spring 2019 such that the site was included in the traffic model, this would be unlikely to significantly alter the strategic traffic model produced for the link road Scheme.</p> <p>HE has not yet been provided with a draft Transport Assessment for the ROF Featherstone development. However, data provided to date suggests that development of the ROF Featherstone would increase traffic on the A460 Cannock Road, which is already over capacity. HE questions whether this impact would be acceptable in the absence of the Scheme, which significantly</p>		
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			<p>reduces traffic on the A460. HE understands that SCC shares this concern. SCC would be consultees on any planning application submitted for development at ROF Featherstone.</p> <p>In the above context, HE is of the view that it is unlikely that ROF Featherstone could be delivered in full without the Scheme and that the employment site is therefore likely to be dependent development as confirmed by SSC in March 2019. HE understands that the position may be that <u>some</u> of the ROF Featherstone development could be completed and open prior to the construction of the Scheme.</p> <p>Nevertheless, given that the traffic model is strategic in nature and economic growth in the district is accounted for, HE considers that the Scheme remains 'future proofed'. HE is continuing to work with the developer (St Francis Group) to look at the impacts of the two Schemes and will continue to also discuss this with SSC.</p>		
		<p>Failure to future proof the final M54/M6 Link Road capacity to reflect the District's employment growth could undermine the viability of the highlighted strategic employment sites.</p>	<p>Notwithstanding the points above on whether ROF Featherstone is dependent on the Scheme, HE does not see any reason why the link road would undermine the viability of ROF Featherstone or the i54 development discussed below. Indeed, the impact of the Scheme on traffic in the area is likely to support delivery of the sites rather than hinder it.</p>	Under discussion	Medium

<p>E-mail correspondence between KH and AL May-July 2020</p>	<p>I54</p>	<p>SSC also emphasised the importance of the i54 site as an allocated site with an allocated extension and questioned whether the site had been included in the traffic model.</p>	<p>The i54 site was modelled as a specific site in the traffic model. The traffic model accounted for trip generation arising from 156,200m<sup>2</sup> of floorspace. The trip generation figures for the Jaguar Landrover part of the site were taken from the Transport Assessment for the 2015 planning application. The trips from this site were added manually to the model despite the site being operational in 2019 as without adding the site specifically, the model did not accurately reflect traffic in the area. Trip generation for the remainder of the site was estimated based on an assumption of 62,700m<sup>2</sup> of additional floorspace.</p> <p>The planning application for the i54 Western Extension (18/00637/OUT) assumes a worst case in terms of development size, allowing for 100,000m<sup>2</sup> of floorspace. Therefore, the modelled site in the Scheme traffic model accounted for 37,300m<sup>2</sup> less floorspace than the worst case assessed in the Transport Assessment for the application. There may also be some areas of the i54 main site and/ or the Western Extension that were not operational in 2019 or part of either the 2015 or 2018 planning applications.</p> <p>However, the general growth in traffic will still have been accounted for as part of trip-end growth forecasts from the DfT's National Trip End Model so the only question would be whether a potential underestimate of floorspace at the i54 site specifically would change the traffic at M54 Junction 1 and along the link road from the general increase</p>	<p>Under discussion</p>	<p>Medium</p>
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			in traffic to such an extent that it would affect the junction capacity or link road design. Given the location of i54 and the Scheme, HE does not think there is an issue with how i54 has been dealt with in the traffic model.		
E-mail from SP on 18/08/20	Adequacy of Scheme Changes Consultation	SSC is happy with the approach to the consultation on the Scheme changes.		Agreed	Agreed
SSC minutes 09/09/2020	Scheme Changes	SSC has no issues with the Scheme changes and understand the rationale behind them. SSC would like to be involved in discussions on how to manage the closure of M54 Junction 1 if changes are taken forward.	HE welcomes SSC's position in respect of the Scheme changes accepted on 29 October 2020 and agrees that the implementation of appropriate traffic management options will be key and will be resolved through the TMP which is to be secured via requirement 10.	Agreed	Agreed
E.g. SSC's presentation at the OFH on 21/10/20	Dark Lane closure and fly-tipping	SSC queried the proposed junction details of Dark Lane following the completion of the Scheme and raised concerns about fly-tipping at the end of the road.	Following feedback from stakeholders, including SSC, the generic turning head detail proposed was removed from the end of Dark Lane. This is because local residents raised concerns that this turning head could encourage anti-social behaviour or fly tipping. The turning head has been removed and it is proposed that refuse vehicles will use the junction with Park Road to turn around, with the proximity of the junction within tolerances for refuse to be	Agreed	Agreed

			collected from the properties north of the junction. Dark Lane would terminate just beyond the driveway of the last residential property to allow residents to reverse out of their driveway.		
Meetings in 2019/2020	Potential housing site to the south of Brookhouse Lane, Featherstone (Site 170 in the Local Plan Review promoted by Persimmon).	<p>The site under option by Persimmon has been refused planning permission locally in the past, with the appeal dismissed by the Secretary of State. Subsequent to this, the site was considered through the SAD as an option for allocation but was not taken forward.</p> <p>The Local Plan Review process is ongoing and the outcomes of this process cannot be pre-judged.</p> <p>However, at present there is no intention to allocate any further sites for housing in and around Featherstone in the Local Plan Review. The Local Plan Review period is until 2038, indicating that the site is unlikely to be allocated before that date.</p> <p>There has been a large amount of development in the surrounding area to date and the Persimmon site is in the Green Belt. The Planning White Paper does throw up a lot of uncertainty for planning generally but at present, it is hard to see how any changes would lead to the allocation of this site in the future.</p>		Under discussion	High
SSC minutes 09/09/2020	Site being promoted by Nurton for employment use	The Local Plan Review process is ongoing and the outcomes of this process cannot be pre-judged. This site has been promoted for many years and is in the Green Belt. Alternative sites for employment were allocated through the SAD in this locality.	Noted and agreed.	Under discussion	High

		Whilst it is not possible to confirm with certainty whilst the Local Plan Review is ongoing, SSC does not consider that there is sufficient evidence to suggest that the allocation of this site is likely at this point in time.			
N/A	Articles and Requirements		The Applicant has not received any comments on the Articles or Requirements on the draft DCO from SSC. The Applicant has no reason to suspect disagreement at present, but has categorised this as medium due to it not being the focus of discussions to date.	Under discussion	Medium

## Appendix A – Personnel involved

Initials	Name	Role or Discipline	Organisation
<b>AK</b>	Andrew Kelly	Project Manager	Highways England
<b>AL</b>	Alison Leeder	DCO and Planning Lead	AECOM
<b>AMa</b>	Alex Maddox	Environmental Consultant	AECOM
<b>CT</b>	Chloe Temple		AECOM
<b>DE</b>	David Elliot	Transport	AECOM
<b>DL</b>	David Last	Deputy Project Manager	AECOM
<b>DT</b>	Dyfan Thomas	Highways	Amey
<b>EF</b>	Ed Fox	Local Plans	SSC
<b>GH</b>	Gareth Hodgkiss	Air Quality Specialist	AECOM
<b>GM</b>	Grant Mitchell	Enterprise and Growth	SSC
<b>JG</b>	John Gerring	Strategic Planning	SSC
<b>JH</b>	Jon Harvey	Stakeholder Engagement	AECOM
<b>KH</b>	Kelly Harris	Strategic Planning	SSC
<b>NP</b>	Nick Phillips	Senior Transport Planner	AECOM
<b>SF</b>	Sue Frith	Planning	SSC
<b>SS</b>	Suzanne Scott	Noise and vibration	AECOM
<b>TB</b>	Tom Bennett	Former Stakeholder Lead	Amey
<b>TC</b>	Tom Cannon	SSC representative from Oct 2020	Haywood Planning Services
<b>TP</b>	Tamara Percy	Environmental Lead	AECOM