

**M54 to M6 Link Road  
TR010054**

**8.14 Applicant Responses to Written  
Question Responses from Interested  
Parties**

Planning Act 2008

Rule 8 (1) (c)(ii)

Infrastructure Planning (Examination Procedure) Rules 2010

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**The Infrastructure Planning  
(Examination Procedure) Rules 2010**

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

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**8.14 Applicant Responses to Written Question Responses from  
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<b>Regulation Number</b>	Rule 8 (1)(c)(ii)
<b>Planning Inspectorate Scheme Reference</b>	TR010054
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WQ 1.10.4: List of sites specifically modelled in the traffic model

## 1 Applicant Responses to Written Question Responses from Interested Parties

- 1.1.1 This document has been prepared by the Applicant to set out its views and comments on responses from Interested Parties to the Examining Authority's (ExA) first written questions issued on 20 July 2020 [PD-010]. This document is being submitted at Deadline 2 for the M54 to M6 link road Examination on 17 November 2020 in line with the current Examination timetable.
- 1.1.2 The Applicant sets out within Table 1-1 overleaf the responses provided by Interested Parties submitted at Deadline 1 (column 4). Where the Applicant responded to the same Question at Deadline 1 these responses are also provided for ease of reference.
- 1.1.3 Where the Applicant considers it is necessary to respond to answers provided by Interested Parties at Deadline 1 these are clearly set out in the 5<sup>th</sup> column.
- 1.1.4 The Applicant notes that in some instances Interested Parties have responded to questions not originally directed to them by the ExA. Where this is the case the Interested Parties Deadline 1 response is provided in blue font.
- 1.1.5 All application documents have a reference number [TR010054/APP/x.y], where the last two numbers are the application document number. All documents are presented in numerical order in the Guide to the Application [TR010054/APP/1.5] (the Guide). The number stays the same when a document is updated, with the 'version' being updated as shown in the Guide. This referencing style is used where a document is referenced without the need to reference a particular version. Where a response is referring to a particular version of a document, the document reference [z/x.y] is used, where 'z' is the reference given to the document in the Examination Library [[link](#)] and 'x.y' is the document number in the Guide.
- 1.1.6 The Applicant's responses are provided in Table 1-1 overleaf.

Table 1-1 Answers to Examining Authority's First Written Questions and Comments from the Applicant to Submit at Deadline 2 on 17 November 2020

WQ No	Reference (in bold) and Question	Respondent	Applicant's/Interested Party Response D1	Applicant's Deadline 2 Response
<b>1.0</b>	<b>General and Cross Topic Questions</b>			
1.0.2	<b>Development Plan</b> a) Could SSC please provide a copy of both the South Staffordshire Core Strategy and the South Staffordshire Site Allocations Document together with the Policies Map for the area, along with any Supplementary Planning Documents which affect consideration of the Proposed Development? b) Is this plan subject to review? c) If so at what stage has it reached? d) Does this have any implications for the Proposed Development?	SSC	<p>a) Policies Map: <a href="https://www.sstaffs.gov.uk/planning/site-allocations-policies-maps.cfm">https://www.sstaffs.gov.uk/planning/site-allocations-policies-maps.cfm</a> Core Strategy and Site Allocations Docs here: <a href="https://www.sstaffs.gov.uk/planning/south-staffordshire-local-plan.cfm">https://www.sstaffs.gov.uk/planning/south-staffordshire-local-plan.cfm</a></p> <p>b) Yes</p> <p>c) We are at the Regulation 18 stage. We consulted on Issues and Options in October 2018 and then our Preferred Spatial Strategy in October 2019. Our LDS is up to date here: <a href="https://www.sstaffs.gov.uk/doc/181628/name/LDS%20June%202020%20Final%20for%20Website.pdf/">https://www.sstaffs.gov.uk/doc/181628/name/LDS%20June%202020%20Final%20for%20Website.pdf/</a></p> <p>d) The most recent Local Plan consultation stage (Preferred Spatial Strategy 2019) proposed significant housing growth on the northern edge of the Black Country (see page 42-43 of this document; <a href="https://www.sstaffs.gov.uk/doc/181104/name/LPR%20SHSID%20Final%20October%202019.pdf/">https://www.sstaffs.gov.uk/doc/181104/name/LPR%20SHSID%20Final%20October%202019.pdf/</a>). Specifically, it proposes that around 27% of the emerging proposed Local Plan Review housing target will be delivered in two large urban extensions north of the Black Country. However, no final sites have been selected at this stage and therefore a full transport assessment of preferred sites has not yet been prepared.</p>	a-d) N/A
		Nurton	<p>The Site (as defined in our Relevant Representations) is being promoted by Nurton through the local plan process and is considered highly suitable for substantial employment development serving both local and strategic markets. We consider that the Site is an obvious candidate for allocation by SSC as a strategic employment site as part of its Local Plan review, with the new Local Plan due to be adopted prior to the opening of the new link road. The Applicant is aware of the importance of the Site in terms of delivery of the Council's economic objectives, the same objectives of the neighbouring local planning authorities (especially the Black Country), and of the development potential of the Site as a whole. As such, it is critical that allowance is had by the Applicant for the redevelopment of the Site within the Scheme. This accords with the guidance provided in the National Policy Statement for National Networks 2014, para 4.3.</p>	<p>Nurton's comments here do not accurately reflect Highways England's position. Whilst we aim to work with Nurton as a category 2 party and recognise their position, the importance of the site for the delivery of the Council's economic objectives is not currently established, given that the site is not allocated and there has been no indication from SSC that this position is likely to change in the near future.</p> <p>Further detail on Highways England's position on this is contained in the draft SoCG with Nurton [REP1-045/8.8LIU(K)]. Highways England has received comments from Nurton on the draft SoCG and will continue to work with Nurton to resolve outstanding issues.</p>
1.0.4	<b>Development Plan</b> a) Could SCC please provide all minerals and waste plans applicable to the Application site along with any relevant plans necessary for interpretation. b) Are any of these plans subject to review? c) If so, at what stage has it/have they reached? d) Does this have any implications for the Proposed Development?	SCC	<p>a) Please see links below to: The Staffordshire and Stoke-on-Trent Joint Waste Local Plan (2010 – 2026); and The Minerals Local Plan for Staffordshire (2015 – 2030) – adopted 16/2/17</p> <p>b) No updates to the above Plans have been identified as yet so there are no programmes for Plan review.</p> <p>c) n/a</p> <p>d) n/a</p>	N/A

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1.0.11	<b>Outline Environmental Management Plan</b> a) Paragraph 1.1.12 of the OEMP [APP-218] states that once the Proposed Development has been completed some its components may be maintained by SCC or WCC. It is not explained which components this might be or whether this approach has been agreed with these Councils. Can the Applicant identify the likely relevant components of the Proposed Development and confirm the level of agreement to this approach to-date with SCC and WCC? b) Can the Applicant explain if these components relate to the proposed environmental mitigation? c) If so, could the Applicant explain how? d) Could SCC and WCC provide their response to this approach?	The Applicant	a) As explained in the response to WQ 1.0.10, the Applicant is currently in liaison with SCC to define the maintenance boundary for SCC highways infrastructure assets and these boundaries are broadly agreed. The elements proposed to be maintained by SCC include new and amended parts of the local highway network, attenuation pond(s) that drain the local highway network and ancillary highways infrastructure such as street lighting and signage. No discussion has taken place with City of Wolverhampton Council (CWC) to date to define the maintenance boundary for CWC highways infrastructure assets, however this is likely to be limited to a single directional sign on the A449 to the south of M54 J2 (which is to be provided as part of the Scheme (Work No. 1D)). Once details are confirmed with SCC and CWC the Applicant is happy to share this information with the Examining Authority where required. b) No, the components being discussed as being maintained by SCC and CWC do not include areas of environmental mitigation. c) N/A d) N/A	N/A
		SCC	It is accepted that some elements of the scheme where they relate to realigned sections of the local road network will be maintained by SCC. However, the precise extents and details have yet to be fully agreed.	Agreed. This discussion is being progressed and detailed in the SoCG with SCC [REP1-042/8.8LA(A)].
		CWC	The only components of the scheme within the CWC area are signage, whilst no detailed discussion has been undertaken regarding maintenance responsibilities, these are minor components and do not have a material impact upon the proposed environmental mitigation	Agreed. This discussion is being progressed and detailed in the SoCG with CWC [REP1-053/8.8LA(C)].
1.0.12	<b>Outline Environmental Management Plan</b> a) Table 4.1 of the OEMP [App-218] set out Consents and permissions that may be required as at January 2020. Is this Table up to date? b) If not, could it please be amended as necessary. c) Could those bodies referred to in the table, that is Natural England, SCC, the EA, SSDC and The Forestry Commission please advise as to their current understandings of the various situations?	The Applicant	a) Version 3 of the OEMP [AS-112/6.11] was submitted to the Planning Inspectorate on 9 October 2020, as part of the submission of design changes. The revised OEMP includes minor updates to Table 4.1 of the OEMP. b) N/A c) N/A	N/A
		SCC	All ecology licences are for NE to advise on	N/A
		SSC	a) N/A b) N/A c) SSC comments that powers for the removal of trees for the construction of the scheme, including trees protected by Tree Protection Orders are sought within the DCO. As statutory undertakers removal of protected trees can be completed without prior consent, however, we would request that we are consulted on potential removals along with quality assessment being made, whether that BS5837:2012 or CAVAT to aid mitigation and justification for size, species, etc that we would expect to be used to replace felled trees.	Trees to be removed subject to Tree Preservation Orders are shown on the Tree Constraints Plans in Annex A of Appendix 7.1 Arboricultural Report [AS-101/6.3]. The information was gathered in accordance with BS5837:2012 <i>Trees in relation to design demolition and construction – Recommendations</i> . Each tree is referenced, and condition provided in Annex B: Tree Survey Schedule. The planting regime will be developed at the detailed design stage, please refer to the commitment to produce the Arboricultural Mitigation Strategy and Landscape and Ecology Management Plan as outlined in the OEMP, Table 3.3, MW-LAN2 and MW-LAN1 secured by Requirement 4 of the draft DCO. Requirement 4 states that the CEMP, which includes the Arboricultural Mitigation Strategy and the Landscape and Ecology Management Plan, will be submitted to the SoS, following consultation with the relevant planning authority and the relevant highway authority.



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				<p>MW-LAN 2 "The arboricultural specialist shall prepare an Arboricultural Mitigation Strategy to protect those trees retained within and immediately adjacent to the Order limits."</p> <p>MW- LAN1 "The implementation and maintenance of the landscape design – including any works to existing or new trees – would be undertaken in accordance with the Arboricultural Mitigation Strategy (which would be produced during the detailed design stage). The Arboricultural Mitigation Strategy would ensure that the existing trees to be retained are appropriately protected during the construction works and that newly planted trees are appropriate and successfully established."</p> <p>The draft DCO if made would authorise the Applicant to fell or lop only the trees protected by Tree Protection Orders which are specified in Schedule 8 of the draft DCO (see article 36 of the draft DCO). If SSC has any concerns about the proposals to fell or lop the trees specified in Schedule 8 then the Applicant would welcome further dialogue with SSC on this issue. The Applicant confirms that it is not anticipated that any other protected trees will be felled or lopped to facilitate delivery of the Scheme. To the extent that any protected trees not specified in Schedule 8 are affected by the Scheme, any works to them would be regulated under separate consenting regimes.</p>
		NE	<p>c) Our understanding is that there have been no changes with regard to bats and badgers. However, with regard to great crested newts (GCN), we understand that the Applicant's ecologist have gained access to previously inaccessible ponds and have been able to confirm that GCN are absent from these ponds in the 2020 survey year. As a result, several compensation ponds have been removed from the master plan. Following a query from the Applicant's ecologist, we have confirmed that there is no requirement for the LONI to be re-issued. As noted in the Statement of Common ground, NE support that updated surveys are undertaken prior to the full licence submission to ensure the compensation proposals remain appropriate.</p>	Agreed.
1.0.13	<p><b>Environmental Masterplan</b>          The Environmental Masterplan [APP-057] to [APP-063] is titled 'Draft' and is described as illustrative in the dDCO R5 (Landscaping). On this basis can the Applicant explain its status, its relationship to proposed mitigation measures and how these will be secured through the DCO.</p>	The Applicant	<p>The Environmental Masterplans submitted in January 2020 [APP-057 to 063/6.2] illustrate the environmental mitigation proposed to mitigate adverse impacts as assessed and reported within the ES [APP-040 to 056/6.1] and as documented in the OEMP [APP-218/6.11]. It was titled as 'Draft' as there were a number of factors which could result in minor amendments to the current design, including additional survey information, ongoing discussions with landowners and design revisions as documented in [AS-043].</p> <p>The revised Environmental Masterplan (Version 2) [AS-086/6.2 to AS-092/6.2] submitted to the Planning Inspectorate on 09 October 2020 as part of the proposed design changes has taken into consideration the findings of the 2020 ecology surveys as well as continued consultation with landowners and statutory environmental bodies. 'Draft' has been removed from the title of this document.</p> <p>The mitigation measures shown on the Environmental Masterplans will be further refined at the detailed design stage with consideration given to the detailed design of watercourse realignments, species mixes, pond size and enhancement measures, however revisions to the Environmental Masterplan will continue to reflect the commitments made in the OEMP [AS-112 and future iterations] as secured through Requirement 5 of the draft DCO [APP-018/3.1 and subsequent revisions].</p>	N/A
		Nurton	<p>We agree that the status of the Environmental Masterplan is unclear. The plan indicates three new ponds within the Site; two ecology ponds to the west of the roundabout junction with the M6 and a drainage pond to the north of the new road next to the</p>	Refer to the Applicants Response to Relevant Representations [REP1-043/8.9] RR-038c.

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			accommodation bridge. The drainage pond appears to be a compensation pond to replace existing ponds. Its current proposed location is likely to reduce the natural attenuation which exists in the land to the south east of the new road and hence increase the flood risk associated with our retained land. The size and location of the drainage pond also appears to be significant compared to the area being drained. A liner dry swale type structure would be more effective and provide improved pollution control and could reduce overall land take.	
1.0.15	<p><b>Environmental Mitigation</b></p> <p>a) The Environmental Mitigation Schedule (EMS) in ES Appendix 2.1 [APP-157] provides a summary of the proposed 'embedded' operational mitigation measures (Table 2.1). Paragraph 2.5.80 of ES Chapter 2 [APP-041] states that the EMS lists measures that are not included in the OEMP, however it is stated in the EMS that Table 2.1 replicates Table 3.4 of the OEMP, which it appears to do. Can the Applicant explain and clarify the purpose of the EMS and confirm its status?</p> <p>b) As recommended by the Inspectorate's Advisory Note 7 can the Applicant provide a table which includes all mitigation measures relied on in the ES and the mechanism by which that mitigation is secured for the DCO.</p>	<p>The Applicant</p>	<p>a) The Examining Authority is correct, Appendix 2.1: Environmental Mitigation Schedule, does not include any measures which are not already outlined in Table 3.4 of the OEMP.</p> <p>Appendix 2.1 [APP-157/6.3] is intended to be informative only, setting out the embedded mitigation measures designed to minimise the operational impact of the Scheme as illustrated on the Environmental Masterplans [APP-057 to 063/6.2]. This Appendix is a duplication of Table 3.4 of the OEMP.</p> <p>Any required alterations to the embedded mitigation measures will be set out in a revision of the Environmental Masterplan and OEMP rather than a revision of Appendix 2.1. The revised OEMP [AS-112/6.11] therefore supersedes Appendix 2.1. Appendix 2.1 is now shown as superseded (strikethrough) in the Guide to the Application to confirm that it is no longer an application document.</p> <p>b) Tables 3.2 to 3.4 of the OEMP [APP-218/6.11 and future revisions] include all of the mitigation measures relied on in the ES as summarised in the 'Design, Mitigation and Enhancement' section of Chapters 5 to 15 of the ES.</p> <p>Version 3 of the OEMP [AS-112/6.11] was submitted to the Examining Authority on 9 October 2020, as part of the submission of design changes. The revised OEMP includes minor updates to Tables 3.2 to 3.4 to include a cross reference to the relevant Requirement, as set out in the draft DCO, required to secure each mitigation measure.</p>	N/A
		Nurton	As set out in our Relevant Representations, the approach to great crested newts ("GCN") appears highly precautionary and is based on a methodology which significantly overestimates both the number and size of GCN breeding populations within 500m of the road. The methodology adopted is not a reasonable or rational one to take in terms of providing a meaningful baseline and it follows that the assessment is flawed. This will likely lead to significant over-mitigation in the provision of the ecology ponds, the location of which will introduce an additional constraint on the future development of the Site. However, there is an opportunity to reach an agreement with the Applicant to minimise the impact of the mitigation measures on the future redevelopment of the Site. Given Nurton's future development proposals in respect of the Site, it is entirely sensible to agree that the additional capacity provided by the Scheme for GCN mitigation should be ring-fenced for, and utilised by, any development proposals in respect of the Site.	Refer to the Applicants Response to Relevant Representations [REP1-043/8.9] RR-038d, RR-038k and RR-038m.
<b>1.1</b>	<b>Green Belt</b>			
1.1.4	<p><b>Woodland Planting</b></p> <p>In paragraph 8.6.14 of the Case for the Scheme [APP-220] the Applicant indicates that it considers 'Where woodland planting is proposed, it is considered that the environmental benefits of the planting outweigh the impact to</p>	<p>SSC</p> <p>Allow Ltd</p>	<p>Not immediately, but over time when established yes.</p> <p>We confirm that Allow Ltd do not agree with the analysis for the following reasons:</p> <p>The Applicant is required to demonstrate the very special circumstances apply to the scheme which outweigh the loss of openness and therefore the significant harm to the Green Belt. It is our contention that the special circumstances which could apply to the new road do not also automatically apply to the environmental mitigation land, which should be provided outside the Green Belt if possible.</p>	<p>N/A</p> <p>The environmental mitigation is essential to the delivery of the Scheme and an integral part of the project. The very special circumstances set out for the project as a whole in paragraphs 8.6.26-8.6.28 of the Case for the Scheme [AS-037/7.2] therefore apply to the essential mitigation as part of the project. Considering the compliance of the environmental mitigation with Green Belt policy in isolation from the rest of the development is an unusual approach, but has nevertheless been explored here to respond to the point raised.</p>



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	<p>the openness of the Green Belt in that location." Do other interested parties agree with this analysis and if not, could they explain why they take that view.</p>		<p>The Applicant does not demonstrate the case for 'Very Special Circumstances'. The fundamental aim of Green Belt policy is to keep the Green Belt permanently open given that the essential characteristics of Green Belts are their openness and their permanence. Instead of retaining a Green Belt that already provides beneficial uses for outdoor recreation (car boots and fishing) and does not need visual enhancement the Applicant seeks to decimate this existing Green Belt that is well managed and maintained by Allow and has been for over 65 years. The land is not damaged or derelict. Further the changes to the Green Belt are not required for the purposes of the Applicant's scheme they are required (by way of compulsory purchase) entirely in respect mitigation in circumstances where the Applicant's analysis of its proposed mitigation is entirely flawed resulting in the Applicant applying for compulsory purchase powers excessively.</p> <p>There will be ecological benefits associated with new woodland planting. However, it is likely to be many years until these are realised. In addition, the benefits associated with new woodland planting need to be maximised by ensuring the most appropriate locations are identified for planting. Given that some of the woodland planting would appear to be isolated from other areas of retained woodland, this should be reviewed in order to optimise ecological benefits. The scheme is taking areas of long establish woodland with mixed habitats which, in parts, are situated alongside pools; these cannot be replaced by new planting in a location which is disjointed and divided from the remaining habitats by the road scheme.</p> <p>A total of 3.26ha (as updated 21.08.20) of Allow Ltd.'s land is proposed to be taken by the scheme works and a further 8.24ha (as updated 21.08.20) of additional land for environmental mitigation, the majority of which is for new planting. It is considered that this is excessive in terms of replacing those trees lost in the locality, being several times the area taken.</p> <p>A disproportionate area of the replacement planting is proposed to be on Allow's land compared to other parts of the scheme.</p> <p>It is our opinion that the assessment of woodland taken for works across the scheme has been incorrectly assessed and therefore the area required for mitigation is flawed and overstated. Plans provided by the Applicant to Allow Ltd, which informed the mitigation requirement calculations, illustrate excessive estimates which are clearly not currently woodland on the ground. These include significant areas of mown grass verges, gorse scrub and brambles. Following our own mapping exercise, it is our assessment that a figure of approximately half the suggested area is a more accurate assessment of the woodland present on the ground. An example would be the central area of the current M54 road island which currently according to OS data and aerial photography have an area of 1.46 ha (3.60 acres) of woodland present, however the area assessed as woodland for the baseline data incorrectly assesses it as 2.391 Ha (5.908 Acres). This is a total of 2.31 acres, or 39%, of incorrectly designated woodland within the road island alone. Further information can be provided if required by the ExA. The extent of the proposed woodland planting will therefore significantly impact upon the openness of the green belt across the area of the scheme due to the area being significantly greater than that area actually taken by the scheme.</p> <p>Widespread planting is not beneficial for the landscape and the proposals will significantly impact upon and change the character of the landscape. An open grassland field of 10.69 ha, (26.42 ac) surrounded by a tree belt which formed part of</p>	<p>The location, amount and design of environmental mitigation is set out in [REP1-057/8.11]. This document explains why ecological mitigation is best located in close proximity to the habitats/ species being affected. Given that the wider area is in the Green Belt, any proximal location to the link road would also need to be in the Green Belt and a Green Belt location is therefore required for the environmental mitigation.</p> <p>Whilst woodland planting to the south of Hilton Lane and the west of the new link road would obstruct views and affect the 'open' quality of the landscape, we consider that any conflict between the mitigation planting and Green Belt policy would be extremely limited.</p> <p>The NPPF (paragraph 133) states that [our emphasis] 'The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open'. Woodland planting is not urban sprawl and the permanent provision of planting in this area could safeguard this area of the Green Belt from urban sprawl in the future. The planting is therefore considered to support the fundamental aim of the Green Belt rather than conflict with it.</p> <p>The NPPF goes on to state that the 'essential characteristics of Green Belts are their openness and their permanence'. Openness in this context is generally taken to mean the absence of built development. For example in R (Lee Valley Regional Park Authority) v Epping Forest District Council [2016] EWCA Civ 404; [2016] Env LR 30 Lindblom LJ said 'The concept of 'openness' here means the state of being free from built development, the absence of buildings - as distinct from the absence of visual impact'. Woodland planting would not constitute built development and as discussed above, may protect the permanence of the Green Belt rather than conflict with it. The mitigation planting would also not conflict with any of the five purposes of the Green Belt as set out in paragraph 134 of the NPPF. The planting itself is not considered to conflict with Green Belt policy or cause harm to the Green Belt.</p> <p>Finally, the woodland planting would not be 'inappropriate development'. Therefore, there would be no need to demonstrate that 'very special circumstances' apply for this element of the Scheme if considered in isolation.</p> <p>In summary, our position is that:</p> <ul style="list-style-type: none"> <li>Whilst woodland planting would be less visually open than an open field, this does not mean that the planting would 'harm' the openness of the Green Belt.</li> <li>The woodland planting would not adversely affect the permanence of the Green Belt.</li> <li>The planting would not conflict with any of the five purposes of the Green Belt.</li> </ul> <p>Overall, the planting would not 'harm' the Green Belt and we therefore disagree that it should be 'provided outside the Green Belt if possible'.</p> <p>There is no need to demonstrate very special circumstances for the woodland planting given that it is not inappropriate development. However, even if it were required, the very special circumstances are set out in the Case for the Scheme [AS-037/7.2] and the need for mitigation in the Environmental Mitigation Approach document [REP1-057/8.11].</p>

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			<p>the original Hilton Park design is proposed to be taken for blanket tree planting. The area of mitigation planting has been reduced by approximately 3.87ha in the revision in August 2020, where the North West corner has been removed from the proposal. The amended proposal will still reduce the openness of the landscape around the Dark Lane, Hilton Lane and A460 junction. But more importantly the historical tree belt, which forms one of many of the original tree belts which were landscaped around the perimeter of the Hilton Park Estate will be lost forever as it becomes obscured in the proposed adjoining new planting – a significant detriment to the local landscape. The rectangle now removed from the proposal does little to reduce the impact upon the historic landscape.</p> <p>We append herewith a report on this matter prepared by RPS Consulting Services Ltd, specialist Historic Landscape Consultants.</p> <p>They conclude that the baseline description of the historic park presented in Appendix 6.5 of Chapter 6 of the ES is flawed. Also, the assessment fails to examine the impacts of the proposed environmental mitigation, which has an additional adverse impact on aspects of the historic landscape that has apparently not been considered during the design process. The identification of the land west of the new road in the vicinity of the Lower Pool as suitable for the proposed environmental mitigation does not appear to have taken any account of the potential impacts and effects on the historic landscape. As such this identification appears to have been driven solely by ecology issues rather than taking a more balanced approach.</p> <p>There is no indication that adequate consideration has been given to provision of the required environmental mitigation on other land adjacent or close to the scheme. Some additional woodland could be established to the east of the new road in this area by thickening up the existing tree belts east of the Lower Pool, whilst still maintaining open parkland between the house and the woodland. There should also have been some consideration of keeping the proposed woodland planting within plot 5/4 in the eastern part of the plot (adjacent to the new road) therefore allowing the western perimeter tree belt to retain its separate identity.</p> <p>The Applicant has not carried out any reasonable or robust analysis of alternatives despite applying for compulsory purchase powers and the statutory tests at section 122(2) and (3) of the Planning Act 2008 and in particular that there is a compelling case in the public interest for the Applicant to acquire Allow's land compulsorily.</p>	<p>In terms of the current use, we agree that the land owned by Allow is not damaged or derelict and Highways England has not taken that position. The impact of car boot sales on the openness of the Green Belt will be limited by their temporary nature. However, the presence of vehicles on the site, stalls and movement of vehicles around the site would not have a positive effect on the Green Belt. We disagree that the mitigation planting would lead to more harm to openness or the Green Belt as whole than the current use.</p> <p>Woodland planting of the type, scale and extent proposed is compatible with the Settled Plateau Farmland Slopes Landscape Character Type which has relatively dense tree cover which limits views and meets objectives to replace woodland lost to the Scheme and mitigate landscape and visual effects.</p> <p>See Allow SoCG [REP1-066/8.8LIU(A)] for the Applicant's position on woodland loss, 'excessive' mitigation, adequacy of baseline information on historic assets and assessment of alternatives.</p>
		Nurton	The Scheme proposals will impact upon the openness of the Green Belt and this will not be mitigated fully by the proposed landscape proposals.	The Applicant's assessment of the impact of the Scheme on the Green Belt and the Very Special Circumstances that outweigh the harm is set out in Section 8.6 of the Case for the Scheme [AS-037/7.2].
<b>1.2</b>	<b>Air Quality and Emissions</b>			
1.2.5	<p><b>Base Air Quality Data</b></p> <p>Paragraph 5.6.12 of Chapter 5 of the ES [APP-044] says that of the 128 Defra links present in the ARN the highest predicted annual mean NO2 concentration in 2024 will be 28.7 µgm-3.</p>	The Applicant	Paragraph 5.6.12 in Chapter 5 of the ES [APP-044/6.1] describes information from the Department for Environment, Food and Rural Affairs (Defra) Pollution Climate Mapping (PCM) model links. The PCM link information has been obtained from the 2017-based GIS dataset as listed in Reference 5.31 of Chapter 5 of the ES [APP-044/6.1]. The highest predicted annual mean nitrogen dioxide (NO <sub>2</sub> ) concentration of a PCM link that corresponds with the Affected Road Network (ARN) in 2024 according to this dataset is 28.7 µg/m <sup>3</sup> . This concentration is predicted at the PCM link with census ID 57118 – the A449 between Oxley Moor Road and Bone Mill Lane. This predicted PCM link	N/A

WQ No	Reference (in bold) and Question	Respondent	Applicant's/Interested Party Response D1	Applicant's Deadline 2 Response
	Could the Applicant advise where this 28.7 µgm-3 figure has been obtained from and could the interested parties confirm that they are content with this analysis?		<p>concentration is well below the EU limit value for annual mean NO<sub>2</sub> concentrations of 40 µg/m<sup>3</sup>. The highest predicted NO<sub>2</sub> concentration on a PCM link in 2017 is along the M6 (census ID 16027) with a concentration of 41 µg/m<sup>3</sup>, however this link is not the highest in the study area in 2024 with a concentration of 27.7 µg/m<sup>3</sup> in the 2017-based dataset.</p> <p>Since publication of the ES, Defra have updated the PCM network to a 2018 base year. With the new dataset the highest annual mean concentration of NO<sub>2</sub> in 2024 at PCM links along the ARN is 28.2 µg/m<sup>3</sup>. This PCM link is census ID 802057118, located on the A449 between Cannock Road and Broadlands (encompassing the length of the old census ID 57118 discussed above). This predicted PCM link concentration is well below the EU limit value for annual mean NO<sub>2</sub> concentrations of 40 µg/m<sup>3</sup>.</p>	
		SSC	The Inspector has stated that it is not clear where the has been obtained from and we agree with that conclusion. We are, however, happy with the methodology set out in paragraphs 5.6.10 to 5.6.16.	See Applicant's response to this question.
		CWC	The applicant should identify which road link this relates to and how it has been calculated. Assuming it relates to the M6 which had the highest predicted annual mean concentration of 41µg/m <sup>3</sup> in 2017 (Table 5.8 of chapter 5 of the ES; the predicted 2024 concentration of 28.7 µg/m <sup>3</sup> for this link is consistent with the figure calculated using Defra's Local Air Quality Management roadside projection factors for projecting measured annual mean roadside NO <sub>2</sub> concentrations to future years.	See Applicant's response to this question.
<b>1.3</b>	<b>Biodiversity, Ecology and Natural Environment (including Habitats Regulations Assessment (HRA))</b>			
1.3.1	<b>Clarification</b> Could SCC and SSC please explain the relationship between them in relation to the provision of advice relating to biodiversity in the determination of planning applications and applications for development consent?	SSC	SSC seek ecological/biodiversity advice from the County Councils Ecologist Sue Lawley. Advice is charged at an hourly rate. Separate advice hasn't been sought on this occasion therefore please refer to the CC LIR/response on ecological matters.	N/A
		SCC	For regular planning applications, SCC provides advice to SSC on ecology matters. For DCO matters, we provide advice directly to the examination on behalf of SCC	N/A
1.3.3	<b>Clarification</b> Paragraph 8.3.16 of Chapter 8 of the ES [APP-047] identifies impacts on ecological features. Under duration the category has been divided into permanent/temporary. However, temporary may be long-term. Could the Applicant please explain the difference in definition and approach between "permanent" and "long-term" in this context?	The Applicant	<p>Paragraph 8.3.16 of the ES [APP-047/6.1 and subsequent revisions] sets out the criteria for how impacts have been characterised. With regards to the terms permanent and temporary, they are intrinsically linked with whether an impact is characterised as reversible or irreversible.</p> <p>A permanent impact is one which is irreversible, and therefore has no specific timescale associated with it other than it occurs forevermore. An example of this is the loss of ancient woodland, which is considered to be an irreplaceable habitat. When such habitat is lost, it can't be replaced and therefore the impact is a permanent one, which can't be reversed once it has occurred.</p> <p>A temporary impact is one which is reversible, and therefore to provide greater clarity of the impact, specific timescales have been assigned to such impacts. An example of this is the loss of broad-leaved plantation woodland that provides habitat for bats. The loss of the woodland can be reversed by planting new broadleaved woodland in the same location as the woodland that is lost, but it may take 30+ years for the new woodland to establish. It can therefore be said that the temporary, reversible loss of woodland could result in a long-term (30 years) impact on the bats using that woodland until the compensatory woodland establishes.</p>	N/A
		Nurton	<a href="#">It is imperative for the Applicant to confirm what mitigation is permanent and what is temporary given that it is acquiring land interests.</a>	See Applicant's response to this question. All mitigation measures as outlined on the Environmental Masterplan [AS-086 to 092/6.2] are permanent as they are required to



WQ No	Reference (in bold) and Question	Respondent	Applicant's/Interested Party Response D1	Applicant's Deadline 2 Response
				permanently mitigate the impacts on local designated sites, ancient woodland, other habitats, protected species, landscape character, visual amenity and noise.
1.3.7	<p><b>Biodiversity Net Gain</b>            Paragraph 8.13.50 of Chapter 8 of the ES [APP-047] states 'Therefore, whilst delivering net gains in biodiversity may be desirable, there is no requirement for NSIPs to deliver overall net gains in the NPSNN and no indication that it will be mandatory in the near future. This reduces the weight applied to policies in the NPPF on net gain as relevant and important matters in decision making on NSIPs' The NPPF does however refer and is a material and important matter. Should Biodiversity Net Gain be a project aim.</p>	The Applicant	<p>Delivery of biodiversity net gain would be a legitimate aspiration for any project and Highways England aims to find ways to deliver biodiversity net gain on all projects wherever possible. However, whilst it can be a desirable 'aim' of any project, it is not a requirement for NSIPs in general nor this project in particular. Policy on net gain in the NPPF has limited relevance to NSIPs and, there is, therefore, no requirement that NSIPs 'should' deliver net gain, although it is obviously desirable. This point is explored further below.</p> <p>Highways England's Biodiversity Report 2018-2019 [HE 2019 <a href="https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/841276/Highways_England_Biodiversity_Report_2018-19.pdf">https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/841276/Highways_England_Biodiversity_Report_2018-19.pdf</a>] Action 3.2 Highways England states: As part of normal delivery, network improvement projects will mitigate and compensate their biodiversity impacts to achieve no net loss of biodiversity, as far as the projects are reasonably able. In addition, projects will identify biodiversity opportunities and deliver actions that will achieve net biodiversity gain, wherever possible. The identification of such opportunities should be included within the Environmental Assessment Report. If no such opportunities are found, then a clear statement explaining why should be provided instead. This demonstrates that it is part of Highways England's biodiversity strategy to achieve biodiversity net gain where possible, but it also recognises that biodiversity net gain may not be achievable on every Scheme.</p> <p>The majority of the new development for the M54 to M6 link road is on land owned by third parties that is being obtained through compulsory purchase. In order to secure those powers, Highways England must demonstrate that the land subject to compulsory acquisition is required for the Scheme or is required to facilitate or is incidental to the Scheme (section 122 of the Planning Act 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 for enhancement or gain.</p> <p>Given the principle above, net gains on the M54 to M6 link road are likely to only be achieved from creation of new habitats where land is required for other essential purposes for a Scheme, such as mitigation for flood risk, for landscape integration, reduction of visual impacts, or protection of the setting of sites of importance for cultural heritage. Highways England has continually looked for opportunities to protect and enhance biodiversity on this project through reduction of impacts, mitigation planting and identifying improvements. The Scheme will achieve a net gain for linear habitats. However, when taken as a whole, it has not been possible to identify a strategy that achieves an area based net gain in biodiversity due to the constraints around land acquisition.</p> <p>Planning policies on biodiversity net gain and their application to this Scheme are explored in more depth in the CftS (paragraphs 8.13.32-8.13.58), which provides more detail than is provided in ES Chapter 8. The NPSNN (paragraph 1.19) states that: 'The NPPF is also likely to be an important and relevant consideration in decisions on nationally significant infrastructure projects, but only to the extent relevant to that project. However, the NPPF makes clear that it is not intended to contain specific</p>	N/A

WQ No	Reference (in bold) and Question	Respondent	Applicant's/Interested Party Response D1	Applicant's Deadline 2 Response
			<p><i>policies for NSIPs where quite particular considerations can apply.</i> In this context, whilst the NPPF as a whole is a relevant and important matter, the relevance of NPPF policy text on any given topic will depend on its relevance to NSIPs in general and the specific circumstances of a particular project.</p> <p>In the Spring Statement in 2019, the Government announced it would mandate net gains for biodiversity in the Environment Bill. In July 2019, Defra published Net Gain: Summary of responses and government response to this consultation. This document states on page 5 that: <i>'Consultation proposals for a mandatory requirement did not include nationally significant infrastructure or marine projects... the government believes that further work and engagement with industry and conservation bodies is required to establish approaches to biodiversity net gain for both marine and nationally significant infrastructure projects, which can have fundamentally different characteristics to other development types. Government will continue to work on exploring potential net gain approaches for these types of development, but nationally significant infrastructure and net gain for marine development will remain out of scope of the mandatory requirement in the Environment Bill.'</i> The Environment Bill was reintroduced on 30 January 2020, before its passage was suspended due to the Covid-19 pandemic.</p> <p>Whilst the Government intends to make net gain mandatory for certain forms of development to which the NPPF guidance will apply, this requirement is currently not applicable to NSIPs due to the Government's view that these Schemes can have <i>'fundamentally different characteristics to other development types'</i>.</p> <p>The Environment Bill was reintroduced on 30 January 2020, before its passage was suspended due to the Covid-19 pandemic. The Bill currently proposes that this mandatory requirement would be introduced through amendments to the Town and Country Planning Act (TCPA) 1990 so developments authorised under the Planning Act 2008 would not be included.</p> <p>In our view, the above reduces the relevancy and materiality of policies on biodiversity net gain in the NPPF for decision making on NSIPs, and indicates that on this particular topic, decisions should be guided predominantly by policy in the NPSNN rather than the NPPF.</p>	
		Allow Ltd	<p>The NPSNN advocates enhancement of biodiversity features/value through NSIPs, but does not state that there should be a measurable net gain. In addition, as noted above, it is our understanding that NSIPs are currently outside the scope of the mandatory net gain requirements in the Environment Bill. However, as NSIPs should still employ the mitigation hierarchy throughout the design and assessment process, and government policy is clearly moving towards delivering a net gain (and this has been adopted by other large infrastructure projects) 'enhancement' should be an objective of NSIPs (and evidencing this desirable where possible).</p>	See Applicant's response to this question.
1.3.8	<p><b>Biodiversity matrix</b>          Could the Applicant explain why it has not used the Biodiversity matrix 2.0 which updates and</p>	The Applicant	<p>The biodiversity metric calculation undertaken for the application submitted in January 2020 was based on the method published by Defra in Biodiversity Offsetting Pilots Technical Paper: the metric for the biodiversity offsetting pilot in England (Defra, 2012), to determine effects of the Scheme. Version 2.0 of the Defra metric was not available at the time the landscape design was being developed and the impact assessment was being undertaken.</p>	N/A



WQ No	Reference (in bold) and Question	Respondent	Applicant's/Interested Party Response D1	Applicant's Deadline 2 Response
	replaces the original Defra biodiversity matrix?		A re-calculation using Defra Metric 2.0 has been undertaken by the applicant and submitted to the inspectorate as a revision of Appendix 8.2: Biodiversity Metric Calculations [AS-103/6.3].	
		Allow Ltd	<p>There is currently no standard approach to biodiversity metrics across the UK, with only some local authorities requiring demonstrable net gain through the use of metrics, and a variety of different metric systems being used. However, it is widely considered that the most appropriate metric to currently use is the Defra Biodiversity Metric 2.0 Calculation Tool. The Defra 2.0 tool is referenced in the Environment Bill and sets the new standard for metrics, employing a more sophisticated approach than other local metrics to date (e.g. Warwickshire), with many more parameters included. Defra 2.0 includes a larger range of habitat types; more guidance on difficulty and time to target condition for each habitat type; is prepopulated with distinctiveness, time to target condition and difficulty scores; includes new distinctiveness scores (0-8) to include very high and very low; includes new condition scores; includes two new elements 'Connectivity' and 'Strategic Significance'; includes 'accelerated succession'; includes off-site habitat options and takes account of proximity to the impact site.</p> <p>The beta version of the Defra Biodiversity Metric 2.0 was available for use from July 2019. Although the final metric is not expected until December 2020, many projects looking to calculate biodiversity units since July 2019 have used version 2.0 of the metric. Given that the Environmental Statement for this project was issued in January 2020, we would have expected it to have used version 2.0 of the metric.</p>	See Applicant's response to this question.
1.3.11	<p><b>Biodiversity off-setting calculation</b></p> <p>In looking at the Biodiversity off-setting matrix (Appendix 8.2 to Chapter 8 of the ES [APP-176]) there are a number of minor discrepancies between the figures set out in Tables 3.3, 3.4, 3.6 and 3.8 and those in the summaries, Tables 3.9 and 3.10 and thus the summaries in Tables 3.11 and 3.12. Could these be checked. The discrepancies appear to be in the following (although some others are clearly rounding issues):</p> <ul style="list-style-type: none"> <li>• Standing water Good condition (extant)</li> <li>• Broad-leaved Moderate condition plantation (created)</li> <li>• Standing water Moderate condition (extant)</li> <li>• Running Water Good condition</li> </ul> <p>If the original figures are included, by the ExA's calculation, show that there would only be 94.93% of the</p>	The Applicant	<p>a) Changes to the Scheme accepted on 29 October 2020 reduce the impact of the Scheme on existing habitats and allow for retention and restoration of selected areas. As part of this submission the biodiversity metric has been re-calculated using Defra Metric 2.0 and submitted to the Planning Inspectorate as a revision of Appendix 8.2: Biodiversity Metric Calculations.</p> <p>The Biodiversity Metric Calculations Version 3 (Appendix 8.2 [AS-103/6.3]) show that following completion of the Scheme, total biodiversity units would be marginally higher, with an area based gain of 2.21% of units (17.32 units), a linear based gain of 26.27% (8.2 units) and a 2.23% (0.33 units) gain of river habitats. The Scheme is within the range -5 % to +5 % for river and area based habitats (woodland, grassland etc.) which can be classed as no net loss in accordance with Table 11.9 of CIRIA C776a Good practice principles for development (Ref 8), and can be classed as achieving a net gain in linear (hedgerow) habitats.</p> <p>The following raw tables have been updated and/or created within the Biodiversity Metric Calculations Version 3 [AS-103]:</p> <ul style="list-style-type: none"> <li>• Table 3.1: Phase 1 Habitat (area-based): Baseline</li> <li>• Table 3.2: Phase 1 Habitat (area-based): Effects</li> <li>• Table 3.3: Phase 1 Habitat (Linear): Baseline</li> <li>• Table 3.4: Phase 1 Habitat (Linear): Effects</li> <li>• Table 3.5: Phase 1 Habitat (River): Baseline</li> <li>• Table 3.6: Phase 1 Habitat (River): Effects</li> <li>• Table 3.7: Phase 1 Habitat (area-based): Post-development</li> <li>• Table 3.8: Phase 1 Habitat (area-based): After Works Units</li> <li>• Table 3.9: Phase 1 Habitat (Linear): Post-development</li> </ul>	N/A

WQ No	Reference (in bold) and Question	Respondent	Applicant's/Interested Party Response D1	Applicant's Deadline 2 Response
	<p>value after the Proposed Development when compared with the before. This falls outside the +/-5% asserted to be of 'no significant effect'. This figure, obviously, also omits any consideration of ancient woodland.</p> <p>a) Could the Applicant please check the figures.</p> <p>b) Is the statement in paragraph 8.9.133 of Chapter 8 of the ES [APP-047] therefore justified?</p>		<ul style="list-style-type: none"> <li>Table 3.10: Phase 1 Habitat (Linear): After Works Units</li> <li>Table 3.11: Phase 1 Habitat (River): Post-development</li> <li>Table 3.12: Phase 1 Habitat (River): After Works Units</li> </ul> <p>An updated summary of the area, linear and river measurements of each habitat before and after works is also set out in Table 3.13, 3.14 and 3.15. A summary of the results of the metric are also presented in Tables 3.16, 3.17 and 3.18.</p> <p>b) It is assumed that this part of the question is referring to paragraph 8.9.183 of the ES Chapter 8 Biodiversity [AS-026/6.1], which states that 'the Scheme delivers no net loss of biodiversity'. Paragraph 8.9.50 in the updated ES Chapter 8 Biodiversity Version 3 [AS-083/6.1], states: 'The Biodiversity Metric Calculations (Appendix 8.2 [AS-103/6.3]) show that following completion of the Scheme, total biodiversity units would be marginally higher, with an area-based gain of 2.21% units, a linear based gain of 29.01% and a gain of 2.23% of river based units (assuming enhancement of 200 m of retained watercourse of river based units). The Scheme is within the range -5% to +5% for river and area based habitats (woodland, grassland etc) which can be classed as no net loss in accordance with Table 11.9 of CIRIA C776a Good practice principles for development (Ref 8.47) and can be classed as achieving a net gain in linear (hedgerow) habitats.'</p>	
		Allow Ltd	<p>Until the figures are checked by the Applicant, it is difficult to provide any comment on this. However, linking back to point 1.1.4, the credibility of all the figures should be reviewed. Using woodland as an example, there is likely a large discrepancy between the actual amount of woodland present across the scheme (identified from aerial imagery) and that included in calculations (possibly based on mapping). As such, how all the figures for 'area' used in the biodiversity unit calculations were arrived at should be clearly demonstrated.</p>	<p>See Applicant's response to this question. See also Allow SoCG [REP1-066/8.8LIU(A)] SC8 for the Applicant's position. The approach to mitigation and the mitigation design has been described in the Environmental Statement and the Outline Environmental Management Plan. Existing habitats within the Scheme boundary are shown on Figure 8.3 Phase 1 Baseline Habitat Survey Results [APP-113/6.2] and the loss of each habitat type is set out in Table 8.18 of the Environmental Statement [AS-083/6.1]. Quantified site clearance plans are not required as part of a DCO application package. Final site clearance requirements will not be determined until detailed design, when the Scheme design is finalised within the limits of deviation set out in the Application, but will not exceed that which has been assessed within the Environmental Statement.</p> <p>A plan showing each area of woodland which will be lost to the Scheme was provided to Allow on 28/07/20. The issue of total woodland loss to the Scheme raised by Allow was substantiated with a report issued to Highways England on 23 September 2020, outlining their assessment of the woodland loss and mitigation requirements. This is being considered in detail and further explanation will be provided in a technical note for Deadline 3.</p>
		I & A Simkin	<p>It is our opinion that the assessment of baseline data of habitats taken for works across the scheme has been incorrectly assessed and therefore the area required for mitigation is flawed and overstated. The credibility of all the figures should be reviewed and how all the figures for 'area' used in the biodiversity unit calculations were arrived at should be clearly demonstrated.</p> <p>A disproportionate area of the land for replacement species rich grassland is proposed to be on Messrs Simkin's land compared to other parts of the scheme. The area proposed to be taken for mitigation compared to the area taken for the scheme works on Messrs Simkins land is also extremely disproportionate.</p>	<p>As part of the design changes accepted by ExA on 29 October 2020, species rich grassland has been removed from plot 6/25 owned by Messrs Simkin.</p>

WQ No	Reference (in bold) and Question	Respondent	Applicant's/Interested Party Response D1	Applicant's Deadline 2 Response
1.3.17	<b>External Mitigation</b> Paragraph 8.8.10 of Chapter 8 the ES [APP-047] states 'However, the Scheme would achieve improvements to specific habitats as part of this overall objective and Highways England will seek to achieve further enhancements where possible outside the DCO process.' As this is outside the DCO process what weight do you consider should be afforded to these unsecured and undetailed enhancement measures?	The Applicant	<p>No weight should be given to enhancement measures other than those secured through Requirements 3 and 5 of the draft DCO as set out in Table 3.4 of the OEMP, D-BIO10, D-BIO11 and D-WAT2 to 5.</p> <p>Highways England's project team for the Scheme has submitted an application for funding from the 'designated fund' for an initial feasibility study to identify opportunities and appropriate sites which could be improved to provide biodiversity net gains to be delivered on land outside of the Order limits in partnership with key stakeholders and landowners. This funding application has been successful, and the feasibility study is underway. However, this process is separate from the DCO application and its success or otherwise is not a material consideration for decision making on the DCO application. The measures included in the designated fund application do not form part of the mitigation measures for the Scheme and are not required for the Scheme to be consented.</p>	N/A
		Allow Ltd	<p>Although on paper it is a noble statement to make, using the correct metric will identify the proportionate/appropriate amount of habitat creation or improvement to offset impacts and result in a relevant biodiversity net gain. Given that no details are provided of these further enhancements (type, extent, management, funding), or how they will be secured and delivered, we would have thought that they should not be considered at this time.</p> <p>It should not be an objective of the Applicant nor necessary to seek further enhancements. Allow have offered land which is situated outside the DCO boundary for potential mitigation as it is more appropriate for ecological habitat, landscape and noise attenuation than in the proposed location and we are open to looking at positive land management in the vicinity of the scheme instead of the proposed mitigation which we consider to not be appropriately located.</p>	<p>See Applicant's response to this question on weight given to ecological enhancements outside the Order limits.</p> <p>See Allow SoCG [REP1-066/8.8LIU(A)] for why the offered alternative land has not been taken forward.</p>
		Nurton	<p>Given Nurton's long term plans for the Site, which the Applicant is aware of, it is critical that the Applicant engages meaningfully with us with regard to maximising any potential biodiversity enhancements, especially regarding any over-mitigation for GCN within the Scheme. To date, the Applicant has failed to engage with Nurton on this point and no third-party agreement to maximise any biodiversity enhancements has been proposed. It is imperative that the Applicant provide clarity on the level of any over-mitigation and how it may be measured and ring-fenced for the benefit of future development on the Site.</p>	<p>See Nurton SoCG [REP1-045/8.8LIU(K)] for details of how the Applicant has engaged with Nurton Developments.</p> <p>There are no proposals for additional enhancements on Nurton's land outside the Order limits.</p>
1.3.18	<b>Ancient Woodland</b> a) Ancient Woodland mitigation: It is stated that a replacement woodland habit at a ratio of 7:1 in area would be provided. While this has apparently been agreed with Natural England, could the rationale for this ratio be fully explained? b) Given that the value of ancient woodland is not just for its trees but the whole range of biodiversity found, what measures are proposed to	The Applicant	<p>a) Ancient woodland is an irreplaceable habitat and is consequently considered to be of nature conservation importance on a national scale. Its loss has to be compensated for.</p> <p>There is currently no accepted guidance that specifies a set ratio of new planting to loss of ancient woodland. Each impact has to be approached on a case by case basis, and the reason for this is that although all ancient woodland is of national importance, within that broad category of importance each ancient woodland will be different and will warrant different levels of compensation.</p> <p>The size of the woodland, its connections or isolation from other natural or semi-natural habitats, its management regimes, its intrinsic appeal and the diversity and rarity of flora and fauna it supports will all dictate levels of compensation, as will the scale of the impact upon the woodland.</p> <p>In this case, the ancient woodlands are relatively small in scale, are not subject to management, generally inaccessible to the public and do not support important populations of species of flora or fauna that are nationally rare. In the case of Brookfield</p>	N/A



WQ No	Reference (in bold) and Question	Respondent	Applicant's/Interested Party Response D1	Applicant's Deadline 2 Response
	<p>ensure that the range of biodiversity is maintained?            c) How would this be secured in the DCO?</p>		<p>Farm, the woodland is also isolated by the A460 to the west and the M6 to the north and east.</p> <p>There is no direct loss of woodland following the Scheme changes accepted on 29 October 2020, though some encroachment within 15m of the woodland edge will occur during construction. As such, in liaison with Natural England a ratio of 7:1 new woodland planting to ancient woodland loss is considered appropriate.</p> <p>b) No direct loss of woodland will occur. The impacts to ancient woodland would be potential compaction of soils and damage to roots when working within 15m of the woodland and increased nitrogen deposition during operation.</p> <p>Compensation for these impacts would be provided as ancient woodland is irreplaceable and is of national importance. These impacts are not however considered to result in fundamental changes to the woodland ecosystem and the species of flora and fauna that exist within the woodland. During construction, animals would be able to move away from the woodland edge to areas of unaffected habitat, and during operation the increased nitrogen deposition is likely to result in changes to the species distribution and abundance within the areas affected, but as these areas are small in comparison to the total area of the woodlands, total loss of important floral species is unlikely to occur.</p> <p>In the short to medium term, compensation would include the enhancement of existing woodland and in the long-term new woodland planting would provide habitat for biodiversity such as birds, mammals, amphibians and invertebrates, even if that woodland is not ancient.</p> <p>c) All of the proposed habitats and improvements to existing habitats are in areas which the Applicant is seeking to permanently acquire to ensure the long-term management of these habitats. These maintenance requirements will be set out in the Handover Environmental Management Plan which will be based on the Construction Environmental Management Plan and Landscape and Ecology Management Plan as outlined in the OEMP, Table 3.3, MW-G11 and MW-LAN1 secured by Requirement 4 of the draft DCO. The exception to this, are the improvements to and ongoing maintenance of Whitgreaves Wood owned by the National Trust. The works to this site and ongoing maintenance are secured through a legal agreement between the Applicant and the National Trust. The National Trust is already maintaining Whitgreaves Wood and will continue to do so following completion of the works.</p>	
		NE	<p>a) The ratio cannot be "fully explained". There isn't an adequate ratio or a logical rationale to compensate for loss of an irreplaceable habitat. Ultimately, the project overall was reviewed to maximise the compensation ratio for the benefit of nature, and while the losses to the individual sites were small, we worked with the consultant to place the compensation areas in the best places possible to protect the remaining woodland where possible and to link and join fragments of woodland where that was achievable.</p> <p>b) We are encouraging retaining as many features as possible through translocation of soils to receptor sites. This does not equate to "moving an ancient woodland" and we still regard the ancient woodland as destroyed, but it is possible to salvage some features including seeds, bulbs, and plant material through soil translocation. We advise on replacing a range of site-native species suitable to the characteristics of the area lost. Buffering remaining ancient woodland sites and connecting them where possible also helps to ensure that the range of biodiversity is maintained.</p> <p>c) We expect the following requirements to form the framework for delivery of ancient woodland mitigation: Requirement 4 (d) CEMP &amp; HEMP – sub sections</p>	<p>a) The agreement on ratio and location is recorded within the SoCG between Highways England and Natural England [REP1-028/8.8P(B)].</p> <p>b) Following the design changes accepted by the ExA on 29 October 2020 the direct loss of ancient woodland has now been avoided. As there will be no direct removal of ancient woodland, the Applicant will not be undertaking any soil translocation of these areas as it is considered unnecessary. Small areas of ancient woodland edge have been assumed to be impacted by nitrogen deposition due to changes in air quality during operation and appropriate levels of compensatory woodland planting are being provided for this impact. However, whilst the changes in air quality may result in changes to the composition of species within the affected areas of habitat, they are unlikely to result in the total loss of the woodland. Translocation of the soils in these areas of affected woodland would be an impact of greater magnitude than the impact from the increase nitrogen deposition, hence why no translocation is proposed. This matter will be progressed through further consultation and reported within the SoCG between Highways England and Natural England [REP1-028/8.8P(B)].</p>

WQ No	Reference (in bold) and Question	Respondent	Applicant's/Interested Party Response D1	Applicant's Deadline 2 Response
			(vi) arboricultural mitigation strategy and (viii) LEMP And; Requirement 5 (b) HEMP (Long term commitments to aftercare, monitoring and maintenance activities); And both cross-referring as necessary to Requirement 5 (Landscaping) As stated in the SoCG with regard to Whitgreaves Wood (Ancient woodland & compensation measures refs RR37-ak & IR NE03) , the detail of the ancient woodland mitigation measures should be the focus of further consultation at the detailed design stage.	c) Refer to the Applicant's response to this question. Long-term management of habitats to be created or retained and enhanced is secured through Requirement 4(5)(b) Handover Environmental Management Plan. As set out in the SoCG between Highways England and Natural England, both parties agree that the 7:1 ratio is appropriate and that improvements to Whitgreaves Wood are appropriately secured.
1.3.22	<b>Long Term maintenance of compensatory habitats</b> Paragraph 8.9.126 of Chapter 8 of the ES [APP-047] states 'This would likely require implementation through the provisions of the DCO and via third party agreements. In reference to retained and newly created habitats and ensuring connectivity. Can the Applicant confirm the provisions proposed to address this and if any third-party agreements have been or are in the process of being concluded/proposed?	The Applicant	Ancient woodland 'compensation' measures include woodland planting at a ratio of 7:1 for the direct loss of ancient woodland and 1:1 for areas impacted by nitrogen deposition. Improvement measures in existing areas of ancient woodland at Whitgreaves Wood and Brookfield Farm SBI are also proposed, these will include measures such as selective scrub clearance and tree clearance where necessary. These improvement measures will be considered in more detail at the detailed design stage in consultation with Natural England. All of the proposed habitats are in areas which the Applicant is seeking to permanently acquire to ensure the long-term management of these habitats. These maintenance requirements will be set out in the Handover Environmental Management Plan which will be based on the Construction Environmental Management Plan and Landscape and Ecology Management Plan as outlined in the OEMP, Table 3.3, MW-G11 and MW-LAN1 secured by Requirement 4 of the draft DCO [AS-073/3.1]. The exception to this are the improvements to and ongoing maintenance of, Whitgreaves Wood owned by the National Trust. The works to this site and ongoing maintenance are secured through a legal agreement between the Applicant and the National Trust. The National Trust is already maintaining Whitgreaves Wood and will continue to do so following completion of the works.	N/A
		Nurton	<a href="#">See response to questions 1.0.15 and 1.3.17.</a>	N/A
1.3.23	<b>Correction</b> Natural England in its Relevant Representation [RR-037] has identified some typographical errors. Can the Applicant please liaise with Natural England to correct these.	The Applicant	All Natural England RRs have been incorporated into the latest SoCG between Highways England and Natural England [TR010054/APP/8.8P(B)].  This is not a typographical error, the APIS where the data for baseline deposition rates and critical loads was sourced from updated its baseline background deposition and concentration data sets on the 18 March 2020, after the submission of our DCO application, and so was not included in the HRA submitted with the application.  Since the submission of the application further work has been completed to consider the updates to DMRB air quality guidance to LA105. The air quality assessment reported in the ES [APP-044/6.1] was undertaken in line with now superseded air quality guidance. The updated APIS data has been utilised in the sensitivity testing undertaken to consider whether the changes to methodology could alter the conclusions of Chapter 5: Air Quality and Chapter 8: Biodiversity, refer to 'DMRB updates and impacts on the DCO application' [AS-059/8.2]. This document was submitted to the Inspectorate on 30 July 2020. However, see our response to the RR-037ao [TR010054/APP/8.9] which clarifies that according to APIS the critical load range of 3-10 kgN/ha/yr is not appropriate for this site as it is not an oligotrophic or dystrophic waterbody and thus ' <i>there is no comparable critical load available</i> '.  Cannock Chase and Cannock Extension Canal SACs are not within 200m of the Affected Road Network and therefore the Scheme is not anticipated to result in a significant adverse effect on these sites.	N/A
		NE	Natural England will liaise with the Applicant regarding this error.	See SoCG with Natural England for the current position on this [REP1-026/8.8P(B)].
1.3.26	<b>Habitats Regulations Assessment</b>	NE	Natural England is satisfied that the Applicant has identified the correct sites. The features that are the primary reason for selection of the sites have been identified.	We acknowledge that the Annex I habitat: Northern Atlantic wet heaths with <i>Erica tetralix</i> was omitted from Table 3.1 of the HRA: No Significant Effects report [APP-216/6.9]. This feature of the SAC is however included within the Cannock Chase SAC



WQ No	Reference (in bold) and Question	Respondent	Applicant's/Interested Party Response D1	Applicant's Deadline 2 Response
	Can NE confirm if they are satisfied that the correct sites and features have been identified in the Applicant's Habitats Regulations Assessment No Significant Effects Report [APP-216]?		Cannock Chase SAC includes Annex I habitat: Northern Atlantic wet heaths with Erica tetralix that is present but is not a qualifying feature. We note that this has been omitted from the keys features listed in Table 3.1 of the Screening matrix, but is referred to elsewhere in the report.	screening matrix in Appendix C of the report. The features omission from Table 3.1 does therefore not change the conclusions of the screening matrix or the HRA: No Significant Effects report.
1.3.27	<b>Habitats Regulations Assessment</b> a) Can Natural England expand on their comments over the Applicant's approach to in combination effects on European sites. b) Can the Applicant confirm whether discussions on this matter are or will be taking place between them as part of their SoCG	The Applicant  NE	a) N/A b) The discussions on the approach to in combination effects on European sites is taking place as part of the draft SoCG [TR010054/APP/8.8P(B)].  a) The Wealden Judgement (Wealden –v- SSCLG 2017) made clear the importance of considering the cumulative or in combination impacts of aerial emissions arising from separate projects. It is therefore important to ensure that we consider all potential impacts from this proposal. When considering air quality impacts, we need to be certain that all protected sites falling within 200 metres of the edge of a road affected by a plan or project are considered in the Habitats Regulation Assessment. It is important that we also understand if the qualifying features could be affected and if they are sensitive to air emissions, before we assess the impacts alone and then in combination.  The CJEU in the Dutch nitrogen case ('Co-operatie Mobilisation' – joined cases C293 & 294/17) ruled that 'where the conservation status of a natural habitat is unfavourable, the possibility of authorising activities which may subsequently affect the ecological situation of the sites concerned seems necessarily limited'. Unit 1 of the Cannock Extension Canal is currently in unfavourable recovering condition. This unit is the northern half of the canal and terminates at the A5. Water levels in the canal are topped up several times a year through release of waters from Chasewater and The Southern Staffordshire Coalfield Heaths SSSI (unit 13 Chasewater), the effect of this water release is seen in both unit 1 and 2 of Cannock Extension Canal SAC. Therefore impacts on the Southern Staffordshire Coalfield Heaths SSSI could impact the canal. In addition, Cannock Extension Canal SAC is currently exceeding its nitrogen critical load (3-10 kg N/ha/yr) and its average critical load is 17.1 kg N /ha/yr.	N/A  The Cannock Extension Canal SAC and SSSI site extends from the A5 close to the M6 Toll (NGR SK 02024 06845) for approximately 2.5 km southwards to the Canal at Pelsall Stop (NGR SK 01938 04429). The northernmost unit, Unit 1, is currently in unfavourable recovering condition. Natural England have raised a concern that the Cannock Extension Canal SAC and SSSI site could be at risk of nutrient enrichment. As stated by Natural England the site is currently exceeding its nitrogen critical load of 3-10 kg N/ha/yr with an average critical load of 17.1 kg N /ha/yr.  Only receptors up to 200 m from the ARN are considered within the local operational air quality assessment, as set out in DMRB LA 105 Air Quality. This is because the effect of pollutants from road traffic reduces with distance from the point of release, and beyond 200 m these are likely to have reduced to a concentration equivalent to background concentrations, as set out in paragraph 5.3.5 of the ES [APP-044/ 6.1]. At its closest point the Cannock Extension Canal SAC is approximately 280m from the ARN (the M6 Toll) and is therefore not considered to be potentially affected by changes in air quality. However, water levels in the canal are topped up several times a year through release of waters from Chasewater and The Southern Staffordshire Coalfield Heaths SSSI i.e. Unit 13 Chasewater), and the effect of this water release is seen in both unit 1 and 2 of Cannock Extension Canal SAC and SSSI. As the Chasewater is partially within 200 m of the ARN (M6 Toll) it is possible that the quality of water could be influenced by a change in nitrogen deposition from any increase associated with changes in vehicle traffic along that motorway because of the Scheme.  Air quality modelling undertaken for the Scheme predicts an increase in NO <sub>x</sub> within Unit 13 of Chasewater and The Southern Staffordshire Coalfield Heaths SSSI, from 33.3 µg/m <sup>3</sup> (without the Scheme) to 33.7 µg/m <sup>3</sup> (with the Scheme), an increase of 0.5 µg/m <sup>3</sup> . This change in NO <sub>x</sub> is used to calculate any changes in nitrogen deposition on the surface of the Chasewater within 200 m of the ARN (i.e. approximately 3.7 % of Unit 13). Nitrogen deposition is anticipated to increase from 26.1 kg N/ha/yr (without the Scheme) to 26.2 kg N/ha/yr (with the Scheme). This represents a change of <0.1 kg N/ha/yr and well below the critical load for considering ecological effects. Nitrogen deposition is calculated from NO <sub>x</sub> concentrations (which is a fraction of the NO <sub>x</sub> concentration reported above and therefore is less than the NO <sub>x</sub> conc) using LA 105 conversion factor of 0.14 for grassland-like site types. The change in nitrogen deposition reported is based on the predicted nitrogen deposition at the water bodies edge, which would reduce further with distance across the Chasewater, and are therefore likely to be a conservative estimate. In addition, the load received within 200 m of the M6 Toll would mix with the wider water body becoming diluted and dispersed by a ratio of 26:1 (i.e. the relative size of the area of the Chasewater that will be unaffected by changes in nitrogen deposition (approx. 86.2 ha) compared to

WQ No	Reference (in bold) and Question	Respondent	Applicant's/Interested Party Response D1	Applicant's Deadline 2 Response
				the areas that might receive a small increase in nitrogen deposition (i.e. approx. 3.2 ha), assuming a similar water depth throughout). Overall, only a very small change in nitrogen deposition across a small portion of the Chasewater is predicted and this is unlikely to result in any significant change in the nitrogen concentration of the Chasewater, and therefore the effect on Cannock Extension Canal SAC is not anticipated to be significant.
1.3.30	<p><b>Habitats Regulations Assessment</b></p> <p>NE state in their Relevant Representation [RR-037] that based on the information presented in the Applicant's Habitats Regulations Assessment No Significant Effects Report [APP-216] they would agree that no likely significant effects (LSE) are anticipated. However, with regard to indirect impacts on air quality, having reviewed the ES documents NE advise that they "cannot yet agree no likely significant effects for Cannock Extension Canal SAC and that further discussions are required". Natural England also state that they remain in dialogue with Highways England regarding the assessment of air quality impacts and the need for and scope of mitigation.</p> <p>Can the Applicant confirm the latest position they have reached with respect to the assessment of air quality impacts and any mitigation that may be required, particularly with respect to Cannock Extension Canal SAC.</p>	<p>The Applicant</p>	<p>Only receptors up to 200 m from the ARN are considered within the local operational air quality assessment. This is because the effect of pollutants from road traffic reduces with distance from the point of release, and beyond 200 m these are likely to have reduced to a concentration equivalent to background concentrations, as set out in paragraph 5.3.5 of the ES [APP-044/ 6.1]. At its closest point the Cannock Extension Canal SAC is approximately 280m from the ARN (the M6 Toll) and is therefore not considered to be potentially affected by changes in air quality. The A5 and B4154 are identified as 'Other Roads Modelled' on Figure 5.1: Air Quality Study Area [APP-068/6.2] are in close proximity to the Cannock Extension Canal SAC, these have only been included within the air quality modelling to ensure total concentrations predicted at receptors within 200m of the ARN include contributions from all relevant sources. 'Other Roads Modelled' do not define the air quality study area.</p> <p>The APIS website fits the Cannock Extension Canal SAC into the 'oligotrophic waterbodies' EUNIS classification and thus the critical load range for nitrogen is given as 3 to 10 kgN/ha/yr. This is because (in lieu of providing no critical load range at all) the EUNIS ecosystem class C1.1 is considered the least worst fit, because this is the standard EUNIS ecosystem class used in APIS for sites containing <i>Luronium natans</i>, the most sensitive of which are nutrient starved upland lakes. However, APIS does not tailor its assignment of critical loads to site-specific circumstances and thus caveats the use of these critical loads to account for other types of sites supporting <i>Luronium natans</i>, commenting that: '<i>This critical load only applies if the interest feature is associated with softwater oligotrophic or dystrophic lakes at the site. If the feature is not depending on these lake types, there is no comparable critical load available</i>'. While the water quality in Cannock Extension Canal SAC is good, it cannot be described as an oligotrophic or dystrophic water body (Natural England's Supplementary Advice on the Conservation Objectives describes it as mesotrophic). In these circumstances, according to APIS, '<i>there is no comparable critical load available</i>'. This reinforces the basis for screening out air quality impacts on the site and would match the position of many other freshwater SSSIs and SACs and is the reason why nitrogen deposition is generally not calculated in risk assessments for lowland open freshwater sites.</p> <p>All of Natural England RRs have been incorporated into the SoCG between Highways England and Natural England [TR010054/APP/8.8P(B)].</p>	N/A
		NE	Natural England is currently in discussion with the Applicant.	To be progressed through further consultation and reported within the SoCG between Highways England and Natural England [REP1-028/8.8P(B)].
1.4	<b>Compulsory Acquisition, Temporary Possession and Other Land or Rights Considerations</b>			
1.4.1	<p><b>CA and TP Negotiations</b></p> <p>Can the Applicant please provide an update of the current situation of negotiations with affected landowners and occupiers over potential acquisition by agreement?</p>	<p>The Applicant</p>	<p>Annex B in the Statement of Reasons [AS-079/4.1] includes a Schedule of objections made by landowners and a status of negotiations. The Applicant has updated this Annex with the additional information requested by the Examining Authority and an updated version of the Statement of Reasons is submitted at Deadline 1.</p>	N/A
		Nurton	<p><a href="#">We are concerned with the lack of engagement with Nurton to date. We understand that the Applicant has been in advanced discussions with the various landowners. However, we have only just received on 8 October the draft Statement of Common</a></p>	<p>See Nurton SoCG [REP1-045/8.8LIU(K)] for details of how the Applicant has engaged with Nurton Developments and the Applicant's rationale for why the land is not considered to be 'development land'.</p>

WQ No	Reference (in bold) and Question	Respondent	Applicant's/Interested Party Response D1	Applicant's Deadline 2 Response
	Please complete Annex A with this information.		Ground (SoCG) from the Applicant. The draft SoCG states that the Applicant does not consider the Site to constitute 'development land' and that it will therefore not make any allowance for the likely future development of the Site contrary to the guidance provided in the National Policy Statement for National Networks 2014, para 4.3. It is imperative that the Applicant takes the future development potential of the Site into account and engages meaningfully with Nurton on this.	
1.4.2	<b>Section 130 PA2008</b> Could the National Trust confirm or otherwise whether the four parcels of land held by it and subject to temporary possession provisions for ancient woodland mitigation (Plots 3/7a, 3/7b, 3/7c and 4/2 on the Lands Plan [APP-007]) are held inalienably?	National Trust	<p>Plot 3/7b is held inalienably by the National Trust. Plots 3/7a, 3/7c and 4/2 are currently alienable. This status will not change during consideration of the DCO application. In more detail:</p> <p><b>Plot 3/7b</b>            Plot 3/7b comprises the main car park for Moseley Old Hall. It would be used for access to carry out Work 76. Within plot 3/7b, the rectangular area of car park closest to Moseley Old Hall Lane was part of the National Trust's original acquisition of Moseley Old Hall in 1962. It was declared inalienable later the same year. The irregularly shaped area of car park east of this, together with the exit drive to the south and plantation woodland surrounding plot 3/7b, were part of an area bought by the National Trust with a bequest in 1982 and declared inalienable in 1983.</p> <p><b>Plot 3/7a and Plot 4/2</b>            Plots 3/7a and 4/2 comprise Whitgreaves Wood (Oxden Leasow Ancient SemiNatural Woodland) together with a section of woodland planted early in the 21st century and the eastern edge of a field. The submitted Work Plans show Work 76 taking place in plot 4/2 and part of 3/7a. Plot 3/7a and 4/2 are part of an area of 4.96 hectares given to the National Trust by Advantage West Midlands in 2010. The land was acquired by the National Trust to help protect the setting of Moseley Old Hall and recognising the intrinsic value of the area of Ancient Semi-Natural Woodland. The land has not yet been declared inalienable. We intend to take it through the inalienability process but this will not be progressed during consideration of the DCO application. As a result of COVID restrictions we have been unable to access the original papers from the start of the acquisition process, in about 2005, to confirm whether an intention to declare the land inalienable was stated at the time.</p> <p><b>Plot 3/7c</b>            Plot 3/7c comprises the overflow car park for Moseley Old Hall and the northern edge of a field. It would be used for access to carry out Work 76. Plot 3/7c was bought by the National Trust in 2012. The land has recently been taken out of arable use and we are working on restoring it to a pastoral landscape including wildflower meadow to protect and enhance the setting of Moseley Old Hall, contribute to biodiversity and extend our outdoor offer. The land has not yet been declared inalienable. We intend to take it through the inalienability process but this will not be progressed during consideration of the DCO application. The papers from the start of the acquisition process, in 2011, confirm that the Trust's intention when seeking to buy the land was for it to become inalienable.</p>	Noted.
1.4.3	<b>Maintenance of Land</b> a) In the event that, as set out in paragraph 7.3.4 of the Statement of Reasons [APP-021], the	The Applicant	a) An agreement was concluded between the Applicant and the National Trust on 14 September 2020. In the event the DCO is confirmed, the agreement permits the Applicant to enter onto the National Trust's land at Whitgreaves Wood to undertake works to enhance the woodland and mitigate the impact of the authorised development.	N/A



WQ No	Reference (in bold) and Question	Respondent	Applicant's/Interested Party Response D1	Applicant's Deadline 2 Response
	<p>Applicant and National Trust are able to reach agreement as to the temporary use of Plots 3/7a, 3/7b, 3/7c and 4/2 on the Lands Plan [APP-007] for ecological mitigation, could the Applicant please explain how the mitigation works are to be secured?</p> <p>b) Should this occur, could the National Trust confirm what mechanisms it would need to put in place, for example a Planning Obligation under Section 106 of the Town and County Planning Act 1990 (as amended), to ensure that the relevant works would be maintained in perpetuity and how they would be able to commit and maintain the proposition as maintenance is required for that length of time?</p>	National Trust	<p>b) The National Trust owns Whitgreaves Wood and is already maintaining it. The National Trust will maintain the works undertaken to Whitgreaves Wood following completion of the same.</p> <p>An agreement has been reached between Highways England and the National Trust regarding the carrying out of the relevant works (Work 76). The works are to be specified in a woodland scheme to be submitted to and approved by the National Trust.</p> <p>The agreement contains a covenant for the National Trust to maintain the woodland upon completion of the works to the National Trust's reasonable satisfaction. The National Trust considers that no additional mechanism would need to be put in place. The general purposes of the National Trust, as set out in the National Trust Act 1907 (as amended) are:</p> <p>(1) The National Trust shall be established for the purposes of promoting the permanent preservation for the benefit of the nation of lands and tenements (including buildings) of beauty or historic interest and as regards lands for the preservation (so far as practicable) of their natural aspect features and animal and plant life.</p> <p>(2) Subject to the provisions and for the purposes of this Act the National Trust may acquire by purchase gift or otherwise and may hold without licence in mortmain lands buildings and hereditaments and any rights easements or interests therein or thereover and any other property of whatsoever nature and may maintain and manage or assist in the maintenance and management of lands as open spaces or places of public resort and buildings for purposes of public recreation resort or instruction and may accept property in trust for any public purposes and may act in any trusts for or as trustee of any property devoted to public purposes and may do all acts or things and take all such proceedings as they may deem desirable in the furtherance of the objects of the National Trust and they may upon or with respect to any property belonging to them or in which they have any interest do all such things and make all such provisions as may be beneficial for the property or desirable for the comfort or convenience of persons resorting to or using such property and may exercise full powers of ownership over their lands and property according to their estate and interest therein not inconsistent with the objects for which they are constituted and may apply their funds to all or any of such objects. At a practical level, maintenance of the woodland would be part of the maintenance of the extended and enhanced outdoor area we have been and are creating at Moseley Old Hall.</p>	Agreed
1.4.4	<p><b>CA and TP</b></p> <p>a) Paragraph 12.4.3 of Chapter 12 of the ES [APP-051] deals with the temporary use of land for mitigation, but makes the point:</p> <p><i>"The long-term management strategy for this land has yet to be finalised but the assessment assumes a worst-case basis (from a landowner perspective) that the ownership of the land would remain with the acquiring authority with a land</i></p>	The Applicant	<p>Following a review of the Land Plans ([TR010054/APP/2.2], the plots affected by temporary acquisition for the purpose of mitigation are plots 3/7a, 3/7b, 3/7c &amp; 4/2, all of which are owned by the National Trust.</p> <p>a) In relation to the statement in chapter 12 paragraph 12.4.3 of the Environmental Statement [TR010054/APP/6.1] the land will not be materially affected. The land in question is woodland and will remain so after the enhancement has been undertaken. Land owned by the National Trust is classed Special Category Land [TR010054/APP/2.6], therefore, inalienable without Special Parliamentary measures. However, this Special Category Land is being taken temporarily by agreement, therefore, the worst-case scenario does not apply.</p> <p>An agreement between the landowner and Highways England is near completion. As an inalienable land holding, the woodland will remain in the current landowner's</p>	<p>To further clarify the position on this, paragraph 12.4.3 of the Population and Health chapter of the ES [APP-051/6.1] states that the ES assumes that all areas required for species rich grassland and woodland planting will be compulsorily acquired and not returned to the landowner post construction. With the exception of land owned by the National Trust all land required for environmental mitigation is subject to compulsory acquisition and not TP. The 'worst case' scenario assessed in the ES, in terms of landowner impact, is therefore reflected in the Land Plans. This is necessary because the Applicant must be able to secure the essential mitigation required for the Scheme.</p> <p>However, discussions are underway with a number of landowners about the prospect of returning land to landowners post construction subject to a legal agreement requiring environmental mitigation to be maintained in accordance with the DCO.</p>

WQ No	Reference (in bold) and Question	Respondent	Applicant's/Interested Party Response D1	Applicant's Deadline 2 Response
	<p><i>management company being retained to manage the land. Where this occurs, the restored land would not be available to the original landowner and the impact on the holdings affected would not be reduced".</i></p> <p>In this scenario, is the landowner being effectively deprived of the benefit of the land on a permanent basis?</p> <p>b) Therefore, is TP appropriate?</p> <p>c) Could the Applicant explain why, in this scenario, CA is not being sought.</p> <p>d) Could the Applicant please set out those parcels of land which are so affected?</p>		<p>possession to perpetuity (or until they seek to dispose of the land on their own accord).</p> <p>b) Yes. The land will not materially change, the current woodland block would be enhanced as set out in the Environmental Statement (TR010054/APP/6.1 - 12.4.3. An agreement will be in place between the landowner and Highways England to ensure that the land is managed as stated in 12.4.3 of the Environmental Statement [TR010054/APP/6.1].</p> <p>c) The land in question is owned by The National Trust and is classed as Special Category land under section 130 of the Planning Act 2008 requiring special parliamentary measures to dispose of land as an inalienable entity under Section 21 of the National Trust Act 1907. (3/7a, 3/7b, 3/7c and 4/2 - [TR010054/APP/2.6] To avoid special parliamentary measures, an agreement between the landowner and Highways England is near completion to ensure the necessary work is carried and managed as set out in the Environmental Statement, avoiding the need for any compulsory acquisition in aid to undertake the work by agreement. The said agreement is due to be completed before the submission of the first written questions. A copy of said agreement can be issued on request.</p> <p>d) Plots; 3/7a, 3/7b, 3/7c and 4/2 [TR010054/APP/2.6]</p>	<p>Should agreement be reached on any land plots such that land can be returned in this way, this would be outside the DCO process. It is these discussions that are contemplated in paragraph 12.4.3.</p> <p>For completeness, the Applicant confirms that an agreement between The National Trust and the Applicant was completed on 14 September 2020.</p>
		Nurton	<p>The Scheme bisects the Site which Nurton has an interest in. We submit that any long-term management rights over that land currently earmarked for TP be provided to the landowners (which can then be transferred to Nurton in due course) so that the management of that land can be done in conjunction with the adjoining landowners within any future development scheme. At the very least, it is imperative for us to have clarity on what the long-term land management strategy is for those areas currently earmarked for TP. Currently, there is no such clarity.</p>	<p>The areas of environmental mitigation marked for TP are on National Trust land and do not affect areas over which Nurton has a category 2 interest.</p> <p>The Statement of Reasons [REP1-027/4.1] sets out why land is required for the Scheme. For ease of reference, the two large plots earmarked for TP in the Land Plans [AS-065/2.2] affected in Nurton's area are plots 5/11a and 5/11g. Both plots are required for construction purposes, with plot 5/11a also temporarily required for the diversion of Shareshill 5 Public Right of Way and 5/11g also required for the diversion of an overhead electricity cable and associated infrastructure. The plots would be restored following construction and no long-term land management strategy is required over either plot or the other smaller plots on Nurton's land.</p>
1.4.6	<p><b>Plot 6/37</b></p> <p>In their Relevant Representation [RR-033] Messrs I and A Simkin raise objections in respect of a number of plots, which will be considered. However, it is not clear whether they are raising an objection in respect of Plot 6/37 on the Land Plans [APP-007]. Could Messrs I and A Simkin please clarify this situation and, if objecting, explain their position.</p>	I & A Simkin	<p>In response to Q1.4.6. Messrs Simkin clarify that they do object to the extent of temporary acquisition of plot 6/37. The extent of land acquisition is excessive in respect of its requirement for the realignment of the existing public right of way, Saredon 13. The route, Saredon BW13 is not used, as evidenced in Chapter 12 of the ES and therefore should be removed, as opposed to realigned as part of The Scheme. The bridleway does not offer any safe connectivity to any further network. The location would also be unappealing, if not dangerous, to horse riders.</p>	<p>The TP of plot 6/37 is primarily required for construction purposes, namely for the construction of M6 Junction 11 and associated slip roads and the realignment of the A460. The realignment of Saredon 13 in this area is also required, but is not the only reason for the TP. Please see the Statement of Reasons for more information [REP1-027/4.1].</p>
1.4.7	<p><b>Statutory Undertakers</b></p> <p>a) Can the latest position of the Utilities be updated and in particular with regard to the protective provisions?</p>	The Applicant	<p>a) The Applicant is in dialogue with Severn Trent Water, South Staffordshire Water, Western Power Distribution (West Midlands) PLC, Cadent Gas, British Telecom, Vodafone, and Zayo. Draft protective provisions have been shared with each of them and comments are awaited. The Applicant will continue to have a dialogue with each company with a view to agreeing the wording of the protective provisions.</p> <p>b) A draft Statement of Common Ground has been prepared for each of the above-mentioned statutory undertakers. The latest position on Statements of Common</p>	N/A



WQ No	Reference (in bold) and Question	Respondent	Applicant's/Interested Party Response D1	Applicant's Deadline 2 Response
	b) Could the Applicant also set out the current progress on Statements of Common Ground?		Ground is presented in the Statement of Commonality submitted to the Planning Inspectorate on 3 November 2020 [TR010054/APP/8.8].	
		National Grid	National Grid have provided the promoter with draft protective provisions for approval on the 26th June 2020. These are in a template form agreed with Highways England and just require minor amendment to fit in the dDCO for this scheme. We are anticipating that they are therefore substantially agreed but we await the promoter's confirmation to this point and that they have been included in the dDCO as agreed. We have not been provided with a draft SoCG to review. National Grid are happy to agree a statement of common ground with the promoter if necessary but understand from the promoter's solicitor that one is not required.	The Applicant confirms that the protective provisions with National Grid are close to being agreed. With agreed protective provisions in place, the Applicant does not believe a SoCG to be necessary but is happy to prepare and progress one if the ExA would find it helpful.
<b>1.5</b>	<b>Draft Development Consent Order (DCO)</b>			
1.5.4	<b>Article 2(1)</b> a) Could SCC, ShC and WCC please confirm whether they consider the definition of "maintain" is appropriate in all circumstances and whether it is drawn either too narrowly or too widely. b) Definition of Special Road page 6 requires closing bracket second line.	The Applicant	N/A	b) This has been addressed in the revised draft DCO submitted at Deadline 2 on 17 November 2020.
		SCC	Appropriate	Noted
		CWC	There is very limited impact upon CWC highway therefore WCC are satisfied with the definition. "maintain" in relation to the authorised development includes to inspect, repair, adjust, alter, remove or reconstruct and any derivative of "maintain" is to be construed accordingly.	Agreed
1.5.7	<b>Article 3(2)</b> This article utilises the term "adjacent land", and this term is used elsewhere. However, this is not defined in the dDCO. a) Should it be so defined? b) If so, what should this definition be?	The Applicant	The term "adjacent land" should be given its every day ordinary meaning i.e. it means next to or contiguous. The Applicant does not consider it necessary to define the term and considers the ordinary meaning of the word to be sufficiently clear to an informed reader. The term has been used without definition in other DCOs made by the Secretary of State.	N/A
		SCC	Answer missing.	N/A
		SSC	a) Yes b) Next/near to and/or adjoining	The Applicant notes the comments from SSC but does not consider that it is necessary to define the term. The meaning of the term is sufficiently clear and trying to be overly prescriptive can create uncertainty as well as reducing flexibility.
		CWC	It should be defined, defer to applicant, SCC and SSC to agree.	See response above.
		NE	a) The term adjacent land should be defined by the Applicant to avoid misinterpretation. b) We suggest this could be "fields and other land parcels that are connected to the development site".	See response above.
1.5.8	<b>Article 3(3)</b> This Article caveats various works from the effect of pre-commencement Requirements. However, various Requirements in Schedule 2 require the approval of such schemes (for example R9). a) Could the Applicant please reconcile these provisions?	The Applicant	Article 3(3) will permit the carrying out of preliminary works, surveys and investigations prior to discharge of the requirements in Schedule 2 of the dDCO. The carrying out of such works, surveys and investigations are necessary at any early stage to inform the preparation of the schemes to be submitted to discharge the requirements in Schedule 2. The activities listed in article 3(3) are either minor, reversible or have minimal potential for adverse effects. It is important that they be undertaken at an early stage before the requirements are discharged to ensure that unnecessary delay is not caused to the delivery of an important and strategic infrastructure project. The ability to carry out such activities is usual and has precedent in order consented DCO schemes.	N/A
		SCC	b) the Article and R9 need to be reconciled, however we are content with the general intention of the provisions	Noted

WQ No	Reference (in bold) and Question	Respondent	Applicant's/Interested Party Response D1	Applicant's Deadline 2 Response
	b) Are the Councils content with the intention behind these provisions?	SSC	b) Providing there is clear consultation and agreement in writing well in advance to allow for discussion/potential amendments or requests for further information	Noted
		CWC	We are content with the intention behind these provisions.	Noted
1.5.10	<b>Article 11(7)</b> a) Is there any particular reason why the PRow's to be constructed are unlikely not to be open for use by the opening to traffic of the road? b) Are there different considerations in relation to different PRow's? c) Should there be a backstop? d) Are there any PRow's which should be completed and open prior to the one it is to replace being closed?	The Applicant	a) The PRow's will be constructed and made available for use as soon as reasonably practicable. The Applicant expects that they will be available by the time the link road is open to traffic. However, with any large and complex project, there needs to be some flexibility. Article 11(7)(b) secures this flexibility and can operate to enable the PRow's to be available sooner than opening of the link road to traffic or later but only where agreed with the local highway authority. b) The Scheme has been designed to minimise the impact on the PRow by including provision for alternative routes. The design of these routes has considered the current and forecast number of users as well as consistency with the existing network. In addition, the design has aimed to keep routes as close to the existing route as possible and avoid diverting routes alongside the realigned road network where possible. c) The Applicant does not see the need for a backstop. The PRow's will be constructed and be available for use from the date on which the link road is open for traffic or by some other date agreed with the local highway authority. The local highway authority has the ability therefore to impose their own backstop having regard to their local knowledge as to the need for the PRow's to be made available. d) PRow will be maintained throughout the construction period, therefore it is considered that if a PRow is to be closed prior to its replacement being open then connectivity will be maintained. Some of the PRow's will require minor diversions, these will be suitable and appropriate where implemented.	N/A
		SCC	a) There should be no reason why the realigned PRow's should not be open and available for the public to use by the time the new road is open. This is ultimately an issue for the developer. b) Yes, public footpaths are available for pedestrians only whereas public bridleway's have to be safe for pedestrians, horse riders and cyclists. In view of this the design specifications for the surface, bridge (in the case of Bridleway No 1 Shareshill) and path furniture will be different. c) Await applicant position. d) Yes, unless routes are subject to temporary closure then all of the newly diverted routes should be open prior to the closure of the existing routes.	The Applicant notes SCC's comments and confirms that where newly diverted routes are not open prior to closure of the existing routes then temporary closures will be put in place.
1.5.11	<b>Article 12(6)</b> a) Do SCC and WCC consider that the 28-day period is appropriate? b) If not, what should it be?	SCC	Accepted.	N/A
		CWC	This is acceptable. The Council (CWC) would respond within this timescale.	N/A
1.5.15	<b>Article 17(8)</b> Could this provision be simplified in the circumstances of this case (are all the bodies required)?	The Applicant	The Applicant confirms that, whilst references to Homes England, a joint planning board and an urban development corporation, are not currently applicable in this case, that could change. The wording is consistent with other made DCOs and the Applicant therefore proposes to retain the wording.	N/A
		SCC	Answer missing.	N/A
1.5.16	<b>Article 18</b>	The Applicant	The Applicant has not identified a listed building which will be structurally affected by the works and does not expect to have to rely on this provision for works to a listed building.	N/A

WQ No	Reference (in bold) and Question	Respondent	Applicant's/Interested Party Response D1	Applicant's Deadline 2 Response
	a) Is there a reasonable chance that this provision could apply to works to a listed building? b) If so, are there any particular provisions that should then follow?	SSC	a) Based upon the location of the new road, SSC would conclude that this provision is unlikely to relate to any of the listed buildings. The listed buildings at Hilton Park being the closest to the line of the new road. Any works to these buildings would require listed building consent. b) If there are works needed to any building which would affect the significance or character of the building, then Listed Building Consent would be needed. It could be added onto the provision;  If any protective works required as part of this provision are to be carried out to a designated heritage asset (Grade I, II* or II) then the Local Authority should be contacted in advance of these works to ascertain whether Listed Building Consent would be required for the works. SSC is willing to discuss any suggested wording.	As stated by SSC and HE, no works are required that would require Listed Building Consent.
		CWC	Unlikely to apply to any asset within our administrative area.	N/A
		SCC	<a href="#">Refer to SSSDC</a>	N/A
1.5.19	<b>Article 23(6)</b> This provision allows the undertaker to create right for third parties. However, this appears to be very widely drawn and does not specify which third parties and thus could apply to any legal person. Could the parties consider whether this should be more tightly drawn to specify a limit and/or purpose for those third parties?	The Applicant	The power is restricted by reference to Article 20 to the Order land and the authorised development so will in practice only be capable of being granted to those third parties who require rights as a consequence of the authorised development. The Applicant therefore considers that there is no need for this Article to be more tightly drawn.	N/A
		SCC	We await a revised draft from the applicant to consider.	N/A
		CWC	As there is limited impact on CWC land, there are no issues.	N/A
		SSW	Perhaps it should be limited to a third party who needs a right to gain access to their properties, or for other utility companies, however any such right is subject to provisions which protect the assets belonging to the utility companies.	The Applicant notes SSW's comments but does not agree. The Applicant needs to retain the flexibility to grant rights to third parties affected by the Scheme for a number of reasons. It is not possible to provide an exhaustive list of all such third parties until detailed design of the Scheme has been completed. Trying to provide a list at this time would be unnecessarily restrictive and could compromise successful delivery of the Scheme including measures to mitigate the impact of the Scheme.
		National Grid	In this case, National Grid have assets which are being retained in situ only and not diverted, so National Grid will not require any new rights to be acquired for their benefit as a result of this DCO and therefore are not making direct comments on the wording of Article 23 (6). However generally in cases where new easements are required for diversion routes, we can see why a widely worded Article 23(6) would be helpful to ensure that sufficiently wide rights and restrictive covenants could be acquired by compulsion to replicate an easement for the construction, retention and protection of statutory undertakers apparatus.	The Applicant notes and agrees with National Grid's comments.
		WPD	WPD expects Highways England to provide it with all requisite land rights to place and keep its existing or diverted apparatus in the highway. That is the basis of the draft agreement between WPD and HE which is in a generally acceptable form (see 1.5.25 below). WPD has no objection to the wording of Article 23(6) and accepts that it is widely drawn to give HE flexibility in creating and acquiring land rights as necessary. Should the Article draw such rights more tightly WPD would expect Highways England to clarify which rights will apply to WPD for its particular assets and WPD will need to audit those rights to ensure that they are comprehensive.	Noted.
1.5.22	<b>Articles 34 and 36</b>	The Applicant	a) Article 34 relates to unprotected trees and Article 36 relates to trees protected by tree preservation orders. The wording is consistent with the language used in other made DCOs.	N/A

WQ No	Reference (in bold) and Question	Respondent	Applicant's/Interested Party Response D1	Applicant's Deadline 2 Response
	a) Could the Applicant explain why are there two separate provisions? b) Could they be combined? c) Is Article 36 in the correct part (i.e. Part 7) or would it be better located in Part 6?		b) Protected and unprotected trees are separated in Schedule 8 and should be within separate articles. c) The Applicant agrees that Article 36 could be moved into Part 6 of the draft DCO and will incorporate this change in the next draft to be issued at Deadline 2.	
		SSC	SSC agrees that article 34 and 36 could be combined. It also seems reasonable that Article 36 is located in Part 6, as it would combine all operations/works to trees and hedgerows, included protected trees in one part.	See Applicant's response above.
1.5.25	<b>Article 37</b> There appears to be a possible difference between the dDCO and the EM. The dDCO states that section 264(3) refers to cases in which land is to be treated as not being operational land for the purposes of that Act. However, the EM suggests that the land within the order limits is operational land. Can this be clarified.	The Applicant	Article 37 provides that the DCO will be treated as a specific planning permission. The effect of treating the DCO as a specific planning permission is that the exemption at section 264(3) applies and land already held by the Applicant will be operational land, such that the Applicant will benefit from its usual permitted development rights in connection with the operation of the road. If the DCO was not a specific planning permission and the exemption was not applicable, the land would not be operational land and the permitted development rights would not apply. The title of section 264 is "Cases in which land is to be treated as not being operational land". This is cited in brackets after the reference in Article 37 in accordance with draft DCO drafting protocols but appears to have caused confusion. The Applicant trusts that this explanation clarifies the position.	N/A
		SSW	I think that this is more of a matter of interpretation of S264, however is the EM saying that as the land is treated as "operational land of a statutory undertaker" that the person responsible will benefit from permitted development rights, whereas the DCO is stating that the order will act as a specific planning permission? In essence I agree that it needs clarifying as to whether specific planning permission will exist or will the permitted development rights provide a level of consent. SSW plc's position is that strict interpretation of S264(3) is that it cannot be considered operational land because planning permission is being granted by the DCO.	See the Applicant's response above.
		National Grid	National Grid do not have their own operational land in the order boundary of this DCO, only overhead lines under an existing easement/property right and therefore are not immediately concerned by the provisions of Article 37. However we think that the application of Article 37, is such that by indicating that the DCO is a specific planning permission in line with section 264 (3), this means that all land within the order limits is operational land, as per the EM and there is no conflict between the provisions.	Noted.
		WPD	WPD considers that this is an issue for HE to clarify, but its understanding is that by specifying that the Order grants a specific planning permission for works, then that planning permission will ensure that any consent for statutory undertakers works will enable the land over which it is undertaken to become operation land for the purposes of Section 263(1). WPD supports that approach.  Subject to conclusion of the agreement currently being discussed between WPD and Highways England which is generally in an acceptable form, and the terms for the diversions of its assets that WPD has provided to Highways England WPD is content with the provisions set out in the draft DCO in relation to its apparatus.	See the Applicant's response above.
1.5.32	<b>Schedule 1, Work 61</b> a) Could the Applicant please clarify the extent and nature of the separation of the (temporary)	The Applicant	a) A temporary diversion will be implemented during the construction of Works 8, this will be approximately 250m in length and will be located immediately adjacent to the works site. It is anticipated that suitable fencing will be installed between the site and footpath during the duration of the works to both protect users and prevent unauthorised access to the works site or motorway.	N/A



WQ No	Reference (in bold) and Question	Respondent	Applicant's/Interested Party Response D1	Applicant's Deadline 2 Response
	bridleway from the carriageway during the construction period? b) Is SCC content with this?		b) Further details regarding the diversion of PROW will be set out in the Traffic Management Plan ahead of the start of works. The local highway authorities will be consulted prior to finalising this Traffic Management Plan.	
		SCC	We await the response of the applicant before being able to confirm acceptance.	N/A
1.5.33	<b>Schedule 1, Work 67</b> This refers, among other matters, to "BT". As this is company specific, should it be better referred to generically as "telecommunications"?	The Applicant	This change was incorporated into the revised draft DCO submitted to the Planning Inspectorate on 9 October 2020 [AS-075/3.1]	N/A
		SSW	SSW agree that the term "telecommunications" should be used because of SSW's requirement for telemetry in the utilities corridor.	See Applicant's response above.
1.5.39	<b>Schedule 2, Requirement 4 and 5</b> Given the comments of NE in [RR-037] should these provisions be amended so as to ensure all reasonable steps have been taken to reconcile the grades of soils moved within a given phase with effective allocation to agricultural, landscaping and priority habitat end uses?	The Applicant	Natural England's relevant representations record the continuing dialogue between Highways England and Natural England and refer to the emerging SoCG. NE acknowledges that Requirement 4 requires a Landscape and Ecology Management Plan and a Soil Management Strategy (including Soil Management Plan and Soil Handling Strategy) and agrees these are essential. The Applicant considers that these documents are already secured by Requirement 4 and adherence to them is secured by Requirement 5. The submitted documents will have to adequately provide for all reasonable steps to be taken before those documents will be approved by the Secretary of State.	N/A
		NE	Grades and types of soils moved within a given phases should be clearly allocated to agricultural, landscaping and priority habitat end uses.	The Applicant understands that Natural England is content that with the updates to the OEMP, submitted as Version 3 of the OEMP [AS-112/6.11], the mitigation measures relating to soil storage are appropriate. See SoCG with Natural England [REP1-028/8.8P(B)].
1.5.43	<b>Schedule 2, Requirement 13</b> a) While the explanation for not complying with the consultees request is given to the SoS, how is the consultee to know that the undertaker has rejected its reasoning? b) Would it be sensible that, at the same time as sending to the SoS the application for approval of the detailed design, the undertaker is required to send to any consultee who made representation a copy of the report explaining why it came to the conclusion that it so did? This would allow the consultee, if it felt that the consultation exercise had been deficient, or there was some matter which the Applicant had not fully appreciated, to make simultaneous representations to the SoS which the SoS would	The Applicant	a) Requirement 13(2) of Schedule 2 of the draft DCO already provides that the undertaker will provide to each relevant consultee a copy of its summary report setting out the consultation undertaken and the undertaker's response to that consultation. b) As above.	N/A
		SCC	We maintain that matters of detailed design where they relate to the local highway, Archaeology etc could be approved locally by the relevant authority. However, should the provision remain for the SoS to approve all matters of detailed design then we would agree with the ExA suggestion that consultees should be informed of submission to the SoS and allowed to make representations to be taken into account in the final decision.	Highways England disagrees that these details should be approved locally and considers these matters should remain to be approved by the SoS, as set out in the draft DCO. HE is happy to agree to the ExA's suggestion on sending the report to the local highway authority, however, as set out in Requirement 13(2).
		SSC	Yes	N/A
		CWC	Procedural – no comment.	N/A
		NE	This seems a sensible suggestion.	N/A

WQ No	Reference (in bold) and Question	Respondent	Applicant's/Interested Party Response D1	Applicant's Deadline 2 Response
	take into account in making the final decision.			
1.5.50	<b>Schedule 7, Plots 3/7a, 3/7b and 3/7c</b> a) Given that the mitigation is required in perpetuity, why is temporary possession proposed? b) What is there to prevent the mitigation being removed – there is no imposition of rights to require long-term retention and maintenance. Is this the appropriate approach?	The Applicant	a) The land in question is owned by The National Trust and classed as Special Category Land under Section 130 of the Planning Act 2008 requiring special parliamentary measures to dispose of land as an inalienable entity under Section 21 of The National Trust Act 1907. To avoid special parliamentary measures, discussions with National Trust have successfully progressed to the completion of an agreement to undertake the necessary works and future management removing the need to use acquisition powers. The National Trust understands that Highways England intends to carry out enhancement works to the Property in order to mitigate the impact of the Scheme for which the DCO is sought on the Property.  b) A contractual agreement is set to be in place between The National Trust and Highways England. The National Trust will give consent for Highway England to carry out enhancement works on the land and covenant to continue to maintain the woodland following completion of the works.	N/A
		NE	Mitigation should be secured by the Applicant for long term retention and maintenance in a suitable way.	See Applicant's response above.
		SSC	SSC understands from Highways England that these plots relate to Whitgreave's Wood, land owned by the National Trust. Highways England have informed SSC that the National Trust have agreed to the long-term retention and maintenance of the mitigation.	Agreed.
1.5.51	<b>Schedule 7, as set out in following Table</b> In each case, the land is to be used as highway in perpetuity thereby depriving, effectively the landowner of beneficial use of the land. Is the use of TP powers appropriate in each and every case?	The Applicant	The Applicant considers that TP is appropriate in each and every case.  There is no benefit to Highways England in owning land which is not operationally required, any additional land is seen as a liability. As a public body, Highways England is bound by the Crichel Down Rules which requires any excess land which has not materially changed, that has been acquired under compulsion, or the threat of compulsion, to be disposed of by offering back to the original landowner or successors in Title. Temporary possession is appropriate in the case of plots 4/1e, 4/9a, 4/22, 5/1, 6/17h, 6/17i, 6/17j, 6/17k and 6/17m, given that Highways England has no operational need for plots and on completion of the works the land will be returned to a pre-works condition. In relation to plots 4/1e, 4/9a, 4/22, 5/1, 6/17h, 6/17i, 6/17j, 6/17k, 6/17m the current use is existing public highway or highway embankment, therefore this use will not materially change because of the works. These plots are required for temporary signage and ancillary works for the facilitation of works to construct the new road. Plots 4/1i, 6/32a and 6/36, are required for the construction and facilitation works only. The land will be returned to its previous use.	N/A
		SCC	The plans are unclear in that they do not clarify which parcels of land will be highway and laid out as such. The Streets, Rights of Way and Access Plans are ambiguous and contain the following note on the side of the drawings; "note 6. areas of existing carriageway to be removed are shown for information only. these areas are not to be stopped up as they will remain within the public highway boundary and in some cases directly replaced with new highway alignments". SCC do not want unnecessary areas to maintain that are not for the benefit of the public using the highway such as long driveways to individual properties or uses.	Discussions regarding the details of treatment and ownership of land within the current highways boundary that is no longer required to be highway land that is to be stopped up are ongoing with SCC. The majority of additional areas to maintain within the current highway boundary have been removed. Where possible, areas of existing carriageway that are no longer required are to be removed and replaced with environmental mitigation or landscaping. Where it is not practical to remove the maintenance liability the area has been minimised and discussions will continue with SCC.

WQ No	Reference (in bold) and Question	Respondent	Applicant's/Interested Party Response D1	Applicant's Deadline 2 Response
1.5.52	<p><b>Schedule 9</b>            For each of the statutory undertakers, could they please confirm that they are content with the provisions set out in the draft DCO in relation to their apparatus, the latest situation in relation to resolving these matters, and if not, please explain fully your reasoning?</p>	Cadent Gas	<p>Cadent require all promoters carrying out Authorised Development in the vicinity of their Apparatus to comply with:</p> <ul style="list-style-type: none"> <li>- 2.2.1 GD/SP/SSW22 – Safe Working in the vicinity of Cadent High Pressure's Gas Pipelines and Associated Installations;</li> <li>- 2.2.2 IGE (Institution of Gas Engineers) recommendations IGE/SR/18 Edition 2 Safe Working Practices to Ensure the Integrity of Gas Pipelines and Associated Installations, and</li> <li>- 2.2.3 the HSE's guidance document HS(G)47 Avoiding Danger from Underground Services.</li> </ul> <p>The industry standards referred to above have the specific intention of protecting:</p> <ul style="list-style-type: none"> <li>- 2.3.1 the integrity of the pipelines and thus the distribution of gas;</li> <li>- 2.3.2 the safety of the area surrounding gas pipelines; and</li> <li>- 2.3.3 the safety of personnel involved in working with gas pipelines.</li> </ul> <p>Cadent requires specific protective provisions in place for an appropriate level of control and assurance that the industry regulatory standards will be complied with in connection with works in the vicinity of Cadent's Apparatus.</p> <p><b>Protective Provisions in the Draft DCO</b></p> <p>Cadent seeks to protect its undertaking, and insists that (in respect of connections and work in close proximity to their Apparatus) Cadent is in control of the plans, methodology and specification for works within 15 metres of any Apparatus, works which will adversely affect their Apparatus or otherwise breach distances/guidance set out above.</p> <p>In respect of the proposed diversions, these have not yet reached detailed design stage and so the positioning, land and rights required for the gas diversion included within the Draft DCO may not be sufficient for Cadent. Cadent will not decommission its existing apparatus and / or commission new apparatus until it has sufficient land and rights in land (to its satisfaction) to do so, whether pursuant to the Draft DCO or otherwise. This is a fundamental matter of health and safety.</p> <p>Cadent maintain that the exercise of unfettered compulsory powers or connection to its Apparatus the following consequences will arise which would cause serious detriment to its undertaking and thus mean that the tests set out in section 127 of the PA 2008 would not be met:</p> <ul style="list-style-type: none"> <li>- 2.7.1 failure to comply with industry safety standards, legal requirements and Health and Safety Executive standards create a health and safety risk;</li> <li>- 2.7.2 any damage to Apparatus has potentially serious hazardous consequences for individuals/property located in the vicinity of the pipeline/apparatus if it were to fail; and</li> <li>- 2.7.3 potentially significant consequences arising from lack of continuity of supply.</li> </ul> <p>Insufficient property rights have the following safety implications:</p>	<p>The Applicant notes the comments from Cadent Gas and confirms that it will continue dialogue with Cadent Gas with a view to agreeing appropriate protective provisions.</p> <p>The Applicant has no objection to the amendment to Schedule 5 of the draft DCO sought by Cadent Gas and will seek to secure this amendment in the draft DCO to be submitted at Deadline 2.</p>

WQ No	Reference (in bold) and Question	Respondent	Applicant's/Interested Party Response D1	Applicant's Deadline 2 Response
			<ul style="list-style-type: none"> <li>- 2.8.1 inability for qualified personnel to access apparatus for its maintenance, repair and inspection;</li> <li>- 2.8.2 risk of strike to pipeline if development occurs within the easement zone in respect of which an easement/restrictive covenant is required to protect the pipeline from development; and</li> <li>- 2.8.3 risk of inappropriate development within the vicinity of the pipeline increasing the risk of the above.</li> <li>-</li> </ul> <p>The Draft DCO does not yet contain fully agreed protective provisions expressed to be for the protection of Cadent to Cadent's satisfaction, making it currently deficient from Cadent's perspective.</p> <p>Cadent is currently engaged with Highways England in negotiating a standardised form of protective provisions to regulate the interaction between the parties. The expectation is that this agreed form will serve as a precedent for this and future schemes and will be included on the face of the Order. The template form of protective provisions that is with Highways England for consideration is included at Appendix 1. This reflects a history of negotiation between the parties. Most of the differences between Appendix 1 and the protective provisions that are currently in the Draft DCO for this scheme are agreed between the parties.</p> <p>A point where Cadent and Highways England are apart is the carve out from the scope of the indemnity at paragraph 11(3)(c) for consequential loss, which has been removed from the version of the protective provision included at Appendix 1. Cadent is in touch with Highways England directly to agree a position on this which is commercial between the parties. Cadent will update the Examining Authority as to the status of its discussions with Highways England in due course.</p> <p>Should agreement not be possible and attendance at a Compulsory Acquisition Hearing or Issue Specific Hearing is necessary then Cadent reserve the right to provide further written information in advance in support of any detailed issues remaining in dispute between the parties at that stage.</p> <p><b>Schedule 5: Purpose for which rights over land may be acquired</b>          Article 8(4)(d) allows Highways England to transfer the benefit of the Order to Cadent, which is welcomed.</p> <p>In respect of the plots required for the diversion of Cadent's apparatus, the purpose for which rights over land may be acquired is listed in Schedule 5 of the Draft Order as "to construct, operate, access and maintain a diversion to an existing high pressure gas main and associated infrastructure".</p> <p>This is not broad enough to cover the rights that Cadent will require for its Apparatus. Cadent requires the permanent acquisition of adequate rights to Cadent's satisfaction over the land where the gas pipelines are proposed to be diverted to (Work No. 68).          2.16 Cadent requires the purpose to be amended to read:</p>	



WQ No	Reference (in bold) and Question	Respondent	Applicant's/Interested Party Response D1	Applicant's Deadline 2 Response
			<p><i>"to construct, operate, access, maintain, <b>protect and decommission</b> a diversion to an existing high pressure gas main and associated infrastructure. (emphasis added)</i></p> <p>This expansion of the purpose is necessary because the standard easements that Cadent requires are drafted as at [2.17.1 and 2.17.2] below:</p> <ul style="list-style-type: none"> <li>- 2.17.1 "To retain, lay, construct, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable [a] [the] pipeline[s] for the distribution or storage of gas or other ancillary materials (whether such gas or materials are distributed by Cadent Gas Limited on its own behalf or on behalf of other persons) and all necessary apparatus ancillary thereto (all herein together called "the Works") in upon beneath and over [a] [the] strip[s] of land shown coloured; and</li> <li>- 2.17.2 To pass over the Strip of Land and so much of the Land as is reasonably necessary for the purposes of the Works and any other works belonging to Cadent Gas Limited or used by or in connection with the Undertaking and which are contiguous with the Strip of Land at all reasonable times and in an emergency at any time whether or not with workmen vehicles machinery and apparatus." (emphasis added)</li> </ul> <p>The purpose in the Draft DCO needs to be broad enough to ensure that rights equivalent to Cadent's standard easements can be acquired.</p> <p>"Protect" is required for Cadent because as a gas undertaker it requires the rights to remove works or planting which affect its apparatus (i.e. buildovers, trees whose roots are affecting the pipeline etc).</p> <p>A situation where decommissioned apparatus is left in situ (which is emerging as environmental best practice for decommissioning gas pipelines) is not covered.</p> <p>As such, Cadent requires the purpose in Schedule 5 to be amended to include "protect and decommission".</p>	
		SSW	<p>SSW are not content with the provisions as set out in the draft DCO and our concerns are covered in the amendments that have been made to schedule 9 and forwarded to the applicants legal team. SSW are committed to working towards an agreement with the applicant. In essence however, it should be appreciated that SSW is under an obligation to continue to supply clean water at all times, the apparatus in question serves a large area and many thousand homes and businesses and therefore its obligation should override the requirements of Highways England. The proposed route of the diversion of SSW apparatus has not been agreed, in particular the locations for connections into the SSW network have not yet been assessed due to no survey information being available. It is hoped that an agreed methodology for capturing this information can be agreed between the parties and incorporated into an agreement with the applicant.</p>	<p>The Applicant notes the response by SSW. The Applicant received SSW's comments on the draft protective provisions on 23 October 2020 and is in the process of reviewing the same.</p>
		National Grid	<p><a href="#">We are awaiting confirmation from the Promoter's solicitors that the agreed version of the Protective Provisions have now been incorporated into the Order. National Grid will</a></p>	<p>The Applicant notes the response by National Grid and confirms that it will continue dialogue with them with a view to agreeing the protective provisions as soon as may be to enable withdrawal of National Grid's relevant representation.</p>

WQ No	Reference (in bold) and Question	Respondent	Applicant's/Interested Party Response D1	Applicant's Deadline 2 Response
			confirm once they are happy with the Protective Provisions and withdraw their relevant representation at that point.	
<b>1.6</b>	<b>Cultural Heritage</b>			
1.6.2	<b>Organisational relationship</b> Could SCC and SSC please explain the relationship between them in relation to the provision of cultural heritage services in the determination of planning applications and applications for development consent	SSC	SSC have a service agreement in place with Lichfield District Council to obtain Conservation Advice from Ed Higgins their Conservation Officer. This is a long agreement. Advice has been sought during the DCO process.	N/A
		SCC	For regular planning applications, SCC provides advice to SSC on archaeology/historic environment matters. For DCO matters, we provide advice directly to the examination on behalf of SCC.	N/A
1.6.3	<b>Heritage Assets</b> a) Does SSC consider that the Table 6.1B set out in Appendix 6.1 to Chapter 6 of the ES [APP-045] is a comprehensive list of Listed buildings, locally listed buildings and non-designated historic assets affected by the Proposed Development? b) If not, could any exceptions be provided, along with which category they fall into, along with a brief explanation of why SSC considers that the heritage asset may be so affected?	SSC	a) Having assessed the Table 6.1B in the appendix 6.1 of Chapter 6 SSC conclude that the list represents a comprehensive list of all heritage assets (designated or non-designated) that may potentially be impacted upon by the proposed development. The list itself covers both designated and non-designated assets, with all listed buildings (Grades I, II* and II) being included, along with non-designated heritage assets. SSC is not aware of any additional non-designated assets that have not been identified that would potentially be impacted upon by the scheme. b) None applicable.	N/A
1.6.5	<b>Assessment of Effects</b> The likely significance of effects on the cultural heritage receptors identified in Section 6.9 of ES Chapter 9 [APP-048] prior to the implementation of the proposed essential mitigation is not presented in the ES. Can the Applicant provide the assessment scores for such receptors so that the efficacy of the proposed mitigation can be understood?	The Applicant	The assessment is based on the approach required by DMRB LA 104 for assessing the significance of effects after an assessment of the effectiveness of the design and mitigation measures (i.e. the residual effect). As noted within LA 104, 'assigning significance to an effect after an assessment of the effectiveness of design allows for positive contribution of all mitigation that is effective, deliverable and committed'. The assessment is supported by mitigation documented in the OEMP [APP-218/6.11] that has previously been proven successful on other road schemes and has an identified legal mechanism for implementing the measures. Mitigation measures for built heritage and the parkland in this instance are largely embedded in the design, through the positioning of the alignment which allows for retention of the Shrubbery boundary (also known as Lower Pool Site of Biological Importance, the form of the woodland is a feature shown on historic maps forming part of the setting of the listed building). It is not possible to assess the Scheme without these in place. For further information on the alternative alignments considered in this location refer to Appendix 3.2 [APP-159/6.3].	N/A
		Allow Ltd	With specific regard to Hilton Park, the reality is that there is no difference between the predicted significance of effect before and after the implementation of the proposed essential mitigation. This is because no essential mitigation has been provided that would reduce the significance of effect on the historic park, and in fact the essential mitigation which is proposed in the western side of the park for 'Landscape Integration and Nature Conservation' purposes actually increases the significance of effect on this historic park, although this is not acknowledged in the application documents.	The assessment reported in Chapter 6: Cultural Heritage of the ES [APP-045/6.1] assesses the Scheme in its entirety, including the embedded and essential mitigation proposed, in line with DMRB guidance. Embedded mitigation in the form of the Scheme's vertical and horizontal alignment has been designed to reduced potential impacts on the historic parkland as far as is practicable whilst taking into consideration other constraints in this location including Lower Pool SBI and the

WQ No	Reference (in bold) and Question	Respondent	Applicant's/Interested Party Response D1	Applicant's Deadline 2 Response
				<p>noise, air quality and visual impacts on receptors in Hilton, refer to Chapter 3: Assessment of Alternatives [APP-042/6.1].</p> <p>The essential planting mitigation referred to west of the Scheme is required primarily to mitigate impacts on ecological receptors with a secondary function for landscape integration. This mitigation is not heritage driven, thus it does not necessarily reduce the impact on the parkland. The area to the west of the park has been compromised by development and there is a disconnection of the surviving tree belts. Highways England, therefore, considers this to be the optimal area to accommodate the necessary mitigation. This is consistent with the requirements of Historic England as recorded in the Statement of Common Ground with Historic England [REP1-052/8.8P(C)]. Mitigation measures to the east of the Scheme, within the historic parkland, have been kept to a minimum so as not to further impact Hilton Park and the associated listed buildings. There has been close collaboration between the heritage, ecology and landscape specialists to ensure that the proposed mitigation has been designed to limit any adverse effects on the parkland.</p>
1.6.6	<p><b>Heritage Assessment effects</b></p> <p>The Planning Practice Guidance (Reference ID: 18a-018-20190723) indicates that within each category of harm (which category applies should be explicitly identified), the extent of the harm may vary and should be clearly articulated. In light of this, are there any nuances that parties would like to make as to the extent of harm that they consider would be occasioned to any heritage asset or their settings.</p>	The Applicant	<p>As detailed in paragraph 6.3.20 there are two levels of harm considered for impacts on designated assets – substantial harm and less than substantial harm. These are included within the impact assessment in the ES chapter (see Paras 6.9.12, 6.9.13, 6.9.17, 6.9.22, 6.9.23, 6.9.25, 6.9.40-42).</p> <p>The PPG does require the extent of harm within each category to be articulated. This has been done through the narrative description of the impacts to each asset. There is currently no guidance or accepted methodology for attributing 'level's' of harm under each category; therefore, this has not been done</p>	N/A
		SSC	No	N/A
		SCC	<p>The impact of carriageway lighting and views of signage gantries from Hilton Park and Hall should be considered in more detail and incorporated into the detailed design. Night time views and impact on tranquillity and dark skies should also be considered in relation to Hilton Park.</p>	<p>The impact of signage gantries and lighting on the understanding and appreciation of the heritage significance of Hilton Park and Hall has been assessed within Chapter 6: Cultural Heritage of the ES [APP-045/6.1] under permanent construction impacts. This includes both daytime and night time impacts. The impact of lighting on Hilton Park has been limited by design decisions to only light key junctions rather than the entirety of the mainline.</p> <p>It was concluded that signage would be visible from the upper floors of the Hall, but screened from the lower floors and park (see Section 6.9). The effect of lighting during operation was considered in relation to historic buildings (including Hilton Hall) at paragraph 6.9.45 to 6.9.47. This concluded an overall reduction in light overspill, from the current levels, due to the use of LEDs. Impacts on Hilton Park were considered in para 6.9.50 to 6.9.52 which concluded lighting at the M54 Junction 1 would have a similar or lesser effect, at night, from within the park and would not be sufficient to affect the significance of the asset.</p> <p>Night time views are considered in Chapter 7: Landscape and Visual of the ES [APP-046/6.1]. Night-time surveys were undertaken to understand the baseline lighting conditions in the vicinity of the Scheme. Night-time viewpoints were photographed from locations around Dark Lane and Hilton Lane - and observed, but not recorded, from elsewhere in the study area. Photographs were taken from four of these locations; these can be found in Figures 7.13C [APP-096/6.2], 7.18C [APP-101/6.2], 7.19C [APP-102/6.2] and 7.25C [APP-108/6.2] of the ES.</p> <p>Tranquillity is considered within the assessment of cultural heritage where it contributes to the overall special interest of a heritage asset. However, the assessment of tranquillity is specific to landscape and not explicitly referenced within the Cultural Heritage chapter. The perceptual aspects of landscape resources,</p>

WQ No	Reference (in bold) and Question	Respondent	Applicant's/Interested Party Response D1	Applicant's Deadline 2 Response
				including tranquillity, form part of the eight criteria for assessing landscape value. Tranquillity is also considered as part of the assessment on visual impacts.
1.6.8	<b>Geophysical surveys</b> a) Paragraph 6.6.36 of Chapter 6 of the ES [APP-045] indicates that three areas originally identified for geophysical survey were not surveyed due to livestock being present. Is the Applicant seeking to undertake the surveys? b) Are the interested parties satisfied that sufficient information exists to allow a proper consideration of the matter without any further survey work?	The Applicant	<p>Geophysical survey was undertaken across the Scheme boundary in April 2019. There were 19 areas proposed for survey based on draft Order Limits. Three areas were not surveyed due to the presence of livestock in the fields, Areas 4, 10 and 18 as outlined in Appendix 6.3 of the ES [APP-171/6.1]. Since the geophysical surveys were undertaken the Order Limits of the Scheme have been altered and Areas 4 and 10 are now outside the Order Limits.</p> <p>As reported in Chapter 6: Cultural Heritage [APP-045/6.1] of the ES, nine anomalies were recorded across the geophysical survey areas which were completed. All the anomalies are thought to represent agricultural practices or modern disturbance. Other responses from the survey mainly consisted of strong magnetic disturbances of made ground and modern disturbances, as well as relatively weaker linear responses of agricultural activity. The survey concluded that the majority of the anomalies identified related to modern material, objects related to agricultural activity, or geological variations. No clear patterns were identified indicating relationships between the anomalies.</p> <p>It was therefore agreed with the County Archaeologist, as set out in the SoCG with SCC [TR010054/APP/8.8LA(A)], that based on our current knowledge of the archaeological potential of the proposal site, augmented by detailed desk-based assessment and geophysical survey, that it is unlikely that any groundworks associated with the scheme would impact on previously unrecorded below-ground archaeology of national significance. Therefore, no further geophysical surveys are required.</p>	N/A
		Allow Ltd	<p>We are unable to establish whether sufficient information was gathered, however it is suggested that surveys could be rearranged or livestock could be moved if surveys are required. One of the areas where geophysical survey was planned but not undertaken was within Hilton Park. This was Area 4, to the south-east of Lower Pool, but almost all of this proposed area of geophysical survey is actually outside the land to be acquired for the scheme so should not pose an issue.</p>	See Applicant's response to this question.
1.6.10	<b>Archaeology/ Trial Trenching</b> a) Paragraph 6.2.23 of the ES [APP-045] indicates that trial trenching "should be undertaken after the submission of the DCO". It is not clear whether this has now happened, or it programmed for the future. If it has happened could the Applicant, please provide the results? b) If it is for the future, could this precisely be identified when in the process this is to take place and how would it be secured?	The Applicant	<p>a) As reported in Paragraph 6.3.23 of the ES [APP-045/6.1] it has been agreed with the County Archaeologist that trial trenching will be undertaken once the detailed design of the Scheme has progressed to allow a more focused and appropriate level of evaluation. Detailed design is progressing and the location of trial trenches and a written scheme of investigation is currently being produced in consultation with the County Archaeologist to progress this matter.</p> <p>b) Table 3.2, PW-CH1 of the OEMP states, 'Evaluation trenching shall be undertaken prior to the start of construction during the progression of detailed design, as agreed with the County Archaeologist. This should be undertaken early in the programme, to allow the development and implementation of mitigation measures (which will be identified in the Archaeological Management Plan – see PW-CH2), particularly where any additional archaeological features are identified.' As set out in the OEMP this will be secured through Requirement 4 and Requirement 9 of the draft DCO [AS-075/3.1]. Trial trenching is currently being planned to take place in Winter/Spring 20/21.</p> <p>c) The risk of finding remains of more than local value is considered to be low. No archaeological features were identified during the archaeological monitoring of the ground investigation, geophysical survey or from analysis of cropmarks, other than those identified in Chapter 6: Cultural Heritage [APP-045/6.1] of the ES. Mitigation measures for unknown archaeological assets will be identified in the Archaeological</p>	N/A



WQ No	Reference (in bold) and Question	Respondent	Applicant's/Interested Party Response D1	Applicant's Deadline 2 Response
			<p>Management Plan (AMP) following the results of the trial trenching, as set out in PW-CH1 and PW-CH2 of the OEMP [AS-112/6.11].</p> <p>The AMP will detail the procedures required to ensure excavation of any identified features and will be prepared in consultation with the County Archaeologist. Remains of such importance as to require Scheme design changes are not anticipated. Therefore, the Scheme is not anticipated to result in a significant adverse effect on unknown archaeological assets and the results of the trial trenching are not required to reach this conclusion.</p> <p>d) N/A</p>	
		SSC	Seek advice from SCC – SSC seek advice from their archaeologist.	N/A
		SSC	<p>Given the archaeological potential of the development area, as informed by the archaeological desk-based assessment, archaeological watching brief during geotechnical investigations, and geophysical survey, the SCC County Archaeologist (SCCCA) advised that a further stage of archaeological evaluation, in the form of trial trenching, should be carried out. It was advised that ideally this work should be carried out presubmission of DCO. However, following discussions with the applicant, it was agreed, given the level of potential and the likely significance of any archaeological features that would be encountered by the trial trenching (as informed by the previous stages of evaluation), that this further stage of evaluation could be carried out post DCO submission once the detailed design was in progress. This would allow for a more focussed approach to be developed in terms of the trenching requirements based on the actual required land-take/footprint for/of the scheme. It was cautioned at the time that such an approach could have potential impacts in terms of programme and design should significant archaeological features be encountered, and it was agreed that the trial trenching should be carried out as early in the programme as possible to help mitigate this.</p> <p>SCCCA sought further clarity as to what 'early in the programme' meant specifically and Paragraph 6.8.4 of the ES was amended to specify that the trial trenching would take place once the 'detailed design is in progress' and 'before the details of the design are finalised and prior to the commencement of any phase of construction, to allow the development and implementation of mitigation measures'.</p> <p>In terms of a) it is our understanding that the trial trenching has not happened to date. Further details about the proposed methodology can be found in the Archaeological Mitigation Strategy included in the OEMP, including the requirement for the applicant's contractor to submit a Written Scheme of Investigation (WSI) for the trial trenching for the approval of the SCCCA. The SCCCA has yet to receive or approve such a WSI and no discussions have been had in terms of the amount, location or layout of trenches.</p> <p>b) The applicant should be able to advise as to when it is their intention to carry out the trial trenching. As noted above, this work should take place once the 'detailed design is in progress' and 'before the details of the design are finalised and prior to the commencement of any phase of construction, to allow the development and implementation of mitigation measures'. It is recommended that this timetable is better reflected in the Archaeological Mitigation Strategy- for example Section 2.4 does not include the clarifications provided in Par 6.8.4 of the ES.</p> <p>c) Pre-DCO evaluation comprising archaeological desk-based assessment,</p>	<p>A written scheme of investigation detailing a programme of evaluation trenching has been produced and was sent to the SCC County Archaeologist for approval on 10 November 2020. The preparation and agreement of this document will allow for the evaluation trenching to be undertaken at the earliest, appropriate opportunity.</p>

WQ No	Reference (in bold) and Question	Respondent	Applicant's/Interested Party Response D1	Applicant's Deadline 2 Response
			<p>archaeological watching brief during geotechnical investigations, and geophysical survey has provided a strong baseline in terms of understanding the archaeological potential of the development site and the potential significance of any previously unknown heritage assets that may be encountered during the trial trenching. Should something unexpected arise during the trial trenching exercise, the Archaeological Mitigation Strategy outlines the potential for considering preservation in situ as an option and also outlines what preconstruction and construction phase archaeological works will be required. Decisions as to the nature and extent of the above will be determined in consultation with the SCCCA.</p> <p>d) The SCCCA is content with this approach so long as the applicant can be more specific about when they intend to carry out the trial trenching and the Archaeological Mitigation Strategy is updated accordingly.</p>	
		Allow Ltd	<p>b) This is an important issue. Chapter 6 of the ES states that evaluation trenching will be undertaken after submission of the DCO, but early in the programme – presumably meaning the detailed design programme as the results are supposed to feed into the detailed design of the scheme (6.3.23). The results will also enable the development and implementation of further mitigation measures (for archaeological sites and features), including, where possible, preservation in situ (6.8.4).</p> <p>The geophysical survey of parcel 5/2 (Survey Area 6) was fairly unsuccessful due to the presence of a considerable amount of modern material (probably associated with car boot sales), and the eastern part of the field was not surveyed at all due to obstructions related to a car boot sale. The geophysical survey of parcel 4/20c (Survey Area 3) was more successful but also found modern material to be present. There were also some anomalies which may represent archaeological activity.</p> <p>As no trial trenching has been undertaken within parcels 5/2 and 4/20c (or indeed anywhere at all within the Scheme boundary), the presence/absence of archaeological sites/features remains uncertain – this means that the SoS cannot assess the particular significance of any such sites/ features that may be affected.</p> <p>Of equal importance on this point is what happens if significant archaeological remains are found to be present in parcels 5/2 and 4/20c once the trial trenching has been carried out? The further mitigation suggested in Chapter 6 of the ES includes preservation in situ of archaeological remains – but this would mean no woodland planting and no ecology ponds, thus the proposed environmental mitigation would not be possible and would need to be reallocated to another location as part of the detailed design.</p>	<p>The strategy to undertake the evaluation trenching at the detailed design stage was discussed, reviewed and agreed with the SCC County Archaeologist. The potential for archaeological deposits was determined to be low. This result was based on not only geophysical survey which produced no evidence of significant features but also detailed desk-based research.</p> <p>By taking this agreed approach we have avoided intrusive work in areas that would otherwise not be impacted by the scheme, by waiting until more information on the detailed design is available. We are also confident that should any archaeological deposits be identified within the Scheme boundary as a result of the evaluation trenching, it will be possible to mitigate the impact on them. This can include, but is not limited to, detailed excavation of areas where archaeological deposits are identified and require further analysis and the raising of soil depths to avoid root damage in areas of ecological mitigation to aid preservation in situ.</p> <p>Notwithstanding this, a written scheme of investigation detailing a programme of evaluation trenching has been produced and is with the County Archaeologist for approval. The preparation and agreement of this document will allow for the evaluation trenching to be undertaken at the earliest, appropriate opportunity.</p>
1.6.13	<b>Hilton Park</b> a) Paragraph 6.6.82 of Chapter 6 of the ES [APP-045] refers to former areas of the Hilton Hall park being covered by gravel pits. Are these areas subject to restoration, either under planning conditions or ROMP	The Applicant	a) No. These are historic gravel pits marked on 19th century mapping. They are no longer extant. b&c) N/A	N/A
		SCC	Answer missing from submitted document.	N/A

WQ No	Reference (in bold) and Question	Respondent	Applicant's/Interested Party Response D1	Applicant's Deadline 2 Response
	<p>provisions of the Environment Act 1995 (as amended)?</p> <p>b) If so, what restoration, if any, is proposed for these areas?</p> <p>c) Do these provisions have any implications for the consideration of this matter?</p>			
1.6.17	<p><b>Hilton Hall</b></p> <p>a) Appendix 6.5 to Chapter 6 of the ES [APP-045] provides further information on Hilton Hall and its parkland. Although not explicitly stated as such this describes its significance. Do the parties consider that it adequately and appropriately sets out its significance?</p> <p>b) Are there any considerations that have been omitted and should thus be further considered?</p>	SSC	b) No	N/A
1.6.20	<p><b>Heritage Assets in Shareshill and Little Saredon</b></p> <p>a) In paragraph 6.9.48 of Chapter 6 of the ES [APP-045] reference is made to operational effects on heritage assets in Shareshill and Little Saredon. Given it is stated "traffic movement associated with the Scheme may be visible from historic buildings located in Shareshill and Little Saredon" there is a reasonable prospect that there would be construction effects also visible. Is this assumption likely to be correct?</p> <p>b) Could an assessment be undertaken of construction effects to these heritage assets? Such an approach should be justified</p>	<p>The Applicant</p> <p>SSC</p>	<p>a) Paragraph 6.9.48 of the ES [APP-045/6.1] concludes that there are no operation effects on assets in Little Saredon or Shareshill "Due to traffic movement associated with existing infrastructure in proximity to these assets, and their location within settlements." Similarly, no construction effects are anticipated.</p> <p>b) N/A for the reason above.</p> <p>a) SSC agree that if there is the potential for traffic movement to be visible from historic buildings within Shareshill and Little Saredon, then it is also reasonable to expect there to be visual impacts from the construction traffic. Whilst this will not be a permanent situation, it will impact upon the setting of the heritage assets and will need to be taken into consideration. It is assumed that there will be the use of substantial earth moving equipment as part of the construction phase of the new road, and these will potentially be visually intrusive.</p> <p>b) An assessment of the impact of this phase of the scheme would be beneficial in order to ensure that the impact on the setting of these assets is minimised as much as possible.</p> <p>NPPF, 2019 states: "Setting of a heritage asset: The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral." The NPPF outlines in paragraph 189: "In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting." The scheme may impact upon the setting of these assets, but there are obvious public benefits of the road, which would be used to outweigh this harm. However, all potential impacts should be identified.</p>	<p>N/A</p> <p>Sections 6.7.2 and 6.7.3 of the ES [APP-045/6.1] outline all elements of construction assessed for potential impacts on heritage assets, including, but not limited to, the presence and movement of construction plant and machinery and the use of traffic management and increased volumes of traffic on the local road network. Accordingly, all aspects have been considered in the assessment of each asset and only those considered to be impacted by the Scheme are reported in the ES [APP-045/6.1]. No impacts on the significance of the assets arising specifically from the operation of construction machinery or construction traffic were identified. Whilst it is possible that construction traffic may be visible from assets in Shareshill and Little Saredon, this traffic would be temporary and as with the operational impact, would have no impact on the significance of the assets.</p> <p>While the permanent impact of moving traffic during operation on historic buildings within Shareshill and Little Saredon has been considered and noted as a potential impact, it was concluded that this would have no impact on the significance of the assets and therefore is not discussed in Section 6.9 'Assessment of Likely Significant Effects'.</p>
<b>1.7</b>	<b>Landscape and Visual</b>			

WQ No	Reference (in bold) and Question	Respondent	Applicant's/Interested Party Response D1	Applicant's Deadline 2 Response
1.7.1	<b>Clarification</b> Could SC and SSC please explain the relationship between them in relation to the provision of advice relating to landscape and visual effects in the determination of planning applications and applications for development consent?	SSC	With regards to planning applications advice is sought from our SSC tree officers. In terms of the DCO, as the landscape value is considered to be low, no further advice has been sought after and a planning judgement made.	N/A
		SCC	There is no relationship. SCC's advice is currently provided by an external contractor and there is no scope in this arrangement for conferring with SSC.	N/A
1.7.6	<b>General Approach</b> Is the assessment undertaken against a baseline conclusion that the receiving landscape is of low landscape value – is this reasonable and agreed position by all parties?	SCC	The baseline landscape character assessment is accurate and fairly described. There may be locally valued landscapes affected which the local community have made representations about- detailed design should review these comments and mitigate where possible.	Noted
		SSC	Yes	Agreed
		NE	Natural England only provides landscape planning advice for schemes affecting the nationally designated landscapes of National Parks and Areas of Outstanding Natural Beauty. This development scheme does not fall within that category and we are unable to comment on the deemed value of the receiving landscape. The local planning authority may be able to comment based on their local knowledge of the landscape in question.	N/A
		CWC	A viewpoint assessment from the top of Bushbury Hill may be considered appropriate. It is some distance from the main junction with the M54 at Featherstone and that the revised junction proposed is partly shielded by existing buildings which reduced the impact of the proposed works from this viewpoint, however, an assessment would confirm that no harm would arise.	With regards to the views from Bushbury Hill, the hill is situated more than 1km away from the Scheme boundary and it is considered that the Scheme is likely to form only a minor element of views beyond 1km of the Scheme boundary due to viewing distance. Further assessment is not considered to be proportionate.
		Allow Ltd	<p>Allow Ltd would contest that the receiving landscape is not of low landscape value due to the quality and historical context of the landscape.</p> <p>Table 7.7 of the ES identifies seven factors which are used to determine landscape value. Of these seven factors, four have been ascribed a 'low' value whilst three have been ascribed a 'medium' value, leading to an assessment that the study area is of low landscape value.</p> <p>One of the factors to which a 'low' value has been ascribed is that of 'Conservation interests'. The description of this factor within Table 7.7 refers to Hilton Park (a locally-designated Historic Landscape Area and also to the presence of two Grade I listed buildings within the park.)</p> <p>However, there are also several Grade II listed buildings within Hilton Park which are not referenced in the description within Table 7.7, including the Portobello Tower – a prominent commemorative tower of mid-18th century date which records the capture in 1739 of the Spanish town of Porto Bello in the West Indies by Admiral Vernon, a distant cousin of the owners of Hilton Hall.</p>	Refer to Applicant's response to WQ 1.7.16 and WQ 1.7.17.



WQ No	Reference (in bold) and Question	Respondent	Applicant's/Interested Party Response D1	Applicant's Deadline 2 Response
			<p>We append herewith a report prepared by RPS Consulting Services Ltd, specialist Historic Landscape Consultants which provides additional information regarding the history and development of Hilton Park.</p> <p>Specifically, the report finds that surviving elements of the post-medieval park may have been associated with Humphrey Repton, the renowned landscape designer who worked mostly in the latter part of the 18th century. This is not adequately acknowledged within the documents submitted by the Applicant, largely due to a flawed appraisal of historic maps. The current state of preservation of the historic park, along with the association with Repton and the presence of a number of significant historic buildings within the park, means that it has an enhanced level of importance.</p> <p>We consider that the level of importance of Hilton Park has been underplayed by the Applicant and that the correct value of the 'Conservation interests' factor in Table 7.7 of the ES should be 'Medium'. This would therefore mean that four of the seven assessed factors would be of 'Medium value' with the remaining three factors being of 'Low' value. The overall landscape value of the study area should therefore be considered to be 'Medium' rather than 'Low'.</p> <p>Similar comments can apply to Question 1.7.16 directed to the Applicant.</p> <p>We reserve the right to respond further following advice from a Landscape Consultant.</p>	
		Nurton	We agree that the existing baseline landscape quality is graded as low and should be recognised as such.	N/A
1.7.7	<p><b>Representative viewpoints</b></p> <p>a) The Applicant has set out a series of viewpoints in Figures 7.5 to 7.25 [APP-088 to APP-108] which it sees as representative. Do the parties consider that any additional viewpoints, not covered by the representative viewpoints, should be considered?</p> <p>b) If so, please provide details of the additional viewpoint(s), preferably on an Ordnance Survey base, explain why that viewpoint has not been already represented by one of the existing viewpoints and why it is important. It may be that rather than produce photographs the ExA may be able to visit the viewpoint as part of one of the Site Inspections.</p>	<p>SSC</p> <p>SCC</p>	<p>No</p> <p>The viewpoints are representative and they cover the whole study area. As discussed in 1.7.6 above there may be locally valued viewpoints as highlighted by the local community which have not been considered to date. Detailed design should review any community representations on landscape views and attempt to address and mitigate the impacts.</p>	<p>N/A</p> <p>Noted</p>
1.7.8	<b>Vegetation Growth rates</b>	SCC	Growth rates as described are reasonable in normal growing conditions. Monitoring and review of maintenance and management post completion should measure growth	As set out in Chapter 7: Landscape and visual of the ES [APP-046/6.2] paragraph 7.10.2 states:

WQ No	Reference (in bold) and Question	Respondent	Applicant's/Interested Party Response D1	Applicant's Deadline 2 Response
	<p>a) Do the parties agree that the vegetation growth rates set out in paragraph 7.4.6 of Chapter 7 of the ES [APP-046] are reasonable?</p> <p>b) If not, what growth rates should be used. Please justify your answer along with evidence to support such a view.</p>		<p>rates against the predicted values and should propose remedial work or replacement planting with more mature stock in sensitive areas where screening has not been effective.</p>	<p><i>"All landscape planting forming part of the Scheme design would be routinely inspected, managed and maintained post-construction in accordance with the requirements as stipulated within the HEMP. Such maintenance practices would ensure that all landscaping establishes and achieves its intended environmental functions and objectives (as indicated in Figures 2.1 to 2.7 [TR010054/APP/6.2]). Monitoring of the establishment, growth and maintenance of landscape planting, would be undertaken on a quarterly basis during the establishment period (5 years) to ensure its successful delivery. During year 15, a visit would be made to each viewpoint with anticipated residual significant adverse effects to ensure that the landscape mitigation planting has established and is delivering the intended screening and landscape integration objectives. Should the landscape planting be found not to be sufficient to provide the anticipated level of screening and landscape integration remedial works would be undertaken as appropriate, which could include further mitigation planting"</i></p> <p>This is secured in the OEMP [AS-112/6.11], Table 3.3 "MW-LAN3 - Any failures of landscape planting and seeding would be managed via the specification and works requirements. This would ensure annual replanting and reseeded works are undertaken (as required) to achieve successful establishment of the landscape and ecology mitigation proposals at completion of the construction works and during the agreed defects liability period."</p>
		SSC	SSC agrees that the vegetation growth rates set out in paragraph 7.4.6 of Chapter 7 of the ES [APP046] are reasonable.	N/A
1.7.9	<p><b>Landscaping Planting</b></p> <p>In its Relevant Representation [RR-010] Cadent Gas Limited indicates concerns about planting in the vicinity of proposed gas infrastructure (proposed works 68, 75 and 79). Could Cadent Gas Limited explain in detail what wayleaves (in terms of width) it would require, in each case, to allow for maintenance of diverted pipelines, and whether this would be sought over the whole length of the pipeline?</p>	Cadent Gas Ltd	<p>In relation to the interest required by Cadent in respect of diverted gas infrastructure, Cadent must secure a deed of easement as part of the protective provisions as it has no statutory power to lay gas pipelines in private land. A legal easement is required on the basis that it is a registrable interest which is granted in perpetuity in order to protect Cadent and the public (as opposed to a wayleave which is personal between parties, and is not registrable). Cadent's standard form deed of easement should be used to ensure consistency in dealings and further, Cadent is under a statutory duty not to confer any undue preference to its customers and so has developed standardised documentation. This specifically includes (amongst others) the following covenants on the part of the landowner which will be sought over the whole length of the pipeline:</p> <p><i>"(i) The Grantor shall not without the prior consent in writing of Cadent Gas Limited make or cause or permit to be made any material alteration to or any deposit of anything upon any part of the Strip of Land (including, without prejudice to the generality of the foregoing, the planting of any trees or shrubs) so as to interfere with or obstruct the access to the Strip of Land or to the Works by Cadent Gas Limited or so as to lessen or in any way interfere with the support afforded to the Works by the surrounding soil including minerals or so as materially to reduce the depth of soil above the Works;</i></p> <p><i>(ii) The Grantor shall not erect or install or cause or permit to be erected or installed any building or structure or permanent apparatus in, through, upon or over the Strip of Land PROVIDED that in respect of the Strip of Land nothing in this Clause shall prevent the Grantor from:</i></p> <p><i>(a) installing any necessary service pipes, drains, wires or cables; and/or</i></p> <p><i>(b) carrying on normal acts of good husbandry including fencing, hedging and ditching; and/or</i></p>	<p>The Applicant notes the comments from Cadent Gas. Articles 8(4)(d), 23(2) and Schedule 5 of the DCO will operate to allow Cadent to secure an easement in an acceptable form and it is noted that Cadent has welcomed these provisions in its response to WQ 1.5.52 above.</p> <p>Version 2 of the Environmental Masterplan [AS-086 to 092/6.2] submitted to the ExA on 9 October has been updated to address the concerns raised in relation to woodland and hedgerow planting over and in close proximity to the gas main diversion route. No dense tree planting is proposed within 10m of the utilities diversion in line with Cadent's guidance note on tree planting restrictions near gas pipes.</p>

WQ No	Reference (in bold) and Question	Respondent	Applicant's/Interested Party Response D1	Applicant's Deadline 2 Response
			<p>(c) landscaping or constructing roads, cycleways, footpaths and parking areas (including installing lighting and associated removable street furniture such as street or area name plates, columns, bollards, bins and seats);</p> <p>in each case not so as to cause any such interference obstruction or material reduction of the depth of soil as aforesaid BUT ALWAYS SUBJECT TO and CONDITIONAL UPON Cadent Gas Limited or its agents having given its prior written consent (which shall not be unreasonably withheld or delayed but may be given subject to conditions) to any such works, uses and activities, doing such works under the supervision of Cadent Gas Limited (if required by it) and the Grantor shall supply to Cadent Gas Limited with any application for such consent all reasonable information that Cadent Gas Limited may require in order to consider any such request (including but not limited to drawings, risk assessments method statements and specifications)."</p> <p><b>Easement Widths</b></p> <p>The widths of the relevant easement strips depend on a number of factors. Please see the "Engineering Bulletin" at Appendix 2 hereto which provides some guidance on the factors involved, and standard easement widths for varying pressure tiers and materials. Please note the standard easement widths referred to in the Engineering Bulletin should not be taken as confirmation of easement widths in relation to this or any other scheme - each scheme must be considered on a case by case basis.</p>	
1.7.10	<p><b>Valued landscape</b></p> <p>a) Is the HLA a 'Valued landscape' in the context of the NPPF?</p> <p>b) If yes, then in the landscape section it needs to be clearly brought out and demonstrated how the affect is brought into the overall conclusion and how this sits with the baseline assessment that the area is of low landscape value.</p>	The Applicant	<p>The Historic England website provides Historic Landscape Characterisations (HLC) guidance which "provides a method of identification and interpretation of the varying historic character within an area that looks beyond individual heritage assets as it brigades understanding of the whole landscape", . It notes "that HLC does not attach an expert's ascription of significance or value, recognising that these are not immutable." The Landscape and visual assessment reported in Chapter 7 of the ES [APP-046/6.1] follows GLVIA3 guidance in assessing value by means of the criteria provided in Box 5.1 in the guidelines. Our assessment based on those criteria is provided in Table 7.8: "Factors in determining landscape value of the study area". Under conservation interests (covering both ecological value and historical/conservation value) we reach a conclusion of low landscape value for the study area as a whole, reflecting a balanced view of the Scheme context within the study area. GLVIA3 guidance in Box 5.1 is based on a balance of a range of factors. The Historic Landscape Area (HLA) designation is a local designation and whilst it confers or implies historic value it does not as confirmed by Historic England, on its own, constitute a "valued landscape".</p>	N/A
		SSC	<p>HLAs in the District are a historic local plan designation and do not have a specific evidence base or rationale behind their retention in current policy, other than Policy EQ4 which states "Proposals within the Historic Landscape Areas (HLA) defined on the Policies Map should have special regard to the desirability of conserving and enhancing the historic landscape character, important landscape features and the setting of the HLA. The County Council's Landscape Character Assessment and Historic Landscape Characterisation will provide an informed framework for the decision making process". The existence of the HLA does not automatically equate to a valued landscape, particularly given the dated nature of the evidence base behind the HLA designation. However, there are numerous listed assets in close proximity to the area of HLA affected by the route, which are dealt with by the Council's Conservation Officer.</p>	N/A

WQ No	Reference (in bold) and Question	Respondent	Applicant's/Interested Party Response D1	Applicant's Deadline 2 Response
1.7.16	<b>Landscape value</b> a) Table 7.7 Factors in determining landscape value of Chapter 7 of the ES [APP-046]. Can you provide further justification and explanation as to why scenic quality is 'low' when there are significant areas of remnant parkland (an HLA) Woodland TPO and individual TPO's across the site albeit that there are also significant detractors? b) Why is this not medium?	The Applicant	a) Paragraphs 7.6.27 and 7.6.28 coupled with the analysis provided against the GLVIA3 Box 5.1 criteria presented in Table 7.7, provide the reasoning behind the conclusion. Although these elements are present within and contribute to the study area, the balance of factors which influence the value lies with the highway context and urban fringe nature of the locality. Although the study area is assessed as being of low value, primarily due to the highway dominance and urban fringe nature, this is combined in a conservative way with susceptibility to result in moderate sensitivity. In the balancing exercise between susceptibility and value as components of sensitivity the weight attached to the low value is, in effect, discounted in favour of an upwards sensitivity rather than downwards. b) The resultant sensitivity if medium value is adopted would remain moderate and not be elevated into the major category. As explained above we have therefore taken a cautious approach in combining value and susceptibility to determine sensitivity.	N/A
		Allow Ltd	We reserve the right to respond further following advice from a Landscape Consultant.	N/A
1.7.17	<b>Landscape value</b> In Table 7.7 Factors in determining landscape value of Chapter 7 of the ES [APP-046] 'Conservation Interests' again identified as 'low' however there are grade I listed buildings Grade II* listed buildings and numerous Grade II listed buildings as well as a local designated HLA why does this not elevate the value above 'low'?	The Applicant	Whilst the overall landscape value is considered to be low, with regards to conservation interests, the presence of the HLA and other cultural heritage designations, coupled with the ancient woodland ecological designations could be considered to be medium rather than low. However, as this is just one element of a number of criteria, we consider that the overall landscape value remains low. Hilton Park HLA comprises remnant parkland, with some areas of poor condition and has a limited contribution to the character of the surrounding landscape owing to its enclosed nature. The historic parkland has been identified as being of medium significance within the cultural heritage assessment [AS-046/6.1], taking into account the various designated assets within it. However, the HLA takes into consideration other elements such as its condition and its contribution to the character of the surrounding landscape. Taking these factors into consideration, Hilton Park HLA is assessed as low value.	N/A
		SSC	As significant parts of the site area are representative of historic parkland and the numerous listed assets in close proximity to the site suggest that the value ascribed to Conservation Interests in Table 7.7 should be medium. However, as previously set out, the landscape value overall is considered to be low.	Refer to Applicant's response to this question.
		SCC	The significance of Hilton Park as an 18th century historic parkland is acknowledged in the ES as a rare example in the landscape and visual impact assessments, however overall the value of the feature is classed as Low. The parkland at Hilton Park is a feature which is not found elsewhere within the study area and is considered to be relatively rare. However, there are no other rare elements within the study area. This argument did strike me as being flawed as if the generally low conservation interests 'water down' the rare example at Hilton Park.	The approach taken is consistent with GLVIA3 approach to value set out in Box 5.1 of that guidance. Conservation value covers both heritage assets and ecological assets but is just one of 8 criteria to be considered when determining the overall landscape value.
		Allow Ltd	We reserve the right to respond further following advice from a Landscape Consultant.	N/A
<b>1.8</b>	<b>Noise and Vibration</b>			
1.8.4	<b>Wind direction</b> Appendix 11.2 to the ES [APP-195], along with Figure A11.2.2, set out the wind direction during the monitoring period. During this period there was very little wind from the south-west quadrant, which is, of course,	The Applicant	As described in paragraphs 11.3.5 and 11.3.6 of the ES [APP-050/6.1 and all subsequent revisions] the purpose of the noise survey was to assist with developing an understanding of the general noise climate along the route of the Scheme. For example, to identify if any other local noise sources (other than road traffic) are present and contribute significantly to the local noise climate. The results of the baseline noise survey have been used to support a validation exercise for the traffic noise prediction modelling. At all the long-term monitoring locations the predicted L <sub>A10,18h</sub> noise levels match very well with the upper range of the measured levels, within 0.4 dB. The noise	N/A



WQ No	Reference (in bold) and Question	Respondent	Applicant's/Interested Party Response D1	Applicant's Deadline 2 Response
	the prevailing wind direction in the UK. Does the lack of data of wind from this direction have any implications for the consideration of noise and vibration effects?		<p>prediction methodology as set out in the Calculation of Road Traffic Noise (CRTN) is designed to be conservative, in particular with regard to wind, in that it assumes noise propagation conditions consistent with "moderately adverse wind velocities and directions". Therefore, it is as would be expected that the upper range of measured levels match well with the predicted levels. The assessment of operational traffic noise effects is based on predicted levels, measured baseline levels are not used directly in the assessment. As the measurements support the validity of the prediction model, the limited periods of wind from the south-west quadrant do not have any implications for the consideration of these effects.</p> <p>In line with the current DMRB LA111 vibration effects are only considered for construction and not for the Scheme operation, and wind is not a factor in the propagation of groundborne vibration from construction works, therefore the measured wind direction has no implications on the consideration of vibration effects.</p>	
		SSC	In Table A11.2.2 the applicant has made no reference to the wind direction being atypical and there would be some impact on background noise levels. However, the applicant has acknowledged that there has been some impact causing elevated background levels through the effect of rainfall. On balance therefore any reduction caused by wind direction is likely to be offset by increases caused by rainfall. Any resulting differences are likely to be marginal.	Refer to the Applicant's response to this question. Appendix 11.2 of the ES [APP-195/6.3] states that "[the rainfall] was not of an appreciable level [max. 0.6 mm / day] and consideration of the measured noise levels does not indicate that these periods of rainfall resulted in unusually high noise levels."
<b>1.9</b>	<b>Geology and Soils</b>			
1.9.3	<p><b>Best and Most Versatile Land</b></p> <p>a) In considering the loss of the BMV agricultural land the Applicant has assessed this against the quanta of the various categories in the National Character Area of the application site. Do the interested parties consider that this is a valid approach, or should some other metric be utilised?</p> <p>b) If another metric is to be used, what should this be and what would be the value judgement of this loss?</p>	NE	<p>As the BMV policy is a national one, we usually suggest that the % BMV within the site area is compared with the national breakdown of BMV (estimated at 42%) for England – see TIN049 p2 first para.</p> <p>This comparison gives an indication as to whether there is a disproportionate loss compared with the national situation. There would not be a reliable breakdown of the ALC grades, including the subdivisions of Grade 3, for geographical areas like character areas as these will be based on measurements from the 1:250,000 provisional ALC map. As you know, this does not show the sub-divisions of Grade 3 and predates the revision of the ALC grading criteria which took place in 1988.</p> <p>The 42% value has been estimated independently using the MAFF, 1988 ALC grading criteria using data from the national soil inventory collected at 5km points (defined by the national grid) across England to grade just over 4000 points; the results (unpublished) are attached below for your information.</p>	<p>The loss of BMV has not been assessed against the national proportions of BMV or the proportions within the National Character Area of the application site. The loss of BMV has been assessed against the criteria set out in DMRB LA 109 Geology and Soils and LA 104 Environmental Assessment and Monitoring.</p> <p>The total areas of each BMV grade for the National Character Area is provided to outline the high proportions of BMV found in the vicinity of the Scheme but does not form part of the criteria for which impacts are assessed against.</p> <p>To be progressed through further consultation and reported within the SoCG between Highways England and Natural England [REP1-029/8.8P(B)].</p>
		CWC	The only components of the scheme within the CWC area are signage. Defer to SCC and SSC for comment.	N/A
		SCC	N/A	N/A
1.9.4	<p><b>Land Stability</b></p> <p>a) Table 9.7 in Chapter 9 of the ES [APP-048] indicates a possible encroachment between the scheme and former underground workings associated with Hilton Main Colliery. Could the Applicant</p>	The Applicant	<p>a) The underground mining referred to in Table 9.7 is illustrated on WQ1.9.4 Figure 1, these are deep underground mining and not shallow workings. They are associated with the Hilton Main – No 1 Downcast shaft (583m deep) and the Hilton Main – No 2 upcast shaft (569m deep), both located south of M54 Junction 1.</p> <p>b) The Scheme boundary is not within the area classed as "Development High Risk Area" by the Coal Authority. The Hilton Main Colliery which these workings are associated with, was closed in January 1969. It is considered that underground mining</p>	N/A

WQ No	Reference (in bold) and Question	Respondent	Applicant's/Interested Party Response D1	Applicant's Deadline 2 Response
	produce a plan showing the extent of known workings with the Proposed Development (including associated development) imposed. b) Could an assessment be undertaken of the risks associated with the proximity of these workings in both the construction and operational periods?	SSC	which occurred over 50 years ago at depths greater than 500m bgl do not pose land stability risks at the surface. As shown on WQ 1.9.4 Figure 1 the existing carriageway of the M54 is located over these workings."  a) n/a b) Ground stability risks associated with former underground mining of coal is a matter to refer to the Coal Authority. The Coal Authority will be able to advise on any stability assessments produced by the applicant.	Noted
1.9.5	<b>Land Contamination</b> Does SSC consider it likely that by the construction year baseline there are to any classification of lands under Part 2A of the Environmental Protection Act 1990 (as amended).	SSC	No	Noted
1.9.7	<b>Borrow Pit</b> a) Paragraph 13.9.37 of Chapter 13 of the ES [APP-052] indicates that no ground investigation has been carried out of the proposed borrow pit. How, therefore, can it be determined that the material here would be suitable for the proposed purpose? b) Is there any information to confirm that this does not suffer from contamination?	The Applicant	a) The borrow pit is located in an area of glacial deposits, as shown in Figure 9.2: Geology Baseline of the ES [APP-140/6.2] and Appendix 9.1, Ground Investigation Report [APP-187 to 191/6.3]. These glacial deposits (glacial clay and glacial sand and gravels) have been extensively studied along the length of the Scheme. Though no ground investigation has been undertaken within the area of the proposed borrow pit, similar geology across the Scheme indicates that the glacial deposits would be suitable for their intended purpose as 'fill' material. All site-won and imported material will comply with the geotechnical and geo-chemical acceptability criteria that will be specified in a Remediation Strategy produced by the preliminary works contractor as set out in Table 3.2 of the OEMP, PW-GEO2.  b) The land which is proposed to be used as a borrow pit historically formed part of Hilton Park as shown in Figure 6.4 [APP-075/6.2] and Figure 6.9 [APP-080/6.2] of the ES and has been used predominantly for recreation and agriculture with a car boot sale currently being held here up to 14 times a year. Therefore, it is not anticipated that the material from the proposed borrow pit would include significant contamination. However, the material from the borrow pit will be subject to chemical testing at the point of excavation and point of placement to ensure compliance with the acceptability criteria as specified in a Remediation Strategy produced by the preliminary works contractor as set out in Table 3.2 of the OEMP, PW-GEO2.  As set out in Table 3.2 and 3.3. of the OEMP [APP-218/6.11 and subsequent revisions], PW-GEO3 and MW GEO2:  <i>"In the event that unexpected soil or groundwater contamination is encountered during construction, the main works contractor is to quantify the extent of the potential risk from the contamination and follow a risk-based approach in accordance with Environment Agency guidance Land Contamination: Risk Management. Where significant risks from soil or groundwater contamination are identified, appropriate mitigation (remediation) to reduce to acceptable levels the potential short and long-term health and safety and environmental risks to sensitive receptors would be identified and implemented.</i>	N/A

WQ No	Reference (in bold) and Question	Respondent	Applicant's/Interested Party Response D1	Applicant's Deadline 2 Response
			<p>Any required additional ground investigations would be undertaken in accordance with UK good practice, including BS 5930:2015 Code of Practice for ground investigations (Ref 3.2) and BS 10175:2011 + A2:2017 Investigation of Potentially Contaminated Sites Code of Practice.”</p> <p>This is secured through Requirement 4 of the draft DCO.”</p>	
		SSC	<p>The sources of information referred to in Chapter 9 paragraph 9.3.9 are comprehensive and the section on made ground (9.6.3 to 9.6.7) identifies specific areas of made ground, which does not include the borrow pit. Chapter 9 concludes minor adverse and negligible impacts in Table 9.15 for the intended uses.</p>	N/A
<b>1.10</b>	<b>Traffic and Transport</b>			
1.10.4	<p><b>Cumulative effects of new development</b></p> <p>a) Paragraph 4.3.13 of the Transport Assessment [APP-222] indicates that the traffic model for future years only includes additional sites for over 150 dwellings. Do the Councils consider that utilising this threshold is reasonable, particularly taking into account the allocations and housing trajectories in their local plans?</p> <p>b) If not, could the parties please identify why they do not consider that this is reasonable.</p> <p>c) What, if any, alternative threshold should be utilised, explaining why that is appropriate?</p> <p>d) Could the Councils provide details of those sites which they consider should also be included, along with whether they consider that they are committed, more than likely, reasonably foreseeable or hypothetical, explaining why they consider that they should be included.</p>	The Applicant	<p>This written question is addressed to the councils but, as the owner of the traffic model, the Applicant is able to help the ExA and clarify their queries relating to traffic forecasting. We hope that the following clarification helps to ensure the model is understood by all parties.</p> <p>The traffic forecasts of future year highway conditions were derived by applying growth factors for each planning district to the base-year trip ends originating in each of the local traffic model's zones. These growth factors were derived from the National Trip End Model (NTEM), which is produced and issued by the Department for Transport (DfT). The DfT's NTEM growth factors for England and Wales take account of the planning projections made by each planning authority for their district.</p> <p>To improve the robustness of the project's local traffic model forecast, certain local development sites were modelled specifically. This approach was taken to reflect the fact that large development sites might have localised traffic impacts that could distort the traffic growth that would otherwise have been applied globally. Any trip-ends generated by these specifically modelled large development sites were then subtracted from the overall trip-end growth (as predicted by the applied NTEM growth factors) for that planning district. This adjustment was made to avoid the double-counting of the new trips generated by these specifically modelled sites (i.e. once by the district-wide application of the NTEM growth factors and once by specific modelling of these large sites).</p> <p>It follows that the increase in traffic associated with small development sites (less than 150 dwellings) are not ignored by the traffic forecasting method, because these sites are accounted for by the district planning authorities' projections, as included within the NTEM trip-end growth factors for each district, and that were applied to all traffic model zones that fall within each planning district. The threshold of 150 dwellings was agreed with Highways England's Transport Planning Group as a robust figure which enabled the modelling to specifically represent reasonably sized housing developments whilst more minor developments were accounted for within homogeneously applied planning growth.</p> <p>This NTEM growth factor approach also means that development sites located outside of the traffic model's study area were accounted for within the local traffic model's traffic forecasts.</p>	N/A
		SSC	<p>a) This threshold does not reflect the Council's housing allocations or adopted policy requirements regarding transport assessments. As such, for the reasons set out in the following question, we would request this is revisited in the context of South Staffordshire, unless the Highways Authority (Staffordshire County Council) confirm their acceptance of a higher threshold</p> <p>b) South Staffordshire's current Local Plan housing allocations are set out in Policy SAD2. This is on page 29 of the Site Allocations Document (SAD) 2018, available</p>	<p>a, b and c) Highways England note that the two highway authorities, SCC and CWC, have accepted that the approach taken is reasonable. Highways England provided an explanation of why this is considered to be reasonable (in the Applicant response to WQ 1.10.4 above) and explained that the traffic forecasts allow for small scale developments, albeit these are not discretely modelled.</p> <p>d) Appendix WQ1.10.4 to this document provides a list of sites that were specifically modelled in the traffic model. All sites indicated as Near Certain or More Than Likely</p>



WQ No	Reference (in bold) and Question	Respondent	Applicant's/Interested Party Response D1	Applicant's Deadline 2 Response
			<p>here;  <a href="https://www.sstaffs.gov.uk/doc/179829/name/APP2%20SAD%20September%202018%20FINAL.pdf/">https://www.sstaffs.gov.uk/doc/179829/name/APP2%20SAD%20September%202018%20FINAL.pdf/</a>. Policy SAD2 shows that the majority of new allocations made to meet growth needs in South Staffordshire are below the 150 dwelling threshold. Equally, Policy SAD9 (page 60) of the SAD 2018 indicates that a transport assessment should usually be needed on any development of 80 dwellings or more. This was inserted into Policy SAD9 at the request of the Highways Authority (Staffordshire County Council). As such, the Council's initial view is that 80 dwellings would be a more appropriate threshold in the context of development from South Staffordshire, unless it is confirmed with the Highways Authority that a higher threshold is appropriate.</p> <p>c) For the reasons given in the answer to the previous question, the Council's initial view is that 80 dwellings would be a more appropriate threshold in the context of development from South Staffordshire, unless it is confirmed with the Highways Authority (Staffordshire County Council) that a higher threshold is appropriate.</p> <p>d) It is unclear from the submitted transport report (APP-222) which sites have already been included in the modelling, beyond the visual indications offered in Figures 4.2 and 4.3. It appears from the process briefly outlined at 4.3.9 and 4.3.13 that all sites set out in Figures 4.2 and 4.3 indicated as Near Certain and More Than Likely were included in the Core scenario traffic forecasts, although the relationships between these figures and the modelled scenario isn't explicit. In the absence of a more detailed list of modelled schemes, we can only offer indicative comments on key schemes that should, in the Council's view, be included in Highways England's Core scenario traffic forecasts. The Council welcomes the broad indication that West Midlands Rail Interchange, i54 extensions and mixed-use developments at Four Ashes have been factored into the modelling (para 4.3.11). However, it is a concern that no mention is made to the ROF employment site and associated access works to deliver this, nor of the allocated/permitted significant cumulative housing delivery in close proximity to the site, which do not appear to be fully accounted for in Figures 4.2 and 4.3. For consistency, and having regard to the Council's recommended threshold of 80 dwellings (see answer to question 1.10.4(b)), the Council would like to seek reassurance that the following schemes in Table 1 have been included within the Core scenario traffic forecasts. This list is focused on strategic schemes in close proximity to the proposed development and is not intended to be a comprehensive list of all schemes that should be modelled from South Staffordshire's geographic area. Please see Table 1 – in a separate attachment</p>	<p>in this list over the threshold were included in the traffic model. This process is necessarily a snapshot in time and given the time taken to build the traffic model, carry out assessments, then carry out the noise/ air quality assessments based on the traffic data, this log was finalised in March 2019. 'Table 1' mentioned in SSC's response does not appear to be available on the Planning Inspectorate website or the documents provided by SSC so Highways England is unable to confirm how listed sites have been dealt with. Table 1 was sent to Highways England on 17/11/20 on the morning of Deadline 2. We have not had sufficient time to consider this to comment on any particular sites of concern and will provide a response at Deadline 3.</p> <p>The reasons that ROF Featherstone was not included in the traffic model have been communicated to SSC and St Francis Group (the site developer). However, for ease of reference the explanation is also provided here.</p> <p>The 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 uncertainty log was developed, it was confirmed with Ed Fox (19 March 2019) at SSC that the ROF Featherstone development was dependent on the M54 to M6 Link 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 then "With-Scheme Forecast" in Section 7.5.</p> <p>Paragraph 7.5.1 states: "... housing or other developments that depend on the scheme <b>must not</b> be included in the with-scheme forecasts ....". 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>We would add 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, with SSC confirming that there remained two access options, each with equal likelihood of proceeding. Given the uncertainty on the access, it would have been difficult to model the site, even if it hadn't been excluded for the above reason.</p> <p>As discussed in Highways England's response to this question above, the trip-end growth forecasts in the traffic model for the link road are from the DfT's 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.</p> <p>The 'cumulative' housing delivery in the area would be modelled as part of the general population growth and economic growth for the area. There is no need to model the smaller (under 150 dwellings) sites individually.</p> <p>The traffic model requires a period of 4-5 months for forecasting and 3-4 months for the appraisal process, therefore even if it were thought to be an appropriate or proportionate solution, it would not be possible to rebuild the traffic model to include</p>



WQ No	Reference (in bold) and Question	Respondent	Applicant's/Interested Party Response D1	Applicant's Deadline 2 Response
				ROF Featherstone or sites between 80 and 150 dwellings within the timeframes of the DCO Examination. However, as with ROF Featherstone, if there are particular sites that SSC have noted over the 150 dwelling threshold that are not modelled, Highways England would be happy to discuss whether anything can be done to reassure SSC that the design of the link road will accommodate the traffic from surrounding developments. Discussion on this issue is ongoing with SSC and will be reported in future iterations of the SoCG.
		SCC	This threshold seems reasonable and is accepted by SCC. We were not consulted on the uncertainty log but understand that LPAs were, and have returned comments. SCC would not raise this threshold as an issue.	Agreed
		CWC	This is reasonable.	Agreed
1.10.5	<p><b>Cumulative effects of new development</b></p> <p>a) Do the parties consider that the long list and short list of other developments (applications and allocations) and assessment for potential significant cumulative effects set out in Table 15.1.1 of Appendix 15.1 [APP-210] is appropriate?</p> <p>b) Are there any other applications and allocations that should have been included, and on which list should they have been included?</p> <p>c) Are any applications and allocations identified on the long list that should have been included on the short list?</p> <p>d) Is the Cumulative assessment with other development (applications and allocations) (Stage 4) set out in Table 15.1.2 considered appropriate?</p> <p>e) If not, please explain your reasoning.</p>	SSC	<p>a) Yes, for most part, but there is a key omission that the Council requires corrected.</p> <p>b) The Council is concerned that Road Option 7 for ROF Featherstone has been omitted from the short list of sites, and only Road Option 9 ROF Featherstone has been considered. Whilst both road access options were allocated in the development plan, Road Option 7 is the preferred access route to the ROF employment scheme (ID29) in the 2018 Site Allocations Document (SAD) DPD. The Planning Inspectorate has previously indicated that both Road Option 7 of Road Option 9 (ID50) are suitable and deliverable access options to the ROF employment site, as set out in paragraph 165 of the 2018 'Report on the Examination of the South Staffordshire Local Plan Site Allocations Document', available here; <a href="https://www.sstaffs.gov.uk/doc/179488/name/SAD%20Inspector%27s%20Report%208%20May%202018.pdf/">https://www.sstaffs.gov.uk/doc/179488/name/SAD%20Inspector%27s%20Report%208%20May%202018.pdf/</a>. The location of both road options are set out in Appendix 3 of the Site Allocations Document (SAD) 2018, which is available here; <a href="https://www.sstaffs.gov.uk/doc/179829/name/APP2%20SAD%20September%202018%20FINAL.pdf/">https://www.sstaffs.gov.uk/doc/179829/name/APP2%20SAD%20September%202018%20FINAL.pdf/</a>. Since the SAD 2018 was examined, the Council have worked with numerous stakeholders to identify a preferred access route to the ROF Featherstone site (Road Option 7). This has involved securing both buy-in and (in some cases) financial support from a number of key partners, such as the Stoke and Staffordshire LEP, the County Council and neighbouring local authorities (e.g. Wolverhampton City Council). This reflects the role of these access routes in delivering significant contributions to the regional economy and the well-established unmet employment needs of the wider economic market area by unlocking an employment site of regional importance (ROF Featherstone). Given the benefits of Road Option 7 and its proximity to the proposed link road/interrelationship with ROF Featherstone's delivery, it should be included in the shortlist of sites.</p> <p>c) The Council is comfortable with the rationale for identifying the existing shortlist sites, barring the omission of Road Option 7 for ROF Featherstone (see answer to previous question).</p> <p>d) No, as it fails to consider cumulative effects that could result from Road Option 7 for ROF Featherstone.</p> <p>e) As set out in the Council's answer to 1.10.5 (b), access Road Option 7 for ROF Featherstone is identified as a deliverable prospect in the adopted development plan (SAD 2018) and is an important part of providing a deliverable employment scheme on the ROF employment site (ID29). Given the access route's status within the development plan, its deliverability as confirmed through a recent local plan</p>	<p>b) It is correct that only Road Option 9 for ROF Featherstone was considered in Chapter 15: Assessment of Cumulative Effects [APP-054/6.1]. Road Option 9 was assessed as the worst case option (given that only one option would be chosen to access the ROF Featherstone development). Option 9 was considered to have greater potential to result in significant cumulative effects with the Scheme due to the closer proximity to receptors assessed within the ES, including the Grade II* listed Moseley Old Hall south of the M54. Road Option 7 falls within the cumulative Zones of Influence (ZOI) for air quality (construction dust), pedestrians, equestrians and cyclists, construction noise, landscape, heritage, the water environment and ecology as defined in ES Chapter 15 [APP-054/6.1]. This development would therefore have been included in Stage 2 of the assessment for further consideration.</p> <p>For Stage 3 of the assessment process (Information Gathering), we have reviewed both the reports identified and the Options Assessment Framework Report: Options 7 and 9 (2018, available at: <a href="https://www.sstaffs.gov.uk/doc/180269/name/Option%20Assessment%20Framework%20Report.pdf/">https://www.sstaffs.gov.uk/doc/180269/name/Option%20Assessment%20Framework%20Report.pdf/</a>).</p> <p>The ROF Featherstone development has advanced significantly as the M54 link road Scheme has developed, with more certainty now provided on access options and more detail on the construction programme available in November 2020 than was available previously.</p> <p>Highways England will work closely with SSC in the development of the Construction Traffic Management Plan (secured by Requirement 10 on the draft DCO [AS-075/3.1], including considering how best to manage any overlap in construction of the two developments, should this be likely to occur.</p> <p>The Option Assessment Framework Report notes that Road Option 7 would not be likely to result in significant environmental effects in relation to landscape, heritage, the water environment or ecology. It is noted that Road Option 7 would result in a slight benefit in terms of improving physical activity through the provision of pedestrian and cycling infrastructure. However, when taken in conjunction with the ROF Featherstone development (ID29) and the housing allocation on the western edge of Featherstone (ID23) this development is part of a major development and has been considered in conjunction with these developments as part of Stage 4 (Assessment). In summary, we note the following:</p> <ul style="list-style-type: none"> <li>With construction best practice employed in relation to controlling noise and dust, it is assumed there would be no significant construction effects as a result of the other development. The works associated with the Scheme</li> </ul>

WQ No	Reference (in bold) and Question	Respondent	Applicant's/Interested Party Response D1	Applicant's Deadline 2 Response
			examination and its proximity to the site, it is considered that this should form part of the assessment of cumulative effects set out in Table 15.1.2.	<p>which are in proximity to the development are minor in nature and consist primarily of replacement and new signage associated with the M54 and the construction of a new balancing bond near Brookhouse Lane. As a result no significant cumulative construction noise effects are anticipated as a result of the potential overlap of construction programmes.</p> <ul style="list-style-type: none"> <li>The design of the ROF Featherstone masterplan is unlikely to affect walking, cycling and horse-riding connectivity in the long term, and would likely bring a benefit to the area. Therefore, no cumulative effects on pedestrians, equestrians and cyclists is anticipated.</li> <li>The site for ROF Featherstone is predominantly brownfield, with the link Road Option 7 noted as not likely to result in significant effects on ecology. Therefore development of the site in a sensitive manner is unlikely to result in significant cumulative effects with the Scheme on ecology.</li> <li>In terms of heritage and landscape, Moseley Old Hall is a grade II* listed building located near the M54 westbound carriageway. Moseley Old Hall Cottage is a grade II listed building located to the south of Moseley Old Hall. Whitgreaves Wood (Viewpoint 19 as noted in ES Chapter 7 [APP-046/6.1]) is located between Moseley Old Hall and the M54 and provides screening of some views of the M54. The listed buildings have a high and medium value respectively, and views from Whitgreaves Wood are considered to have a moderate sensitivity to change. The Scheme would incorporate mitigation to improve the screening potential for Whitgreaves Wood to further reduce views of the M54 from Moseley Old Hall and Whitgreaves Wood, although existing visibility is very limited. This would also limit views of the ROF Featherstone site to the north of the M54. There is limited intervisibility between the two developments. The Scheme is anticipated to result in a slight adverse (not significant) impact on the view from Whitgreaves Wood in the Opening Year, reducing to neutral/slight adverse in the Design Year. The other development is unlikely to change this assessment. The Scheme is not expected to affect the setting of Moseley Old Hall or Moseley Old Hall Cottage, or associated buildings, resulting in a neutral effect.</li> </ul> <p>Overall, no significant cumulative effects are anticipated as a result of this development (Road Option 7) and the Scheme. The Construction Traffic Management Plan for the M54 to M6 link road will seek to minimise cumulative traffic impacts of the two schemes, should the construction periods overlap.</p>
		SCC	The modelling has been undertaken in accordance with appropriate WebTag guidance. SCC considers this modelling has been undertaken correctly and due to timing RoF Featherstone was excluded as no planning permission was in place and therefore no accompanying Transport Assessment available. This has been confirmed by South Staffordshire District Council.	Noted
		CWC	This list is appropriate.	Noted
1.10.6	<b>Traffic generation of 'M6 Diesel'</b> a) It is indicated in paragraph 4.6.6 of the Transport Assessment Report [APP-222] that at the 'M6 Diesel' fuel filling station the two-way HGV flow is 375 movements per day. Do the	M6 Diesel	a) The Applicant's commentary at para 4.6.6 of the Transport Assessment [APP-222] is somewhat confusing as it is unclear whether the figure being talked about is the HGV flow south of M6 Diesel, the flow between M6 Diesel and the A460 (south), or the total flow to and from M6 Diesel (it is this last interpretation that seems to have been taken by the ExA). We do not agree with a figure of 375 movements per day. BWB, on behalf of M6 Diesel, procured a traffic survey of the M6 Diesel site in October 2019.	a) Paragraph 4.6.6 of the Transport Assessment refers to the total number of HGV trips to/from M6 Diesel per day (on the A460 to the south of M6 Diesel). The independent count undertaken by M6 Diesel (provided in their response to WQ 1.10.6) indicates that on the day that their count was undertaken, the equivalent figure was the sum of: <ul style="list-style-type: none"> <li>Total number of HGVs turning right in (from the south) and turning out to the right (to the north) = 104</li> </ul>

WQ No	Reference (in bold) and Question	Respondent	Applicant's/Interested Party Response D1	Applicant's Deadline 2 Response
	<p>proprietors consider that this figure is approximately accurate?</p> <p>b) If not, what figure is correct. Can any alternative figure be justified by evidence please?</p> <p>c) The Applicant indicates that they consider that customers of this facility use the site on the basis for pass-by trips. Does the proprietor have any information on the directions of travel for the customers of this facility or is there any information to show that the site is a destination in its own right.</p> <p>d) Is there information to show that HGVs will continue to use the length of the existing A460, i.e. from M54 Junction 1 to M6 Junction 11, and vice versa, rather than as is implied by the applicant undertake, effectively a U-turn and return from the original direction of travel</p>		<p>b) The traffic survey was undertaken using automatic number plate recognition (ANPR). The ANPR system was installed on Tuesday 01st October 2019 and was used to capture a full 24hr period the following day Wednesday 02nd October 2019, which was a fine, dry day. On the 2nd October 2019 survey showed there to be 570 HGVs using the site during the 24 hour period surveyed, which would result in 1,140 traffic movements per day. This is on the basis that an HGV entering and then, after refuelling, leaving the site is taken to be two traffic movements (one movement in and one out). 1,140 movements is approximately three times the figure of 375 movements.</p> <p>c) The ANPR system was used to determine the direction of movements to and from the M6 Diesel site. The full data is presented in the table below. We do not consider the site to be a destination in its own right, the vast majority of customers will have either come off of the M6 or M54 and will have broken their journeys to visit, rather than it being a final destination. The M6 Diesel site functions as a motorway filling / fuel station.</p> <p>d) Yes. The ANPR data shows that, within the 24hour period surveyed:</p> <ul style="list-style-type: none"> <li>• 104 of 570 HGVs (18%) came from the direction of the M54 and then continued in the direction of the M6;</li> <li>• 167 of the 570 HGVs (29%) came from the direction of the M6 and then continued in the direction of the M54;</li> <li>• 62 of the 570 HGVs (11%) came from the direction of the M54 and then exited in the direction of the M54; and</li> <li>• 237 of the 570 HGVs (42%) came from the direction of the M6 and then exited in the direction of the M6.</li> </ul> <p>It can be seen that 58% of HGVs come from the direction of the M54 and/or exit in the direction of the M54. The full data is presented in the table below.</p> <p>The following table sets out the direction of travel, to and from the site, of the HGVs recorded.</p>	<ul style="list-style-type: none"> <li>• Total number of HGVs turning right in (from the south) and turning out to the left (to the south) = 62 x 2 (as each trip counts as an HGV passing that part of the A460) = 124</li> <li>• Total number of HGVs turning left in (from the north) and turning out to the left (to the south) = 167</li> <li>• Total = 395, which is comparable to the count information used by Highways England which indicates 375 HGV trips. A variation of only 20 HGV trips from one day to another is not uncommon.</li> </ul> <p>b) The count information used by Highways England indicates a total number of HGVs using the M6 Diesel site in one day to be 556 (or 1,112 trips per day), which is very similar to the data supplied by M6 Diesel's independent count.</p> <p>c) Noted.</p> <p>d) Highways England agrees that 58% of individual HGVs using the M6 Diesel site use the A460 to the south of M6 Diesel, however the proportion of HGV trips on that section of the A460 (accessing M6 Diesel) is significantly lower. The independent count undertaken by M6 Diesel (provided in their response to WQ 1.10.6) indicates that on the day that their count was undertaken, the total number of HGV trips (accessing M6 Diesel) on the A460 to the north of M6 Diesel was the sum of:</p> <ul style="list-style-type: none"> <li>• Total number of HGVs turning right in (from the south) and turning out to the right (to the north) = 104</li> <li>• Total number of HGVs turning left in (from the north) and turning out to the right (to the north) = 237 x 2 (as each trip counts as an HGV passing that part of the A460) = 474</li> <li>• Total number of HGVs turning left in (from the north) and turning out to the left (to the south) = 167</li> <li>• Total = 745, or 65% of all HGV trips, which is comparable to the count information used by Highways England which indicates 738 HGV trips (66%).</li> </ul> <p>The independent count undertaken by M6 Diesel (provided in their response to WQ 1.10.6) indicates that on the day that their count was undertaken, the total number of HGV trips on the A460 to the south of M6 Diesel is 1140 - 745 = 395 HGVs (35%), which is comparable to the count information used by Highways England which indicates 375 trips (34%).</p> <p>In summary, Highway England's and M6 Diesel's count figures for HGVs accessing the M6 Diesel site within a 24 hour period correlate closely. It should be noted that whilst 58% of HGVs accessing M6 Diesel travel on the A460 to the south of M6 Diesel, 89% of all HGVs accessing M6 Diesel travel on the A460 to the north of M6 Diesel. This adds to more than 100% because 47% of HGVs accessing M6 Diesel travel along the both the A460 to the south of M6 Diesel and the A460 to the north of M6 Diesel, 11% only travel along the A460 to the south and 42% of HGVs come from the direction of the M6 and return to the M6 (i.e. to the north).</p> <p>Therefore it is correct to state that the majority of HGVs accessing M6 Diesel travel along the A460 to the north of M6 Diesel</p>



WQ No	Reference (in bold) and Question	Respondent	Applicant's/Interested Party Response D1						Applicant's Deadline 2 Response
			Time Period	Right In/Right Out (from M54 J1 to M6 J11)	Right In/Left Out (to and from M54 J1)	Left In/Right Out (to and from M6 J11)	Left In/Left Out (From M6 J11 to M54 J1)	Total	
			Morning Peak (08:30-09:30)	6	8	17	13	44	
			Inter Peak (11:15-12:15)	6	8	17	13	44	
			Evening Peak (17:45-18:45)	1	3	7	15	26	
			24 Hour	104	62	237	167	570	
			The ANPR camera was also used to check if any vehicles exited the site left, U-turned at M54 J1 and then passed the site again heading north to the M6. There were no such movements recorded.						
1.10.7	<b>Traffic on existing Cannock Road</b> a) The Applicant indicates in paragraph 4.6.7 of the Transport Assessment Report [APP-222] that in the event that traffic flows on the existing A460 were to remain high, it would instigate a 'Monitor and Manage' approach. What would this consist of, beyond a generalised "traffic regulation order"? b) How is this to be triggered and secured?	The Applicant	a) In discussions with Highways England, SCC raised concerns that whilst the Scheme would result in a significant reduction in HGVs along the existing A460, the residual HGV traffic could remain significant due to the presence of the M6 Diesel HGV fuelling station on the existing A460. SCC requested that a weight restriction be implemented to increase the effectiveness of the Scheme in reducing HGV traffic on the existing A460. The current proposals do not include any restrictions on HGV movements along the existing A460, nor does Highways England see any justification to do so as the traffic model suggests a restriction would be unnecessary. Highways England's forecast traffic model indicates that HGV flows will be reduced on the existing A460 from 3,114 HGVs (per 12 hour weekday without the scheme) to 279 HGVs (per 12 hour weekday with the scheme): a reduction of 90%. Highways England considers that this enables the project to meet its objectives (refer to Introduction to the Application [APP-001/1.1]) to: <ol style="list-style-type: none"> <li>1. Relieve traffic congestion on the A460, A449 and A5, this will provide more reliable journey times</li> <li>2. Keep the right traffic on the right roads and improve safety by separating local community traffic from long distance and business traffic</li> <li>3. Reduce volumes of through-traffic in villages, improving local community access</li> </ol> However, in order to attempt to allay the concerns of SCC, Highways England offered to 'monitor' the post opening HGV flows along the existing A460 and if these were to exceed a certain threshold, Highways England could provide funding to implement proposals to provide traffic management proposals to reduce HGV flows. It is likely that if a threshold was exceeded, such 'manage' proposals could consist of						N/A



WQ No	Reference (in bold) and Question	Respondent	Applicant's/Interested Party Response D1	Applicant's Deadline 2 Response
			<p>implementation of a weight restriction, for example, subject to such a Traffic Regulation Order.</p> <p>Highways England and SCC have not been able to agree a suitable threshold or potential 'management' works should they be required, and SCC has confirmed (at a meeting on 17/09/20) that it does not wish to proceed with the monitor and manage approach.</p> <p>b) It was intended that such an approach would be secured through a legal agreement, however no such agreement will be made, therefore there is no requirement to trigger or secure a 'manage' approach.</p>	
		SCC	<p>We have considered the proposal set out in TA paragraph 4.6.7 with the applicant in detail. We have concluded it is not practical and fails to address the fundamental issue raised. Further, it is unclear how such an approach would be secured and delivered. It is SCC's position that a Traffic Regulation Order (TRO) in the form of a 7.5T environmental weight restriction Order should be provided through the DCO to restrict usage of the existing A460 by HGV through traffic post scheme opening. This is detailed further in our Written Representation.</p>	Noted. Highways England will provide a response to SCC's Written Representation at Deadline 3.
1.10.8	<p><b>Junction 11 of M6</b></p> <p>a) Table 4.7 of the Transport Assessment Report [APP-222] sets out the LinSig Assessment Results for 2039. Given that the DoS figures for 2039 are only marginally below 90% (and at 90% if further rounded), this gives little 'margin for error' for the calculations. Given this lack of margin for error, what analysis of alternative approaches was undertaken to ensure that the design approach is robust?</p> <p>b) What alternative strategies, tactics or interventions would be possible should the DoS in practice exceed 90%?</p> <p>c) How would these be secured if necessary?</p>	The Applicant	<p>a) The target degree of saturation of 90% is used as an indicator of an efficient design and using a traffic demand forecasting year that is 15 years post-opening. Designing to a DoS of 90% allows for typical variations in peak hourly flows. If the appraised degree of saturation was less than 90% then this situation might be considered an over-design and not good value for tax-payers' money. The results provided in the Transport Assessment report [AS-114/7.4] indicate that the design is robust.</p> <p>b) Highways England is charged with operating, maintaining and improving England's motorways and major A roads. This includes being responsible for the Strategic Road Network (SRN) long-term strategy, providing economic and strategic insight and taking a comprehensive, consistent and holistic approach to planning. Should the DoS exceed 90% at M6 Junction 11 then future interventions could be considered in future Road Investment Strategy (RIS) periods should there be sound evidence to support this.</p> <p>c) The creation of Highways England in 2015 changed the way road investment happens for England's motorways and major roads. Funding is now determined every five years via a Road Investment Strategy (RIS), which is set by the Secretary of State for Transport.</p>	N/A
		SCC	<p>The 90% degree of saturation is considered acceptable in 2039, although this is really a question for HE as they will maintain/manage the junction. 90-100% DoS is considered to provide enough margin for error. Sensitivity tests within the HE modelling with high/low growth scenarios should be able to test the robustness of this approach. Going forward if capacity issues are experienced then traffic signal settings could be adjusted and localised engineering modifications introduced.</p>	Agreed
1.10.12	<p><b>Effect on NMUs</b></p> <p>a) It is understood that non-motorised users (NMUs) will not be prevented from using the new link road. Is this correct?</p> <p>b) If this is the case, should they be so prevented (except in an</p>	The Applicant	<p>a) Correct, NMUs will not be prevented from using the new link road.</p> <p>b/c) Highways England does not consider that any prohibitions of NMUs are required for the new link road. Such prohibitions are rare on roads that are not classified as 'Special Roads' i.e. motorways, and tend to be used in situations where there is a history of high levels of NMU use resulting in accidents. If a prohibition was required along the new link road, this would require a Traffic Regulation Order (TRO) and the support of local Police to enforce the restriction. The main origins and destinations of local trips for NMUs are situated on or adjacent to the existing A460 and local road</p>	N/A

WQ No	Reference (in bold) and Question	Respondent	Applicant's/Interested Party Response D1	Applicant's Deadline 2 Response
	<p>emergency), and how should this be secured? c) Or, should only certain categories of users be prevented? d) In any event, NMUs will not be able to use the slip roads to/from the motorways which does not appear to be the case in Figures 6.1 to 6.7 of the Transport Assessment Report [APP-222]. Could this be clarified.</p>		<p>network. There are few Public Rights of Way (PRoW) in the vicinity of the link (which are used rarely) and all existing NMU routes are to be retained in the vicinity of the scheme. Therefore, it is considered that the local roads and PRoWs are more suited to encourage NMU use and the Scheme proposes to provide carriageway edge shared footway/cycleway facilities to facilitate NMU movement across M54 Junction 1 and M6 Junction 11. The reduction in traffic on the existing A460 as a result of the new link road also makes the local road network more attractive to NMUs and therefore there appears to be no specific requirement to implement a TRO to prohibit access to NMUs. d) All slip roads to and from the M54 and M6 motorways are to be classified as 'Special Roads' as indicated on the Classification of Roads Plans [AS-070/2.9], therefore motorway regulations apply and NMUs are prohibited to access them. Access to verges on these slip roads will be prevented by the use of fencing. Figures 6.1 to 6.7 of the Transport Assessment Report [APP-222/7.4 and subsequent revisions] indicate existing NMU routes (i.e. footways and PRoWs) and proposed NMU facilities where these are amended, They are not intended to indicate NMU prohibitions on the motorway slip roads or the permitted NMU access along non 'Special Roads'.</p>	
		SCC	<p>There are no details of facilities for NMUs on the new link road, although there are no proposals to restrict its usage by NMUs. Facilities have been proposed for NMUs at M54 J1 and M6 J11 and for improved links to Cheslyn Hay which SCC supports. Given that no designated facilities have been proposed along the new link road it would be most appropriate to consider provision of upgraded facilities along the existing A460 where traffic levels are forecast to be significantly reduced, encouraging sustainable travel. These facilities would offer greater connectivity for local communities. Such improvements could include shared-use walk/cycle facilities, safe crossing points and links to the National Cycle Network. Further investigation would be required to define exact locations but consideration should be given to provision in the vicinity of Hilton Lane, Church Road, New Road and The Avenue junctions.</p>	<p>The proposed provision of NMU facilities is indicated on the Streets, Rights of Way and Access Plans [AS-068/2.7]. No further NMU facilities are proposed as part of the DCO application. However, as described in Highways England's response to Written Question 1.10.13, Highways England has accepted a 'Designated Funds' application for an initial feasibility study to identify opportunities to provide improved NMU routes along the existing A460. This will be developed in partnership with key stakeholders including SCC, separately to this DCO application. To ensure clarity, these works are not committed, do not form part of the DCO application and are not material to decision making on the DCO</p>
		CWC	<p>This is a query for the applicant.</p>	<p>Noted</p>
1.10.14	<p><b>Bus Stops</b> a) Figure 7.3 of the Transport Assessment Report [APP-222] indicates that there would be two new bus stops on Cannock Road. How are these to be secured? b) Have the relevant Bus companies been engaged in any proposed changes to Bus routing? c) Have they indicated no issue? d) Are the applicants funding the new bus stops that could be provided or funding the replacement of those to be lost?</p>	<p>The Applicant</p>	<p>a) It is proposed to provide one new bus stop on the eastern side of Cannock Road. Figure 7.3 of the Transport Assessment Report [APP-222/7.4 and subsequent revisions] indicates two separate diagrams for northbound and southbound bus services, however there is only one new bus stop indicated by a yellow dot which is to be provided as part of the M54 to M6 Link Road scheme's works. b/c) No discussions have been held with bus companies to date, however Arriva (Midlands North) and National Express West Midlands have been issued consultation documents and no response was received. Further discussion will be held with SCC and the relevant bus companies to agree details through the detailed design stage. d) The provision of one new bus stop is included within the budget for the M54 to M6 link road Scheme.</p>	<p>N/A</p>
		SSC	<p>Figure 7.3 indicates that only 1 new stop is proposed however we are unsure how this would be secured unless it is provided by the applicant. We are not aware of whether Arriva has been consulted on the proposed route changes required for their service 70. This will be likely to make access to Featherstone slightly more awkward from the Wolverhampton direction, so maintaining a service in Featherstone will be an important consideration. However, if the turning for buses left from the new road onto the existing A460 is suitable this should not be an issue. The applicant should seek the views of Arriva and Select Bus who provide local services including school buses to Cheslyn Hay High School. Figure 7.3 also shows two bus stops to be removed when there is only one to be removed (southbound) as there is no northbound stop in the location</p>	<p>As noted in Highways England's response to WQ 1.10.14, the new bus stop is to be delivered as part of the Scheme and discussion will be held with bus operators through the detailed design stage.  Figure 7.3 of the Transport Assessment [AS-114/7.4] will be reviewed, updates as required and submitted at Deadline 3.  Access from Featherstone towards the north and Cheslyn Hay High School will be retained for all traffic.</p>

WQ No	Reference (in bold) and Question	Respondent	Applicant's/Interested Party Response D1	Applicant's Deadline 2 Response
			identified. If the removed stop could be replaced to the north of The Avenue junction this may not cause any issues for bus patrons. There are also some stops identified in figure 7.3 which do not exist on site, including the last stop westbound on The Avenue prior to the A460. A more significant issue may involve routings of school buses in the Featherstone area which could cause greater issues than with local service buses. This may not be an issue if the access from Featherstone towards the north and Cheslyn Hay High School is maintained.	
1.10.15	<b>Bus Timings</b> Paragraph 7.2.7 of the Transport Assessment Report [APP-222] makes an assessment of effects on journey times to Bus Route 70 as a result of the Proposed Development. Could this assessment be quantified in terms of minutes and seconds?	The Applicant	Paragraph 7.2.7 of the Transport Assessment Report [AS-114/7.4] states that ' <i>The new bus route through the Scheme would add approximately 550m to the journey distance of Bus Route 70</i> '. Assuming a travel speed of between 20 miles per hour and 30 miles per hour, the total additional time for this journey would be between 41 seconds, and one minute 2 seconds. Notwithstanding this, the journey time saving for buses travelling along the A460 would be similar to the journey time saving for all vehicles on Journey Time Route 1. The journey time savings would vary by time period, as tabulated in the TA report at Tables 4.9 to 4.17.  In summary, there would be journey time savings of between 2 to 2.5 minutes in the busy hours on weekdays. In the evening (EV) period the increased journey distance with the Scheme could add up to half-a-minute to the bus service's journey time.	N/A
		SCC	In terms of timing issues we are unable to quantify this but can confirm that service 70 does experience delays due to queuing traffic at present and thus reduced traffic pressures on the existing route will be likely to lead to more reliable journey times and reduced delays despite a longer route.	Noted. See Applicant's response to this question.
<b>1.11</b>	<b>Water Environment and Flood Risk</b>			
1.11.1	<b>Climate Change</b> a) Paragraph 13.6.84 of Chapter 13 of the ES [APP-052] indicates that the EA is updating the assessment of climate change for flood risk to new developments. Has this work been published? b) If so, what are the implications of this for the Proposed Development.	The Applicant	a) The EA's climate change guidance for flood risk assessments was updated on 17 December 2019, and has subsequently been revised on 16 March 2020 and 22 July 2020. In this updated guidance, the Upper End allowance for the Humber River Basin District anticipated for the 2080's has remained the same, at 50%. b) Therefore, the assessment of climate change impacts for the proposed developments remains as outlined in Appendix 13.1 Flood Risk Assessment [APP-200/6.3] and Chapter 13: Road Drainage and the Water Environment [APP-052/6.1].	N/A
		EA	Climate change guidance for peak river flows have not yet been updated, and is expected in late 2020. Further information is available here <a href="https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances">https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances</a>	The update to the climate change guidance for peak river flows, expected in late 2020, will be considered during the detailed design of the scheme. Steps will be taken to revise the flood risk assessment if necessary.
1.11.2	<b>Fluvial Flood Risk</b> a) Table 3.1 of the Flood Risk Assessment [APP-200] sets out the summary of fluvial flood risk by watercourse. Do the EA and SCC as LLFA agree with the flood risks set out in this Table? b) If not, what should they be? Please justify your answer.	EA	We will be providing comments on flooding with regards to the Latherford Brook (Watercourse 5) only as this is the only watercourse which has a mapped floodplain and as such falls within our remit. We note that this table classifies Watercourse 5 as having a low risk. We recommend this risk is better reflected as medium/high risk as acknowledged within paragraph 3.8.1 for reasons discussed within paragraph 3.2.13 and as shown Figure 3.4. The proposed works will affect existing levels of risk to an area of woodland. We have no objections to this subject to the land being purchased by the applicant as proposed, as this would ensure there would be no increase in risk to third party land.	Table 3.1 of the Flood Risk Assessment [APP-200/6.3] summarises the risk of Fluvial flood risk to the Scheme. Flood modelling has shown that the Scheme is at lower risk than shown in the official Flood Zone 2 and 3. The extent of the 1% AEP floodplain is reduced in comparison to Flood Zone 2 and 3, meaning that there is less risk posed to the Scheme from flooding along the Latherford Brook. In addition, the Scheme at this location is raised on embankments, which raises the road above the flood level. Therefore, the Scheme itself is at low risk of flooding from Latherford Brook.  Table 4.1 of the Flood Risk Assessment [APP-200/6.3] summarises the risk of fluvial flooding as a result of the Scheme. It is acknowledged in Table 4.1 that the floodplain extent is increased along with flood depths in the 1% AEP with 50% Climate Change scenario. The main receptor in this area of expanded flood plain is woodland, which is considered to be impacted minimally by the increased flood extents. The main concern for this area would be increased frequency of flooding, rather than flood extents, which could affect long term changes in habitat. However, as discussed in



WQ No	Reference (in bold) and Question	Respondent	Applicant's/Interested Party Response D1	Applicant's Deadline 2 Response
		SCC	<p>EA to comment regarding Latherford Brook (watercourse 5) due to associated Flood Zones.</p> <p>LLFA Response: Table 3.1 alone oversimplifies the picture of flood risk, and 'Low' flood risk is not defined. Both risks to and impacts of the Scheme need to be considered.</p> <p>The detail in the full report is important, including remediation of identified issues, ongoing maintenance, and key considerations in the detailed design.</p> <p>It is acknowledged that Lower Pool (watercourse 3) has a significant impact on the flood risk downstream at the Dark Lane culvert and A460 culvert (Hydraulic Model Report 5.3.4). "It is important that the Lower Pool is retained as an online feature, as it provides flood protection downstream" (5.3.8). "Despite the Scheme reducing the area of the Lower Pool pond from 13200m<sup>2</sup> to 8723m<sup>2</sup> (approximate values), this does not increase flood risk to properties downstream. However, further sensitivity testing concerning the pond size and weir design should be considered at the detailed design stage" (5.3.9).</p> <p>The detailed design should ensure that flood risk downstream is not increased, and preferably include measures to reduce it. The detailed design of Lower Pool and weir could provide an opportunity for improvement.</p> <p>4.1.3 to 4.1.7 identifies an existing flood risk to the A460 at watercourse 2 and potential for minor improvement to that existing risk, but it was not deemed significant enough to include given the increase in Scheme costs. However this is not further justified.</p> <p>"Different alignments of the watercourse were tested as part of the development of the design. Iterations of this have included the testing of a pond storage area between the main and minor culvert. Whilst this did have a minor impact on water levels at the existing A460 culvert, it was not deemed significant enough to include in the design given the increase in Scheme costs." Ongoing maintenance will be key to managing flood risk for the lifetime of the development. 5.1.2 states: "A maintenance plan will need to be developed at detailed design stage to describe the ownership, frequency of and techniques for site drainage maintenance."</p> <p>Another potential source of flood risk is where discharge of surface water is discharged via existing systems, and it is vital that replacements or upgrades identified at the detailed design stage are fully implemented. The drainage strategy (3.1.3) states:</p> <p>"The Scheme drainage survey commenced w/c 17th June 2019 to further understand the existing drainage infrastructure. The initial results of the received indicative drainage survey indicate the existing drainage is in poor condition and would need replacement / upgrade. A full detailed review of the survey will be undertaken as part</p>	<p>4.1.14 to 4.1.17 the frequent events (50% AEP) do not see any changes in flood extents. The impact of a high magnitude event (1% AEP) is unlikely to significantly change the nature of the woodland, once recovery has taken place. Therefore, the risk to the receptor is low despite the minor increase in floodplain in high magnitude events, and therefore the flood risk is considered to be low. It is correct that this area of land is to be purchased by Highways England, and therefore the changes in flood depths and extents will not impact third party land.</p> <p>Table 3.1 of the Flood Risk Assessment [APP-200/6.3] only summarises fluvial flood risk to the scheme, essentially the 'baseline' fluvial flood risk. Table 4.1 then summarises the fluvial flood risk impact as a result of the Scheme implementation. Therefore, both risks to and impacts of the Scheme have been considered in the Flood Risk Assessment. It is right to say the detail in the full report is important, as it provides support for the assertions in these tables.</p> <p>Sensitivity testing will be undertaken during the detailed design stage, concerning the best arrangement of Lower Pool and proposed weir structure. This will ensure that flood risk downstream is not increased, ensuring Highways England's responsibilities are met.</p> <p>The current arrangement of culverts along Watercourse 2 ensure that there is no increase to flood risk as a result of the Scheme. This means that Highways England responsibilities have been met for this area.</p> <p>Multiple arrangements were tested for the diversion and culverting of watercourses across the Scheme, including Watercourse 2. An option for upstream storage was model tested on Watercourse 2 as a way to potentially reduce the culvert diameter required underneath the proposed route. The upstream storage option did see a minor reduction to in channel water levels upstream of the A460 culvert, in the vicinity of the Scheme only. The benefit of reduced in-channel levels were not seen further downstream and therefore provided no flood risk benefits to properties in Featherstone. The minor benefits to water level provided by upstream storage has been discounted as an option for the Scheme after considering the constraints in the wider scheme design, such as surface water drainage ponds in the area.</p>



WQ No	Reference (in bold) and Question	Respondent	Applicant's/Interested Party Response D1	Applicant's Deadline 2 Response
			of detailed design. Nothing has been identified from the initial survey results that would change the approach in the drainage strategy."	
1.11.4	<b>Lower Pool</b> In paragraph 13.8.6 of Chapter 13 of the ES [APP-052] the Applicant sets out some of the difficulties to emptying Lower Pool into Watercourse 3. Is the EA satisfied that appropriate mechanisms can be found so that the relevant part of Lower Pool can be emptied?	EA	The Environment Agency is of the opinion that as the pool is essentially being drained of uncontaminated pond water, and as the draining would be a one-off activity to facilitate the link road, these works so not appear fall into the definition of a Water Discharge Activity. As such they would therefore likely be covered under a Local Area Agreement, rather than a formal environmental permit which would assess the mitigation measures and make suggestions if required. The applicant has suggested mitigation measures which appear to be consistent with this type of dewatering activity, and as such we are satisfied that appropriate mechanisms can be found. It should be noted these works would also require Land Drainage Consent from Staffordshire County Council.	This is noted, the need for a land drainage consent is outlined in Table 4.1 of the OEMP [AS-112/6.11] and is referred to in commitment MW-WAT5 in Table 3.3 of the OEMP.
1.11.7	<b>Groundwater Flood Risk</b> Paragraph 3.6.9 of the Flood Risk Assessment [APP-200] in that the results of the borehole for BH12 show groundwater levels higher than the level of construction in close proximity. The Applicant considers that this does not result in a risk to the scheme as Lower Pool, which is nearby, is to be lost. Do the EA and SCC agree with this analysis?	EA	The Environment Agency's groundwater specialists have reviewed the proposals and have advised SCC as the lead on flood risk that we agree with this analysis.	N/A
		SCC	EA Groundwater Team has advised it is considered that the shallow groundwater levels in this location are due to perched waters on top of a localised area of lower lying, thicker clay deposits (hence the adjacent pool too). However, the next nearest borehole has a much deeper water level already, so it is expected that whereas excavation near BH12 will lead to some groundwater ingress and the planned loss of Lower Pool, this will be of limited amount and can be readily controlled by sump and pump extraction methods (under the appropriate EA exemption or abstraction permit). We would not consider this an unusual or detrimental construction event and not pose an impact to the wider area.	N/A
1.11.8	<b>Borrow Pit</b> Are there any likely impediments to the Applicant obtaining Abstraction Licences and Water Activity Permit for dewatering and discharge of water from the borrow pit from the EA if required?	EA	If the abstraction rate is less than 20 m <sup>3</sup> /d, an abstraction licence will not be required. If the rate is greater than that, we would ask for a hydrological risk assessment (HRA) as part of a permit application and would take into account the data obtained from the adjacent groundwater level monitoring boreholes that will be installed to ensure there will be no adverse impacts to any nearby receptors (e.g. Watercourse 3 and/or Kings Pool Fisheries). As the borrow pit will be relatively shallow and of limited volume and with any actual groundwater abstractions (protected rights) in the development area tapping into the underlying bedrock aquifer, there are unlikely to be any such impacts.  In terms of discharge from the borrow pit, outfall monitoring from any excavation, settlement pond or treatment plant will have to ensure the water quality, but as this is generally not expected to be contaminated, a permit to discharge or recirculate these waters back into the ground or surface water environment will most likely be readily issued, albeit with suitable conditions on flow rate, quality, turbidity etc. We understand that the main works contractor will produce a Water Management Plan to include identification of all surface water and groundwater bodies, and that this Plan will include measures for the management of water removed from cuttings and the borrow pit for construction dewatering activities (including compensatory surface water flow if / when needed to Watercourse 3 and/or the Kings Pools fishing pools).	Based on the groundwater assessment presented in Appendix 13.8: Groundwater Technical Note [APP-207/6.3] groundwater inflow rates of between 0.6m <sup>3</sup> /day and 36m <sup>3</sup> /day (depending on the permeabilities) are estimated to be required for the dewatering of the cuttings. There may be a need for abstraction licence, this will be agreed with the Environment Agency.  The Environment Agency is correct, commitment PW-WAT2 in Table 3.2 of the OEMP [AS-112/6.11] secures the production of a Surface Water Monitoring Plan which will form part of the Water Management Plan.
1.11.10	<b>Potable Water</b> Has the risk of flooding from potable water supplies been	The Applicant	The risk of flooding from potable water supplies has not been expressly assessed as part of the Flood Risk Assessment [APP-200/6.3]. However, utility diversions are being considered in detail as part of the design of the scheme.  Water mains do cross the scheme area at two locations. The first is to the south of the scheme around the position of the new M54 Junction 1. The second is to the west of	N/A

WQ No	Reference (in bold) and Question	Respondent	Applicant's/Interested Party Response D1	Applicant's Deadline 2 Response
	assessed? If not, could this be undertaken.		<p>Hilton Park, across the A460 to Dark Lane. The receptors to flood risk in this area are agricultural land, park land, properties on Dark Lane, and the scheme itself. Each of these utility diversions are currently being agreed with Severn Trent Water and South Staffordshire Water as appropriate.</p> <p>During construction, appropriate isolation and diversion of the water supply will be undertaken as part of the utility diversion construction. Therefore, the flood risk from the potable water supply would be low.</p> <p>The flood risk after the construction of the Scheme is considered to be low, given the location and number of water mains crossing the scheme. The newly constructed watermain assets would be the responsibility of the water company, including maintenance regimes.</p> <p>In the event of a watermain pipe burst, the scheme is mainly raised on an embankment at these crossing points, meaning a low risk of flooding the carriageway. Flood risk as a result of watermain failure for areas adjacent to the scheme would remain the same as baseline conditions – which is low risk.</p>	
		SSW	The risk of flooding as a consequence of the new 24" potable water main failing has not been formally assessed, primarily because the likelihood of a failure of a new main, constructed of modern durable materials, is extremely low. If the main did fail, the consequence to the M54-M6 Link Road and the wider highway network would be significant. However, the impact on the highway network from a future failure of the main would be no different to a present day failure of the existing main. There is no mitigation available if the new main fails, the only option to avoid such a scenario would be to move the location of the M54-M6 Link Road.	See Applicant's response to this question.
1.11.13	<p><b>Greenfield run-off rate</b></p> <p>a) Can the EA and SCC confirm whether they are content with the 5 l/s/ha for the greenfield run-off rate as set out in paragraph 4.4.6 of the Flood Risk Assessment [APP-200]?</p> <p>b) If not, what rate should be utilised? Can this alternative figure be justified?</p>	EA	As the lead on surface water flooding, we defer to SCC as the LLFA in this regard.	Noted
		SCC	Proposed greenfield runoff rate of 5 l/s/ha is acceptable.	Noted
1.11.14	<p><b>Cutting under Hilton Lane Overbridge</b></p> <p>a) Paragraphs 4.5.4 to 4.5.8 of the Flood Risk Assessment [APP-200] conclude that the risk of groundwater flooding from the cutting is low? Do the EA and SCC concur with this analysis?</p> <p>b) If not, please explain your reasoning.</p>	EA	The Environment Agency's groundwater specialists have reviewed the proposals and have advised SCC that we agree with this analysis. The drainage runs will have to be designed to allow for maximum groundwater levels measured to date plus future climate change impacts, so that at all times the system will cope and no groundwater will ever flood the highway.	Noted, this item will be addressed as part of the detailed design of the Scheme. The design of the drainage network will allow for any potential groundwater flows to ensure that there is no impact on the carriageway.
		SCC	Regarding the future cutting beneath Hilton Lane Overbridge, it does appear that active drainage will be needed to lower the groundwater level and maintain the groundwater below the road level. However, any such intercepted water will only be from a relatively small area and will subsequently be discharged to the main natural receptor (Watercourse 4) again, so it is indeed considered that the impact on the flow in that stream would only be minor, if any. They will have to design the drainage runs to allow for max. groundwater levels measured to date plus future climate change impacts, so that at all times the system will cope and no groundwater will ever flood the highway.	Noted, this item will be addressed as part of the detailed design of the Scheme. The design of the drainage network will allow for any potential groundwater flows to ensure that there is no impact on the carriageway.
<b>1.12</b>	<b>Socio-economic effects</b>			

WQ No	Reference (in bold) and Question	Respondent	Applicant's/Interested Party Response D1	Applicant's Deadline 2 Response
1.12.1	<p><b>Minerals</b></p> <p>a) It is understood that the Proposed Development passes through a Mineral Safeguarding Area (MSA) for Sand and Gravel and part of a MSA for Brick Clay. Does SCC consider that these designations have any implications for the consideration of this matter?</p> <p>b) If so, what are these implications?</p>	SCC	<p>a) Yes.</p> <p>b) There should be an assessment on whether 1) sand and gravel that would be sterilised could be used within the scheme as construction aggregate (not just as fill material); and 2) the extent of sterilised sand and gravel that could be otherwise extracted from Hilton Park Quarry.</p>	<p>b1) Consideration will be given to the use of site won materials during the construction phase, where appropriate, including bedrock sand. This will be considered in greater detail during the detailed design stage.</p> <p>b2) As set out in Appendix 10.1 of the ES [APP-193/6.3] Hilton Park has been non-operational for many years, but there remain permitted reserves. Planning permission for bedrock sand and gravel extraction was originally granted in 1955 and expires in 2042. Appendix 10.1 concludes that "it has been demonstrated that the Scheme would not unduly restrict the mineral operations at the Hilton Park site should operations recommence at some point in the future. The requirements of MLP Policy 3 relating to safeguarding mineral infrastructure sites (specifically Policy 3.2 (b) and Policy 3.5 (a)) have been met." Therefore, the Scheme would not sterilise minerals within Hilton Park Quarry.</p>
1.12.2	<p><b>Hilton Cross Strategic Employment Site</b></p> <p>a) It is stated in paragraph 4.3.3. of the Statement of Reasons [APP-021] that the Order limits include a sliver of land allocated as the Hilton Cross Strategic Employment Site under SSC Core Strategy Policy CP1 and EV1. Could the SSC please confirm whether this would have any material effect on this allocation or its implementation, including any landscape buffers?</p> <p>b) And if so, what would be the effect of this?</p>	SSC	<p>a) It is not considered that the sliver of land would have any material effect on the delivery of the remaining available land for employment use at Hilton Cross or the associated landscape buffer.</p> <p>b) See above.</p>	Noted
1.12.3	<p><b>M6 Diesel</b></p> <p>M6 Diesel are concerned that powers sought under Article 16 of the dDCO could be used to introduce restrictions on the current A460 passing their site and that this could result in significant detriment to their business (if for example HGV's were restricted). Can the Applicant confirm its position in respect of potential restrictions on the A460 and whether the host Authorities and Highway Authorities are in agreement with their position?</p>	<p>The Applicant</p> <p>SCC</p>	<p>The current proposals do not include any restrictions on HGVs along the existing A460, nor does Highways England see any justification to do so as the current traffic model suggests a restriction would be unnecessary.</p> <p>Concern has been raised by SCC, SSC and the local Parish Councils (Featherstone and Brinsford, Shareshill and Hilton) that following the opening of the Scheme, the number of HGVs travelling along the existing A460 will be excessive and Highways England has considered the provision of a traffic regulation order to restrict access to HGVs, but does not believe it to be necessary. This would only be considered if HGV traffic along the route significantly exceeds that forecast in the traffic model post construction. The current traffic model suggests a restriction would be unnecessary.</p> <p>It is not Highways England's intention to seek an amendment to the powers sought in the DCO to include a traffic regulation order to restrict HGV traffic. If this position changes and a change is sought to the DCO then M6 Diesel will be notified of this. If, separate to the DCO process, the local highway authority, Staffordshire County Council, choose to seek an order to this effect then this would be done pursuant to the Road Traffic Regulation Act 1984 and would be subject to consultation.</p> <p>Please see response to 1.10.7 and our Written Representation. The restriction sought by SCC and supported by SSDC and local residents would provide for access to/from M6 Diesel from M6 junction 11, via the new link road. This will ensure access by HGVs</p>	<p>N/A</p> <p>Refer to the Applicant's response to this question.</p>



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			to the filling station is restricted to the length of the A460 where it will have minimal impact on local residents. The proposed restriction seeks only to prevent HGV's leaving the M54 at Junction 1 to then re-join the motorway network at M6 junction 11 and vice versa i.e. through traffic motorway to motorway. This aligns with the stated scheme objectives 1-3.	
1.12.10	<b>Agricultural Operations</b> Paragraph 12.9.27 in Chapter 12 of the ES [APP-051] makes the statement that the effects "could be reduced if the owner and/or occupier is able, and chooses, to use compensation payments to replace assets". Could the Applicant please provide evidence to support this statement since this would result in another party having their landholding reduced.	The Applicant	This assertion is based on the assumption that if the affected landowners were to use compensation payments to purchase new land parcels, then the newly purchased land parcels would have been voluntarily advertised for sale and sold by the owning party. This is covered by the assumption that the affected party is able to find alternative land available for purchase. The assets referred to within paragraph 12.9.27 are also not limited to replacement land but could also include capital items that render the remaining land parcel more efficient, such as new buildings and equipment and improved land drainage.	N/A
		I & A Simkin	In response to Q1.12.10 Messrs Simkin wish to inform the Examining Authority that although in principle compensation payments may replace the financial value lost to the scheme, the minimal movement in the land market and lack of supply, especially within the locality, would prevent Messrs Simkin from purchasing an equivalent asset of the same value, to add to their existing holding to replace the land lost. The land lost to the scheme is a significant proportion of Messrs Simkin's holding, representing nearly 8% of their arable land.	N/A
1.12.11	<b>Employment</b> a) In paragraphs 12.9.14, 2.9.18 and 12.9.19 of Chapter 12 of the ES [APP-051] the Applicant has assumed that the none of the various fishing lakes or the car boot sales facilities provide permanent employment. By "permanent employment" the ExA assumes that the Applicant means full-time employment. Could the Applicant please confirm whether the ExA's assumption of terminology is correct? b) Could the parties affected confirm whether the Applicant's assumption is correct? c) If not, could the parties affected provide evidence to support the contention along with information as to the employment levels.	The Applicant	a) The ExA is correct "permanent employment" does refer to full-time employment. b) N/A c) N/A	N/A
		Allow Ltd	b) We can confirm that the Applicant's assumption is not correct. c) <u>Top Fishing Pool</u> - Dan's Pool is maintained for a fishing syndicate which has a membership of 110 local members, maintained by retired members. <u>Middle Fishing Pool</u> - Chubb Pool is maintained for a different local fishing syndicate of more than 150 members, with one groundsman. <u>Lower Fishing Pool</u> - This pool was constructed in the 19th century and is maintained for the Fox Carp Syndicate, with a membership of nearly 30 members.  Top and Middle pools have been operating as fishing pools for almost 50 years. The Lower Pool has been operating as a fishing pool since it was built, originally as a pike pool supplying food to Hilton Hall. Competitions are held practically all year round at Middle Pool and seasonally in the other two.  <u>The Car Boot Field</u> - Dark Lane Car Boot is operated under licence by a company called Market Promotions Limited. Each day of a car boot event, they would employ the services of at least 10 local people, with 6 permanent employees and more part time. Typically, the event has 300 – 400 sellers and trade stands such as mobile butchers, with 2500 to 4000 visiting cars through the gates. Each event also provides work for 10 catering vendors on site, such as burger vans and donut vans. This all provides a valuable income for the sellers as well as for the employees working on site.  The fishing pools and car boot facilities could not be run without oversight. These facilities form part of a larger business on Allow Limited's land, run by Oatlands	Paragraphs 12.9.14 and 12.9.18 of Chapter 12 of the ES (APP-051) refers to fishing lakes which are not owned by the landowner (Allow Ltd). The landowner appears to be referring to the loss of "Lower Pool" fishing lake which has been referred to in Paragraph 12.9.16 of Chapter 12 of the ES (APP-051). The Top and Middle Pools will remain under the ownership of the landowner (Allow Ltd) and are not proposed to be taken as part of the Scheme. The loss of Lower Pool has been assessed in the ES as follows: <i>"The alignment of the Scheme east of Dark Lane would result in the permanent partial loss (6,010 m<sup>2</sup>) of Lower Pool (12,900 m<sup>2</sup>), a pond stocked with fish for recreational fishing. This would result in the loss of approximately 47% of Lower Pool permanently. The rest of this pond is currently shown as being permanently required for the Scheme and therefore it is assumed that this pond would not be returned to the landowner post construction. There are two further fishing ponds under the same ownership which it is assumed would remain accessible during the construction period. Access to this site from the existing A460 would be severed during construction and a new access would be provided off the new M54 Junction 1 (eastern dumbbell). It is considered that this would result in a permanent minor adverse impact on a receptor of low sensitivity during the construction of the Scheme resulting in a permanent slight adverse effect."</i> Lower Pool, in itself is not considered to provide full-time employment.  The impact on the car boot is reported in Paragraph 12.9.19 of the ES: <i>"The car boot utilises a number of other fields in proximity to the Scheme in Essington, Cannock and behind M6 Diesel, Shareshill which would be unaffected by the Scheme. It is therefore likely that this receptor is of low sensitivity as it does not provide permanent [full-time] employment and utilises land temporarily as a secondary use, for which there are likely to be alternatives in the area. The loss of</i>



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			<p>Estates Limited, which presently employs one member of staff with the potential to employ more, in addition to the company directors, to maintain and run all facilities including the fishing pools and car boot facilities.</p> <p>Both the car boot and fishing pools are community activities and perform a vital function for the local area. The car boot has been operating for over 30 years and is very popular with the local community, being well known to the locals who use their sales proceeds to spend in local shops.</p> <p>The fishing pools owned by Allow Limited are used by local syndicates on a social basis and have approximately 300 members whose lives would also be dramatically affected, both by loss of access and in case of Lower Pool loss of the facility.</p> <p>This would also have a knock on effect on local businesses, for example retailers selling fishing tackle, such as Ashmoor Park bait and fishing tackle shop, which could lead to loss of employment. Other local business are likely to suffer from the reduction in passing trade if people aren't coming into the area to attend the car boot days and the fishing pools.</p> <p>Allow Limited has plans to rebuild its original business of horse trials in the near future and to include farm rides along with horse trials, which would provide further employment opportunities as well as services that would benefit the local population. The land around the pools and forestry trails are where these activities used to take place and they are required to make the rebuilt business successful again.</p> <p>The businesses on Allow Limited's land provide employment as well as facilities to the general public, both of which would be seriously diminished if the current size of land purchase is approved. The amount of land being acquired from Allow Limited is a high enough percentage of Allow Limited's total land to jeopardise the business as a whole, which means other local facilities could be forced to close.</p>	<p><i>this land would have a minor adverse impact on a receptor of low sensitivity value resulting in a slight adverse effect, which is not significant."</i></p> <p>Allow Ltd's response suggests that the company currently employs one permanent, full time employee, whose responsibilities include, but are not limited to the oversight of the fishing pools and the car boot sale. Given that this employee has other responsibilities, this would appear to corroborate the Applicant's assumption that the fishing pools and car boot sales do not provide sufficient employment for one permanent, full time employment.</p>
1.12.12	<p><b>Recycled Aggregates</b></p> <p>a) Paragraph 3.3.68 of Chapter 3 of the ES [APP-042] in it is indicated that a target of 27% of secondary and recycled aggregates had been set, and this is in accordance with Regional Guidelines. Can these Guidelines and the relevant reference be precisely identified?</p> <p>b) Given that the location of the Proposed Development is relatively close to large sources of secondary and recycled aggregate what consideration</p>	The Applicant	<p>a) The relevant reference is as follows:          Ministry of Housing, Communities and Local Government (2009) The National and Regional Guidelines for Aggregates Provision in England 2005 to 2020.          These national and regional guidelines for aggregates provision are set out in Table 10.6 of the ES [APP-049/6.1].</p> <p>b) The OEMP [APP-218/6.11 and subsequent revisions], Table 3.3, MW-MAT4 specifies a target that 27% of aggregates should be secondary and recycled aggregates for those applications where it is technically and economically feasible to substitute alternative materials for primary aggregates. However, Highways England will liaise with the construction contractor to determine whether they are able to work towards a higher target. The 27% target for assessment of impacts does not preclude Highways England from setting a more demanding target during subsequent design and construction.</p> <p>c) Table 10.8 in the ES [APP-049/6.1] provides a potential recycled content of 30% for aggregates based on the "good practice" recycled content rates from WRAP's Designing Out Waste Tool for Civil Engineering (Ref 10.20) and current estimates of</p>	N/A

WQ No	Reference (in bold) and Question	Respondent	Applicant's/Interested Party Response D1	Applicant's Deadline 2 Response
	has been given to setting a higher, realisable, target? c) Could a higher target be reasonably achieved?		aggregates required for the scheme. A higher target may be reasonably achieved during construction and this will be considered in more detail during detailed design. The actual recycled content achieved during construction will depend on the availability of material containing recycled content and technical suitability.	
		SCC	<p>a) the target is derived from National and Regional Guidelines for aggregates provision in England 2005 to 2020. Of the aggregate to be produced in the West Midlands (not including imports), the assumption made in table 1 of the guidelines is that approximately 29% of aggregate would be derived from "alternative sources" i.e. recycled aggregate and secondary materials.</p> <p>b) The aforementioned guidelines were published in 2009 but more recent data produced by the Mineral Products Association "From Waste To Resource" suggests that 30% of all aggregate demand is now supplied from non primary sources, mainly recycled sources.</p> <p>c) The applicant should assess the availability of recycled waste and secondary material sources within the locality as part of the earthworks strategy and materials management plan.</p>	<p>a) Regional and National Recycled Aggregates Targets for England are presented in Table E/1.2 of the DMRB LA 110 Material Assets and Waste Annex E/1 and reproduced in Table 10.6 of the ES [APP-049/6.1]. The total aggregate provision for the West Midlands is 370 million tonnes and includes net imports to England. The targets are derived by Highways England from the national and regional guidelines for aggregates provision and the reference is Ministry of Housing, Communities and Local Government (2009). The target of 27% has been calculated taking into account net imports as well as local production.</p> <p>b) Refer to the Applicant's response to this question. Table 10.8 in the ES [APP-049/6.1] provides a potential recycled content of 30% for aggregates based on the "good practice" recycled content rates from WRAP's Designing Out Waste Tool for Civil Engineering (Ref 10.20) and current estimates of aggregates required for the scheme. A higher target may be reasonably achieved during construction and this will be considered in more detail during detailed design.</p> <p>c) Refer to Applicant's response to this question. This will be considered by the construction contractor prior to construction. It should be noted that a materials management plan is not required to assess availability of materials, a materials management plan covers reuse of materials from within the scheme.</p>
		CWC	We are not aware of any West Midlands regional guidelines regarding levels of use of secondary and recycled aggregates during construction. The applicant should confirm where that reference is drawn from.	Refer to Applicant's response to this question.

#### **Appendix WQ1.10.4: Uncertainty log created for the traffic model in Spring 2019**

This Appendix provides the uncertainty log created for the traffic model for the Scheme. The uncertainty log was finalised in Spring 2019. Following the finalisation of the log the traffic model is built, transport assessments completed and air quality/ noise assessments completed for the Environmental Statement. For this reason, Spring 2019 is the latest time that any updates could be made prior to the submission of the application in January 2020. All developments listed as being 'Near Certain' or 'More than Likely' over the size threshold were modelled specifically in the traffic model for the M54 to M6 Link Road Scheme. All other sites would be modelled more generally as growth within each local planning authority area using growth factors derived from the National Trip End Model (see Applicant response to WQ 1.10.4).

## Uncertainty Log

**Table B.1. Uncertainty Log: Cannock Chase**

ID	Description	Type	Measurement	Unit	Certainty	Opening Year	Model Zone
CC2	Kingswood Lakeside zone A,B,C combined	Mixed Use-Industry, Storage and Office	1100	SQM (Rate per 100m2)	NC	2021	12163
CC3	Kingswood Lake side - site northern extension B2/B8	Mixed Use-Industry, Storage and Office	3400	SQM (Rate per 100m2)	RF	2036	12163
CC4a	CH/15/0048 McArthur Glen, Mill Green Eastern Park, Eastern Way Cannock - A1	Retail Park	265	SQM (Rate per 100m2)	NC	2020	12222
CC12	CH/10/0294 (Part 2 - Employment site) Mixed use development of up to 450 houses and up to 6,300 square metres of employment floorspace (class B1 and B2 uses); formal and informal open space and new highway access Outline application with access specified. (Norton Canes)	Mixed Use-Industry, Storage and Office	63	SQM (Rate per 100m2)	NC	2021	12163
CC13	Rugeley - A51 - Power plant site, Housing and Employment (Power plant closed 2016) Demolition aimed for Summer 2019. (374 ha Full site but not all in Cannock Chase)	Employment Land	4246	SQM (Rate per 100m2)	RF	2036	10247
CC1	Land off Green Heath Road, Hednesford Pye Green Valley Development - C3	Housing	425	Number of Dwellings	NC	2017	12232
CC9	Green Heath / Pye Green / Huntington Large Housing Site	Housing	750	Number of Dwellings	NC	2021	12232
CC11	CH/10/0294 (Part 1 - Housing) Mixed use development of up to 450 houses and up to 6,300 square metres of employment floorspace (class B1 and B2 uses); formal and informal open space and new highway access Outline application with access specified. (Norton Canes)	Housing	450	Number of Dwellings	NC	2021	12163
CC14	Cannock. CH/17/236-Residential Development comprising 119 No. dwellings at Keys Park Road	Housing	119	Number of Dwellings	NC	2022	12210
CC15	CH/17/452: Outline application including access for up to 116 dwellings	Housing	116	Number of Dwellings	RF	2028	12207
CC16	Cannock. CH/17/323-Demolition of existing factory and offices and erection of up to 180 dwellings	Housing	180	Number of Dwellings	NC	2024	10207

<Note: where opening year is not supplied, it is assumed to be 2031>



**Table B.2. Uncertainty Log: South Staffordshire**

ID	Description	Type	Measurement	Unit	Certainty	Opening Year	Model Zone
SS2	Nurton Developments (Hilton) Ltd Hilton Park, Junction 11 – A Strategic Employment Site	Mixed Use-Industry and Storage	1,958	SQM (Rate per 100m2)	H		12190
SS4	Four Ashes - Unit 1 (B2/B8) 16/00498/FUL	Mixed Use-Industry and Storage	534	SQM (Rate per 100m2)	NC		10243
SS5	Four Ashes - Unit 2 (B2/B8) 16/00498/FUL	Mixed Use-Industry and Storage	250	SQM (Rate per 100m2)	NC		10243
SS6	Four Ashes - Unit 3 (B2/B8) 16/00498/FUL	Mixed Use-Industry and Storage	167	SQM (Rate per 100m2)	NC		10243
SS7	Four Ashes - Unit 4 (B2/B8) 16/00498/FUL	Mixed Use-Industry and Storage	34	SQM (Rate per 100m2)	NC		10243
SS8	Hilton Cross Expansion 1 North-West Site (E5)	Mixed Use-Industry, Storage and Office	230	SQM (Rate per 100m2)	RF		12192
SS9	Hilton Cross Expansion 2 South-West (E9)	Mixed Use-Industry, Storage and Office	182	SQM (Rate per 100m2)	RF		12192
SS10	Hilton Cross Expansion 3 Eastern (E6)	Mixed Use-Industry, Storage and Office	236	SQM (Rate per 100m2)	RF		10179
SS11	Hilton Cross Expansion 4 SW of Roundabout (E4)	Mixed Use-Industry, Storage and Office	137	SQM (Rate per 100m2)	RF		12192
SS16	Expansion of Jaguar Landrover Plant - Land At I54 Innovation Drive Pendeford Wolverhampton South Staffordshire WV9 5GA 15/00555/FUL Construction of manufacturing building (Use Class B2) comprising 93,505 sqm GEA with associated car parking (1,159 new car parking spaces), service yard, hard and soft landscaping, drainage and other infrastructure	Industry	935	SQM (Rate per 100m2)	NC		12211
SS20	Lupus Park, Wolverhampton	Mixed Use-Industry, Storage and Office	185	SQM (Rate per 100m2)	MTL		12211
SS21	ROF Featherstone - B2 (plus link road to A449; option to be confirmed)	Mixed Use-Industry, Storage and Office	1,400	SQM (Rate per 100m2)	RF		10191
SS22	Remaining land at I54	Mixed Use-Industry, Storage and Office	627	SQM (Rate per 100m2)	MTL		12211
SS23 (Phase I)	West Midlands Rail interchange - distribution centres	Mixed Use-Industry and Storage	1,486	GFA (Rate per 100m2)	MTL	2024	90001
SS23 (Phase II)	West Midlands Rail interchange - distribution centres	Mixed Use-Industry and Storage	3,468	GFA (Rate per 100m2)	MTL	2031	90001

SS23 (Phase III)	West Midlands Rail interchange - distribution centres	Mixed Use-Industry and Storage	2,477	GFA (Rate per 100m2)	MTL	2036	90001
WO68	West Midlands Interchange (Four Ashes)	Employment	1250000	GFA (sqm)	H		10243
SS12	Outline planning permission for residential development (Class C3) with associated access, landscaping, open space and drainage infrastructure at land off Watery Lane, Codsall, South Staffordshire. All matters are reserved, save for access. MAJOR DEVELOPMEN 15/00417/OUT or 16/00495/REM	Housing	180	Number of Dwellings	MTL	2021	10211
SS17	Penkrige Industrial Estate - Phase 1 (Lyne Hill Industrial Estate)	Housing	50	Number of Dwellings	NC	2021	10243
SS18	Penkrige Industrial Estate - Phase 2	Housing	170	Number of Dwellings	NC	2021	10243
SS19	Penkrige Industrial Estate - Phase 3	Housing	154	Number of Dwellings	NC	2021	10243

<Note: where opening year is not supplied, it is assumed to be 2031>

**Table B.3. Uncertainty Log: Walsall**

ID	Description	Type	Measurement	Unit	Certainty	Opening Year	Model Zone
WA9	Former Moxley Tip, Moxley Road, Darlaston	Industry	1040	SQM	MTL / RF	2026	10100
WA10	Former Willenhall Sewage Works and access to site, off Anson Rd, Willenhall2	Industry	877	SQM	RF	2026	10122
WA11	Land north of Hughes Road, Moxley, Darlaston	Industry	421	SQM	RF	2026	10100
WA12	N of Maybrook /Clayhanger Rd,	Industry & Storage	133	SQM	RF	2026	10113
WA13	Maybrook/Lindon Rd (FMR Unalco), Brownhills	Industry & Storage	77	SQM	RF	2026	10113
WA14	Adj Shaylors Wharf Approach, Aldridge	Industry & Storage	75	SQM	RF	2026	10113
WA15	FMR Aldridge Rail Sidings, Aldridge 2.17	Industry & Storage	217	SQM	RF	2026	10078
WA16	FMR Jack Allen Site, Middlemore, Lane Aldridge	Industry & Storage	187	SQM	RF	2026	10078
WA17	FMR Mckechnie Brass Middlemore	Industry & Storage	634	SQM	RF	2026	10078
WA18	Aldridge Park, Airfield Drive, Aldridge	Industry & Storage	140	SQM	RF	2026	10078
WA19	FMR Calor Gas Site, Green Lane, Walsall	Industry & Storage	100	SQM	RF	2026	10116
WA20	North of Newfield Close	Industry & Storage	207	SQM	RF	2026	10116
WA21	Adj to Middleton's, Bescot Crescent, Walsall	Industry & Storage	42	SQM	RF	2026	10080
WA22	Reedswood Way, Walsall	Industry & Storage	400	SQM	RF	2026	10116
WA23	Tempus 10 North, Wolverhampton Rd, Walsall	Industry & Storage	176	SQM	RF	2026	10090
WA24	Tempus 10 South, Wolverhampton Rd, Walsall	Industry & Storage	164	SQM	RF	2026	10090
WA25	Aspray (FMR Geo Carter), Park Road, Willenhall	Industry & Storage	125	SQM	RF	2026	10122
WA26	North of Westacre, Longacres, Willenhall	Industry & Storage	63	SQM	RF	2026	10122
WA27	FMR PSL International, Longacres, Willenhall	Industry & Storage	319	SQM	RF	2026	10122
WA28	Central Point, Willenhall Road, Darlaston	Industry & Storage	231	SQM	RF	2026	10122
WA29	Acess 10 East, Bentley Road North, Darlaston	Industry & Storage	108	SQM	RF	2026	10100
WA30	Fmr Railway Tavern, James Bridge, Darlaston	Industry & Storage	39	SQM	RF	2026	10100
WA31	FMR IMI Works, Reservoir Rd, Walsall	Industry & Storage	1360	SQM	RF	2026	10090
WA32	Parallel 9-10, Darlaston	Industry & Storage	288	SQM	RF	2026	10090
WA33	Adj Ikea, Park Lane, Darlaston	Industry & Storage	91	SQM	RF	2026	10100
WA34	Box Pool Site, Darlaston	Industry & Storage	167	SQM	RF	2026	10090
WA35	James Bridge Gasholders & South of Gasholders	Industry & Storage	810	SQM	RF	2026	10090
WA36	Rear of Woods Bank Trading Est Woden Rd West Darlaston	Industry & Storage	119	SQM	RF	2026	10100
WA37	Moxley Rd Darlaston	Industry & Storage	41	SQM	RF	2026	10100
WA38	Bentley Mill Way East	Industry & Storage	240	SQM	RF	2026	10090
WA49	North of IMI	Employment	4041	GFA (sqm)	NC		10090
WA50	Rear of Globe Pub	Employment	2878	GFA (sqm)	MTL		10090
WA51	Boxpool Site	Employment	1670	GFA (sqm)	MTL		10090
WA52	Former Wesson, Bull Lane	Employment	4863	GFA (sqm)	NC		10100
WA53	Addenbrooke Street	Employment	1215	GFA (sqm)	RF		10100
WA54	Green Lane / Newfield Close	Employment	9564	GFA (sqm)	MTL		10116

WA55	North of Maybrook/ Clayhanger Road	Employment	1329	GFA (sqm)	MTL		10113
WA56	Rickards Haulage	Employment	1391	GFA (sqm)	NC		10100
WA57	Moxley Junction	Employment	440	GFA (sqm)	NC		10100
WA58	Aspray (Former George Carter Pressings)	Employment	1251	GFA (sqm)	MTL		10122
WA59	Cemetery Road	Employment	1330	GFA (sqm)	MTL		10100
WA60	Walsall Enterprise Park West	Employment	787	GFA (sqm)	MTL		10090
WA61	Adj to Middletons	Employment	419	GFA (sqm)	MTL		10080
WA62	Croft Foundry	Employment	97	GFA (sqm)	MTL		10122
WA63	Round Croft	Employment	552	GFA (sqm)	MTL		10122
WA64	Croxtalls Close	Employment	3487	GFA (sqm)	RF		10116
WA65	Goscote Lane	Employment	859	GFA (sqm)	RF		10112
WA66	Old Hall Industrial Estate	Employment	298	GFA (sqm)	RF		10112
WA67	McKechnie Brass	Employment	6338	GFA (sqm)	NC		10078
WA68	Station Street / Heath Road	Employment	403	GFA (sqm)	MTL		10100
WA69	Casino and Cinema, Bentley Mill Way	Employment	4590	GFA (sqm)	RF		10100
WA70	Millers Close, Bentley Mill Way	Employment	798	GFA (sqm)	RF		10100
WA71	Walsall Enterprise Park North	Employment	432	GFA (sqm)	NC		10090
WA72	ADJ Shaylors	Employment	876	GFA (sqm)	MTL		10113
WA73	Wolverhampton Street	Employment	10588	GFA (sqm)	RF		10080
WA74	Midland Road	Employment	5288	GFA (sqm)	RF		10080
WA75	Ablewell Street	Employment	5563	GFA (sqm)	RF		10080
WA76	Ward Street	Employment	6149	GFA (sqm)	RF		10078
WA77	Royal Mail car park, Hatherton Street	Employment	4817	GFA (sqm)	MTL		10078
WA78	Former Noirit site	Employment	6536	GFA (sqm)	NC		10078
WA79	Portland Street Area	Employment	23277	GFA (sqm)	RF		10080
WA80	Day Street/ Garden Street	Employment	5513	GFA (sqm)	RF		10080
WA81	Day Street car park	Employment	6628	GFA (sqm)	MTL		10080
WA82	Blue Lane East/ Stafford Street	Employment	3040	GFA (sqm)	NC		10080
WA83	Green Lane Police Station	Employment	7828	GFA (sqm)	MTL		10080
WA84	Stafford Street/ Green Lane car park	Employment	2365	GFA (sqm)	RF		10080
WA85	East of Portland Street	Employment	27347	SQM	MTL		10080
WA4	16/0117 - Screening Opinion as to whether an Environmental Statement is required for the development of 225 dwellings. LAND AT HEATHFIELD LANE WEST/MOXLEY ROAD, DARLASTON, WS10 8QR	Housing	225	Number of Dwellings	MTL	2018	10100
WA5	Goscote Lodge Crescent	Housing	327	Number of Dwellings	RF	2026	10112
WA6	Goscote Lane Copper Works	Housing	395	Number of Dwellings	RF	2026	10112
WA8	Manchester	Housing	310	Number of Dwellings	RF		10116
WA87	41-43 Leighswood Road	Housing	103	Number of Dwellings	NC		10078
WA88	52-58 MARLBOROUGH STREET, BLOXWICH	Housing	27	Number of Dwellings	H		12116



WA89	A G S Zinc Alloys Limited, Adams Street, Walsall WS2 8ND	Housing	45	Number of Dwellings	H	10080
WA90	Addenbrooke Street	Housing	347	Number of Dwellings	H	10100
WA91	Adj Darlaston Welded Presswork	Housing	266	Number of Dwellings	H	10100
WA92	Adjacent to former Servis	Housing	65	Number of Dwellings	H	10100
WA93	Albion Street	Housing	146	Number of Dwellings	H	10122
WA94	Alfred Street/ Pinfold Street	Housing	79	Number of Dwellings	H	10100
WA95	Alma Works, Darlaston Road, Wednesbury	Housing	459	Number of Dwellings	H	10100
WA96	Balls Street (east side)	Housing	32	Number of Dwellings	H	10080
WA97	Bath Street	Housing	23	Number of Dwellings	H	10080
WA98	Beacon Mouldings, Lister Street and Dhanao Garage, Birmingham Street, Willenhall	Housing	29	Number of Dwellings	H	10122
WA99	Bentley Lane Business Park	Housing	527	Number of Dwellings	H	10116
WA100	Between Longacre and Shortacre Street	Housing	254	Number of Dwellings	H	10080
WA101	Between Longacre Street and Whitehouse Street	Housing	61	Number of Dwellings	H	10080
WA102	Birchills Street/ Hollyhedge Lane	Housing	47	Number of Dwellings	H	10090
WA103	Booth Street, Darlaston	Housing	47	Number of Dwellings	H	10100
WA104	Bott Lane/ Lime Street	Housing	27	Number of Dwellings	H	10080
WA105	Box Street	Housing	63	Number of Dwellings	H	10080
WA106	Butts Road	Housing	32	Number of Dwellings	H	10078
WA107	Calves Croft	Housing	54	Number of Dwellings	H	10122
WA108	Castle Packaging, Bott Lane	Housing	55	Number of Dwellings	H	10080
WA109	Cemetery Road Willenhall	Housing	49	Number of Dwellings	H	10122
WA110	Chamberlain and Hill, Chuckery	Housing	347	Number of Dwellings	H	10080
WA111	Chapel Green	Housing	1857	Number of Dwellings	H	10122
WA112	Cox Plant Hire	Housing	50	Number of Dwellings	H	10122
WA113	Croft Foundry	Housing	28	Number of Dwellings	H	10122
WA114	CROFT STREET	Housing	74	Number of Dwellings	H	12112
WA115	Croxtalls Close	Housing	996	Number of Dwellings	H	10116
WA116	Daner Ltd	Housing	83	Number of Dwellings	H	10122
WA117	Eldon Street	Housing	276	Number of Dwellings	H	10080
WA118	ENTERPRISE DRIVE, STREETLY	Housing	158	Number of Dwellings	H	10049
WA119	Ezekiel Lane	Housing	1326	Number of Dwellings	H	10122
WA120	FIELD CLOSE	Housing	88	Number of Dwellings	H	10112
WA121	Field Street/ Gomer Street	Housing	151	Number of Dwellings	H	10122
WA122	Fieldgate Works	Housing	212	Number of Dwellings	H	10080
WA123	Franchise Street	Housing	1959	Number of Dwellings	H	10100
WA124	Froysell Street	Housing	154	Number of Dwellings	H	10122
WA125	Goscote Lane	Housing	245	Number of Dwellings	H	10112
WA126	Hall Lane	Housing	502	Number of Dwellings	H	10113
WA127	Hart Street	Housing	47	Number of Dwellings	H	10080

WA128	Jones Springs Ltd, Gladstone Street, Darlaston WS10 8BE	Housing	41	Number of Dwellings	H	10100
WA129	King Street Palfrey	Housing	49	Number of Dwellings	H	10080
WA130	LAND AT THOMAS STREET & BIRCHILLS STREET, BIRCHILLS, WALSALL, WS2 8NE	Housing	148	Number of Dwellings	H	10080
WA131	Lincoln Road (Crown Works)	Housing	96	Number of Dwellings	H	10080
WA132	Lindon Road North	Housing	244	Number of Dwellings	H	10113
WA133	Lockwell Lectrics	Housing	37	Number of Dwellings	H	10122
WA134	Marlow Street (East Side)	Housing	172	Number of Dwellings	H	12112
WA135	Mill Lane	Housing	18	Number of Dwellings	H	10078
WA136	Moat Street	Housing	230	Number of Dwellings	H	10122
WA137	Network Rail, Meadow Street/ Tasker Street	Housing	300	Number of Dwellings	MTL	10080
WA138	New Cross Street, Wednesbury	Housing	19	Number of Dwellings	H	10100
WA139	New Hall Street opposite Cemetery, Willenhall	Housing	65	Number of Dwellings	H	10122
WA140	New Hall Street/ Cemetery Road	Housing	30	Number of Dwellings	H	10122
WA141	Newhall Street	Housing	669	Number of Dwellings	H	10122
WA142	North Street	Housing	95	Number of Dwellings	H	12112
WA143	Northcote Street	Housing	818	Number of Dwellings	H	12112
WA144	Old Hall Industrial Estate	Housing	85	Number of Dwellings	H	10112
WA145	Old Highgate Brewery	Housing	146	Number of Dwellings	H	10080
WA146	On Time Specials Ltd, Somerford Place (south side)	Housing	48	Number of Dwellings	H	10122
WA147	Park Lane/ Wood Street	Housing	211	Number of Dwellings	H	10100
WA148	Parker Street	Housing	32	Number of Dwellings	H	10116
WA149	Perry Street	Housing	155	Number of Dwellings	H	10100
WA150	Pleck Road South	Housing	173	Number of Dwellings	H	10090
WA151	Providence Close	Housing	11	Number of Dwellings	H	12116
WA152	REEVES STREET	Housing	108	Number of Dwellings	H	12116
WA153	Revival Street	Housing	65	Number of Dwellings	H	10112
WA154	Round Croft	Housing	158	Number of Dwellings	MTL	10122
WA155	Sandwell Street	Housing	56	Number of Dwellings	H	10080
WA156	Somerford Place (units on south side)	Housing	55	Number of Dwellings	H	10122
WA157	St Anne's Industrial Estate	Housing	187	Number of Dwellings	H	10122
WA158	St Johns Road	Housing	52	Number of Dwellings	H	10090
WA159	Stafford Road North, Darlaston	Housing	225	Number of Dwellings	H	10100
WA160	Stafford Road South, Darlaston	Housing	123	Number of Dwellings	H	10100
WA161	Stafford Street and Marlow Street (West Side)	Housing	446	Number of Dwellings	H	12112
WA162	Summer Street (east side)	Housing	65	Number of Dwellings	H	10122
WA163	Summer Street (west side)	Housing	216	Number of Dwellings	H	10122
WA164	Temple Bar (Marrens)	Housing	312	Number of Dwellings	H	10122
WA165	Temple Bar/ Leveson Street	Housing	71	Number of Dwellings	H	10122
WA166	Walsall Street (Leve Lane), Willenhall	Housing	95	Number of Dwellings	H	10122

WA167	West Street	Housing	42	Number of Dwellings	H		12116
WA168	Westbourne Road, Darlaston	Housing	107	Number of Dwellings	H		10100
WA169	William Street	Housing	56	Number of Dwellings	H		10078
WA170	Windmill Street	Housing	275	Number of Dwellings	H		10080

<Note: where opening year is not supplied, it is assumed to be 2031>

**Table B.4. Uncertainty Log: Wolverhampton**

ID	Description	Type	Measurement	Unit	Certainty	Opening Year	Model Zone
WO3	Goodyear factory (closing December 2016, large site). Included within Black Country Core Strategy Regeneration Corridor 2	Unknown	Unknown	Unknown	RF	2041	12167
WO5	Wolverhampton Canalside (started year 2000)	Commercial	204	SQM (Rate per 100m2)	RF	2036	12149
WO6	Wolverhampton Canalside (started year 2000)	Retail	111	SQM (Rate per 100m2)	RF	2036	12149
WO7	Wolverhampton Canalside (started year 2000)	Leisure	278	SQM (Rate per 100m2)	RF	2036	12149
WO8	Wolverhampton Westside Phase 1 - Mixed Offices and Leisure	Mixed Use-Shop, Restaurants and Drinking establishments. & Offices	144	SQM (Rate per 100m2)	MTL	2021	12149
WO9	Wolverhampton Westside Phase 1 - Hotel	Hotel	133	Beds	MTL	2021	12149
WO10	Wolverhampton Westside Phase 2	Mixed Use-Shop, Restaurants and Drinking establishments. & Offices	94	SQM (Rate per 100m2)	MTL	2023	12149
WO11	Wolverhampton Westside Phase 3	Mixed Use-Shop, Restaurants and Drinking establishments. & Offices	66	SQM (Rate per 100m2)	MTL	2026	12149
WO14	Wolverhampton Science Park	Mixed Use-Industry, Storage and Office	1200	SQM (Rate per 100m2)	RF	2036	10174
WO52	Bilston Urban Village	Employment	20000	GFA (sqm)	RF		10104
WO53	Chillington Fields	Employment	3000	GFA (sqm)	MTL		10119
WO54	Chillington Wharf	Employment	5500	GFA (sqm)	MTL		10119
WO55	Hickman Avenue	Employment	3500	GFA (sqm)	MTL		10119
WO56	Inverclyde Drive	Employment	2500	GFA (sqm)	MTL		10128
WO57	Land Rear of Spring Road	Employment	4500	GFA (sqm)	NC		10128
WO58	Powerhouse, Commercial Road	Employment	4500	GFA (sqm)	MTL		12149
WO59	Purbrook Road	Employment	4500	GFA (sqm)	MTL		10119
WO60	Rear of Dale Street	Employment	7500	GFA (sqm)	MTL		10119
WO61	Rear of Freemont Street/Tremont Street	Employment	6500	GFA (sqm)	RF		10148
WO62	Rolls Royce Playing Field	Employment	9000	GFA (sqm)	NC		10128
WO63	South of Citidel Junction	Employment	15000	GFA (sqm)	MTL		10119
WO64	South of Oxford Street	Employment	20000	GFA (sqm)	NC		10104
WO65	Springvale Avenue	Employment	3500	GFA (sqm)	RF		10128
WO66	St Matthew Street	Employment	3000	GFA (sqm)	MTL		10119



WO67	i54 Western Extension	Employment	200000	GFA (sqm)	RF	12199
WO69	Bettles Site	Employment	7500	GFA (sqm)	RF	12199
WO70	Citigate Park	Employment	20500	GFA (sqm)	RF	12199
WO71	Cross Street North	Employment	14000	GFA (sqm)	MTL	12149
WO72	Crown Street/Cross Street North	Employment	6500	GFA (sqm)	RF	12149
WO73	Dunstall Trading Estate	Employment	21500	GFA (sqm)	RF	10174
WO74	East Wulfrun Trading Estate	Employment	7000	GFA (sqm)	RF	10174
WO75	Fordhouses EIA	Employment	77500	GFA (sqm)	RF	12199
WO76	Fordhouses Road	Employment	9500	GFA (sqm)	RF	12167
WO77	Former Corus Building	Employment	12000	GFA (sqm)	RF	12199
WO78	Foxs Lane/Crown Street	Employment	2000	GFA (sqm)	RF	12149
WO79	Gorsebrook Road	Employment	3500	GFA (sqm)	RF	10174
WO80	i54	Employment	5000	GFA (sqm)	NC	12199
WO81	Lupus Park	Employment	22000	GFA (sqm)	MTL	12199
WO82	Rear of IMI	Employment	36000	GFA (sqm)	RF	12199
WO83	Shaw Road	Employment	4000	GFA (sqm)	RF	12167
WO84	Shaw Road	Employment	10500	GFA (sqm)	RF	12167
WO85	Shaw Road/Bushbury Lane	Employment	4000	GFA (sqm)	RF	12165
WO86	Showell Road Industrial Estate	Employment	10500	GFA (sqm)	RF	10174
WO87	The Gateway	Employment	7000	GFA (sqm)	MTL	12168
WO88	Transco Site	Employment	9500	GFA (sqm)	RF	10174
WO89	Wolverhampton Business Park	Employment	210	GFA (sqm)	MTL	12168
WO90	WSP Gas Holders	Employment	13000	GFA (sqm)	MTL	12149
WO91	WSP Mammoth Drive	Employment	4000	GFA (sqm)	MTL	10174
WO92	WSP Opportunity Site	Employment	5500	GFA (sqm)	NC	10174
WO93	WSP Stratosphere	Employment	2000	GFA (sqm)	MTL	10174
WO94	Wulfrun Trading Estate	Employment	16000	GFA (sqm)	RF	10174
WO95	Blocks i9	Employment	2400	GFA (sqm)	MTL	12149
WO96	Pipers Row	Employment	1650	GFA (sqm)	RF	12149
WO97	Blocks 6/7	Employment	31	GFA (sqm)	MTL	12149
WO98	Stafford St/Cannock Rd	Employment	20000	GFA (sqm)	RF	12149
WO99	Former BR Goods Depot	Employment	2900	GFA (sqm)	RF	12149
WO100	Mill Street Depot	Employment	5250	GFA (sqm)	RF	12149
WO101	Lime Kiln Wharf	Employment	2800	GFA (sqm)	RF	10119
WO102	Former Peel House Site	Employment	5000	GFA (sqm)	RF	12149
WO103	St Peters Car Park	Employment	7000	GFA (sqm)	RF	12149
WO104	Broad Street Car Park	Employment	100	GFA (sqm)	RF	12149
WO105	Express and Star	Employment	5000	GFA (sqm)	RF	12149
WO106	Birch Street	Employment	5000	GFA (sqm)	RF	12149
WO107	St Georges Parade	Employment	5000	GFA (sqm)	RF	12149
WO108	Bentley Bridge	Employment	100	GFA (sqm)	RF	10148

WO109	Bowmans Harbour (Wednesfield)	Employment	49000	GFA (sqm)	MTL		10148
WO110	Brook Point	Employment	40000	GFA (sqm)	NC		10104
WO111	Corus	Employment	24500	GFA (sqm)	RF		10148
WO112	Pantheon Park	Employment	22000	GFA (sqm)	NC		10148
WO113	Pheonix Road	Employment	7500	GFA (sqm)	RF		10148
WO1	Former Elam Energy Plant Site, Ward St., Ettingshall - 16/01192/REM - C3	Housing	242	Number of Dwellings	NC	2021	10128
WO2	Goodyear site (North), Stafford Road	Housing	561	Number of Dwellings	NC	2021	12167
WO4	Wolverhampton Canalside (started year 2000)	Housing	600	Number of Dwellings	RF	2036	12149
WO12	Royal Hospital Site (Phase 1) - 16/01024/OUT	Residential	146	Number of Dwellings	NC		12149
WO13	Bluebird and Fallings Park Industrial Estates.	Residential	560	Number of Dwellings	H	2036	12165
WO16	Alexander Metals	Housing	70	Number of Dwellings	RF		10119
WO17	Assa Abloy Building	Housing	110	Number of Dwellings	H		12165
WO18	Bass Brewery/Gunnebo	Housing	162	Number of Dwellings	NC		10148
WO19	Bilston Urban Village	Housing	478	Number of Dwellings	NC		10104
WO20	Bus Depot	Housing	95	Number of Dwellings	H		12165
WO21	Cable Street/Steelhouse Lane	Housing	365	Number of Dwellings	NC		10149
WO22	Culwell Industrial Estate	Housing	75	Number of Dwellings	RF		10148
WO23	Culwell Street	Housing	75	Number of Dwellings	RF		12149
WO24	Delta Trading Estate	Housing	70	Number of Dwellings	RF		10119
WO25	Dixon Street	Housing	125	Number of Dwellings	RF		10128
WO26	Former Eye Infirmary	Housing	70	Number of Dwellings	MTL		10174
WO27	Former Northcote School	Housing	174	Number of Dwellings	RF		10168
WO28	Former St Luke's School	Housing	90	Number of Dwellings	MTL		10149
WO29	Former Sunbeam Factory	Housing	115	Number of Dwellings	NC		10149
WO30	Former Tettenhall College	Housing	58	Number of Dwellings	NC		10200
WO31	Graisley Row	Housing	80	Number of Dwellings	RF		10149
WO32	Greenway Road	Housing	140	Number of Dwellings	RF		10104
WO33	Grimstone Street	Housing	60	Number of Dwellings	RF		12149
WO34	Heath Town Estate	Housing	225	Number of Dwellings	NC		10148
WO35	Horseley Fields/Crane Foundry	Housing	200	Number of Dwellings	RF		12149
WO36	Jennie Lee Centre Lichfield Road	Housing	147	Number of Dwellings	NC		10148
WO37	Mount Pleasant	Housing	64	Number of Dwellings	MTL		10119
WO38	Qualcast Road	Housing	203	Number of Dwellings	MTL		10148
WO39	Royal Hospital	Housing	150	Number of Dwellings	NC		12149
WO40	Showell Road	Housing	75	Number of Dwellings	RF		12165
WO41	Southside 3	Housing	120	Number of Dwellings	H		12149
WO42	Springfield Brewery	Housing	440	Number of Dwellings	H		12149

WO43	Stafford St/Cannock Rd	Housing	210	Number of Dwellings	RF		12149
WO44	Stafford Street/Bone Mill Lane (Student)	Housing	600	Number of Dwellings	NC		10174
WO45	Tap Works	Housing	100	Number of Dwellings	NC		12165
WO46	The Connaught Hotel	Housing	101	Number of Dwellings	MTL		10174
WO47	Thomson Avenue	Housing	120	Number of Dwellings	NC		10149
WO48	Tower and Fort Works	Housing	72	Number of Dwellings	NC		10149
WO49	Ward Street/Polypipe	Housing	620	Number of Dwellings	NC		10128
WO50	Wednesfield School	Housing	240	Number of Dwellings	RF		10152
WO51	Westside	Housing	250	Number of Dwellings	MTL		12149

<Note: where opening year is not supplied, it is assumed to be 2031>