

# **M54 to M6 Link Road**

## **TR010054**

### **8.15 Applicant Responses to Documents Received at Deadlines 1 and 2**

Planning Act 2008

Rule 8 (1) (c)(ii)

Infrastructure Planning (Examination Procedure) Rules 2010

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## Infrastructure Planning

### Planning Act 2008

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

## **M54 to M6 Link Road**

### **Development Consent Order 202[ ]**

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<b>Regulation Number</b>	Rule 8 (1)(c)(ii)
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# 1 Introduction

- 1.1.1 This document is being submitted at Deadline 3 for the M54 to M6 link road Examination on 24 November 2020. It provides responses from the Applicant, Highways England, to:
- Written Representations and one additional submission received at Deadline 1 (3 November 2020). See chapter 2.
  - Responses to issues raised in the Local Impact Report (LIR) submitted by Staffordshire County Council at Deadline 1 (3 November 2020). The Applicant has no comments to make on the LIR submitted by South Staffordshire Council. See chapter 3.
  - Responses on other matters including comments on Statements of Common Ground, Accompanied Site Inspection Itinerary and additional information submitted at Deadline 2 (17 November 2020). See chapter 4.
- 1.1.2 All application documents referenced in this document 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 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 [zz/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 to the Application.

## **2 Responses to Written Representations received at Deadline 1**

2.1.1 This document has been prepared by the Applicant to set out its responses to all Written Representations (WR) received by the Examining Authority (ExA) at Deadline 1. The following WR were made at Deadline 1:

- Staffordshire County Council [REP1-005];
- Natural England [REP1-012];
- National Grid [REP1-015]
- Mann & Hummel [REP1-017];
- I & A Simkin [REP1-020];
- Gavin Williamson CBE MP [REP1-070];
- South Staffordshire Water plc [REP1-076];
- Cllr Robert Cope [REP1-077];
- M6 Diesel [REP1-080]; and
- Allow Ltd [REP1-082, 084, 085, 086, 088, 091 and 092].

2.1.2 An additional submission was also received by the ExA at Deadline 1 from Pramesh Chandra [AS-122]. The Applicant's Response to this Additional Submission is also provided in this section.

Table 2-1 Applicant's Response to Written Representations received at Deadline 1

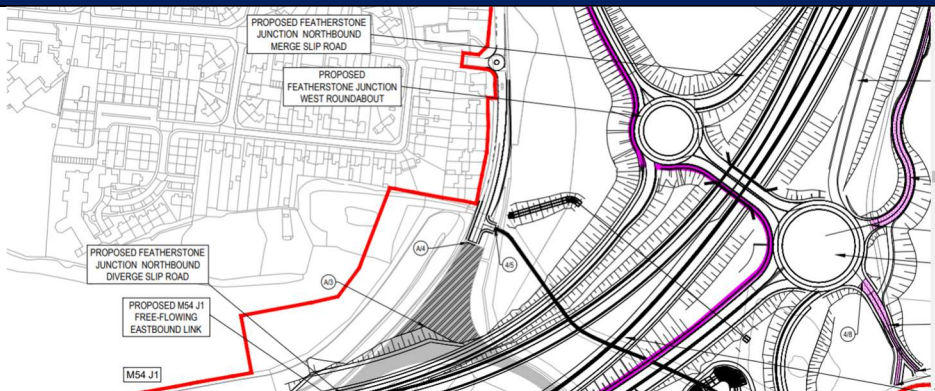
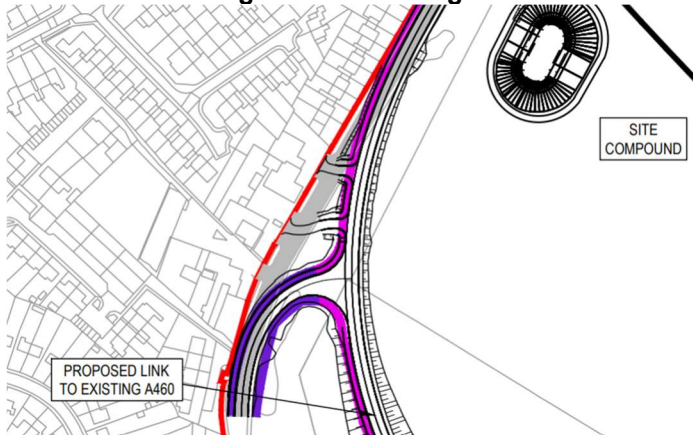
Representor / WR No.	Paragraph Ref (if applicable)	Written Rep (Extract)	Applicant's Response to Written Representation
Staffordshire County Council REP1-005	Issue 1: page 2 para 1 & 2	<b>SCC Support and Engagement</b> Staffordshire County Council (SCC) has been in consultation with Highways England (HE) over the proposed scheme for a lengthy period and have provided detailed responses to the statutory Pre-Application consultations. We have maintained throughout the pre-application stage that we are supportive of the proposal in principle and would wish to see it achieve its stated objectives to the greatest effect, whilst minimising any negative impacts. Whilst HE have engaged positively throughout we still have some concerns and issues to address.	Highways England agree with this statement and appreciate the effort and time SCC has spent engaging with the Applicant on the project.
	Issue 2: page 2 para 3	<b>A460</b> Since a final option was determined for the route of the new link road we have been clear that we would wish to ensure that the correct conditions are provided so that the existing A460 could be returned to a local road. Indeed, this was the picture presented by HE to local communities during the public engagement events, where the potential for legacy funding schemes to further enhance the A460 post DCO were explained. Communities may therefore be expecting significant complimentary improvements to the A460 to reduce severance and promote walking and cycling post-scheme i.e. giving the old A460 more of a place function than the current movement function. The presence of significant numbers of HGVs would make delivery of such measures much more restricted.	<p>The potential designated funds improvements were not included within the consultation materials in the non-statutory consultation in 2017 or the statutory consultation in 2019, as Highways England was unable to make any commitment that these funds could be allocated for this purpose. The potential for delivering measures should the designated fund has been discussed openly with SCC and SSC but since the Preferred Route Announcement in 2018, Highways England has always tried to be as clear as possible that these measures are not part of the Scheme. Any community misunderstanding at this point would be surprising given the amount of consultation that has been undertaken and the clear statements by Highways England that these measures would not be included in the Scheme.</p> <p>As explained on page 59 of the draft Statement of Common Ground (SoCG) with Staffordshire County Council [REP1-042/8.8LA(A)], 'the scheme does not include proposals to improve NMU facilities along the existing A460 corridor. However, Highways England has accepted a designated fund 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.'</p> <p>Highways England's response to Written Question 1.10.13 in the Applicant's Responses to the ExA's First Written Questions [REP1-049/8.10] provides further explanation of the process that Highways England will follow to seek funding for this improvement.</p> <p>The feasibility study is due to be completed in March 2021 and we will continue to engage with stakeholders to provide an update following the completion of this study. However, any measures delivered would be entirely separate from the DCO application and the delivery of the measures (or otherwise) is not material to decision making on the DCO application.</p>
	Issue 3: page 2 para 4 & 5	<b>HGV use of A460 post construction</b> Whilst the new link road will remove the vast majority of long-distance traffic from the A460 we content that there are two scenarios whereby there could be residual or re-routing HCV traffic using the A460 as a through route between the M54 and M6. This will result in a higher proportion of traffic on the old route consisting of larger vehicles that not only affect severance and make the corridor less attractive for sustainable travel modes, such as walking and cycling, but also may reduce the options for providing future interventions post-scheme to improve the environment along the A460 for communities. The continued use of the A460 by HCV's also reduces the effectiveness of the development in achieving its stated objectives.  The two scenarios we believe may diminish the effectiveness of the scheme in delivering its objectives without further reinforcement are detailed below:  1. In relation to residual HCV traffic - The A460 houses, to its northern end, the M6 Diesel filling station for HCVs, which has been used by truck drivers passing by on their route between the M54 and M6. We argue that as human beings are	<p>As explained in Highways England's response to RR-011c in the Applicant Responses to Relevant Representations [REP1-043/8.9], the traffic model forecasts that in 2024, the 'with Scheme' scenario would result in 279 2-way HGV trips between the Church Road/Hilton Lane and New Road/Dark Lane junctions as opposed to 3,114 HGVs per day in the existing Base Year Scenario, a reduction of over 90%.</p> <p>A technical note has been submitted at Deadline 3 'HGVs on Existing A460' [TR010054/APP/8.17] which sets out these forecast figures. This note also explains that the M6 Diesel site has not been modelled as a specific local model zone therefore it is possible as a worst case (assuming none of the counted HGVs are allowed for in the traffic model, which is highly unlikely) that the 2024 forecast HGV flows on the A460 south of M6 Diesel could be under-represented by up to maximum of 375 HGV per 24-hour weekday. This upper-bound value is based upon the observations of HGV flows at the 'M6 Diesel' site that turn to and from the A460 South. From the 2024 traffic forecasting model, the HGV flow on the length of the A460 between the Church Road / Hilton Lane junction and the New Road/Dark Lane traffic signal junction would be 279 HGV over 12-hours but this value could be up to 375 higher, which sums to an upper-bound value of 654 HGV over the 12-hour average week day period. Therefore, the Scheme would remove 79% of HGVs along the A460 in this worst outcome analysis.</p> <p>In this upper-bound case, the HGV content on the bypassed A460 would be 7%. The bypassed A460 would be reclassified from a principal A-road to an un-numbered C-road (i.e. a similar road type as New Road) for which</p>

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		creatures of habit many drivers who have used this facility in the past will continue to do so using the same route as they have always used. Equally whilst the new link may offer a slightly quicker journey time but instinctively drivers may continue to choose the shorter route over heading past their destination to then come back on themselves. In short we believe that without restriction/complimentary measures there will be continued use of the A460 daily by HCV through traffic when re-fuelling at M6 Diesel.	road type the HGV content might typically be expected to be 10%. Even in this upper-bound calculated case, the number of and proportion of heavy goods vehicles on the bypassed A460 would be low.  In either the forecast case or the worst outcome case, the Scheme would achieve the objectives as the volume of traffic and HGV would be significantly reduced. Highways England is therefore satisfied that it is not necessary to provide a weight restriction and that such a weight restriction is not required as part of the Scheme.
	Issue 4: page 3 para 2	<b>HGVs on existing A460 during link road closures</b> 2. In relation to re-routing traffic the concern here is centred around incidents/closures on the new link road. During such periods the signed diversion will be the A5/A449 between M54 jct 2 and M6 Jct 11. We do not believe traffic will use this route and instead revert back to the A460 to bypass the incident/closure. The A449/A5 is presently the signed route to connect from the M54 to M6 north but drivers are using the A460 instead hence the need for the proposed development. We recognise that during periods of incident the may be little that can be done in relation to light vehicles re-routing onto the A460 however measures could be introduced to keep HCV's off the local road in such circumstances.	Refer to Highways England's response to RR-011d in the Applicant Responses to Relevant Representations [REP1-043/8.9].
	Issue 5a: page 3, para 3 & 4	<b>Weight restriction</b> In order to reduce the number of HCVs using the A460 to move between the M54 and M6, whilst still allowing access to the M6 Diesel filling station from the north via M6 Junction 11, Traffic Regulation Orders could be considered in the form of 7.5t weight restrictions on the A460. These would allow access to local facilities and routes as necessary but would prevent the A460 from being used as a through route by HCVs. We understand from HE that use of the new link road to/from M6 junction 11 to access M6 Diesel is quicker in terms of journey time than utilising the A460. Therefore, the TRO supports what should be route of choice.  It is our position that such an Order should form an integral part of the scheme in helping it achieve its stated objectives; to be clear a TRO is not considered as mitigation for the development itself but part of the overall scheme. The powers conveyed by the DCO would ensure that there is clarity to local communities about the make-up of the scheme and their expectations for the future of the A460 once it is returned to providing for local traffic. We want to ensure that the new link road is used by all appropriate traffic and in doing so provides the appropriate conditions for wider future options for the A460 and local communities to benefit from reduced traffic pressures. At present the scheme is lacking in this respect.	Highways England does not consider that a weight restriction is required in order to achieve the Scheme objectives and as such, the Scheme does not include a weight restriction on the existing A460. Refer to Applicant's response to SCC's Written Representation Issue 3 above.
	Issue 5b: page 3 para 5 & 6	<b>Monitor and manage approach</b> HE has proposed a Monitor and Manage approach to the issues raised above, which we have considered but have concluded they would be an inefficient response and potentially would require retrospective changes to signage implemented during the construction of the link road. The development of the road itself proof enough that traffic will not use the A5/ A449 trunk road route to connect between motorways if the link road is closed/obstructed. A restriction is therefore essential to ensure HCV traffic stays on the more appropriate strategic route. In addition, dealing with the issues through the DCO provides clarity and certainty to the community and business what is to happen and how it relates to the overall scheme objectives. This will create the appropriate conditions for the A460 to become and feel more like a local village road.	Refer to Applicant's response to SCC's Written Representation Issue 3 and 5a above.

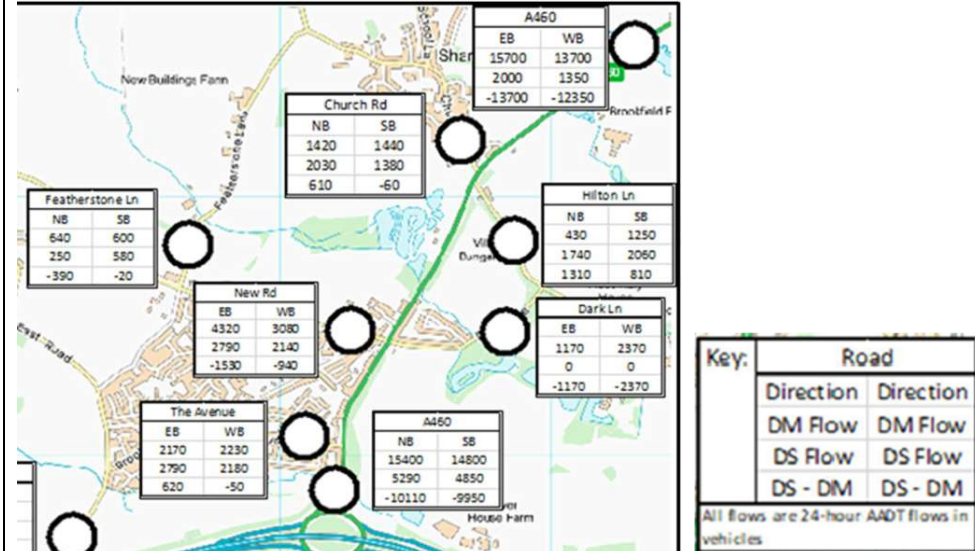


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		The details of a weight restriction and its coverage should form part of the discussion at the Examination and ideally be agreed by Highways England and Staffordshire County Council.	
	Issue 6: page 4, para 1	<p><b>Reclassification and review of A460</b> HE are requesting the new link road be named the A460 to maintain consistency in signing. This is acceptable to SCC however this will require the existing A460 to be reclassified upon completion of the new link. This would identify the new link as the main strategic connection as well as allowing consideration of wider legacy schemes on the existing A460. The county council consider that the A460 should be reclassified as a classified unnumbered road i.e. 'c-road' in accordance with the DfT Guidance on road classification and the primary route network, which defines such routes as:</p> <ul style="list-style-type: none"> <li>classified unnumbered – smaller roads intended to connect together unclassified roads with A and B roads, and often linking a housing estate or a village to the rest of the network. Similar to 'minor roads' on an Ordnance Survey map and sometimes known unofficially as C roads.</li> </ul>	Highways England has confirmed that the existing A460 between the new tie in from Featherstone Interchange and M6 Junction 11 will be reclassified to a classified un-numbered 'C' road, as requested by SCC. Refer to the Classification of Roads Plans [AS-70/2.9] and page 38 of the draft SoCG with SCC [REP1-042/8.8LA(A)].
	Issue 7: page 4, para 3 & 4	<p><b>Re-classification of A460 in the DCO</b> Highways England has agreed to make the A460 a lower order road and this is shown on the Classification of Roads Plans, however the process for how this will come into place in the DCO is unclear. The DCO and should make it clear that upon completion of the link road the old A460 will automatically become a classified unnumbered road and recorded as such with the DfT.</p> <p>The reduction in status of the A460 would also require review of various Traffic Regulation Orders that apply to the route or require new Orders to be implemented. Whilst it is understood that speed limit changes will be implemented along the A460 once the link road is complete, it is suggested that Highways England also include a review of laybys, parking and weight restrictions in the area. The cost of this review, new orders and associated signing requirements is considered small in terms of the overall scheme cost.</p>	<p>There are suitable powers within the draft DCO to allow Highways England to revoke, amend or suspend in whole or part orders made under the Road Traffic Regulation Act 1984 with the agreement of the local highways authority. Article 16 of the draft DCO applies to roads which are not Highways England roads, it effectively says that Highways England can make orders as if it were the traffic authority for local roads subject to certain limitations. Reclassification is secured by Article 11 of the draft DCO upon the date the authorised development is open for traffic.</p> <p>It is anticipated that any existing orders along the A460 will be amended to account for the reclassification of the A460. It is not proposed to make any changes to the existing layby, parking, weight restrictions or clearway regulations in the area. Where an area of carriageway subject to these existing provisions are to be altered this will be re-introduced. Any changes to orders on the local road networks outside of the limits of the Scheme would be the responsibility of the local highways authority. The only exception being the removal of the right turn ban at Dark Lane to allow residents of Hilton access to Dark Lane from both directions post construction of the Scheme.</p>
	Issue 8a: page 4 para 5 & 6	<p><b>Parking at the southern end of the old A460</b> As a result of the realignment of the old A460 there are areas of the original route that are proposed to be stopped up or the carriageway removed as indicated on STREETS, RIGHTS OF WAY AND ACCESS PLANS REGULATION 5(2)(K) SHEET 4 OF 10. There are two issues here that require further work from HE: 1. Southern section In relation to the southern section of the original alignment that is proposed to become a cul-de-sac as shown on the extract below. There are concerns that given its proximity to the strategic road network this area may become subject to indiscriminate parking. Further measures are considered to be required here to ensure its use is only for residential access and highways maintenance activities.</p>	This item has been discussed further with SCC. The turning head proposed at the end of the cul-de-sac is not designed to accommodate for the turning of HGVs therefore it is anticipated that the likelihood of HGV parking in this area is low as vehicles would be unable to exit without reversing. Furthermore, to discourage 'fly parking' it is anticipated that the existing no waiting restriction will be reinstated along this section of the A460 post completion of the Scheme. Further discussion will be held with the local residents and parish council to address concerns regarding parking at this location and the preferable design solution.



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	Issue 8b: page 5 para 1	<p><b>2. The area fronting the Petrol filling Station and Public house</b></p>  <p>The area shaded grey in the extract above identifies the length of the A460's original alignment that HE proposes to remove the carriageway but retain the area as public highway. Our understanding is the rationale for this is down to the presence of utilities in the highway and the cost of diversion. We have several issues with this approach and the uncertainty created. Starting with the access to the public house as annotated above. The pub seems to have two access points to its car park whilst the southern access is broadly unaffected the northern access appears to be made redundant by the proposal but the property would still front publicly adopted highway at this location.</p> <p>The scheme proposed two new access drives to the Petrol filling station and surrounding uses from the realigned road. The southernmost access drive crosses an area of land shaded white (or unshaded), this land is to be permanently acquired by HE to deliver the scheme. Effectively, as this land is not part of the highway the access drive therefore crosses third party between the new road alignment and the old alignment. Where the access drive sits above the old alignment of the A460 it will be subject to all legislation covering the adopted public highway and would be subject to maintenance at public expense. Similar issues exist for the northern access.</p> <p>In addition the old A460 alignment as public highway would be usable by the public, which may create confusion for frontage owners.</p> <p>There is no clarity on what is proposed for the area between the new highway and old alignment or who will be responsible for it. Further on the ground it will be difficult to define areas that are public highway from areas that are in other ownership. We believe the old alignment of the A460 shaded grey in the extract</p>	<p>This item has been discussed further with SCC. Further information regarding the highway boundary and maintenance liability for the area has been provided to SCC, however there are still concerns around the additional maintenance requirements that this would impose on the local highways authority. Highways England will continue to liaise with SCC on this matter alongside discussions with the Parish Council regarding the potential for maintenance to be managed locally.</p>

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		should be formally stopped up and consideration given to how the land between the rear of the new highway alignment and private properties should be treated including access rights and ownership responsibilities.	
	Issue 9: page 6, para 4	<b>A41/Wrotesley Park Road/Heath House Lane junction, Perton</b> Highways England has identified that additional traffic will utilise this junction upon completion of the M54-M6 link road although the level of this impact is not quantified. The junction has a history of traffic capacity issues in peak hours. Recent work has been undertaken to develop a scheme capable of accommodating additional traffic from new developments proposed during the adopted Local Plan period. Both the existing junction and the proposed improvement scheme have little, if any, spare capacity for additional traffic. The county council would like Highways England to identify peak hour traffic increases associated their scheme and undertake junction capacity assessments as appropriate to understand if the existing and proposed junction layouts can accommodate the additional traffic induced by their scheme. South Staffordshire Council are preparing the next Local Plan and are considering further development in this area.	Highways England has extracted (With Scheme – 'Do-Minimum') flow differences at the A41/Wrotesley Park Road / Heath House Lane junction from the 2024 traffic forecast model assignments of the AM2 (08:00 – 09:00) and PM2 (17:00 – 18:00) time periods. On the A41 westbound approach, the hourly flows reduced by 24 vehicles per hour in the AM2 and reduced by 27 vehicles per hour in the PM2. The only one of the four approaches with an increase in flows was on the A41 eastbound approach and this increase was 17 vehicles per hour in the PM2 peak hour (17:00 – 18:00).  These small flow changes due to the Scheme are not considered to be material with respect to the operation of the A41/Wrotesley Park Road / Heath House Lane junction.  It is noted that SCC is undertaking capacity assessments of potential junction improvement options. Highways England's forecast changes to the junction's turning movements could be provided should these be considered to be useful. Based upon consideration of approach flows, it is Highway England's opinion that the changes would not have a significant impact on the operation of the A41/Wrotesley Park Road/Heath House Lane Junction.
	Issue 10: page 6, para 5 and cont on page 7.	<b>A5 west of Tamworth</b> The A5 west of Tamworth is identified as experiencing an increase in traffic as a result of the scheme, although the level of impact at peak times has not been quantified. This section of the A5 is located close to the already heavily congested M42 junction 10. The county council would like Highways England to consider the peak hour traffic increases on the A5 and, if necessary, undertake a junction assessment at M42 junction 10 to determine if the effects on capacity are negative. A future Highways England intervention scheme may need to be developed to mitigate the effects of existing and additional traffic pressures on the M42 junction 10.	The Transport Assessment [AS-114/7.4] at Figure 4.8 presents daily AADT traffic forecasts for 2039. The AADT flow on the A5(T) to the west of Tamworth would increase with the Scheme by 600 vehicles per day (about 1.4% added to the forecast 'Do-Minimum' AADT flow).  The A5 and the M42 are part of the Strategic Road Network (SRN). Highways England has an ongoing role to review the operational performance of the SRN and to identify and implement improvements where there is a business case for doing so. Should the need for capacity improvements be identified then future interventions could be considered in future Road Investment Strategy (RIS) periods should there be sound evidence to support this.
	Issue 11: page 7, para 2	<b>A4601 and A460 between A5 and M6 J11</b> The Highways England modelling work has identified significant increases in daily vehicle flow on the A4601 and A460 between the A5 and M6 junction 11 These are very likely to have negative effects on the local road network which may require mitigation measures and improvements. The county council would therefore request that Highways England assess whether local improvements in this vicinity are required to maintain the current level of service on both the A4601 and A460 and consider their inclusion in future investment programmes.	As SCC correctly identifies, the A4601 and A460 are not part of the SRN. Investment programmes for improving roads that are not part of the SRN are identified by other organisations and other funding mechanisms. For example, Midlands Connect is one such organisation and both SCC and Highways England provide input to this organisation. The purpose of this DCO process is to consider the merits and impacts of the M54 to M6 Link Road scheme.  In terms of the appraisal of the Scheme, the traffic forecast model simulates the bottlenecks elsewhere on the highway network and any consequential delays are reflected in the calculation of journey time benefits delivered by the Scheme.  A similar question was raised by a Featherstone and Sharesill Ward Councillor. The Applicant's response was provided at Deadline 1 [REP1-043/8.9] table reference RR-025c, which stated that the traffic model suggests that further along the A460 towards the Churchbridge Roundabouts, the junctions will operate under capacity in the 2039 Design Year.
	Issue 12: page 7 para 3.	<b>Churchbridge Interchange A460 Lodge Lane Link, Cannock</b> According to the Highways England modelling work, the A460 Lodge Lane Link experiences a significant increase in daily traffic but this increase does not match the traffic figures identified for the Churchbridge interchange at Cannock. The Churchbridge interchange is very sensitive to increases in traffic and the increases reported on Lodge Lane Link have a negative impact on vehicle flows and delays at this location. The county council would like Highways England to investigate these issues and has raised this as an issue with them in ongoing discussions, we are currently awaiting a full response. The county council considers that it may be most appropriate for Highways England to specifically identify appropriate	See Applicant's response to Issue 11, raised in SCC's WR, above in the table. SCC has acknowledged that improvements to Lodge Lane and Churchbridge Interchange are not included as part of the Scheme (refer to the draft SOCG with SCC [REP1-042/8.8LA(A)]). Some of the Churchbridge Interchange is operated by Highways England and should the need for capacity improvements be identified then future interventions could be considered in future Road Investment Strategy (RIS) periods should there be sound evidence to support this.

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		mitigation measures for inclusion in their future infrastructure investment programmes.	
	Issue 13: page 7, para 4.	<b>A460 West of Cannock</b> Increased traffic pressures have been identified on the A460 west of Cannock by the Highways England modelling work. This section of the A460 will also serve the MacArthur Glen retail outlet at Cannock which is predicted to attract significant road traffic, putting further pressure on the A460. It is considered likely that the combination of the link road and the retail development traffic will have a negative impact on the capacity of the A460 and lead to vehicle delays and unreliable journey times. The county council would therefore request that Highways England undertake assessment work to understand these impacts and if necessary develop mitigation measures to alleviate traffic capacity issues at this location for inclusion in future investment programmes.	<p>A similar question was raised by a Featherstone and Shareshill Ward Councillor. The Applicant's response was provided at Deadline 1 [REP1-043] table reference RR-025c.</p> <p>It is noted that the McArthur Glen retail outlet is located to the southeast of Cannock and its accesses will be onto the section of the A460 to the north of the A5 Churchbridge junction; i.e. further away from the Scheme.</p>
	Issue 14: page 7, para 5.	<b>Hilton Lane</b> The Highways England modelling work has identified significant increases in daily traffic on Hilton Lane, as well as smaller increases at Shareshill. It is considered that this may have significant negative effects on the operation of the local highway network and lead to queues and delays on local roads and at junctions. Further assessment could be made by Highways England regarding these impacts and potential mitigation measures could be developed for delivery as part of a suite of legacy schemes along the A460 corridor.	<p>In the existing situation, trip-ends between Featherstone &amp; Hilton and trip-ends to the east travel along Dark Lane.</p> <p>The Scheme will close the north-western length of Dark Lane, which will displace traffic onto the length of the A460 (between the existing New Road / Dark Lane traffic signalled junction and the existing A460 / Hilton Road priority junction in Shareshill) and onto the length of Hilton Lane (between A460 priority junction and the former Hilton Lane / Dark Lane priority junction). It follows that, compared with the existing traffic flow volumes on Hilton Lane, the traffic flows on the western end of Hilton Lane will increase with the Scheme. The 2039 daily traffic flow changes are shown in the Transport Assessment Report [AS-114/7.4] at Figure 4.12 (extract provided below).</p> <p>This indicates that with the Scheme in the design year 2039:</p> <ul style="list-style-type: none"> <li>flows on New Road will reduce significantly</li> <li>flows will increase marginally on The Avenue, Church Road and Hilton Lane.</li> </ul> <p>Notwithstanding the above, the daily flow in 2039 will be 3,800 vehicles on Hilton Lane, 3,410 vehicles on Church Road, 4,930 vehicles on New Road and 4,970 vehicles on The Avenue. It should be noted that the theoretical capacity of a single carriageway is up to 13,000 vehicles per day, therefore all of these links will be significantly under capacity in 2039.</p> <p><b>Extract from Figure 4.12: Forecast AADT Flows – M54 / A460 (2030), Transport Assessment [AS-114/7.4]. See Transport Assessment for further detail.</b></p> 



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			<p>It is noted that there is a history of traffic capacity issues at the A460/Hilton Lane priority junction and other junctions along the A460. This is because in the no-Scheme case ('Do-Minimum') there are high flow volumes on the A460. The forecast peak hour traffic relief to the A460 is provided in the Transport Assessment report [AS-114/7.4] at Table 4.5 (extract provided below).</p> <p><b>Table 4.5: Peak Hour Flows on Bypassed Roads</b></p> <table><tr><th></th><th></th><th colspan="2">2024, 'Do-Minimum'</th><th colspan="2">2024, 'Do-Something'</th><th colspan="2">Reduction (DM-DS)</th></tr><tr><th>Road Description</th><th>Direction</th><th>AM1</th><th>PM2</th><th>AM1</th><th>PM2</th><th>AM1</th><th>PM2</th></tr><tr><td rowspan="2">A460 (at M6 J11)</td><td>Eastbound</td><td>1,136</td><td>1,079</td><td>206</td><td>126</td><td>930</td><td>954</td></tr><tr><td>Westbound</td><td>891</td><td>900</td><td>95</td><td>71</td><td>797</td><td>828</td></tr><tr><td rowspan="2">A460 (Hilton Lane to New Rd)</td><td>Eastbound</td><td>1,171</td><td>1,158</td><td>309</td><td>348</td><td>862</td><td>810</td></tr><tr><td>Westbound</td><td>843</td><td>919</td><td>154</td><td>169</td><td>689</td><td>750</td></tr></table> <p>The 2024 forecast peak hour flows on the bypassed A460 will become very low in the With Scheme ('Do-Something') case. As a direct consequence of the Highways England's M54 to M6 Link Road scheme, the traffic capacity issue that has been a historic concern of SCC will be resolved.</p>			2024, 'Do-Minimum'		2024, 'Do-Something'		Reduction (DM-DS)		Road Description	Direction	AM1	PM2	AM1	PM2	AM1	PM2	A460 (at M6 J11)	Eastbound	1,136	1,079	206	126	930	954	Westbound	891	900	95	71	797	828	A460 (Hilton Lane to New Rd)	Eastbound	1,171	1,158	309	348	862	810	Westbound	843	919	154	169	689	750
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Natural England REP1-012	Full response	See response	The points raised by Natural England in their Written Representation are being progressed through the SoCG between Natural England and Highways England [REP1-028/8.8P(B)]. Responses to points raised have been provided in the SoCG, the Applicant Response to Relevant Representations [REP1-043/8.9], Applicant Response to the ExAs 1st Written Questions [REP-036/8.10] and the Applicant Response to Written Question Responses from Other Parties [REP2-009/8.14].																																														
National Grid REP1-015	Page 2 Para 1.1	National Grid Plc have made a relevant representation in this matter on 17th April 2020 in order to protect its position in relation to infrastructure and land which is within or in close proximity to the proposed Order Limits. National Grid's rights to retain its apparatus in situ and rights of access to inspect, maintain, renew and repair such apparatus located within or in close proximity to the Order Limits should be maintained at all times and access to inspect and maintain such apparatus must not be restricted.	Refer to RR-014a in the Applicant Responses to Relevant Representations [REP1-043/8.9]																																														
	Page 2 Para 1.2	National Grid Plc does not object in principle to the development proposed by the Promoter. National Grid does however, object to the Authorised Works being carried out in close proximity to their apparatus in the area unless and until suitable protective provisions and related agreements have been secured to their satisfaction, to which see further at paragraph 5. They also object to any compulsory acquisition powers for land or rights or other related powers to acquire land temporarily, override or otherwise interfere with easements or rights or stop up public or private rights of access being invoked which would affect their land interests, rights, apparatus, or right to access and maintain their apparatus. This is unless and until suitable protective provisions and any necessary related amendments to the wording of the DCO have been agreed and included in the Order.	<p>Highways England notes National Grid's position. Highways England thanks National Grid for confirmation of the position of these assets in National Grid's Written Representation and can confirm that these lines will not be affected. Also refer to RR-014a in the Applicant Responses to Relevant Representations [REP1-043/8.9], Highways England can confirm that the 275kV overhead power lines referenced by National Grid will not be affected.</p> <p>The Applicant is continuing dialogue with National Grid with a view to agreeing the protective provisions to be included in the draft DCO.</p>																																														
	Page 3 para 2.4	National Grid also require 24 hour access to all assets listed at 2.1 throughout the construction and operation of the Authorised Development and will liaise with the Promoter to ensure this is maintained.	Highways England will ensure that National Grid will have 24 hours access to its assets throughout the construction and operation of the Authorised Development. The protective provisions being agreed between National Grid and Highways England will ensure that access is maintained to National Grid's assets.																																														
Mann & Hummel REP1-017	Introduction	1. Mann & Hummel Ltd ("Mann & Hummel") are the owners of interests in land which the applicant seeks to acquire by compulsion. Mann & Hummel is an interested party falling within the definition set out at section 102(1)(aa) of the Planning Act 2008.	No response required.																																														
	Objection	<p>2. Mann &amp; Hummel objects to the compulsory acquisition of its rights, interest and property in respect of all its rights and interests identified in the Book of Reference.</p> <p>3. Mann &amp; Hummel objects, to the acquisition of part of plot 4/4.</p>	At a meeting between Highways England and Mann & Hummel on 12/12/2019, concern was raised that on the draft Land Plans a small section of plot 4/4 encroached over the existing one-way system within the Mann & Hummel site. Highways England reviewed this and amended the extent of permanent acquisition in plot 4/4 to remove this small section of land prior to submission of the application in January 2020. The small area of land removed remains within the Order limits but is shown as white within the Land Plans [TR010054/APP/2.2, all versions] as no rights, or permanent or temporary acquisition are sought over this area.																																														

Representor / WR No.	Paragraph Ref (if applicable)	Written Rep (Extract)	Applicant's Response to Written Representation
		<p>4. Acquisition of a part of 4/4, which is within Mann &amp; Hummel's security fenced area will negate the ability of heavy goods vehicles to manoeuvre around the site via the one-way system, crucial for the business to operate.</p> <p>5. Mann &amp; Hummel are yet to receive conformation from the Applicant that no rights, compulsory acquisition or temporary acquisition is sought on the part of 4/4 referred to above. Queries have been raised with the Applicant to request clarification of this, and of their intentions and assurances for maintaining the structural integrity of the trafficked route, by email on the 22nd October and 29th October 2020, but it has not yet been provided.</p> <p>6. Mann &amp; Hummel accept that the acquisition of part of plot 4/4 is required to accommodate the realignment of the Public Right of Way (bridleway) Featherstone 3 due to the construction of the new M54 Junction 1 and associated M54 westbound merge slip road. Queries have also been raised with the Applicant (22/10/20 and 29/10/20) in relation to the proximity of the realigned bridleway to Mann &amp; Hummel's security fencing, however this has also not yet been responded to.</p>	<p>Confirmation regarding the acquisition of part of plot 4/4 was provided in an email dated 03/11/2020 to the land agent, Bagshaws:</p> <p><i>"Only areas of land colour coded and indicated within the key on the right hand side of the plan are part of the Scheme proposals, thus the unshaded area you refer to is not required for the Scheme. Originally the unshaded area was required during the Supplementary consultation in November 2019, however, from meeting with your clients in December 2019 and further understanding your clients business needs, we were able to exclude this area from the Scheme."</i></p> <p>Additional information regarding the structural integrity of the trafficked route was provided in an email dated 06/11/2020:</p> <p><i>"Currently it is not anticipated to make any alterations to the steep bank or location of the footway at the pinch point near the unshaded area. The distance from the security fence will therefore be as per the current scenario in the pinch point location. The concrete pipe noted has been picked up on the drainage survey and currently is not anticipated that there will be any need to remove the pipe as part of the works. Therefore, it is anticipated that there is very little risk to the structural integrity of the yard area."</i></p> <p><i>If it is identified that there is a need to remove the pipe then suitable excavation and reinstatement will be proposed to ensure the integrity of surrounding earthworks. Further details will be developed as part of detailed design."</i></p> <p>Highways England issued Heads of Terms to the affected party to acquire land by agreement on 11/08/2020 and is yet to receive a response.</p>
		<p>7. Mann &amp; Hummel require an assurance from the Applicant, that the trees within plot 4/4 will be trimmed regularly, for their advertising sign to be clearly visible from M54.</p>	<p>It is the Applicant's understanding that the Mann &amp; Hummel sign referenced is attached to the northern side of the warehouse building and is therefore currently partially visible to vehicles on the M54. The area of woodland between the warehouse and the carriageway is partially within the highway boundary and partially within the Mann and Hummel site. The responsibility for maintenance of trees within the highway boundary is with Highways England's Operations Directorate who will maintain the Scheme as part of the Strategic Road Network. This will include trimming trees to maintain visibility for road users and removing any trees that are deemed a risk to the safety of road users. Highways England does not provide vegetation clearance to provide visibility of off-carriageway signs for road users. The Applicant therefore would be unable to provide the reassurance requested and would not seek to agree to any maintenance regime to keep the sign visible.</p>
I & A Simkin REP1-020	Introduction	<p>1. I &amp; A Simkin ("Messrs Simkin") are the owners of interests in land which the applicant seeks to acquire by compulsion. Messrs Simkin is an interested party falling within the definition set out at section 102(1)(aa) of the Planning Act 2008.</p>	No response required.
	Objection	<p>2. Messrs Simkin objects, to the acquisition of permanent rights over plots 6/29, 6/30, 6/31 and part of the permanent acquisition of plot 6/23?</p>	Refer to RR-033c and RR-033d in the Applicant Responses to Relevant Representations [REP1-043/8.9]. This issue has also been addressed in the SoCG with Messrs I & A Simkin [REP1-051/8.8LIU(I)].
	Biodiversity, Ecology and Natural Environment	<p>3. Messrs Simkin welcome the "Accepted Changes", which included the complete removal of the excessive environmental mitigation previously proposed over plots 5/26, 5/27, 6/25 and reduction in the overall area of land to be acquired permanently.</p>	No response required.
		<p>4. Messrs Simkin accept that the acquisition of plot 6/23 is required to accommodate the enlargement of Junction 11 and request that the Applicant provide a design showing the position of the access to an agreeable arrangement.</p>	Highways England will seek to retain access to the adjacent land from the lay-by. As per the current arrangement, third party land ownership will be maintained from the back of the lay-by with access provided to in line with the current arrangements. Further details of access arrangements will be developed in liaison with I & A Simkin with the aim of reaching agreement in the SoCG.
		<p>5. Messrs Simkin object to the acquisition of plots 6/29 and 6/30 which are being acquired for environmental mitigation, specifically species rich grassland margin, hedgerow and relocation of an existing footpath. We do not consider the land acquisition of these two plots to be necessary. They are situated to the Eastern side of the hedge from the highway and upon reference to the Works Plans will</p>	Refer to response to point 2 above.

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		not be impacted by, or necessary for, the scheme. We consider the narrow strip of species rich grassland as impractical (and virtually impossible) to manage on an ongoing basis.	
	Socio-Economic Effects	6. The proposed scheme will have an impact upon the business run by Messrs Simkin which comprises a mixed farming operation.	Refer to RR-033e in the Applicant Responses to Relevant Representations [REP1-043/8.9].
		7. Acquisition of plots 6/23, 6/31 and 6/37, will negate the ability of the remaining field area to be used for arable production. Following commencement of the scheme works, this field may be only suitable for grazing due to the significant reduction of the field parcel and creation of an unworkable shape for arable operations. Therefore, we request the Applicant provide assurance to Messrs Simkin that the water supply to the remaining field be maintained during construction works and following completion.	Highways England has responded to this point in the SoCG with Messrs I & A Simkin [REP1-051/8.8 LIU(I)]. Also refer to RR-033e in the Applicant Responses to Relevant Representations [REP1-043/8.9].
		8. Messrs Simkin maintains its objection to the acquisition of permanent rights over plot 6/31 and consider the realignment of the Bridleway, Saredon BW13 to be dangerous to Bridleway users, specifically horse riders. The only connectivity for the Bridleway is via the proposed crossing facilities over the M6, Junction 11 roundabout. Due to the increased road noise and proximity of traffic the route will be unsuitable for Bridleway users.	This issue has been addressed in the SoCG with Messrs I & A Simkin [REP1-051/8.8 LIU(I)]. Also refer to RR-033e in the Applicant Responses to Relevant Representations [REP1-043/8.9].
		9. As part of the Environmental Statement (ES), the 2017 walking, cycling and horse riding (WCH) survey results showed no recorded users of this particular public right of way for the duration of the data collection period (Environmental Statement Chapter 12 [TR010054/APP/6.1]). The Environmental Statement Chapter 2 [TR010054/APP/6.1] sets out that the Environmental Masterplan includes measures to 'ensure the connectivity of PRow and other routes used by pedestrians and cyclists are maintained', this is in opposition with the survey results. 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 Applicant has not evidenced the requirement for the land to be compulsory acquired.	This issue has been addressed in the SoCG with Messrs I & A Simkin [REP1-051/8.8 LIU(I)]. Also refer to RR-033c in the Applicant Responses to Relevant Representations [REP1-043/8.9].
Gavin Williamson CBE MP <b>REP1-070</b>	Page 1	<p>Further to my letter of 18 May 2020, registering as an Interested Party, I would like to make the following more detailed representations on behalf of my constituents:</p> <p>In broad terms, I welcome the proposed M54 to M6 Link Road. Traffic levels, congestion and resultant air pollution along the existing A460 between M6 Jct 11, Laney Green and the M54, Jc 1, have increased to unacceptable levels during peak periods.</p> <p>I have previously met with Highways England Officers to discuss my concerns on this highway scheme. This reflected the numerous concerns from residents in my constituency at Featherstone, Hilton, Shareshill and Wedges Mills, regarding the negative effect from traffic, noise and air pollution. Residents also feel that the proposed scheme may have an adverse impact on their quality of life as well as affecting the distinct identity of these villages.</p> <p>I would ask that the views of local residents, Shareshill Parish Council and Hilton Parish Council, are given serious consideration during this process. In particular:-</p>	Highways England welcomes the support from the Rt. Honourable Gavin Williamson CBE MP for the Scheme and responses to each of the points raised are provided below.
	Page 1 bullet 1	<ul style="list-style-type: none"> <li>Concerns raised on the roads proximity to existing domestic dwellings, noise; air and light pollution.</li> </ul>	We recognise the concerns of constituents. Highways England has undertaken a detailed appraisal of route options, including two phases of non-statutory consultation on evolving route options, refer to the Consultation Report [APP-024/5.1]. A number of alignments were considered following the Preferred Route Announcement (PRA) in 2018, to move the alignment further away from Dark Lane (Hilton). The options appraisal process is reported in the ES, Chapter 3: Assessment of Alternatives [APP-042/6.1] and ES Appendix 3.2: Dark Lane Alignment [APP-159/6.3]. A presentation on the outcomes of the options assessment was given to SSC's Cabinet in November 2019, and a paper circulated providing additional information on the final route. Following



Representor / WR No.	Paragraph Ref (if applicable)	Written Rep (Extract)	Applicant's Response to Written Representation
			<p>the in-depth appraisal of all options, the alignment of the mainline of the link road was moved approximately 25 m further east away from residential properties in Hilton (Dark Lane) compared to the PRA alignment. It was concluded that this option had fewer adverse environmental impacts on the local area.</p> <p>ES Chapter 11 Noise and Vibration [AS-085] assesses the noise impact of the Scheme, including mitigation measures in the vicinity of Featherstone and Hilton. Properties in Featherstone, Hilton and Shareshill are generally predicted to experience a negligible or minor change in traffic noise levels (not significant), with some of these impacts being a reduction rather than an increase. Significant beneficial effects are predicted at existing properties which face onto the existing A460, which is bypassed by the Scheme, including some properties at the A460 end of Dark Lane. Noise barriers are proposed to ensure noise impacts are minimised.</p> <p>A small number of residential buildings on Hilton Lane west of the Scheme are predicted to experience significant adverse noise effects primarily due to the transfer of traffic from Dark Lane, which is closed by the Scheme to Hilton Lane.</p>
	Page 1 bullet 2	<ul style="list-style-type: none"> <li>Exact figures are provided on noise pollution which will have a negative effect on properties of the Parishes of Featherstone, Shareshill and Hilton due to their close proximity to the M54, Junction 1.</li> </ul>	Chapter 11: Noise and Vibration of the ES [AS-085/6.1] reports the outcome of the assessment of the impact of the Scheme on properties within the Parishes of Featherstone, Shareshill and Hilton. Figures 11.4 [AS-098/6.2] and Figure 11.5 [AS-099/6.2] illustrate the short term and long-term changes in traffic noise levels as a result of the Scheme for all properties within the study area, including those in close proximity to M54 Junction 1. Such figures present both the increases and decreases in traffic noise levels across the study area visually in an easily understandable and efficient format.
	Page 1 bullet 3	<ul style="list-style-type: none"> <li>Vibration from the volume of traffic.</li> </ul>	The Scheme will not result in significant adverse vibration effects during operation.
	Page 1 bullet 4	<ul style="list-style-type: none"> <li>Change of street scene and loss of amenity including views to Hilton Park.</li> </ul>	<p>The impact on representative viewpoints within Hilton (Viewpoints 14 and 20) has been assessed and are reported in Chapter 7: Landscape and Visual of the ES [APP-046/6.1]. Views from the junction with Dark Lane and Park Road looking north-east towards the Scheme (VP14) would include temporary and short-term construction activity during the construction phases. However, by the opening year, views towards the Scheme would be mainly screened by the noise barrier across much of the view. Landscape mitigation planting has been proposed at this location; filtering views and partially screening them by year 15 of operation. The change in traffic noise level is not anticipated to affect perceived tranquillity, however this would result in a significant adverse visual effect; refer to Figure 7.18 [APP-101/6.2]. Views from residential properties on Dark Lane looking south (VP20) are anticipated to experience a slight beneficial effect by year 15 of operation with the proposed planting restricting views from the upper floors of residential properties towards the Scheme; refer to Figure 7.25 [APP-108/6.2].</p> <p>The proposed design changes submitted to the ExA on 9 October 2020 (accepted by the ExA on 29 October 2020) do not alter the conclusions outlined above.</p>
	Page 1 bullet 5	<ul style="list-style-type: none"> <li>The close proximity of the road nearest to the residents of Dark Lane/Park Road and the scope for an eastward realignment.</li> </ul>	<p>Highways England recognises the concerns of residents of Dark Lane and Park Road and has looked extensively at the route options in this area over the last two years to address concerns. Highways England has undertaken a detailed appraisal of route options, including two phases of non-statutory consultation on evolving route options, details of which are set out in the Consultation Report [APP-024/5.1].</p> <p>As described in Highways England's response to bullet 1 above, a number of alignments which moved the alignment further away from Dark Lane were considered following the PRA. The options appraisal process is reported in the ES, Chapter 3: Assessment of Alternatives [APP-042/6.1] and ES Appendix 3.2: Dark Lane Alignment [APP-159/6.3]. A presentation on the outcomes of the options assessment was given to SSC Cabinet in November 2019, and a paper circulated providing additional information on the final route at that time. Following the in-depth appraisal of the options, the alignment of the mainline of the link road was moved 25 m further east away from residential properties that the alignment presented in the PRA. It was concluded that this option would have fewer adverse environmental impacts on the local area than other options examined.</p>
	Page 1 bullet 6	<ul style="list-style-type: none"> <li>Additional tree planting required north of Hilton Lane to the M6 Jct 11.</li> </ul>	<p>Highways England understands that this request has been raised in response to concerns that the Scheme will result in noise impacts on the residents of Shareshill.</p> <p>No significant operational traffic noise effects are anticipated in Shareshill once the Scheme is operational.</p>



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			<p>The change in traffic noise levels within the village are as a result of two factors:</p> <p>a) the large reduction in traffic flows on the existing A460 at the south-east edge of the village, as traffic is re-routed onto the new link road, which is further away from Shareshill; and</p> <p>b) the small increase in traffic flows on the local roads (Church Road and School Lane) within the village due to re-routing of traffic in/out of the village once the junction with the A460 is relieved of the existing high traffic flows with the Scheme.</p> <p>The noise assessment is based on the impact at the worst affected facade of each residential property i.e. if one facade experiences an increase in traffic noise levels but all the other facades experience a decrease then the impact at the property is assessed based on the one which experiences an increase. On this basis the majority of properties in Shareshill are anticipated to experience a negligible i.e. less than 1 dB (LA10,18h) increase in traffic noise in the Scheme opening year (2024) due to the implementation of the Scheme. At a small number of properties that are very close to Church Road the increase is at the bottom end of the minor category (approximately 1.0-1.1dB change).</p> <p>It should be noted that traffic flows on the local roads within Shareshill are low, both with and without the Scheme in operation. At some properties towards the south-east of the village a negligible or minor reduction in traffic noise levels is anticipated at the worst affected facade, due to the influence of the reduction in traffic on the A460. Based on the outcome of the traffic noise assessment additional mitigation measures to reduce traffic noise levels in Shareshill are not necessary.</p> <p>The benefits of trees in providing an effective sound 'barrier' are limited. There may be a perceived benefit, due to either reducing/removing the view of the road and/or a masking effect due to leaves rustling in the wind, but they have a limited effect on traffic noise. A substantial depth, density and consistency of vegetation is required to achieve any reduction in noise levels. It is not possible to guarantee any reductions in traffic noise levels would be achieved by planting additional trees or that any reductions, if achieved could be maintained throughout the seasons and over the longer term. Therefore, to ensure a conservative approach the standard UK traffic noise prediction methodology (Calculation of Road Traffic Noise (CRTN)) and the standard traffic noise assessment methodology set out in the DMRB, as adopted in the operational traffic noise assessment for the Scheme, do not include any barrier effect for trees. On this basis additional tree planting would not make any difference to the predicted noise levels and no change to the existing vegetation in the vicinity of Shareshill is proposed.</p> <p>Chapter 7: Landscape and Visual of the ES [APP-046/6.1] assesses views from Shareshill (at the junction with the A460) (VP07) and Little Saredon (VP08 and VP09)- in particular Saredon Hill (VP08). Viewpoints 07 and 09 were not assessed further in the ES due to the limited nature of views towards the Scheme in these locations, viewpoints from these locations are provided as Figure 7.11 and 7.13 of the ES [APP-094 and APP-096/6.2]. The view from Saredon Hill (VP08) was the subject of a photomontage to show the proposed landscape mitigation (Figures 7.12C [APP-095/6.2]). On this figure you can see that the strategic planting around Junction 11 has been reinstated to replicate a similar effect to at present. In between Junction 11 and Hilton Lane, the combination of the Scheme being in cutting and proposed hedgerow planting and woodland planting would reduce the visibility of the road. It was not considered necessary to include additional woodland beyond that proposed, a decision in line with the Staffordshire Landscape Character Assessment for the Settled Plateau Farmlands Landscape Character Type (LCT), which states that: <i>'Large-scale woodlands should be designed to interlock and still allow views through the landscape whilst screening urban edges, power lines, quarries and busy roads'</i>.</p> <p>The proposed design changes submitted to the ExA on 9 October 2020 (accepted by the ExA on 29 October 2020) do not alter the conclusions outlined above.</p>
	Page 1 bullet 7	<ul style="list-style-type: none"> <li>Continued access to public footpaths which may require the provision of a 'green bridge'</li> </ul>	<p>The Scheme proposes to retain connectivity of existing Public Rights of Way (PRoW) that are severed by the Scheme. Chapter 12: Population and Human Health [APP-051/6.1] assesses and reports the impacts on the users of PRoW, please refer to paragraphs 12.9.33 to 12.9.39. No significant effects have been identified for</p>

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			walkers, cyclists and horse-riders as a result of the Scheme. All PRoW will be maintained on their existing alignment where possible. Where an existing route is severed by the Scheme an appropriate permanent diversion route will be provided. No PRoW would be permanently closed without a suitable alternative route provided by the Scheme.
	Page 1 bullet 8	<ul style="list-style-type: none"> <li>Loss of flora and fauna</li> </ul>	The impact on flora and fauna is assessed and reported in Chapter 8: Biodiversity of the ES [AS-083/6.1]. Appendix 8.2: Biodiversity Metric Calculation (Version 3) of the ES [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 gain of 2.23% (0.33 units) of river based units. The Scheme is within the range -5 % to +5 % for 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.
	Page 1 bullet 9	<ul style="list-style-type: none"> <li>The lack of a weight restriction on the existing A460 at Featherstone and Hilton.</li> </ul>	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 traffic model suggests a restriction would be unnecessary. See Applicant's response to SCC's Written Representation Issue 3, Issue 4, Issue 5a and Issue 5b above.
	Page 1 bullet 10	<ul style="list-style-type: none"> <li>Additional mitigation for the Hilton Green environmental project.</li> </ul>	<p>It is assumed that the reference to Hilton Green environmental project refers to the Forest of Mercia CIC, Hilton Green. The Scheme does not include any proposals to provide additional mitigation for the Hilton Green environmental project. Hilton Green is located to the east of the M6 and is not affected by the Scheme.</p> <p>However, 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 DCO limits in partnership with key stakeholders and landowners. This funding application has been successful and the feasibility study is underway. Consultation with the Forest of Mercia is being undertaken as part of the initial feasibility study. 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.</p>
	Page 1 bullet 11	<ul style="list-style-type: none"> <li>A detailed assessment of the affect the proposal will have on the Ancient Woodland situated in Dark Lane.</li> </ul>	The impact of the Scheme on ancient woodland has been assessed and is reported in Chapter 8: Biodiversity of the ES [AS-083/6.1]. Following ecological surveys, historic map regression and consultation with Natural England it has been determined that the woodland in the vicinity of Dark Lane is not ancient woodland. The impact of the Scheme on this woodland which forms part of Lower Pool Site of Biological Importance and Local Wildlife Site is reported in Chapter 8: Biodiversity of the ES [AS-083/6.1].
	Page 1 bullet 12	<ul style="list-style-type: none"> <li>Confirmation of the impact on any designated heritage assets and their settings, as requested by Historic England in their letter, 1 February 2019, on the PINS - Scoping Opinion, February 2019.</li> </ul>	The impacts on designated heritage assets have been assessed and are reported in Chapter 6: Cultural Heritage of the ES [APP-045/6.1]. As set out in the SoCG between Highways England and Historic England [REP1-052/8.8P(C)], Historic England is content that the ES has identified and assessed Scheme impacts and effects relevant to cultural heritage. The only exceptions to this include the impact on 'Hilton Hall' which remains under discussion, and 'the Conservatory' where the level of impact is 'not agreed'. However, it is agreed between Highways England and Historic England that the Scheme would not result substantial harm to any designated heritage assets.
	Page 1 bullet 13	<ul style="list-style-type: none"> <li>Confirmation that an assessment has been carried out of fine particulate matter (PM2.5) with regard to transport emissions and the impact of air quality upon public health, as requested by Public Health England, in their letter of 11 February 2019, on the PINS - Scoping Opinion, February 2019.</li> </ul>	PM <sub>2.5</sub> concentrations with and without the Scheme are reported in Chapter 5: Air Quality of the ES [APP-044/6.1]. No locations are affected by potentially significant changes in PM <sub>2.5</sub> and all receptors are predicted to be below the relevant objective values for this pollutant.
	Page 2 para 1 & 2	<p>The previous scheme included a direct link with the M6Toll, which would have taken through traffic off local roads and involved a series of grade separated link roads bypassing the M6 Junction 11/Laney Green. Regrettably, these have now been deleted, due to the withdrawal of private sector funding.</p> <p>While the current scheme does achieve a main objective of diverting traffic from the existing A460 through Featherstone, all traffic will now need to pass through the Laney Green M6 junction 11, albeit it will be enlarged. I understand that passive provision has been made for a future link with the M6T, although this is not part of the current proposal. As such the current scheme may not provide the relief to the Laney Green M6 Jc11, as originally envisaged.</p>	<p>As noted, the original design for the Scheme did provide for a direct access onto M6 Toll, but this was removed during the optioneering stage, prior to the Preferred Route Announcement. As set out within the Preferred Route Announcement (September 2018) the "free-flow connection to the M6Toll was subject to other contributions. However, the level of contributions available was not enough to meet the cost of the free-flow link. We have amended the connection to provide the improved value for money solution we are presenting today. The route presented today does not rule out providing a free-flow connection at some point in the future."</p> <p>The proposed M6 Junction 11 layout at Laney Green has been designed to accommodate forecast traffic flows for the design year (2039), 15 years after opening.</p>

Representor / WR No.	Paragraph Ref (if applicable)	Written Rep (Extract)	Applicant's Response to Written Representation
	Page 2 para 3	Unresolved issues include how local and long distance HGV traffic will be controlled post construction, from travelling along the existing A460 through Featherstone, for commercial purposes, such as access to fuel stations or the HGV Vehicle Testing Station.	See Applicant's response to SCC's Written Representation Issue 3, Issue 4, Issue 5a and Issue 5b above.
	Page 2 para 4	In addition, residents at Hilton have previously expressed concern on the proximity of the proposed road to existing elderly person residential properties at Dark Lane and are rightly concerned over noise and air pollution issues. From Highways England's visualisation flythrough video, while it appears to show some wooden fencing and tree planting on this sensitive boundary, it is not apparent that an earth bund is to be provided to provide more effective noise mitigation, which I consider should be investigated including an eastward realignment of the proposed road.	As set out in response to Page 1 bullet 1 above, a number of alignment options for the mainline of the Scheme adjacent to Dark Lane were considered during the preliminary design stage, including alignments further east of Dark Lane. This is set out in Chapter 3: Assessment of Alternatives of the ES [APP-042/6.1] and Appendix 3.2: Dark Lane Alignment [APP-159/6.3]. The 'wooden fencing' referred to on the fly-through is a 4 m high noise barrier which is proposed on the west side of the main line as it passes Dark Lane. The noise mitigation measures on the Scheme, including this noise barrier, reduce the adverse traffic noise effect of the new link road on Dark Lane and Park Road such that no properties in this location would experience significant adverse traffic noise effects during operation of the Scheme as detailed within Chapter 11: Noise & Vibration [AS-085/6.1]. The barrier will comply with the relevant standards to ensure it is an effective noise barrier. The noise mitigation achievable from an earth bund and a noise barrier are comparable. The main difference is the additional space needed for an earth bund compared to a noise barrier. A noise barrier rather than an earth bund is proposed in this location primarily to minimise land take and to retain more of the existing vegetation at the eastern end of Dark Lane.
	Page 2 para 5	More recently, approval has been given for the West Midlands Interchange at M6 Jc12/A5, and HGV control measures from this development approval will need to be factored in, including an up to date projection of the cumulative effect of traffic generated by the Strategic Rail Hub and the new nearby Retail Park.	The cumulative impacts of the West Midland Interchange, McArthur Glen retail park and traffic dispersing from the Scheme have all been accounted for within the Scheme's 'Core Scenario' forecasts. The projects were included in the traffic model for the Scheme, which then formed the basis for the noise and air quality assessments presented in the ES.
South Staffordshire Water plc <b>REP1-076</b>	Pages 2 & 3 paras 1 to 7	[Refer to ongoing discussions regarding scheme design and the need to find a satisfactory design solution]	The Applicant is continuing dialogue with South Staffordshire Water with a view to agreeing the details of the proposed diversion. Refer to RR-015a in the Applicant Responses to Relevant Representations [REP1-043/8.9].
	Page 3 para 8	Further, current drafting of the protective provisions of the draft DCO impose a requirement on SSW to remove redundant apparatus which SSW would normally cap and abandon. To remove such apparatus would impose significant costs on SSW.	The Applicant is continuing dialogue with South Staffordshire Water with a view to agreeing the protective provisions to be included in the draft DCO.
	Page 3 para 9	SSW therefore objects to the proposal unless and until such time as an approved programme and methodology of works can be agreed.	Highways England intends to reach agreement on the details of the diversion and Protective Provisions to enable South Staffordshire Water to withdraw their relevant representation.
Cllr Robert Cope <b>REP1-077</b>	Page 1 para 1	Firstly I support the much needed M54/M6 Link Road and its objective to keep the right traffic on the right roads and improving safety for my local communities however I have many concerns which are listed below.	Highways England welcomes the support from Cllr Cope for the Scheme.
	Page 1 para 2 to 4	<p>I feel there is a need for a direct Footpath/Cycle Path under the new link road workings to directly join up both sides of the existing A460 to enable residents in my ward to access the businesses at Hilton Cross and Mann and Hummel this is of paramount importance and seems to have been overlooked by Highways England.</p> <p>At the moment any resident walking from the post office on the A460 at Featherstone can walk to the District Council's Strategic Employment Site "Hilton Cross" within 5 to 10 minutes, when the new link road is completed they will have to turn left in the opposite direction to pick up the new road connection, then cross to the double dumbbell island for onward journey to the Hilton Cross business park this will take considerable more journey time. Question – How long will this alternative journey take on foot compared to the present situation ? and is it reasonably acceptable ?</p> <p>I run the Featherstone Job Club and have many single parents who do not have access to transport and are looking for part time work, there will shortly be 3 new large warehouse employment units offering jobs on Hilton Cross together with existing local jobs on the site, my wish is that local residents are able to access these jobs by being able to walk or cycle to Hilton Cross within an acceptable safe</p>	<p>Without the Scheme, the distance between Featherstone post office and Hilton Cross Strategic Employment Site is approximately 900m via the existing roundabout at M54 Junction 1. At an average walking speed of 4 mph this would take around 8 minutes and 30 seconds. This route requires the un-controlled crossing of two busy slip roads where vehicle speeds around the existing circulatory carriageway can be excessive, posing significant risk to non-motorised users, and potentially increasing the journey time.</p> <p>As noted, once the Scheme has been constructed the same route will be via the three new roundabouts at M54 Junction 1. This will increase the distance to approximately 1440m, an increase of 540m. At an average walking speed of 4 mph this would take approximately 13 minutes and 30 seconds. This represents an increase in journey time on foot of 5 minutes.</p> <p>It should be noted that the new route will still require un-controlled carriageway crossings, however traffic flows at Junction 1 would be reduced, with the junction predominantly used by local traffic, with long distance (HGVs) traffic utilising the free flow link to the mainline of the Scheme. This is anticipated to improve the amenity and perceived safety of this route. Furthermore, the new Scheme will provide a shared cycle/footway as a replacement for the existing footway, offering an improvement of connectivity for cycle users. Overall, it is considered that this increase in journey time would result in a slight adverse effect on pedestrians but a slight beneficial effect on cyclists through the introduction of cycling facilities, as reported in Chapter 12: Population and Human Health [APP-051/6.1]. The proposed provision is the optimal design solution at this location.</p>




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		reasonable walking time bearing in mind there is no sustainable bus service after 5.30 pm and the walking route needs to be well lit as the warehouse jobs are likely to be 24/7, a 106 agreement is being considered to ensure local jobs are available to local residents and offered via the local Job Club.	<p>Consideration has been given to alternative options to provide a more direct link between the north and south of the M54 carriageway. Currently M54 Junction 1 is a two-level design with the M54 passing over the A460. It is proposed to retain the existing two-level design with the free flow slip roads passing at the level of the existing A460 and the three roundabout design proposed to retain the A460 connectivity. A number of alternative options have been assessed and discounted as follows:</p> <p>A) <b>Crossing the M54 on a more direct route at the lower level using the existing structures under the M54.</b> This option has been discounted as it would require non-motorised users crossing the 70 mph free flow slip roads which poses significant risks to users. Alternatively, two pedestrian structures could be provided on either side of the M54 to allow users to cross the carriageway safely, however in order for these to be inclusive to all users they would require long zig-zag approach ramps. This would increase the distance by approximately 150m for each crossing resulting in a total increase of 300m. While the route created would be marginally shorter than the current proposal, this reduced distance would not outweigh the additional visual impact of new structures. Furthermore, pedestrian bridges over the carriageway are undesirable for users as they are linked to antisocial behaviour due to their isolated nature and are not considered pleasant to use.</p> <p>B) <b>Providing a new crossing over both the M54 and free flow slip roads.</b> This option would require construction of a structure approximately 14m above existing ground level to allow sufficient clearance over the M54. This would be visually intrusive to the surrounding area as well as requiring an exceptionally long approach ramps for users.</p> <p>C) <b>Providing a new crossing passing underneath the M54 and free flow slip roads.</b> This option has been discounted as it would require an exceptionally long underpass which would be below existing ground level resulting in drainage issues as well as the high likelihood of antisocial behaviour.</p> <p>D) <b>Alternative crossing points to the west of the existing junction where an underpass could be feasible.</b> These options have been discounted because they would increase the route distance to a similar amount to the current design.</p> <p>The proposed layout is considered to be the best solution at this location. The route is anticipated to be fully lit and run adjacent to the carriageway which will result in there being no isolated sections that are off-putting to users.</p>
	Page 1 para 5	<p>Cycle Path</p> <p>Presently the West Midlands Combined Authority [WMCA] are planning active travel cycling routes across the West Midlands as part of a £260 million investment and rebrand of its 500 mile cycling vision this will be named the "STARLEY NETWORK" one of the routes on the indicative map ends at the Wolverhampton boundary on the A460 near Hilton Cross strategic employment site, I note that Wolverhampton Council in their submission have stated that Cycling Groups from Wolverhampton use the cycling routes to the north around Featherstone and Shareshill so it would make sense and good planning to continue the direct safe route in a straight northerly direction through the link road workings joining up both sides of the existing A460 in Featherstone. this would be a much safer option and amenity for all cyclists and as government policy is to reduce the usage and dependence of the motor car I would respectfully ask the inspector's to consider asking Highways England to add a further design change to their scheme and provide a Footpath/Cycle link to connect both sides of the existing A460 under the M54/M6 link road workings presently Junction 1 of the M54.</p>	<p>Please refer to Page 1 para 2-4 response for further details of why a more direct link between the north and south of the M54 is not proposed at this location.</p> <p>The Scheme will provide a shared cycle/footway as a replacement for the existing footway, offering an improvement of connectivity for cycle users north and south of the M54. While the route is longer than existing, it is considered to offer a safety improvement compared to the existing scenario. An improvement to the cycle network in the vicinity of the Scheme could therefore utilise the proposed route at M54 Junction 1 to continue further north. Furthermore, the reduction in traffic flows along the A460 and improved connectivity at M6 Junction 11 provided by the Scheme offer a further extension to the north south route.</p> <p>As explained in Highways England's response to Written Question 1.10.13 in the Applicant's Responses to the ExA's First Written Questions [REP1-049/8.10] funding has been secured to undertake a feasibility study to identify opportunities to provide improved NMU routes along the A460. This will be developed in partnership with key stakeholders including SCC, CWC and local Parish Councils, 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>
	Page 2 para 1	<p>Other Concerns:</p> <p>The Effect on Air Quality and Noise on the residents of Dark Lane Hilton who will be in close proximity to the link road.</p>	<p>Refer to the Applicant's response to RR-025b in the Applicant Responses to Relevant Representations [REP1-043/8.9].</p>

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	Page 2 para 2	Mitigation Actions: Amenity and Visual impact on the residents of Dark Lane Hilton, the southerly view from dark lane needs tree planting to mitigate the visual impact of the M54/M6 link road and the connecting road to the double dumbbell island, earlier on in the process Highways England plans included a tree lined area, local residents are very disappointed that this visual amenity screen has been removed, I have asked Highways England for a photo montage to demonstrate the visual effect and would also ask the inspectors to consider an accompanied site visit.	The view south towards the Scheme from Dark Lane is assessed as part of the visual assessment reported in Chapter 7: Landscape and Visual of the ES [APP-046/6.1], Viewpoint 20. The view from houses on Dark Lane in summer, winter and at dusk (night-time) is shown in Figures 7.25A-C [APP-108/6.2] of the ES. Views from residential properties on Dark Lane looking south (VP20) are anticipated to experience a slight beneficial effect by year 15 of operation with the proposed planting restricting views from the upper floors of residential properties towards the Scheme. The bands of trees proposed to screen views of the Scheme for residents on Dark Lane have not be altered and remain as submitted to the Planning Inspectorate in January 2020, this aspect of the Scheme's mitigation has not been amended by the design changes accepted by the ExA on 29 October 2020. The mitigation that has been removed in the field to the south of Dark Lane are the habitats proposed for Great Crested Newt mitigation, including the ponds and surrounding habitat. The removed area was not proposed to be wooded.
	Page 2 para 3	Hilton residents would also like to see the rusting corrugated metal fence which surrounds the perimeter of the new link road removed and replaced with a more pleasing visual structure.	Refer to the Applicant's response to RR-025h in the Applicant Responses to Relevant Representations [REP1-043/8.9]. This is also being discussed in the SoCG with the Parish Councils [REP1-024] and SSC [REP1-059].
	Page 2 para 4	I would also like to request an added tree lined area to the west of the link road on the approach to the increased steepness change proposed by Highways England towards M6 Junction 11 in order to mitigate visual and noise impact on the village of Shareshill.	Refer to the Applicant's response to Rt. Honourable Gavin Williamson CBE MP's Written Representation (page 1 bullet 6) in this document.  Please also see the Applicant's response to RR-025i in the Applicant Responses to Relevant Representations [REP1-043/8.9].
	Page 2 para 5	Can Highways England confirm their agreement regarding the removal of part of the mile wall on the A460 and relocated to the extended wall opposite the Avenue Featherstone on the A460.	Refer to the Applicant's response to RR-025f in the Applicant Responses to Relevant Representations [REP1-043/8.9].
	Page 2 para 6	Bio-diversity gain: Agreement to be reached at a forthcoming workshop between County, District and the Parish Councils together with the Forest of Mercia Hilton Green and the Staffordshire Wildlife Trust.	Noted. As explained in the Applicant's response to RR-025j in the Applicant Responses to Relevant Representations [REP1-043/8.9], consultation with the Forest of Mercia is being undertaken as part of the initial feasibility study. 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.
	Page 2 para 7	The Effect on Historic Heritage; Concern about the Portobello Tower located in Hilton's Historic Parkland this needs safeguarding for future generations.	ES Chapter 6 [APP-045] confirms that the Scheme would have no more than a temporary slight effect on Portobello Tower during construction and a neutral effect thereafter. Portobello Tower is an asset located outside the DCO limits and works to the feature are not considered necessary or appropriate as part of the Scheme.  Highways England submitted an application for designated funds to undertake a study to consider options for preventing degradation of, or restoration of, Portobello Tower. Unfortunately, this application was unsuccessful because Highways England has not been able to identify an owner for the asset and given that there is no public access to the Tower, the public benefits of restoration would be limited.
	Page 2 para 8	TRANSPORT AND TRAFFIC EFFECTS. The Parish Council's and myself support a weight restriction on the A460 beyond the M6 Diesel Station in order to prevent heavy HGV's continuing along the A460 towards Featherstone, we do not wish to restrict the lawful business at the M6 Diesel and request that HGV's are directed back to M6 Junction 11 having refuelled at the business.	See Applicant's response to SCC's Written Representation Issue 3, Issue 4, Issue 5a and Issue 5b above.
	Page 2 para 9	Cumulative Traffic Effects; Have the cumulative traffic effects of the West Midlands Interchange and the McCarthy Glen Retail Park in Cannock been assessed in the link road scheme on the A460, A4061 and M6 Junction 11 from the horizon year to the final phase of these developments ?	The cumulative impacts of the West Midland Interchange, McArthur Glen retail park and traffic dispersing from the Scheme have all been accounted for within the Scheme's 'Core Scenario' forecasts. The projects were included in the traffic model for the Scheme, which then formed the basis for the noise and air quality assessments presented in the ES.
	Page 2 para 10	Fly Parking; I have concerns about Fly Parking at the extended end of the existing A460 in Featherstone which will become a dead end once the new link road is constructed, restrictions are needed to prevent HGV Parking and Fly-Tipping and in order to stop this area becoming remote and a potential antisocial area it is another reason that a well-lit safety by design Footpath/Cycle path is required.	See Applicant's response to Issue 8a, raised in SCC's WR, above in the table.

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	Page 2 para 11	Nurton Bridge assurance Myself and the Parish Councils of Featherstone, Hilton and Shareshill do not agree that Nurton Developments [Hilton] should be given an assurance of no objections to a future bridge over the M54/M6 link road in order to protect their employment land interests, the need for this bridge and employment land can only be considered in a future strategic local plan strategy therefore any resolution at the stage would be premature and should not be endorsed at this enquiry.	Highways England cannot provide the assurance sought and has confirmed this with Nurton Developments in meetings and the draft SoCG with Nurton Developments [REP1-045/8.8LIU(K)]. Highways England is not able to provide assurance on the 'principle' of the bridge.  Highways England expects to be formally consulted if a planning application is submitted to include a bridge over the link road. When received, Highways England would review and respond to any proposals in line with its role as statutory consultee for developments affecting the strategic road network.
M6 Diesel REP1-080	Para 2.1 and 2.2	The M6 Diesel site serves a significant number of HGVs per day. We obtained traffic data in October 2019, please see our response to Question 1.10.6. The key data is repeated here for ease of reference.  570 HGVs were surveyed using the site and the ANPR data shows that, within the 24-hour period: <ul style="list-style-type: none"> <li>104 of 570 HGVs (18%) came from the direction of the M54 and continued in the direction of the M6;</li> <li>167 of the 570 HGVs (29%) came from the direction of the M6 and continued in the direction of the M54;</li> <li>62 of the 570 HGVs (11%) came from the direction of the M54 and exited in the direction of the M54; and</li> <li>237 of the 570 HGVs (42%) came from the direction of the M6 and exited in the direction of the M6.</li> </ul>	Highways England agrees that the count figures provided by M6 Diesel correlate closely to the count information obtained by Highways England. Refer to Highways England's response to M6 Diesel's response to Written Question 1.10.16 in [REP2-009/8.14].
	Para 3.1 to 3.7	As set out in our relevant representation, we do not agree with the wording of Article 16 in the draft DCO [AS-075]. The powers, as drafted, could be used to implement a variety of permanent traffic regulations, including restrictions on HGVs.  Our view is that any permanent changes to traffic regulation in the DCO should be clearly justified and should only be included as either a direct consequence of the scheme or in mitigation of an adverse impact of the scheme. However, this is not the case as the Applicant's reasons for including these powers, found at paragraph 5.50 of the explanatory memorandum [AS-077], are " <i>so that [the Applicant] can implement traffic management measures ... necessary to <u>construct</u> the authorised development</i> ". (Our emphasis).  There is a clear discrepancy between the reasons for which the traffic regulation powers are being sought and the powers themselves: permanent powers are being sought on the basis of a temporary condition.  The powers as drafted could be used to implement a permanent restriction on HGVs on the existing A460 which could be of significant detriment to M6 Diesel's business.  The Applicant has not identified, either as a direct consequence of the scheme or as mitigation of an adverse impact, that a restriction on HGVs using the existing A460 is required. Further, we understand that the Applicant is not proposing such a restriction. Hence we consider that the powers sought are disproportionate.  Therefore, we request that the wording of the draft DCO be amended so that these powers can only be used for the purposes of construction of the scheme (i.e. in line with the reasons given in the Explanatory Memorandum).  In due course, if the local highway authority were to consider that HGV restriction were appropriate for the repurposed existing A460, they are at liberty to make	Refer to Highways England's Response to RR-012b in the Applicant Response to Relevant Representations [REP1-043/8.9]. That previous response confirms that Highways England does not consider a Traffic Regulation Order to restrict HGVs on the A460 to be necessary.  The Explanatory Memorandum explains that a Traffic Regulation Order could be made if it is for the purposes of construction, maintenance or operation of the Scheme (paragraph 5.51) and that any such order would be subject to the same consultation and publicity requirements for a Traffic Regulation Order made under the Road Traffic Regulation Act 1984 (paragraph 5.52).

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		their own proposals using normal traffic regulation orders and consult with affected parties as required.	
	Para 4.1	The Applicant has not properly assessed the numbers of vehicles using the M6 Diesel site. Paragraph 4.6.6 of the Transport Assessment [APP-222] says that there are 375 two-way trips, which is 188 vehicles using the site, but our survey showed there to be 570 vehicles. Our view is that this has resulted in the Applicant under-assessing the impact of the scheme on M6 Diesel.	Highways England considers that the number of vehicles using the M6 Diesel site has been properly assessed. As stated in Highways England's response to M6 Diesel's response to Written Question 1.10.16 in [REP2-009/8.14], the count figures provided by M6 Diesel correlate closely to the count information obtained by Highways England.
	Para 4.2 to 4.6	<p>M6 Diesel is registered and identified to HGV drivers by the main fuel bunkering card companies (UK Fuels and Key Fuels) which gives information to drivers on fuelling facilities across the UK. However, this system does not provide precise locational information. Hence drivers on the motorway network will know to leave at M6 J11 or M54 J1 but will not know the precise location of the site.</p> <p>As stated in our relevant representation, we recognise that the M6 Diesel site would not qualify for truckstop signage from the mainline of the M6 or M54 (as it does not have parking facilities). However, it functions as a motorway filling station, providing an important roadside facility for the strategic road network, and signage from the motorway junctions is important for the following reasons.</p> <p>Traffic management / road safety Significant numbers of vehicles each day use M6 Diesel from the M54 or the M6. These vehicles, being HGVs, are long, heavy and can be slow-moving. Drivers will be aware that they need to exit at M6 J11 or M54 J1 but will then not be aware of how to reach the M6 Diesel site.</p> <p>HGV drivers need sufficient information so they can reach M6 Diesel from the motorway network. Roadside signage has an important role in this, and this is particularly the case on large, busy multi-lane signalised gyratories such as that proposed for M6 J11, given the potential adverse safety implications of drivers making last-second and/or erratic lane changes.</p> <p>Whilst drivers are likely to have satellite navigation systems, we are aware from previous experience that many drivers and haulage companies do not update their system to take account of road changes. We do not agree that satellite navigation systems should be considered as the only solution, and signage must also be provided.</p>	Refer to Highways England's Response to RR-012c in the Applicant Response to Relevant Representations [REP1-043/8.9].
	Para 4.7 and 4.8	<p>Impact on the M6 Diesel business The impact on the M6 diesel business is assessed at paragraph 12.9.63 of the Applicant's Environmental Statement [APP-051]. This states that there is a slight adverse effect but that the effect is not significant.</p> <p>We do not agree with the assessment of the M6 Diesel site in Paragraph 12.9.63 because:</p> <ul style="list-style-type: none"> <li>As noted above the Applicant has under-assessed the numbers of vehicles using the M6 Diesel site;</li> <li>It assumes the use of up-to-date satellite navigation systems which, for the reasons set out above, we do not agree with;</li> <li>It does not recognise the strategic importance and use of the M6 Diesel site, i.e. serving motorway traffic; and</li> <li>The assessment considers that local access would also become easier as a result of the scheme. Whilst we would agree with this for access to and egress from the M6 Diesel site from and to the existing A460, the assessment</li> </ul>	<p>Highways England considers that the number of vehicles using the M6 Diesel site has been properly assessed. As stated in Highways England's response to M6 Diesel's response to Written Question 1.10.16 [REP2-009/8.14], the count figures provided by M6 Diesel correlate closely to the count information obtained by Highways England.</p> <p>Satellite navigation systems and use of other electronic devices are reliable sources of information. It is a reasonable assumption that businesses that rely on navigating the road network would regularly update their navigation systems, with more modern systems able to update automatically. The old A460 will be clearly signposted at M6 Junction 11 and therefore even with an outdated navigation system it should be possible for drivers to direct themselves to the old A460 to access the M6 Diesel site. Though the junction will be larger in nature the layout of the junction will be similar to that of the current junction.</p> <p>M6 Diesel Limited confirmed to Highways England on 21/10/20 that the site does not meet the minimum criteria set out in DfT Circular 02/13 'The Strategic Road Network and the delivery of sustainable development' for signing from the SRN and that the request is for local destination signage, rather than specific truck stop signage. The Scheme is not directly affecting the access to M6 Diesel or making it more difficult to access the</p>



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		overlooks the fact that the traffic to and from the M6 Diesel site will be using M54 J1 and/or M6 J11. In the case of J11, the relatively simple two bridge roundabout is being replaced with a large multi-lane signalised gyratory as shown on Document 2.5 Sheet 6 [AS-067].	fuel station. It is not standard practice for Highways England to signpost individual businesses from its network and we cannot see a justification to make an exception in this case. To signpost one fuel station could reasonably raise objections from other fuel stations about the lack of signposting for their facilities and issues around fairness and competition. Highways England is not proposing to add signage to any other businesses along the existing A460.  The importance of the business is recognised and has been assigned a 'medium' value in line with the criteria set out in DMRB LA 112: Population and Human Health.
	Para 4.9 to 4.12	<p>By way of a comparison, in the Secretary of State's "minded to refuse" letter for the A303 Sparkford to Ilchester dualling scheme, found at <a href="https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/projects/TR010036/TR010036-001597-200721-Final%20Minded%20to%20Refuse%20Letter.pdf">https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/projects/TR010036/TR010036-001597-200721-Final%20Minded%20to%20Refuse%20Letter.pdf</a>, the Secretary of State "notes that the adverse effect of the Proposed Development on business in the locality, such as the Mattia Diner and adjacent filling station, together with the failure of the Applicant to provide signage to help to mitigate these adverse effects is afforded significant weight by the ExA".</p> <p>Whilst the circumstances for the A303 scheme will differ, the principle does apply and it is clear to us that the adverse effect on the M6 Diesel site has not been properly assessed by the Applicant and that, as with the A303 scheme, Highways England are failing to provide signage to help mitigate the adverse effect.</p> <p>The exact signage positions and sign faces would be a matter for the Applicant to determine. However, our request is for standard geographical "HGV route" signage of the style indicated below, commencing on the M6 J11 and M54 J1 diverge slip roads. The signage legend uses standard geographical wording rather than the M6 Diesel branding.</p>  <p>If the Applicant were to consider that providing such signage could set an unwelcome precedent then our view is that the individual circumstances associated with the M6 Diesel site, as detailed above, give sufficient grounds for this to be a site specific decision that does not set a precedent.</p>	<p>Refer to Highways England's Response to RR-012c in the Applicant Response to Relevant Representations [REP1-043/8.9].</p> <p>Highways England does not consider M6 Diesel to have exceptional circumstances in comparison to other businesses in the area and therefore maintains its position that no signing is to be provided as part of the Scheme.</p> <p>Highways England considers that the issue identified on the A303 Sparkford to Ilchester project is a very different situation to that of M6 Diesel and the Scheme. The M6 Diesel site is located on the existing A460 and the Scheme does not amend or restrict access to this site. The Mattia diner and adjacent filling station, in the case of the A303 Sparkford to Ilchester scheme, are situated on the A303, which was proposed to be bypassed by the new dual carriageway, with a significant diversion along a cul-de-sac for traffic to reach the site.</p>
Allow Ltd <b>REP1-082, 084, 085, 086, 088, 091 &amp; 092</b>	Para 1.1 and 1.2	<p>The Examining Authority have confirmed on 29 October to accept the Applicant's changes to the Scheme. These changes are referred to as the 'Accepted Changes'. This Written Statement is subject to further comments and observations in respect of those Accepted Changes.</p> <p>Allows maintains its objection to compulsory purchase powers over its land, and requests that it is recommended that powers are not granted. The Applicant is resolved to implement compulsory acquisition powers without any restraint, regardless of the potential impact on Allow, the local economy, the local community and the negative visual impact it will have on the green belt. It is Allow's position that only in the absence of compulsory acquisition will the Applicant engage meaningfully in respect of the extent and location of its proposed ecological mitigation on Allow's land.</p>	<p>Refer to Highways England's Response to RR-031a in the Applicant Response to Relevant Representations [REP1-043/8.9].</p> <p>Highways England disagrees with Allow's statement that '<i>The Applicant is resolved to implement compulsory acquisition powers without any restraint, regardless of the potential impact on Allow, the local economy, the local community and the negative visual impact it will have on the green belt</i>'.</p> <p>Highways England has undertaken extensive optioneering, assessment of impacts on the economy, local community and environment, and consultation with all affected stakeholders in the development of the Scheme that is being promoted through the DCO process.</p> <p>See pages 5-7 of Applicant Responses to WQ Responses from Interested Parties [REP2-009] for the Applicant's position on the impact of the mitigation planting on the Green Belt.</p>

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	Para 1.3 to 1.7	<p>Specifically Allow objects to the compulsory acquisition of its rights, interest and property in respect of all its rights and interests identified in the Book of Reference ('Allow's Land Interests').</p> <p>Allow objects, in particular, to the permanent acquisition of plots 4/20a, 4/20b, 4/20c, 5/2 and 5/4, and the permanent rights over plots 4/20g, 4/20f, 5/26 and temporary rights over plot 5/25. It is Allow's case that the conditions set out in section 122(2) and (3) of the Planning Act 2008 ('the Act') are not met in respect of those parcels of land and as such the Secretary of State cannot authorise the compulsory acquisition powers requested by the Applicant in respect of Allow's Land Interests.</p> <p>The condition set out at section 122 (2) and (3) of the Act is shown below: (2) The condition is that the land- (a) is required for the development to which the development consent relates, (b) is required to facilitate or is incidental to that development, or (c) is replacement land which is to be given in exchange for the order land under section 131 or 132 (3) The condition is that there is a compelling case in the public interest for the land to be acquired compulsorily.</p> <p>The purpose of compulsory acquisition of Allow's Land Interest are clearly not met and compulsory purchase powers should not be authorised by the Secretary of State. The purpose of acquiring Allow's Land Interests is for the purposes of ecological mitigation and not for the development to which the development consent relates (as set out in section 122(2)(a) of the Act) nor required to facilitate or is incidental to that development (pursuant to section 122(2)(b) of the Act). Further, the Applicant has not demonstrated a compelling case in the public interest for Allow's Land Interests to be acquired compulsorily for the purposes of ecological mitigation. The extent of ecological mitigation is not necessary or proportionate.</p> <p>A large part of Allow's Land Interests provide existing public benefit including, as a car boot field and as fishing ponds. There is no compelling evidence that the public benefits that would be derived from the compulsory acquisition of plots 5/2, 5/4, 4/20c, 4/20a &amp; 4/20b will outweigh the loss that would be suffered by Allow and indeed the local community who currently hugely benefit from the current uses of Allow's Land Interests. The Applicant has also not demonstrated that all reasonable alternatives to compulsory acquisition have been explored. In particular, it has only identified the historic landscape on land to the east of plot 5/4 and carried out no assessment of the historic landscape value of the remainder of Allow's Land Interests including plot 5/2. Further, it has not carried out any trial trenching throughout the Scheme.</p>	<p>Refer to Highways England's Response to RR-031 in the Applicant Response to Relevant Representations [REP1-043/8.9].</p> <p>The impact of the Scheme on the car boot is reported in Paragraph 12.9.19 of Chapter 12 in the ES [APP-051/6.1]: <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 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> Given that alternative locations are available for the car boot sale and the nature of a car boot sale as an activity, it is considered that the public benefits associated with this use are limited.</p> <p>See Applicant's response to Allow's response to WQ 1.12.11 in Applicant Responses to WQ Responses from Interested Parties [REP2-009/8.14] for the Applicant's position on the benefits associated with the fishing lakes and the impact of the Scheme upon them.</p> <p>The Applicant considers that the public benefits of the Scheme outweigh the adverse impacts, including those on Allow's landholdings, and that the essential mitigation is required for the delivery of the Scheme.</p> <p>Highways England has considered alternative locations for environmental mitigation as explained in its response to RR-031n in the Applicant Response to Relevant Representations [REP1-043/8.9].</p> <p>Refer to Highways England's response to Written Question 1.6.10 [REP1-049/8.10] and Highways England's response to Allow's response to Written Question 1.6.10 [REP2-009/8.14] for details of the reasons that trial trenching has not been undertaken to date.</p>
	Para 1.8	<p>Allow have commissioned its own leading expert consultants in Ecology (Aspect) and Historical Landscape (RPS) ('Allow's Consultants') to assess the extent of the Applicant's proposed ecological mitigation. Allow's Consultants have identified serious flaws in the Applicant's assessment. Indeed, the Approved Changes confirm that the Applicant overestimated the land to be acquired compulsorily and the Approved Changes reduce the area required for ecological mitigation. Allow's Consultant's analysis is set out below and their</p>	<p>Refer to the Review of Woodland Mapping, Impact Assessment and Compensation [TR010054/APP/8.16] submitted by Highways England at Deadline 3 on 24 November 2020. This report considers the report provided in Appendix 1 and 4 of Allow's Written Representation [REP1-088 and REP1-084]. In summary, HE concludes that the proposals for woodland planting within Plot 5/2 (owned by Allow) to compensate for impacts to Lower Pool LWS/SBI, and the proposals for woodland planting in the Masterplan as a whole to compensate for impacts of woodland loss across the Scheme are both proportionate and justified, and not excessive. The planting proposed is considered essential to mitigate the impact of the Scheme.</p>

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		reports are appended (Appendices 1, - 3). Allow have provided copies of the reports to the Applicant and copies of those reports are appended to this Written Statement.	<p>Highways England has considered the report provided in Appendix 2 to Allow's Written Representation 'Great Crested Newt Review' [REP1-082]. Refer to Highways England's response to SC24 of the draft SoCG with Allow [REP1-066/8.8LIU(A)] for the rationale behind the precautionary approach to GCN and the reason that ponds are being created on Allow's land. No ponds are now proposed to provide mitigation for GCN across the Scheme.</p> <p>The ponds to be created in plot 5/2 are proposed to compensate for the loss of 0.46 ha of standing water in Lower Pool LWS and SBI. The woodland and pond habitat that make up the LWS are a feature of importance in Staffordshire and it is a requirement of national and local planning policy that the Scheme adequately compensates for effects to this locally designated site. Habitat compensation should be provided as close as possible to the location where effects have occurred and benefit the same habitats and species as those affected. Highways England therefore considers that the provision of ponds is proportionate and a necessary part of the Scheme.</p> <p>Highways England has considered the report provided in Appendix 3 to Allow's Written Representation 'RPS Review of Land Acquisition at Hilton Park' [REP1-086]. As explained in Highways England's response to SC22 of the draft SoCG with Allow [REP1-066/8.8LIU(A)] the impact has been considered in accordance with current guidance and best practice. The assessment has been carried out in consultation with Historic England and Staffordshire County Council and we consider it to be robust. The RPS report does not provide any additional information that would lead us to change our opinion of the impact.</p>
	Para 1.9 to 1.11	<p>Engagement</p> <p>An updated Statement of Common Ground is currently awaited from the Applicant and it is unlikely that there will be sufficient time for Allow to respond to the Statement of Common Ground by Deadline C.</p> <p>Allow have met with the Applicant as early as 28 August 2019 and 11 November 2019 and sought to try and reach agreement by negotiation. Allow's consultation responses of 4 July 2019 and 11 December 2019 also offered land by agreement however it is Allow's experience that at the meetings the Applicant demonstrated no intentions to attempt to secure Allow's Land Interest by agreement. The Applicant simply advised that all of the land required for ecological mitigation was necessary and no attempts were made to negotiate between those meetings and the submission of the Application in January 2020 despite continued representations made by Allow in their consultation responses dated. The Applicant then proceeded to submit its Applicant to the Examining Authority in January 2002.</p> <p>Notwithstanding the position taken by the Applicant at the meetings referred to above the Approved Changes confirm that the extent of land required for ecological mitigation was simply not necessary. The Applicant by its own admission has confirmed its most recent Great Crested Newts survey demonstrate that less land for ecological mitigation is required. It remains Allow's case that the ecological mitigation is excessive and as a consequence the extent of Allow's Land Interests the Applicant wishes to acquire compulsorily is not necessary and not in the public interest.</p>	<p>Highways England issued the first draft of a SoCG with Allow to Allow on 14 April 2020 and no comments specifically on this SoCG were received prior to Deadline 1. An updated SoCG was issued to Allow on 02 November 2020 and to the ExA at Deadline 1 on 3 November 2020[REP1-066/8.8LIU(A)]. Highways England will continue to liaise with Allow with the aim of closing out all issues in the SoCG and welcomes comments from Allow in order to achieve this.</p> <p>As stated by Allow, Highways England has held a number of meetings with Allow with the intention of reaching agreement by negotiation. Unfortunately, it has not been possible to reach this position to date as Allow disagrees with the extent of and location of proposed environmental mitigation as noted in their representations. Highways England understands that the '<i>offered land by agreement</i>' referred to by Allow is land to the east of the new link road for environmental mitigation. Highways England disagrees that '<i>the Applicant demonstrated no intentions to attempt to secure Allow's Land Interest by agreement</i>'. The alternative land to the east of the scheme was considered but was not considered to be suitable. Refer to the response to Para 1.3 to 1.7 of Allow's Written Representation above which explains that Highways England has considered alternative locations for environmental mitigation.</p> <p>Refer to the response to Para 4.30 to 4.34 of Allow's Written Representation below in response to the statement relating to Great Crested Newts.</p> <p>Refer to the response to Para 1.8 of Allow's Written Representation above in response to the statement that '<i>the ecological mitigation is excessive</i>'.</p>
	Para 1.12 to 1.15	<p>Ecological Mitigation (Plots 4/20c, 5/2, 5/4)</p> <p>The Applicant has not properly assessed alternative locations. The burden of the excessive mitigation is placed on Allow's Land Interests. The approach taken by the Applicant is flawed it has not properly identified the full extent of the historic landscape (with no assessment of plots 5/2 and 4/20c) and has therefore only identified the existing historic landscape in part and in turn not assessed the extent of the historic landscape.</p>	<p>Highways England has considered alternative locations for environmental mitigation as explained above in its response to Para 1.3 to 1.7 of Allow's Written Representation above.</p> <p>Highways England disagrees with the assertion that '<i>the approach taken by the Applicant is flawed it has not properly identified the full extent of the historic landscape</i>'. A response to the report provided in Appendix 3 to Allow's Written Representation RPS Review of Land Acquisition at Hilton Park [REP1-086] is provided in response to Para 1.8 of Allow's Written Representation above.</p>



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		Allow's Consultants and in particular Aspect Ecology Ltd ('Allow's Ecologists') have confirmed that the Applicant has submitted its application based on an inaccurate baseline calculation of existing woodland planting resulting in the Applicant applying for excessive ecological mitigation including woodland planting. We have appended images showing snapshots of the grass verges that have been included in the Applicant's woodland loss calculation below (Appendix 4). The consequence of this inaccuracy is that unnecessary woodland planting is being proposed by the Applicant and it seeks compulsory purchase powers from the Secretary of State to acquire Allow's Land Interests and in particular on plots 5/2 and 4/20c that are not necessary and compulsory purchase powers should not be granted. The consequence of the unnecessary proposed woodland planting is set out in the evidence to support Allow's position, at sections 4.7 to 4.12 of this Written Statement. The proposed woodland on plot 5/2 would completely decimate the current use of 5/2.	Highways England disagrees with the assertion that ' <i>the Applicant has submitted its application based on an inaccurate baseline calculation of existing woodland planting</i> '. Highways England has considered the report provided in Allow's Appendix 1 and 4 to their Written Representation [REP1-088 and REP1-084]. Refer to the response to Para 1.8 of Allow's Written Representation above.
	Para 1.14 to 1.16	<p>Historical Landscape (Plots 4/20c, 5/2, 5/4)</p> <p>The Applicant has not correctly identified the historic landscape in respect of plots 5/2 and 4/20c and as such its approach to protecting the historic landscape is flawed. The Applicant has identified plot 5/4 and land to the east of plot 5/4 as being historic landscape when in fact all of Allow's Land Interests were part of the same historic landscape. Allow's Landscape Consultants, RPS ('RPS') have carried out its own assessment and identified that all of Allow's Land Interests</p> <p>RPS have noted that the Applicant has not carried out any trial trenching. The presence of absence of archaeological sites or features is uncertain. This is described further in sections 6.18 to 6.21 below.</p> <p>It should also be noted by the Examining Authority that RPS have not be able to visit the National Archives (Kew) or any other archives during their assessment due to the (COVID-19 pandemic) and as such their assessment has been limited to available source material.</p>	<p>A response to the report provided in Appendix 3 to Allow's Written Representation 'RPS Review of Land Acquisition at Hilton Park' [REP1-086] is provided in response to Para 1.8 of Allow's Written Representation above.</p> <p>Refer to Highways England's response to Para 1.3 to 1.7 of Allow's Written Representation above in response to Allow's observation that trial trenching has not been undertaken to date.</p>
	Para 1.17	<p>Drainage and Hydrology</p> <p>Allow have concerns about the impact of drainage and hydrology on its land and pools that will continue to surround the construction site. No satisfactory assurances have been provided and no detail is contained in the Environmental Statement in this regard. The Secretary of State should ensure that the Scheme does not create any detrimental impact of Allow's land that does not form part of the DCO in particular the pools that are used for fishing.</p>	<p>The impact on drainage and hydrology, including the risk of water pollution during construction works is assessed in Section 13.9 of Chapter 13: Road Drainage and the Water Environment [APP-052/6.1] with mitigation measures described in Section 13.8. Measures to mitigate impacts on drainage and water quality during the construction of the Scheme are also set out and secured in the Outline Environmental Management Plan [AS-218/6.11] commitments PW-WAT1 to PW-WAT3 (Table 3.2) and MW-WAT1 to MW-WAT10 (Table 3.3).</p> <p>There will be the need for direct works to Lower Pool and how this may be delivered is described in paragraphs 13.8.4-6 of Chapter 13: Road Drainage and the Water Environment [APP-052/6.1]. The construction method and design of the new impoundment to Lower Pool would be confirmed during the detailed design phase of the Scheme. Appropriate mitigation measures will be implemented during these works and other nearby works associated with the construction of the new link road. Such works will be controlled by a Water Management Plan and the wider Construction Environmental Management Plan, secured by Requirement 4 of the draft DCO [REP2-006/3,1]. An outline of the WMP was provided in Appendix C of the Outline Environmental Management Plan [AS-112/6.11].</p> <p>No works are proposed close to the ponds further east towards Hilton Hall, which are also upstream/upgradient from the Scheme. The Scheme boundary is adjacent to the pond located at NGR SJ 94944 05291, but in this area the existing woodland will be retained, and no significant works are planned.</p>
	Para 1.18	<p>Green Belt</p> <p>Allow's Land Interests fall within the green belt. There has been no proper assessment of the impact of: (a) the Scheme on the green belt; and (b) the laying</p>	Refer to Highways England's response to Allow's response to Written Question 1.1.4 [REP2-009/8.14] and Highways England's response to SC28 of the draft SoCG with Allow [REP1-066/8.8LIU(A)].

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		out of proposed woodland planting on plots 5/2 and 4/20c and in particular the impact of the visual openness to the green belt.	
	Para 1.19	<p>Noise and Vibration</p> <p>It is clear and obvious that the Scheme will have a detrimental effect on The Shrubbery which is a residential unit within the immediate vicinity of the new link road. There has been no assessment of the impact of the Scheme on the Shrubbery.</p>	<p>The impact of the Scheme in terms of changes in traffic noise has been assessed at every identified residential property within 600m of the Scheme and the existing A460, this includes The Shrubbery located approx. 250m to the east of the edge of the carriageway of the Scheme. The Scheme design includes noise mitigation measures in the form of a low noise surface along the length of the Scheme. In addition, to the west of The Shrubbery the Scheme is located in a cutting which provides an effective barrier to minimise the propagation of traffic noise from the Scheme. The results of the assessment are reported in Chapter 11: Noise and Vibration of the ES [AS-085/6.1]. Figure 11.4 [AS-098/6.2] visually illustrates the change in traffic noise levels in the opening year across the detailed study area. This demonstrates that on the western and southern sides of the property a minor (1 to &lt; 3 dB) increase in traffic noise levels is anticipated and on the northern and eastern sides a negligible (&lt;1 dB) change is anticipated. On this basis, a significant adverse operational traffic noise effect at The Shrubbery due to the Scheme is not anticipated. Operational vibration is not required to be assessed as part of the ES in line with the Design Manual for Roads and Bridges (DMRB), as a maintained road surface will be free of irregularities as part of project design and under general maintenance, therefore the Scheme will not have the potential to result in significant adverse vibration effects during operation.</p>
	Para 1.20	<p>Issue Specific Hearing and Compulsory Acquisition Hearing</p> <p>Allow's Solicitors wrote to the Examining Authority on 21 October 2020 in respect of attendance and the submission of oral representations at the: (a) Issue Specific Hearings: and (b) Compulsory Purchase Hearings. A copy of this letter is appended below.</p>	Noted.
	Para 2.1 to 4.1	Introduction, objection and introduction to Biodiversity, Ecology and Natural Environment – no new points raised	No response required.
	Para 4.2 to 4.6	<p>Lower Pool Site of Biological Interest (SBI) and Local Wildlife Site (LWS)</p> <p>Lower Pool SBI &amp; LWS is an important ecological feature of significant ecological and landscape importance, which will suffer irreversible damage to the biodiversity resource due to the scheme. The SBI comprises a fishing pool with surrounding long established woodland, created as part of a larger parkland in the 1800's.</p> <p>The areas of impact on the Lower Pool are currently unclear as the area has been adjusted in the scheme changes drawings issued in July 2020 and accompanying revised environmental masterplan drawings. Queries have been raised with HE to request clarification of this but it has not yet been provided. This included emails of the 7th September, 10th September and 15th September 2020. Explanation and clarification was promised by HE in a Teams meeting with HE on 24th September 2020, which Bagshaw's followed up in an email of the 29th September 2020, amendments to the meeting minutes of the 7th October 2020 and follow up emails of the 20th October 2020 and 30th October 2020. No such clarification has been provided.</p> <p>The original area of land proposed to be lost within the SBI referred to in the Environmental Statement was of 1.83 ha of woodland and 0.55 ha of standing water. The revised Environmental masterplan plans (21.08.20) show a larger area than originally proposed to be felled, despite a contradiction in the accompanying rationale document which states that there would be a reduction in the impact on the Lower Pool SBI of 1 ha. The revised ES submitted on 16th October provides updated areas of 2.04 ha of woodland and 0.46 ha of standing water to be lost from the SBI.</p> <p>There has been a lack of explanation and narrative around the scheme changes, which when combined with the contradictory information on the rationale document, which formed part of the consultation, compared to the revised</p>	<p>Allow has stated on numerous occasions that it considers Highways England's approach in respect of environmental mitigation is flawed. Highways England does not agree that the areas of impact are unclear and has made attempts to explain the rationale for the mitigation to Allow and provided a Technical Note on 22 June 2020 to facilitate constructive discussions in relation to this matter. No comments were received on the technical note from Allow apart from the fact that Allow considered it to be flawed and was undertaking its own analysis. On 29 September, Allow provided the report (provided in Allow's Appendix 1 and 4 to their Written Representation [REP1-088 and REP1-084]. Highways England has considered this report as explained in the response to Para 1.8 of Allow's Written Representation above.</p>

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		<p>Environmental Masterplans, and those environmental masterplans also showing inaccurate information as to revised public rights of way alongside Dark Lane, has led to inaccuracies as to what areas are necessary to be acquired to mitigate the impact of the Scheme. Allow object to the Applicants Acquisition of the Lower Pool SBI (Plot 5/4 and 4/20c) and request further clarity as to what area is proposed to be acquired for scheme construction and for mitigation of the scheme.</p> <p>A considerable area of woodland beyond that required for construction, has been included within the DCO boundary in plot 5/4. It is Allow's opinion that the Applicant has failed to set out justification for the acquisition of the extent of the Lower Pool SBI within the DCO boundary.</p>	
	Para 4.7 to 4.12	<p><b>Excessive Environmental Mitigation</b> The estimated land areas proposed to be taken for construction of the link road and cutting etc at Allow Ltd's estate at Hilton extends to approximately 3.26 hectares (as updated 21.08.20, and was previously 2.90ha). The additional area proposed to be acquired for environmental mitigation on Allow's holding is approximately 8.24 hectares (as updated 21.08.20 and was previously 14.71 ha); Based on current area calculations the area of mitigation proposed amounts to over 2.5 times the area required for the road construction itself. It can only be assumed therefore that land owned by Allow is being acquired for the mitigation of environmental damage on other parts of the Scheme. This has been confirmed by Allow's ecology consultant. Explanation has not been provided as to why such a large percentage of environmental mitigation area for the entire Scheme is proposed to be on Allow's land.</p> <p>The area of land proposed to be acquired for environmental mitigation is excessive and disproportionate to the area of land taken for the construction of the road and associated engineering. The ES provides no detail as to how or why this large area has been selected for mitigation and is misleading in terms of suggesting that the area of mitigation being local to the subject ecological feature being lost.</p> <p>The significant impact the road it having upon the estate is worsened to a large extent by the large area proposed to be acquired for environmental mitigation. It is strongly argued that the extent of land to be acquired is completely disproportionate to the area needed to offset the environmental impact of the road, and the number of trees that are being lost, upon Allow's land holding.</p> <p>It is our opinion, supported by Allow's Ecologist, 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. There has evidently been poor standards of mapping which have recorded all areas, from roadside kerb to kerb which has given rise to considerable differences between the woodland areas lost to the scheme stated by the Applicant and those actually on the ground. The Applicant states that the area of woodland taken for the scheme is a total of 20.59 ha. Following our own mapping exercise, it is our assessment that a figure of approximately 14 hectares is a more accurate assessment of the woodland present on the ground. Over the scheme we estimate that there has been an excess of 6.59 Ha or 16.28 acres which has</p>	<p>Refer to the response to Para 1.8 of Allow's Written Representation above.</p> <p>As set out in the SoCG between Highways England and Allow Ltd [REP1-066] environmental mitigation is not and cannot be designed on a plot by plot basis such that land required for mitigation is similar to that required for the proposed link road for each land plot or proportional in any way to loss on a particular plot. Whilst the impact on businesses and landowners is important and was taken into account in the design of the Scheme, the location of mitigation is often determined by the location of existing ditches and topography (drainage), connectivity to existing habitats, proximity to habitat loss/protected species affected, locations effective at providing screening of visual impacts etc. The adverse impacts of any mitigation must also be considered, such as adverse impacts on the setting of listed buildings or locally designated landscapes.</p> <p>Mitigation measures are proposed along the length of the Scheme as illustrated on the Environmental Masterplan [AS-086 to 092/6.2] as appropriate to mitigate the impacts of the Scheme. The amount of land acquired permanently from Allow Ltd has been reduced following the design changes accepted by the Examining Authority on 29 October 2020. This reduction in land has been possible due to completion of further ecological surveys and revision of the mitigation strategy to ensure that the area of compensatory woodland planting is approximately equivalent to the areas of woodland being lost. It should be noted that not all areas of individual woodland that will be lost have been compensated for with an equivalent area of new planting. Some woodlands, such as Lower Pool LWS and Brookfield Farm LWS are of greater importance and compensatory planting has been provided at a ratio greater than 1:1 to account for their importance.</p> <p>The primary function of mitigation located on Plot 5/2, under the ownership of Allow Ltd, is as a replacement for lost woodland and standing water habitat from Lower Pool SBI, which in the long term will provide habitat for bats, birds, amphibians and invertebrates. The approach to mitigation and mitigation design has been described in the Environmental Statement [TR010054/APP/6.1] and the Outline Environmental Management Plan [TR010054/APP/6.11]. Mitigation specific to Allow's holdings has been explained in further documentation 'Environmental Mitigation Approach: Allow Limited' and 'Environmental Mitigation Review – Plot 4/20c and 5/2' issued to Allow on 24 April 2020 and 22 June 2020 respectively.</p> <p>Refer to Highways England's response to Allow's response to Written Question 1.1.4 [REP2-009/8.14] and Highways England's draft Statement of Common Ground with Allow [REP1-066/8.8LIU(A)] in response to assertions that the area of land to be acquired for environmental mitigation is excessive.</p>



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		<p>been incorrectly identified as woodland, much of which has been proposed to be compulsorily acquired from Allow Ltd for mitigation planting. Further information can be provided if required by the ExA and has been provided to the HE.</p> <p>We have appended photographs to show some of the areas which have been incorrectly identified by the Applicant as established woodland lost to the scheme when in fact they are merely grass verge. We have made representations to the Applicant to advise them on this inaccuracy on 23rd September 2020. We understand the Applicant is considering the information provided but we have not received a response. We have made representations during the consultation since 2019 that the ecological mitigation is excessive and disproportionately burdened on Allow's land</p> <p>Allow object to the acquisition of plot 5/2 and 4/20c for environmental mitigation, because the Applicant has failed to justify the correct area of woodland habitat lost in the scheme.</p>	
	Para 4.13 to 4.17	<p><b>Location of Environmental Mitigation</b> We append herewith a report on proposed habitat creation, prepared by Allow's Ecologists, together with a supplementary Technical Briefing note TN02 following the review of the Great Crested Newt Data provided in October 2020.</p> <p>It is appreciated that the Applicants should include appropriate mitigation measures as an integral part of their proposed development, however the applicant should demonstrate that opportunities will be taken to enhance existing habitats and, where practicable they will seek to ensure that activities will be confined to the minimum areas required for the works; and that best practice will be followed to ensure habitats will, where practicable, be restored after construction works have finished; developments will be designed and landscaped to provide green corridors and minimise habitat fragmentation where reasonable.</p> <p>The NPPF specifically states at para 170d) that minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. It is Allow's contention that ecological networks are not adequately proposed in the design of mitigation, as detailed in Aspect Ecology's report.</p> <p>It has been proposed by Allow Ltd that more landscaping and some mitigation planting could be created on the East side on the Scheme adjoining the existing woodland and SBI, on the open grassland instead of the Western side of the scheme as proposed.</p> <p>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>TN02 [REP1-082] provides a review of the approach to GCN surveys and mitigation provided as part of the Scheme. It makes the case that the ponds proposed are not required/ not in the correct location for GCN and suggests that the overall case for compulsory acquisition is not made out due to perceived failings in the approach to GCN surveys and mitigation. This stance represents a misunderstanding of the approach taken for the following reasons:</p> <ul style="list-style-type: none"> <li>No ponds are now proposed solely for the purpose of mitigating the impact of the Scheme on GCN. It is therefore unimportant where the proposed ponds are located in relation to GCN populations.</li> <li>The ponds that have not been surveyed and have been 'assumed' to contain GCN are not directly affected by the Scheme. As TN02 notes, some of these ponds are fairly distant from the Scheme. All ponds directly affected by the Scheme have been surveyed. The approach is robust, in line with guidance and agreed with Natural England.</li> <li>The ecology ponds to be created across the Scheme are to mitigate for the loss of existing ponds at a 1:1 ratio (to mitigate for the loss of 7 ponds and the partial loss of two ponds).</li> <li>No land is to be acquired for the sole purpose of GCN mitigation. Mitigation is required for the impact on GCN terrestrial habitat, with the mitigation requirements to be agreed in the Natural England licence to be obtained should the DCO be made. However, this mitigation can be delivered on land already required for other essential mitigation purposes. The approach has been agreed with Natural England and a Letter of No Impediment issued. Results showing an absence of GCN in ponds not surveyed outside the Order limits would not reduce the land requirements for the Scheme. Highways England do not consider that surveys of the remaining ponds are necessary for a decision on the DCO application.</li> </ul> <p>The Applicant has incorporated measures to enhance existing habitats wherever possible as part of the Scheme. Restoration of ancient woodland is proposed within Oxden Leasow (Whitgreave's Wood) and Brookfield Farm SBI and LWS. The OEMP [APP-218/ 6.11 and subsequent revisions] Table 3.4, ref D-BIO11 states that '<i>In combination with the compensatory planting, conservation led management of both ancient woodlands (Oxden Leasow (Whitgreave's Wood) and the area within Brookfield Farm SBI and LWS) would seek to develop and improve upon the woodland structure, enhancement measures would include selective thinning</i>'. These restoration measures are not captured within the metric as irreplaceable habitats, such as ancient woodland, are excluded from the calculations of losses and gain of biodiversity units (as recommended within TN3 of the CIRIA best practice guidance).</p> <p>Improvements to retained habitat at Lower Pool LWS and SBI are referenced in paragraph 8.9.13 and 8.9.14 of the ES Chapter 8 [APP-047/6.1 and subsequent versions]. Improvements would include the removal of invasive species and selective clearance. Further details are to be agreed at the detailed design stage through consultation with the appropriate statutory environmental bodies.</p>



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			<p>General enhancement measures for woodland are included within the OEMP [APP-218/ 6.11 and subsequent revisions]. Table 3.4 ref D-BIO10 states that <i>'Timber from felled trees shall be used for the creation of deadwood areas within selected areas of retained habitat for saproxylic (dead wood loving) species, with some placed in the understory of woodland blocks to enhance woodlands. Felled trees would be retained on site as whole boughs and trunks.'</i> These sorts of habitat enhancements are not shown within the biodiversity metric calculation as they may not necessarily lead to a favourable change in the condition (in terms of the metric) of the habitat being enhanced.</p> <p>Sections of retained watercourses (exact locations to be determined during the detailed design stage) will be enhanced, which would result in a 2.23% gain in biodiversity units using the river metric.</p> <p>In terms of the restoration of habitats, areas of existing habitats will be enhanced from their original "distinctiveness" and/or "condition" post development. However, as these habitats will be temporarily lost due to construction or the altering of habitat type e.g. changing improved grassland to species-rich grassland, the biodiversity metric calculation requires this to be recorded as "lost" and then "created" habitat.</p> <p>Regarding restoration, Table 3.3, MW-G27 OEMP sets out the commitment for clearance and re-instatement of sites on completion: The main works contractor shall ensure that on completion of construction works, plant, materials, equipment, temporary buildings and vehicles not required during subsequent activities are removed from the site and that land is restored to its former use or in accordance with the design as appropriate.</p> <p>The approach to mitigation and mitigation design has been described in the Environmental Statement [TR010054/APP/6.1] and the Outline Environmental Management Plan [TR010054/APP/6.11]. The location, amount and design of environmental mitigation is further set out in the document 8.11 Environmental Mitigation Approach [REP1-057/8.11], including consideration of habitat connectivity. It should be noted, however, that ecological considerations are not the only factors influencing decision making on the location of ecological mitigation, particularly where the ecological benefit of one location over another is marginal. Of particular relevance here, consideration of the landscape, visual and heritage impacts of mitigation planting have also been taken into account in the design and location of ecological mitigation measures.</p> <p>Refer to the response to Para 1.3 to 1.7 of Allow's Written Representation above which explains that Highways England has considered alternative locations for environmental mitigation.</p>
	Para 4.18	<p><b>Bats</b></p> <p>The Environmental Statement details a sufficient and proportionate approach to bat surveys as part of the scheme. However, based on the activity levels and roost locations presented in the Environmental Statement, habitats created for the benefit of bats to the west of the scheme are not effectively sited, such that their mitigatory function is compromised. Accordingly, the proposed habitats will not function to offset the impacts to bat habitats under the scheme and could lead to increased mortality as bats are required to cross the motorway to reach new habitats. Current activity levels appear to be greater to the east of the scheme, especially around Lower Pools Site of Biological Importance (SBI), and these areas will be separated from the new habitats, with little new connectivity provided. In addition, Crossing Point Surveys do not indicate any significant east-west movements by bats, especially at the area proposed to link retained habitats with created ones. As such, there is nothing to suggest that bats in retained habitats will travel to the newly-created habitats, whilst if they do they risk high mortality effects from crossing of the motorway. Consequently, it is recommended that habitat is created in the east of the scheme which would deliver effective mitigation and avoid collision risk mortality within the local bat population.</p>	<p>Refer to Highways England's response to SC30 of the draft SoCG with Allow [REP1-066/8.8LIU(A)].</p>
	Para 4.19 to 4.26	<p><b>Woodland creation</b></p> <p>It is our specialist's view that:</p>	<p>Refer to the response to Para 1.8 and Para 4.7 to 4.12 of Allow's Written Representation above in response to the assertion that the proposed woodland creation on Allow's land is disproportionately high.</p>

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		<p>The proposed woodland creation on Allow Ltd's land is disproportionately high compared to the amount of woodland being lost.</p> <p>The large areas on woodland proposed on Allow Ltd's land (e.g. EW08) are located on the west of the proposed scheme. This will isolate planted woodland from other areas of woodland, plus Lower Pools SBI, in the landscape, reducing its effectiveness to contribute to existing ecological networks.</p> <p>The appropriateness and effectiveness of woodland planting for the benefit of species such as newts and bats to the west of the scheme is considered sub-optimal and will not offset the impacts arising on these species.</p> <p>Other, more effective, locations to the east of the scheme should be examined which would not compromise the Historic Landscape Area of Hilton Park. It is recommended that woodland creation is redirected to the east of the proposed link road.</p> <p>It is appreciated that whilst there will be some ecological benefits associated with new woodland planting however, it is likely to be many years until these are realised. 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 proposed 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>There is currently minimal planting proposed on the Eastern side, other than infilling alongside the new road after construction where existing trees and Lower Pool will be taken. It is our opinion that there would be reduced habitat fragmentation and improved ecological connectivity with the existing woodland by locating the new planting alongside the existing woodland, rather than in a large block which is disconnected from the existing ecosystems by the Scheme. The new planting would thereby recover to a greater ecological value in a shorter time period than if it were only connected by the one mammal tunnel and the Hilton Lane road bridge, allowed for within the scheme.</p> <p>The use of existing green corridors across the Hilton Park estate will improve the ecological value to a far greater extent than a blanket approach to a block of new mitigation planting on the West side of the Scheme.</p>	<p>The primary function of mitigation located on Plot 5/2, under the ownership of Allow Ltd, is as a replacement for lost woodland and standing water habitat from Lower Pool SBI, which in the long term will provide habitat for bats, birds, amphibians and invertebrates. The approach to mitigation and mitigation design has been described in the Environmental Statement [TR010054/APP/6.1] and the Outline Environmental Management Plan [TR010054/APP/6.11]. Mitigation specific to Allow's holdings has been explained in further documentation 'Environmental Mitigation Approach: Allow Limited' and 'Environmental Mitigation Review – Plot 4/20c and 5/2' issued to Allow on 24 April 2020 and 22 June 2020 respectively. The location, amount and design of environmental mitigation is further set out in the document 8.11 Environmental Mitigation Approach [REP1-057/8.11], including consideration of habitat connectivity and planting to the east of the scheme within Hilton Park Historic Landscape Area.</p>
	Para 4.27 to 4.29	<p>Biodiversity unit calculations</p> <p>Our specialist states that the updated 2020 Defra 2.0 version of the metric should be applied and the baseline habitat area calculations revisited to ensure that CPO powers can be lawfully exercised.</p> <p>Another factor which could influence the required area for habitat creation is the extent of proposed restoration and enhancement of existing habitats. Paragraph 2.3.1 of Appendix 8.2 of the ES assumes that no retained habitats will be enhanced. As such, Biodiversity Units need to be achieved solely through habitat creation. However, paragraph 8.9.36 of Chapter 8 of the ES states that "In addition, retained habitats of importance within the Scheme boundary (notably</p>	<p>Refer to Highways England's response to Allow's response to Written Question 1.3.8 [REP2-009/8.14] and Highways England's response to SC26 of the draft SoCG with Allow [REP1-066/8.8LIU(A)]. The metric used at the time of submission (version 1 of Defra's metric) was the most appropriate given the time of release of metric Defra 2.0. A revised metric calculation has been completed using Defra 2.0 and the results of this calculation are provided in Environmental Statement Appendix 8.2 Biodiversity Metric Calculation (Version 3) submitted with the formal request for Scheme changes [AS-103/6.2]. The results show that the Scheme continues to deliver no net loss in biodiversity. The biodiversity metric has been provided by Highways England to showcase the number of biodiversity units that would be delivered through the essential mitigation. The metric has not been used to determine the requirements for the quantum of habitat creation and therefore any revised calculation would not result in changes to the environmental masterplan.</p>

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		<p>woodlands and wetland associated with the SBIs) would be subject to improvement through appropriate infilling/planting and more favourable management". This should be clarified, as enhancement works to retained habitats would result in further Biodiversity Units being generated and in turn this could result in the need for a reduced land-take for habitat creation.</p> <p>It is recommended that the Biodiversity Impact Assessment is revisited to take account of proposed habitat enhancement measures</p>	Regarding enhancements refer to that provided in response to Para 4.13 to 4.17 of Allow's Written Representation above.
	Para 4.30 to 4.34	<p><b>Great Crested Newts</b> We append hereto a review of the 2020 Great Crested Newt Data, undertaken by Allow's Ecologists. The concerns that arise are as follows:</p> <p>A screening distance of 500m appears to have been used whereas 250m is appropriate, therefore it is recommended that the screening distance is re-visited.</p> <p>An overly precautionary approach has been taken by the Applicant. There is no evidence to suggest that the area is significantly important to the species and none of the three ponds which will be lost on Allow's land support GCN populations. The assumption of worst case scenarios does not reflect actual survey data and is too over-precautionary.</p> <p>Ponds known to support GCN are to the east of the scheme and Mitigation ponds are proposed to the west of the scheme – the effectiveness of locating the ponds to the West is highly questionable. New ponds would not link to the existing population of GCN and hence would not serve to mitigate effects of losses to the scheme. It is recommended that the siting of mitigation is re-visited and this is re-located to the east of the scheme</p> <p>Pond ratios dictating habitat creation have determined that eight of the twelve proposed ecological ponds will be created on Allow's land, however GCN presence has not been confirmed in any of the ponds being lost to the scheme. The 2020 results have confirmed that fewer compensatory ponds are required, and scheme changes have resulted in a small reduction to eight ecological ponds, however creating compensatory habitat to the west of the scheme is in question.</p>	A response to the report provided in Appendix 2 to Allow's Written Representation 'Aspect Great Crested Newt Review' [REP1-082] is provided in response to Para 1.8 of Allow's Written Representation above.
	Para 4.35	<p><b>Unnecessary Loss of (BMV) Agricultural Land.</b> The scheme as proposed will result in the loss of 8.19 ha (reduced from the initial 13.90 hectares (34.34 acres)) of Grade 2 &amp; 3a Agricultural Land (in addition to the woodland losses), whereas only a small area of this is required for the road construction area and the majority is proposed to be taken for environmental mitigation. The loss of agricultural land, the majority of which is exceptionally good grade 2 land, is contrary to scheme guidelines and the NPPF.</p>	<p>Highways England recognises the impact of the Scheme on best and most versatile agricultural land (Grades 1 to 3a). The assessment of impacts on agricultural soils is set out in Chapter 9: Geology and Soils of the ES [APP-048/6.1] with revised figures provided in the ES Addendum submitted to the ExA in October 2020 [AS-118/8.6]. The figures provided by Allow do not correlate with the calculations presented in these documents. It is presumed that the figures quoted are for loss within Allow's ownership, but these calculations are not made by Highways England on a plot by plot basis so cannot be corroborated.</p> <p>The ES Addendum assessed the impact of the design changes accepted by the ExA on 29 October 2020 on agricultural soils, showing a reduction in the area of best and most versatile agricultural soils impacted by the Scheme. These assessments report a significant adverse effect on Grade 2 (very good quality) and Grade 3a (good quality) agricultural soils. This assessment assumes that all land taken permanently for the construction and operation of the Scheme would result in the loss of agricultural soils, however this is an assessment of the worst-case scenario and unlikely to be the reality.</p> <p>The footprint of the Scheme has been designed through optioneering to reduce the loss of BMV agricultural land where possible, see Chapter 3: Assessment of Alternatives [APP-042/6.1], Table 3.2, Table 3.4 and paragraph 3.3.56.</p> <p>Mitigation measures are set out in the Outline Environmental Management Plan (Version 3) [AS-112/6.11], Table 3.2 PW-GEO4, PW-GEO5, and Table 3.3 MW-GEO5 and MW-GEO7, which will ensure appropriate</p>

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			<p>management of soil resources through a Soil Management Strategy. The management strategy would identify the nature and types of soil that would be affected, including the methods that would be employed for stripping soil and the restoration of agricultural land to its existing agricultural land classification where the end use of the land allows (e.g. returned to agricultural use or used for woodland planting). These commitments are secured through Requirement 4 of the draft DCO.</p> <p>The primary national planning policy document to be considered in decision making on a highways DCO is the National Policy Statement on National Networks. The NPSNN states in paragraph 5.168 that:</p> <p><i>'Applicants should take into account the economic and other benefits of the best and most versatile agricultural land (defined as land in grades 1, 2 and 3a of the Agricultural Land Classification). Where significant development of agricultural land is demonstrated to be necessary, applicants should seek to use areas of poorer quality land in preference to that of a higher quality. Applicants should also identify any effects, and seek to minimise impacts, on soil quality, taking into account any mitigation measures proposed. Where possible, developments should be on previously developed (brownfield) sites provided that it is not of high environmental value. For developments on previously developed land, applicants should ensure that they have considered the risk posed by land contamination and how it is proposed to address this.'</i></p> <p>The area between the M54 and the M6 in this location is agricultural land and there are no potential routes that would have avoided affecting agricultural land or utilised previously developed land in preference to greenfield land. The Scheme results in the loss of best and most versatile agricultural land, but the Applicant has sought to use areas of poorer quality land where possible. This includes prioritising removal of the highest quality agricultural land from the Scheme when removal of environmental mitigation became possible, with these changes being part of the Scheme changes accepted on 29 October 2020. The Applicant has also minimised impacts on soil quality where possible. The Scheme is fully compliant with NPSNN policies on this topic. Policies within the NPPF can be a material consideration for decision making on the Scheme, although the weight attributed to these policies will vary depending on the nature of the project and the policy text. NPPF paragraph 170 states that planning decisions should contribute to and enhance the natural and local environment by: <i>'...b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.'</i></p> <p>As above, the Scheme is considered to be fully compliant with this policy text, which does not rule out use of best and most versatile land for development, but requires that the benefits of it are fully recognised in the process. The implication is that harm should be minimised wherever possible and taken into account in decision making, as it has been/ will be on this project.</p> <p>It is not known what Allow Ltd is referring to in the statement that use of agricultural land is contrary to Scheme guidelines. The methodology, design iterations and mitigation have all been implemented in line with advice in policy and using industry standard processes.</p> <p>Overall, the benefits of the Scheme are considered to outweigh the adverse impacts, including those on agricultural land.</p>
	Para 5.1 to 5.4	<p>Green Belt 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>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</p>	Refer to Highways England's response to Allow's response to Written Question 1.1.4 [REP2-009/8.14]



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		<p>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>The extent of the proposed woodland mitigation 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 the original Hilton Park design is proposed to be taken for blanket tree planting (except the arbitrary reduction proposed in the proposed scheme changes). This will reduce the openness of the landscape around the Dark Lane, Hilton Lane and A460 area. 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.</p>	
	Para 6.1 to 6.17	<p><b>Cultural Heritage</b></p> <p>The parkland has been within the ownership of Allow since the 1950's. and they have undertaken woodland planting and landscaping of the pool and park; for example, when the estate was purchased in the 1950's a wood was planted to shield a coal mining slag tip in the distance which was visible at that time.</p> <p>The Top Pool, to the West of the Hall, was dug in 1977/78, and the Middle Pool in the 1980's being situated to the South East of the older Lower Pool. The Lower Pool (plots 5/4 and 4/20c) was cleared, improved and enlarged as a fishing pool. All of the woodland planting to the eastern side of Lower Pool and around Middle Pool has all been undertaken by Allow.</p> <p>The land proposed to be acquired for both the construction of the Scheme and Environmental Mitigation is designated as a Historic Landscape Area in South Staffordshire Historic Environment Character Assessment (2011).</p> <p>The property impacted by the scheme comprises the surviving components of the historic landscape park associated with Hilton Hall including the shelter belts, woodland, ornamental lakes and parkland trees. The route of the proposed motorway will transect this area and will remove substantial areas of the parkland, woodland and the Lower Pool ornamental lake.</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. Allow would contest that the receiving landscape is not of low landscape value due to the quality and historical context of the landscape.</p>	<p>A response to the report provided in Appendix 3 to Allow's Written Representation 'RPS Review of Land Acquisition at Hilton Park' [REP1-086] is provided in response to Para 1.8 of Allow's Written Representation above.</p> <p>Refer to Applicant Response to the ExA's First Written Questions [REP1-036/8.10], WQ1.7.16 and WQ1.7.17. Hilton Park is one element or factor in determining value within the study area. Its influence on value is geographically limited and other elements such as the urban fringe and highway dominated aspects of the study area exert greater influence on value. Hence, the Applicant concludes that overall the landscape value of the study area is low. This is separate from and different to concluding that the heritage value of Hilton Park is low. The Applicant's description acknowledges that there are several designated assets within the parkland, but these do not need to be listed individually or described in detail within the assessment of landscape value. The value of heritage assets is assessed in Chapter 6: Cultural Heritage of the ES [APP-045/6.1].</p> <p>Highways England has undertaken extensive research into the park as part of the ES and produced a separate statement, Appendix 6.5 [APP-173/6.3] specifically on the significance of the surviving elements. This was undertaken with reference to 'A History of Hilton Hall' Knott, C. A. (1989). This paper was produced for Tarmac PLC which utilised all the available papers on Hilton Hall in its production. Research was also undertaken at the Staffordshire County Record Office. Not all the information was reproduced within the report as it duplicated information from other sources. None of this provided a conclusion regarding Repton's involvement, and the ES makes clear reference to the association of Repton with the park, therefore, Highways England stands by its assessment. The parkland remains a non-designated heritage asset and the association with Repton remains unproven. The asset has been assessed in accordance with this.</p> <p>The amount of land acquired permanently in plot 5/2 reduced following acceptance of the design changes by the Examining Authority on 29 October 2020. The assessment takes into account impacts on individual elements of the park but reports the overall change / impact on Hilton Park as a whole, in accordance with current guidance and this is what is described in Chapter 6: Cultural Heritage of the ES [APP-045/6.1]. The significance of Hilton Park is addressed within the chapter and mention is made of the former entrance being from the south, before it was realigned to the east. The driveway is considered to form one of the 'key elements' of the parkland noted at section 6.9.39 in relation to impacts. The impact on Hilton Park has taken</p>

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		<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> <p>We append 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. 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>The report states 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. The assessment in Chapter 6 of the ES focuses on the impact of the new road but even then fails to take into account the severance of the former principal access route to the house and the severance of Dark Lane which are both part of the designed landscape.</p> <p>The environmental mitigation measures proposed within Hilton Park include new woodland planting across all of Plot 5/2 west of the new road. This would merge with the historic tree belts on the east side of the A460 and the south side of Hilton Lane, and therefore these tree belts, which were key elements of the redesign of the parkland in the period 1796 - 1816, would lose their separate identity. The South Staffordshire HEA includes recommendations for Hilton Park and states that 'The surviving heritage assets of the historic landscape park which lie within this zone comprise the shelter belts, woodland and lake which are important components to understanding the history and design of Hilton Park'. Thus not only will the proposed new road sever the western edge of the historic park, but the proposed woodland planting will impact greatly on the nature and character of the western perimeter tree belt as an important component of that designed landscape. This is not acknowledged or discussed within Chapter 6 of the ES and has not been taken into account in the assessment</p>	<p>into account impacts on individual elements of the asset such as Lower Pool and the Shrubbery as well as lesser impacts on other aspects of the parkland such as the historic tree belts. The area to the west of the park has been compromised by subsequent development and there is a disconnection of the surviving tree belts and the driveway which remains intact for much of its length, including the retention of the gatepiers marking the former entrance. 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)]. While Highways England is proposing a significant amount of planting to the west of the Scheme, the tree belts along the A460 and Hilton Lane would still be maintained, with a degree of separation maintained with the proposed woodland planting. The design changes accepted by the ExA on 29 October 2020 has allowed for additional separation between the woodland planting and the majority of the existing tree belt, however it is not considered that this alters the assessment as reported in the ES.</p> <p>The primary function of the mitigation on plot 5/2 is as a replacement for lost woodland and standing water habitat from Lower Pool SBI, which in the long term will provide habitat for bats, birds, amphibians and invertebrates. The secondary function of the woodland planting in this location is to provide landscape integration. The reason for mitigation measures specific to Allow holdings has been explained in further documentation 'Environmental Mitigation Approach: Allow Limited' and 'Environmental Mitigation Review - Plot 4/20c and 5/2' issued to Allow Ltd on 24 April 2020 and 22 June 2020 respectively.</p> <p>Alternative locations for replacement areas for Lower Pool SBI were considered and the reason these locations were not taken forward has been set out in a Technical Note: 'Environmental Mitigation Review - Plot 4/20c and 5/2' submitted to Allow on 22 June 2020. The potential to provide this new woodland planting and replacement standing water to the east of the mainline of the Scheme was explored during the development of the landscape design at the request of Allow. However, due to the presence of the designed landscape of Hilton Park and the Shrubbery, which is a feature of the historic parkland, on the eastern side of the Scheme any additional woodland planting would result in adverse effects on these receptors. The parkland also forms the setting of the Grade I Hilton Hall and associated buildings. The potential to locate planting to the east was discussed with Historic England at a meeting on the 13 August 2019. It was agreed that the form of features within the retained historic park such as the historic boundary of Lower Pool and the Shrubbery should be retained and that the woodland should not be extended into the remaining open parkland. Consultation with Historic England has included consultation with Historic England's Historic Landscape Specialist with regards to the impact on Hilton Park. The Historic Landscape Specialist was in attendance at the meeting on 13 August 2019. Historic England was clear that in their view the mitigation planting should remain where it is currently located and that the current location would lead to lesser harm on the parkland than the alternative location to the east.</p> <p>South Staffordshire Council were consulted on the Preliminary Environmental Information Report and Environmental Masterplan. Draft copies of Chapter 6: Cultural Heritage, the Environmental Masterplan and Outline Environmental Management Plan were also sent to South Staffordshire Council for review and comment. SSCs Conservation Officer has confirmed that they have no major concerns with regards to the impact upon the setting of the designated heritage assets and raises no objections to the Scheme, this is set out in SSC's Local Impact Report [REP-097] and the SoCG between Highways England and SSC [REP1-059/8.8LA(B)].</p>

Representor / WR No.	Paragraph Ref (if applicable)	Written Rep (Extract)	Applicant's Response to Written Representation
		<p>of the impacts and effects on Hilton Park.</p> <p>Similarly, the new road would sever the route of the former principal access route to the house (leading from the A460 at Lower Lodge), and the proposed woodland planting in plot 4/20c extends over this access route. There is no mention in Chapter 6 of the ES regarding the impact (on the historic park) of severing and planting over what was formerly the principal access through the park to Hilton House, nor any recognition of this access route within the designed mitigation.</p> <p>In a document of June 2020 entitled Environmental Mitigation Review – Plot 4/20c and 5/2 (Report No. HE514465-BAM-EGN-Z1_ZZ_ZZ_TN-LE-0001-PO2 S4), the Applicant states that 'Consultation with Historic England has confirmed they require the retention of form of features within the retained historic park such as the historic boundary of Lower Pool/The Shrubbery, and they would prefer not to extend the woodland into the open parkland between The Shrubbery and the Hall'. [4.3.11]. No further information is presented with regard to this consultation. It is assumed that Historic England's principal concern is with regard to the setting of Hilton Hall and the Conservatory rather than the park itself, as both of these are Grade I listed buildings whereas Hilton Park is not included on the non-statutory Register of Parks and Gardens of Special Historic Interest in England. However, the park is locally designated by South Staffordshire Council as a Historic Landscape Area (HLA), but there is no information presented in respect of consultation with South Staffordshire Council with regard to the impact of the proposed environmental mitigation. Given that the appraisal of the historic park presented in Appendix 6.5 of the ES and taken through into the assessment presented in Chapter 6 of the ES is woefully inadequate, how can the ExA be sure that Historic England (and South Staffordshire Council if they were indeed consulted) were provided with adequate information on which to base their advice?</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.</p> <p>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 5/2 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 any reasonable or robust analysis of alternatives despite applying for compulsory purchase powers. The statutory tests at section 122(2) and (3) of the Planning Act 2008 and in particular require a compelling case in the public interest for the Applicant to acquire Allow's land compulsorily.</p>	
	Para 6.18 to 6.21	<p>Archaeology/Trial Trenching</p> <p>Allow's consul 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. Allow request clarification on this point. The results will also enable the development and implementation of further mitigation measures</p>	Refer to the response to Para 1.3 to 1.7 of Allow's Written Representation above.



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		<p>(for archaeological sites and features), including, where possible, preservation in situ.</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 Examining Authority 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 result in 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>	
	Para 7.1 to 7.5	<p>Noise and Vibration</p> <p>Allow have concerns regarding noise and light pollution.</p> <p>Additional sound mitigation should be provided, including sound boarding along the roadside, for the protection of The Shubbery which will be retained by Allow and the surrounding cottages and Hall.</p> <p>The proposed scheme changes have caused the felling of a further approx. 0.337 ha (0.83 acres) of established woodland to the eastern side of the Scheme, significantly reducing the buffer of woodland which may have otherwise served to reduce the impact of noise and light pollution on the adjoining residences and pools. No corresponding sound mitigation appears to have been proposed to address this.</p> <p>The Shubbery is only 250m from the proposed Link Road, the bungalow and Gardeners Cottage only 310m, and 1 &amp; 2 North Lodge are only 410m away from the link road. There therefore needs to be noise barrier screening in order to prevent noise and disruption once the road is in use and also during the construction phase.</p> <p>There are concerns regarding the potential visual impact arising from additional lighting at night at and the disruption that this would cause Allow.</p>	<p>Refer to the response to Para 1.19 of Allow's Written Representation above.</p> <p>Lighting is only to be provided at the key junctions and would not affect The Shrubbery or Gardener's Cottage. Refer to Highways England's response to SCC's response to Written Question 1.6.6 [REP2-009/8.14].</p>
	Para 8.1 to 8.16	<p>Socio-Economic Effects</p> <p>The proposed scheme will have a significant impact upon the business run by Allow Ltd which comprises a mixed farming and recreational business, including fishing pools, an equestrian centre and leasing land for car boot sales. The negative impact upon the business would be reduced by the removal of the</p>	<p>Refer to Highways England's response to Allow's response to Written Question 1.12.11 [REP2-009/8.14] in relation to the fishing ponds and car boot site.</p> <p>Highways England has confirmed that access will be retained to all plots that remain in the ownership of Allow, albeit, alternative arrangements may be required in some situations. Refer to Highways England's response to SC2 of the draft SoCG with Allow [REP1-066/8.8LIU(A)]. A site meeting is to be arranged between Allow Ltd</p>

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		<p>mitigation areas from their land losses, including plots 5/2 and 4.20c</p> <p>The pools have been utilised as fishing pools for many years, utilised by many members of the local community for quiet recreation. 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.</p> <p><b>Top Fishing Pool</b> Dan's Pool is maintained for a fishing syndicate which has a membership of 110 local members, maintained by retired members.</p> <p><b>Middle fishing Pool</b> Chubb Pool is maintained for a different local fishing syndicate of more than 150 members, with one groundsman.</p> <p><b>Lower Fishing Pool (Plot 5/4 &amp; 4/20c)</b> This pool was constructed in the 19th century and is maintained for the Fox Carp Syndicate, with a membership of nearly 30 members.</p> <p><b>The Car Boot Field (Plot 5/2)</b> Dark Lane Car Boot is operated under licence by a company called Market Promotions Limited ('MPL'). At each event, MPL employ the services of at least 10 local people comprising 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, trade stands and mobile butchers as well as for the local employees working on site. The event also provides a local open air community event in an open field.</p> <p>The fishing pools and car boot facilities could not be run without oversight. These facilities form part of a larger business on Allow's land, run by Oatlands 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 and has obvious beneficial effects for the local economy.</p> <p>The fishing pools (Plot 5/4 &amp; 4/20c) owned by Allow 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 (4/20a, 4/20b) and in case of Lower Pool, total loss of the facility. The tranquil location that is currently enjoyed at the pools will be irreversibly lost by the close proximity of the new motorway.</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 businesses are likely to suffer from the reduction in passing trade if people aren't coming into the area to attend the</p>	<p>and Highways England to agree such details as access arrangements, boundary fencing and access gates. Unfortunately, this has been delayed due to COVID restrictions and staff illness, however this will be re-arranged at the earliest opportunity that representatives of Allow and Highways England are able to make suitable arrangements to meet on site.</p> <p>Highways England acknowledges Allow's concerns relating to the potential for fly tipping once Dark Lane is stopped up. Refer to Highways England's response to Written Question 1.5.29 [REP1-049/8.10].</p> <p>The bridleway that is proposed to be provided to link the stopped-up end of Dark Lane with Hilton Lane is to be fenced off to prevent access to adjacent land. Details of this arrangement are to be confirmed following detailed discussions with Allow and SCC.</p>

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		<p>car boot days and the fishing pools.</p> <p>Allow 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 local employment opportunities as well as services that would benefit the local population and economy. 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'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 is a significant percentage and would ultimately jeopardise Allow's business as a whole, and could impact means other local facilities potentially forcing them to close [e.g. local fishing shop].</p> <p>The agricultural business will be impacted by the loss of land for both the Scheme and environmental mitigation areas. The Scheme removes one of the main current access routes into the land and through to the fishing pools (4/20a &amp; 4/20b). No information has been provided in relation to future access to land proposed to be retained west of the scheme (adjoining 4/20c &amp; 5/25) following the Accepted Changes to the scheme. Allow seeks clarification as to the proposals for alternative access routes in to retained property, including location, design, specification and any security restrictions Access is sought and ownership retained of the narrow strip of grassland proposed along the land frontage along Dark Lane and the retention of plots 4/20a &amp; 4/20b. Access is sought from Hilton Lane into plot 5/25. Two existing large grassland fields 5/2 and 4/20c are proposed to be reduced significantly in size as a result of mitigation woodland planting and ecology ponds, consequently they will be less easily worked due to their proposed changed shape, size and accessibility.</p> <p>Allow Ltd have concerns regarding the stopping up of Dark Lane (Plot 5/3) which could result in an increase in fly tipping along Dark Lane or in Allow's retained land south of Dark Lane at plot 4/20c and plot 5/25.</p> <p>There are significant financial implications of the ongoing management by Highways England of such a large area of woodland in a semi urbanised area as there are already issues with crime and fly tipping in the small areas of woodland around Dark Lane and Cannock Road as existing.</p> <p>We request information in relation to the proposed bridle path on plot 5/2 from Dark Lane, including how it can be accessed from Hilton Lane.</p>	
	Para 9.1	<p>Drainage and hydrology (Plot 5/2 and 5/4)</p> <p>There is very little information about maintaining the water quantity and quality of the pools and land drainage in the ES and no detail as to how this will be carried out, when and by whom. It is imperative that pre-construction drainage is installed in order to maintain the current drainage to the land and pools surrounding the construction site. A post construction drainage plan will also be required. Assurances will need to be given in this regard that this will be undertaken.</p>	<p>The impact on drainage and hydrology from the operational Scheme, including the risk of water pollution from highway runoff is assessed in Section 13.9 of Chapter 13: Road Drainage and the Water Environment [APP-052/6.1] with mitigation measures described in Section 13.8. Measures to mitigate impacts on drainage and water quality are also set out and secured in the Outline Environmental Management Plan [AS-112/6.11] commitments D-WAT1-6 (Table 3.4). The proposed drainage network for the Scheme is described in Appendix 13.2 Drainage Strategy [APP-201/6.3] and the Outline Drainage Works plans [AS-072/2.11].</p> <p>The design does not propose to change the existing hydrological sub-catchments for any watercourses and existing ponds along the route. The preliminary design looked at scenarios where despite the loss of a portion of Lower Pool, the current water levels (surveyed as 139.28m AOD) in Lower Pool were maintained by setting</p>

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			<p>the new weir at the correct height. Therefore, any connected ponds upstream should maintain their current levels too, if they are dependent on Lower Pool's level.</p> <p>No highway runoff or land drainage from the new link road will drain to Lower Pool or any of the other ponds further to the east moving towards Hilton Hall, which are upstream. Thus, there will be no long term water quality impact from the Scheme on Lower Pool or these other fishing ponds.</p> <p>Lower Pool provides online storage for Watercourse 3, therefore it is the rate at which the flows enter and exit the pond which are more significant to flood risk, rather than the total volume. The modelled volume of the pond considering the initial water level and the assumed bed level of the Lower Pool, predevelopment approximate volume is 9,504m<sup>3</sup> and post development is 7,240m<sup>3</sup>. These volumes are as a result of initial model tests undertaken as part of the Flood Risk Assessment [APP-200/6.3]. Final post development volume is dependent on the detailed design of the Scheme, which will be model tested to ensure no further detrimental impact than that reported in Appendix 13.1: Flood Risk Assessment [APP-200/6.3].</p>
	Para 10.1 to 10.2	<p>Attendance at Issue Specific Hearings (ISH) and Compulsory Purchase Hearings (CPH)</p> <p>We attach correspondence send to the Examining Authority from Allow's Solicitors dated 21 October 2020 requesting attendance at the ISH and the CPH.</p> <p>We reserve our position in respect of the Approved Changes accepted on 29 October 2020.</p>	No response needed.
Pramesh Chandra [AS-122]	Page 1 (whole email)	<p>My query is related to the change in the PRoW on Hilton Lane. Currently this runs through the side of a residential property and a commercial business (Majestic Travels) and then continues onto the field. Original plan published Jan 2020 (see attachment bubble 5/2 on TR010054-000115-TR010054 M54 2.7 Streets, Rights of Way and Access Plans_EXTRACT) stated that this will be removed from the domestic and commercial business and a new footway was proposed; however, the latest plan has this modified and gone back to the current PRoW i.e. running through the domestic and commercial business (see attachment Published Oct 2020 TR010054-000534-TR010054 M54 2.7 P03 Streets, Rights of Way and Access Plans_EXTRACT) . I do not understand the reason for this change and strongly object as this is not often maintained and poses a safety risk where walkers have to tread on.</p>	<p>The change means the PRoW follows more of its existing route, before travelling south towards Hilton Lane, across the new bridge, then diverting north to tie into its existing alignment to the west of the new link, where it would continue westwards and link into Hilton Lane. This avoids the removal of mature vegetation to the south of Hilton Lane for a length of approximately 200 metres.</p> <p>The response and supporting information regarding the condition of the existing PRoW network at this location is noted. The Applicant confirms that this is a matter for SCC as the authority responsible for the maintenance of the PRoW. The Applicant is in discussion with SCC regarding the condition of the PRoW.</p>



### **3 Responses to Local Impact Reports**

- 3.1.1 Two Local Impact Reports ('LIRs') were submitted to the Planning Inspectorate at Deadline 1, one by SSC and the other by SCC.
- 3.1.2 SSC and SCC have both worked proactively with Highways England throughout the preparation of the Application and since its submission. The time and effort put in by officers and councillors to discuss options and look at ways to resolve issues is appreciated, as is the support of both host authorities.
- 3.1.3 SSC kindly shared their LIR with Highways England in advance of submission, which enabled HE to address the majority of points in the draft SoCG submitted at Deadline 1 [REP1-059/8.8LA(B)]. Whilst some issues raised remain under discussion, Highways England has no further comments to raise at this stage that are not already contained in the SoCG.
- 3.1.4 The majority of issues raised by SCC in its LIR are also covered in the SoCG with SCC. However, a number of detailed points have been raised where Highways England considers that it may be helpful to cross reference previous responses. Further points were not covered or not covered in full in the SoCG submitted previously. Therefore, Table 3-1 provides Highways England's responses to issues raised or cross references to previous responses.

**Table 3-1: Applicant Responses to Local Impact Reports**

Paragraph Ref (if applicable)	Statement from Local Impact Report (Extract)	Applicant's Response to Statement
4.1	<p>The following planning applications related to minerals are considered to be relevant material considerations:</p> <ul style="list-style-type: none"> <li>• SS.12/05/6002 W dated 17 August 2012 for Installation of 1 No. control cabinet; 3 bollards; bauer connection and access track at Shareshill Sewage Pumping Station (SPS), Cannock Road; and</li> <li>• Land at Hilton Park Quarry, Hilton</li> </ul>	<p>Planning application SS/12/05/6002W was submitted by Severn Trent Water Ltd to SCC on 23<sup>rd</sup> March 2012. The application sought permission for the "installation of 1 No. control cabinet; 3 bollards, bauer connection; Hoofmark Truckpave and Bitmac access track; and increased length of dropped kerb at Shareshill Pumping Station (SPS)."</p> <p>The SPS is located between the Cannock Road (A460)/Hilton Lane and the Cannock Road/Church Road junctions on the western side. Planning permission was granted by SCC on the 17<sup>th</sup> August 2012. It appears to be the case that planning permission has been implemented and the associated works completed, although the exact date for the completion of these works is unknown.</p> <p>It is the case that this application was not included either within Chapter 15: Assessment of Cumulative of the ES [APP-054/6.1] nor within the CftS [AS-037/7.2]. However, given the scale of the application and that works are likely to have been completed well in advance of this application being submitted it is not considered necessary to consider this application as a material consideration.</p> <p>Whilst the SPS is within the Order limits, the SPS is unaffected by the Scheme as shown on the Work Plans Regulation 5(2)(J) Sheet 5 of 10 [AS-066/2.4].</p>
5	<p>Relevant County Planning Policy</p> <p>Minerals Local Plan for Staffordshire (2015 -2030)</p> <ul style="list-style-type: none"> <li>• Policy 1: Provision for Sand and Gravel</li> <li>• Policy 3: Safeguarding Minerals of Local and National Importance and Important Infrastructure</li> <li>• Policy 6: Restoration of Mineral Sites</li> </ul> <p>5.2 The Staffordshire and Stoke-on-Trent Joint Waste Local Plan (2010 -2026)</p> <ul style="list-style-type: none"> <li>• Policy 1: Waste as a resource</li> <li>• Policy 4: Sustainable design and protection and improvement of environmental quality</li> </ul>	<p>The CftS [AS-037/7.2] sets out at Paragraph 8.3.2 that both the Minerals Local Plan for Staffordshire (2015-2030) and the Staffordshire and Stoke-on-Trent Joint Waste Local Plan (2010-2026) have been reviewed and referred to where relevant in subsequent sections of the CftS. For the CftS this included detailed consideration only of Policy 3: Safeguarding Minerals of Local and National Importance and Important Infrastructure of the Minerals Local Plan due to the Scheme being located within the Safeguarding area and Policy 1 of the Joint Waste Local Plan.</p> <p>More detailed consideration of the implications of minerals and waste resulting from the Scheme is provided within Chapter 10: Material Assets and Waste of the ES [APP-049/6.1].</p>
6.4 bullet 1	<p>Transport issues raised by local communities via the Strategic Community Infrastructure Manager include:</p> <p>Access for residents of Shareshill onto the A460, specifically from Church Road and Old Cannock Road. Drivers turning onto the A460 from side road junctions often experience long delays and difficulties in making these movements, especially during peak traffic flow periods and when they are attempting to turn right out of side road junctions. This leads to journey time delays and can lead to safety issues as drivers become impatient waiting for a gap to access the A460 during periods of heavy traffic flow.</p>	<p>The Scheme is anticipated to significantly reduce the volume of traffic on the A460. This is anticipated to make access and egress into side roads along the A460 much easier and safety for local residents. It is therefore considered that the Scheme will considerably improve this issue for local residents. Refer to the response to Issue 14: page 7, para 5 of SCC's Written Representation above.</p>
6.4 bullet 2	<p>Road safety issues on the A460 between Featherstone and Shareshill. Local communities have raised safety concerns for pedestrians and cycling using this corridor especially when crossing the carriageway. There are also some incidents of vehicular collisions at side road junctions where drivers are attempting to enter the main carriageway. Local residents have also raised safety concerns associated with the number of Heavy Goods Vehicles using the route making walking and cycling much less attractive.</p>	<p>The Scheme is anticipated to significantly reduce the volume of traffic on the A460 which is anticipated to deliver safety benefits along the existing A460 and making it more attractive for pedestrians and cyclists. It is therefore considered that the Scheme will considerably improve this issue for local residents. Refer to the response to Issue 14: page 7, para 5 of SCC's Written Representation above.</p>
6.4 bullet 3	<p>Access onto the A460 from The Avenue at Featherstone. Local residents have raised the issue of vehicle delays and safety concerns when trying to turn onto the A460 from the The Avenue. The proximity of the side road junction to the M54 roundabout junction has been mentioned as it is considered vehicles from the M54 junction tend to travel at excess speed, making access from The Avenue even more difficult, especially at peak periods.</p>	<p>The Scheme is anticipated to significantly reduce the volume of traffic on the A460. Furthermore, the new layout of M54 Junction 1 will mean that there is very little conflicting flow at the A460 / The Avenue Junction making it easier to access during peak periods. It is therefore considered that the Scheme will considerably improve this issue for local residents. Refer to the response to Issue 14: page 7, para 5 of SCC's Written Representation above.</p>

Paragraph Ref (if applicable)	Statement from Local Impact Report (Extract)	Applicant's Response to Statement
6.4 bullet 4	Heavy Goods Vehicles (HGVs) using unsuitable routes. Local residents have raised concerns that HGVs are frequently using less appropriate routes away from the main carriageway and that HGV volumes on the A460 are significant. They are considered to cause severance issues and make the corridor unattractive to walkers and cyclists. To reduce this issue a zonal weight restriction was introduced in 2012.	See Applicant's response to SCC's Written Representation Issue 3, Issue 4, Issue 5a and Issue 5b above.
6.4 bullet 5	Excessive vehicle speeds along the A460. Vehicles entering Featherstone from the M54 junction were considered to be travelling at inappropriate speeds, causing safety concerns especially for drivers accessing the A460 from side roads such as The Avenue. A new 30mph speed limit was introduced at Featherstone to alleviate this issue.	The Scheme is anticipated to significantly reduce the volume of traffic on the A460 and the old A460 will be for local access only. It is therefore considered likely that vehicle speeds will be reduced as most local residents are more likely to drive considerably in their area. In addition, the A460 is no longer directly access from the M54 Junction 1 roundabout therefore there is greater distance for vehicles to adjust their speed accordingly from the strategic road network before reaching the village. Furthermore, the reduction in vehicles will make the road feel more residential through the village further reducing vehicle speeds. It is therefore considered that the Scheme will considerably improve this issue for local residents.
6.4 bullet 6	Congestion issues at M54 junction 1, especially at periods of peak vehicle flow. These cause traffic delays and make journey times less reliable. Local residents specially mentioned issues with unreliable commuting times when travelling to and from work.	The Scheme will provide a new free flow junction at M54 Junction 1 which is anticipated to resolve the capacity issues currently experienced at this junction. This is anticipated to improve journey time reliability for both local residents and users of the strategic road network. It is therefore considered that the Scheme will considerably improve this issue for local residents.
6.4 bullet 7	Severance issues for pedestrians and cyclists experienced particularly around the Dark Lane junction. These were felt to be caused by traffic levels and number of HGVs using the A460. The A460/Dark Lane/New Road junction does have some pedestrian crossing facilities but these are limited to the New Road and A460 (N) arms of the junction. Pedestrians also felt it was undesirable to wait on the refuge in the centre of the A460 as they have to cross in two stages. Pedestrians and cyclists not only find it difficult to cross the A460 but also unattractive to travel along or adjacent to it due to high traffic levels and the proportion of heavy vehicles using the route.	The Scheme is anticipated to significantly reduce the volume of traffic on the A460 which is anticipated to deliver safety benefits along the existing A460 and making it more attractive for pedestrian and cyclist usage. It is therefore considered that the Scheme will considerably improve this issue for local residents. Refer to the response to Issue 14: page 7, para 5 of SCC's Written Representation above.
6.4 bullet 8	Traffic congestion at A460/New Road junction. At peak times of traffic demand this junction experiences significant delays and congestion making journey times unreliable and causing traffic queues on both New Road and the A460 main carriageway. Idling vehicles are also considered to reduce air quality around the junction for local residents.	<p>The Scheme is anticipated to significantly reduce the volume of traffic on the A460 and improve journey time reliability for both local residents and users of the strategic road network. It is therefore considered that the Scheme will considerably improve this issue for local residents. Refer to the response to Issue 14: page 7, para 5 of SCC's Written Representation above.</p> <p>Annual mean concentrations of NO<sub>2</sub> at receptors in close proximity to the A460/New Road junction are predicted to range from 28.0 – 41.1 µg/m<sup>3</sup> in the base year depending on proximity to the road/junction. These concentrations are anticipated to reduce to 18.4 – 26.1 µg/m<sup>3</sup> in 2024 (the opening year) without the Scheme (Do-Minimum scenario), following the national trend in improvement in emissions and background concentrations. As a result of the Scheme (Do-Something scenario), receptors in this location are expected to experience large reductions in annual mean NO<sub>2</sub> concentrations, of -4.3 µg/m<sup>3</sup> to -13.5 µg/m<sup>3</sup> with predicted annual mean concentrations of 15.0 µg/m<sup>3</sup> to 16.1 µg/m<sup>3</sup>. This is primarily due to a reduction in traffic flows on the A460 of approximately 22,000 vehicles, with traffic flows also predicted to decrease on New Road (approximately 2,000 vehicles) and Dark Lane (approximately 3,000 vehicles).</p>
6.4 bullet 9	Inadequate footway provisions and unattractive environment for walking and cycling caused by high traffic volumes and HGV flows. Although there are some footway provisions on this section of the A460 for the majority of its length they vary in quality and width. They are not present on both sides of the carriageway for the full length of the corridor and widths tend to vary significantly. In places where footways run closer to the edge of carriageway they are considered particularly unattractive for pedestrians.	The Scheme is anticipated to significantly reduce the volume of traffic on the A460 which is anticipated to deliver safety benefits along the existing A460 and making it more attractive for pedestrian and cyclist usage. It is therefore considered that the Scheme will considerably improve this issue for local residents. Refer to the response to Issue 14: page 7, para 5 of SCC's Written Representation above.
6.4 bullet 10	Anti-social behaviour at existing laybys. The presence of the laybys on the A460 in the vicinity of Shareshill tends to attract some anti-social behaviour such as littering and overnight HGV parking, with residents mentioning that some drivers leave engines running into the night. The proposed new link road and associated re-classification of the A460 provides the opportunity to remove the layby as its use by pass by traffic will diminish. The submitted plan do not provide for this which is a negative impact and should be re-considered.	<p>The Scheme does not include the removal of any existing laybys. The removal of a layby used by HGVs could shift the problem to elsewhere on the network and could exacerbate the problem in the area rather than resolve it.</p> <p>The existing A460 is operated by SCC and is not a Highways England road. HGV parking along local authority maintained roads is not an issue that Highways England would aim to address unless it was to mitigate an impact of the Scheme. In this case, the M54 to M6 link road will significantly reduce HGV traffic along the A460 and does not reduce HGV parking elsewhere so would not appear to have an impact on the use of the layby. Indeed, it is possible that the reduced HGV use of the A460 will reduce use of the layby.</p>

Paragraph Ref (if applicable)	Statement from Local Impact Report (Extract)	Applicant's Response to Statement
		Further, HE's understanding is that there is a Traffic Regulation Order on the layby providing a midnight to 6am ban on parking and a 1 hour max parking. If vehicles are parking for longer than these periods, this is likely to be an enforcement issue rather than a development issue. Also refer to the draft SoCG with Hilton, Featherstone & Brinsford and Shareshill Parish Councils [REP1-024/8.8P(D)].
6.4 bullet 11	Access difficulties emerging from Hilton Lane, Shareshill onto A460. Residents have mentioned safety concerns when turning onto the A460 from Hilton Lane. The junction is considered to have some visibility issues and vehicles on the A460 at this location are often considered to be travelling at inappropriate speeds creating a safety issue. During peak traffic flow periods residents have mentioned that it is extremely difficult to turn onto the A460 from Hilton Lane.	The Scheme is anticipated to significantly reduce the volume of traffic on the A460. This is anticipated to make access and egress into side roads along the A460 much easier and safety for local residents. It is therefore considered that the Scheme will considerably improve this issue for local residents. Refer to the response to Issue 14: page 7, para 5 of SCC's Written Representation above.
6.4 bullet 12	Safety concerns over HGV turning movements when accessing/egressing M6 Diesel fuel stop. Large vehicle turning onto the A460 after using the M6 Diesel filling station are considered to frequently cause safety problems as they sometimes block the carriageway whilst turning and make these manoeuvres very slowly causing vehicles to brake hard to avoid collisions.	The Scheme is anticipated to significantly reduce the volume of traffic on the A460. This is anticipated to make access and egress into the filling station much safer as it is anticipated that HGVs will have more opportunities to find a suitable gap in traffic before pulling onto the A460. It is therefore considered that the Scheme will considerably improve this issue for local residents. Refer to the response to Issue 14: page 7, para 5 of SCC's Written Representation above.
6.4 bullet 13	Traffic congestion on approach to M6 junction 11 and on the gyratory. At peak periods of traffic flow this junction becomes congested both on the approach from the A460 but also on the circulatory carriageway of the junction. This causes journey delays and makes journey times less reliable, particularly relevant to local residents making commuter trips.	The Scheme will increase the capacity of M6 Junction 11 which is anticipated to resolve the issues currently experienced at this junction. This is anticipated to improve journey time reliability for both local residents and users of the strategic road network. It is therefore considered that the Scheme will considerably improve this issue for local residents.
6.7a	Impact of M6 Diesel filling station on HGV use	See Applicant's response to Issue 3 raised in SCC's Written Representation in Table 2-1 of this document.
6.7b	Opportunities to enhance facilities for pedestrians and cyclists along the A460 should be taken	<p>The A460 is managed by the local highway authority and is not the responsibility of Highways England. The Scheme retains all existing NMU routes and does not affect any existing NMU routes along the A460. Therefore, the Scheme does not include proposals to improve NMU facilities along the existing A460 corridor.</p> <p>However, Highways England has accepted a designated fund application for an initial feasibility study to identify opportunities to provide improved NMU routes along the existing A460. This feasibility study will be developed in partnership with key stakeholders including SCC. This designated funds project is at the feasibility stage and as such no outcomes can be guaranteed. These measures are not part of the Application or material to decision making on it.</p>
6.7c	Traffic impacts at Churchbridge interchange, Cannock and on the A4601 in the vicinity of Wedges Mills would be beneficial.	See Applicant's response to 'issue 11' (A4601) and 'issue 12' (Churchbridge) raised in SCC's Written Representation in Table 2-1 of this document.
6.8	Whilst, the county council acknowledges the proposals for NMU facilities at the M54 junction 1 it is noted that these extend the current pedestrian/cycle distance between Featherstone and Hilton Cross as set out in the TA paragraphs 6.2.3-6.2.6. this will have a negative impact over the current situation. It is suggested that consideration should be given to incorporation of the more direct route (following the original alignment of the A460) within the junction design to shorten the walking distance between Featherstone and the employment offer at Hilton Cross.	See Applicant's response to Cllr Cope's Written Representation [REP1-077] (page 1 para 2-4) provided above.
6.9	Provision for pedestrians and cyclists at M6 junction 11 as well as improved links to Cheslyn Hay are supported. However, given that there are no proposals to provide pedestrian or cycle facilities along the new link it would seem most appropriate to also consider provision of shared use facilities along the existing A460 where traffic levels are forecast to be significantly reduced and the environment more pleasant for sustainable travel, as well as offering greater connectivity to local communities. Such a route would also need to consider safe crossing facilities for users and links to the National Cycle Network. These facilities could be located near the junctions of Hilton Lane, Church Road, New Road and The Avenue although further investigations would be required to define exact locations.	See Applicant's responses to 6.7b and 6.8 above.



Paragraph Ref (if applicable)	Statement from Local Impact Report (Extract)	Applicant's Response to Statement
7.1	The construction of the M6 / M54 link road will have an impact on the biodiversity of the area. There are two designated biodiversity sites which will be directly impacted by the proposed scheme. 0.364 ha of Ancient Woodland (considered irreplaceable habitat) will be lost. Other features present which will be affected include grassland, arable land, watercourses, pools, mature trees and hedges.	This text does not take into account the reduction in ancient woodland loss as a result of the design changes accepted by the ExA on 29 October 2020. Version 3 of Chapter 8: Biodiversity of the ES [AS-083/6.1] reports a total loss of 0.349 ha of ancient woodland.
7.3	Ecological surveys have noted that the following habitats are present (summary data, figures rounded to one d.p.):	The summary of habitats retained and lost does not take into account the changes in habitat retention and losses as a result of the Scheme changes accepted by the ExA on 29 October 2020. These are reported in Appendix 8.2: Biodiversity Metric Calculation (Version 3) [AS-103/6.3] and a summary provided below.
7.4 and 7.5	Regarding trees, of 362 individual trees recorded, 151 will be lost. However, seven veteran trees will be retained and protected.  Of 146 groups of trees, 62 groups and 17 partial groups will be lost. 12 woodland groups were recorded, of which 3 groups and 4 partial groups will be lost (covered also under habitats table above.)	This text is based on Version 1 of Appendix 7.1: Arboricultural Impact Assessment [APP-174/6.3]. A revised version of Appendix 7.1 [AS-100/6.3] has been submitted to the ExA reflecting the design changes accepted by the ExA on 29 October 2020. The following text provides a summary based on Version 2 of the Arboricultural Impact Assessment.  Regarding trees, of 362 individual trees recorded, 88 will be lost. However, seven veteran trees will be retained and protected. It is correct that we have identified seven veteran trees and that these will be retained; it should be noted only five of these veteran trees are within the Scheme boundary.  Of 145 groups of trees, 43 groups and 36 partial groups will be lost. 12 woodland groups were recorded, of which 2 groups and 5 partial groups will be lost (covered also under habitats table above.)
7.6	The major group of species found on site is bats. Ten of the county's 12 species were recorded from the site, including feeding and commuting activity and 3 species in on-site roosts. Direct impacts on roosts and on feeding activity are expected. Feeding activity of bats is also likely to be disrupted, however the scheme will remain unlit, except around junctions.	It is correct that ten of the county's 12 bat species were recorded during surveys for the Scheme. Two species of bat were recorded roosting within the Scheme boundary (Noctule and likely <i>Pipistrelle sp.</i> ) and nine other roosts (five common pipistrelle roosts, two brown longeared roosts and two soprano pipistrelle roosts) were recorded within seven separate structures outside the Scheme boundary but within the study area for the assessment. A further likely pipistrelle roost is suspected but not confirmed. The Applicant can confirm direct impacts on roosts and feeding activity are anticipated but with mitigation in place the Scheme would result in a negligible impact on bats (an effect of neutral significance) during the construction period.
7.8	Amphibians found within the site and will be affected include a small population of great crested newt. No reptiles were recorded on site. Bullhead was found in some watercourses, with brown trout also present in the Latherford Brook. Bullhead is listed on Annex II of the EC Habitats Directive, and brown trout is a species of principal importance	This text does not take into account the results of the 2020 great crested newt surveys published in October 2020, Appendix 8.15: Great Crested Newt [AS-104/6.3] and the revised Chapter 8: Biodiversity of the ES (Version 3). Following the results of the 2020 surveys it has been confirmed that no ponds containing great crested newts have been identified within the Scheme boundary. However, seven GCN metapopulations have been identified within the study area, where GCN are confirmed or assumed to be present. A medium population size is assumed for each metapopulation, as detailed in Appendix 8.11 [TR010054/APP/6.3] and Appendix 8.15 [TR010054/APP/6.3]. It is correct that no reptiles have been recorded during site surveys and that Bullhead and brown trout have been found to be present in Latherford Brook.
7.11	Invasive species were found including Japanese knotweed, Himalayan balsam, rhododendron, Canadian waterweed and Montbretia. If any of these are to be disturbed during construction, method statements should be provided for how they will be dealt with via the CEMP.	Table 3.2, PW-BIO10 and Table 3.3, MW-BIO4 OEMP sets out the commitment to produce and implement a Biosecurity Management Plan to promote biosecurity and avoid the risk that invasive non-native species and diseases are spread as a consequence of the project. This would include toolbox talks, exclusion zones, method statements on the cleaning of equipment (including boots) and vehicles on and off site and between sites, and audit compliance. This is secured through Requirement 4 of the draft DCO.
7.14	The following mitigation measures have been identified: <ul style="list-style-type: none"> <li>Bat roosts – subject to Natural England licence, with associated mitigation work, including landscape design.</li> <li>Landscape design and fencing to prevent harm to barn owl during operation. Water vole and otter, subject to NE licence. Translocation of water vole to new habitat may be needed.</li> <li>Mammal tunnels and otter ledges to allow safe passage of mammals once scheme is operational. Single span bridge over the Latherford Brook will encourage use by otter etc..</li> <li>Species protection during construction – to be dealt with through reasonable avoidance measures in CEMP (except where additional measure for licences are required)</li> <li>An on-site ecologist will be employed (Ecological Clerk of Works.)</li> <li>Habitat loss – new ponds to be created for wildlife.</li> </ul>	The mitigation measures outlined by SCC are correct with the exception of offsite mitigation. No off-site mitigation is proposed to mitigate or compensate for the impacts of the Scheme.

Paragraph Ref (if applicable)	Statement from Local Impact Report (Extract)	Applicant's Response to Statement
	<ul style="list-style-type: none"> <li>Habitat loss – grassland and woodland to be planted</li> <li>Habitat loss – hedges – where possible hedges are to be retained in situ and new ones created</li> <li>Offsite mitigation for habitat loss may also be required.</li> </ul>	
9.4	Non-Motorised User Route Comments	<p>The Applicant has provided a response to all issues raised on NMU routes in the draft SoCG with SCC [REP1-042/8.8LA(A)]. The Applicant will continue discussions with SCC to reach agreement on these matters where possible. For ease of reference, the page numbers where responses are provided in the SoCG are provided below:</p> <ul style="list-style-type: none"> <li>Public Bridleway No 1 Shareshill: SoCG page 46-47</li> <li>Public Footpath No 4 Shareshill: SoCG page 48</li> <li>Public Footpath No 5 Shareshill: SoCG page 48-49</li> <li>Public Footpath No 8 Saredon: SoCG page 49-50</li> <li>Public Footpath No 1R/2214 Saredon: SoCG page 49-50</li> <li>Public Bridleway No 13 Saredon: SoCG page 50-51</li> <li>Public Bridleway No 3 Featherstone: SoCG page 51</li> <li>Public Bridleway No 8 Featherstone: SoCG page 52</li> </ul>
9.4j (tenth bullet)	There has been an application to add footpaths to the Definitive Map under section 53 of the Wildlife and Countryside Act 1981. These are in the vicinity of J1 of the M54 but are not recognised in the strategy (reference number LM645G) This application runs very close to the scheme although the General Arrangement Scheme plan suggests it will not directly be affected it should be considered as part of the Environmental Statement	This issue has been addressed in the draft SoCG with SCC [REP1-042/8.8LA(A)].
10	Historic Environment	Highways England agree with the points raised by SCC in Section 10 of the LIR with the exception of two minor points in paragraph 10.6 and 10.12 outlined below.
10.6	Views outside of the park are unlikely to be impacted due to existing tree screening along its boundaries, whilst remaining trees would provide screening to the scheme from the eastern portion of the park and the designated historic buildings within it, although the Environmental Statement does note that lighting columns would be visible from the second floor of Hilton Hall.	Paragraph 6.9.11 of the ES states “[...] Although there would be no lighting columns directly west of the Hall, some of the lighting columns that would be installed as part of the works to the M54 Junction 1 would <u>potentially be visible</u> from the second floor of Hilton Hall. The Scheme, including the lighting columns and signage would not be visible in any views from the ground and first floors of the Hall.”
10.12	In addition, a Historic Environment Statement of Common Ground will be prepared and will detail the above approach and the works required to satisfy the DCO.	Highways England do not intend to produce a separate Historic Environment Statement of Common Ground with SCC. These issues will be covered in the overarching SoCG with SCC.
11.5	Watercourse 2 was found to pose an existing risk to the A460, which the Scheme would not increase. The potential to reduce the risk here would be beneficial, but was deemed not significant enough to include in the detailed design: “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.”	Refer to Applicant Responses to Written Question Responses from Interested Parties (response to SCC's Response to WQ 1.11.2) [REP2-009/8.14].
11.9	The risk of blockage or build-up of sediment is highlighted as a residual risk. A maintenance plan will need to be developed at detailed design stage to describe the ownership, frequency of and techniques for site drainage maintenance. In the event of failure through either blockage or exceedance, the detailed design is to include landscaping of the topography to ensure no flooding to third party land and reducing flood risk to the road.	The Maintenance Plan for the Scheme will be developed as part of a detailed design. This will outline the periodic maintenance requirements and responsibilities of the network to reduce the risk of blockage or build-up. The detailed drainage design will allow for exceedance flows and as part of the flood risk assessment.
12.1 and 12.2	Minerals and waste The proposal would affect a mineral safeguarding area for sand and gravel as well	Refer to Applicant Responses to Written Question Responses from Interested Parties (response to SCC's Response to WQ 1.12.1) [REP2-009/8.14].

Paragraph Ref (if applicable)	Statement from Local Impact Report (Extract)	Applicant's Response to Statement
	<p>as for clay resources (refer to policy 3.3 of the MLP). The application also affects a mineral infrastructure site [Hilton Park Quarry] (refer to policy 3.2 (b) and 3.5 of the MLP).</p> <p>There would be additional demand placed on the provision of construction aggregates and it is difficult to assess the impact on available permitted reserves. It is recommended that a materials audit is provided by the applicant whereby the estimated requirements for aggregates during construction works can be assessed.</p>	
12.3	<p>Details for the earthworks in terms of demonstrating a balanced cut and fill have not been seen although previously, it was estimated that there would be 90,000m<sup>3</sup> deficit of fill material. The supply of minerals or disposal of waste could create additional traffic on local roads and that would be a negative impact.</p>	<p>As set out in Chapter 10: Material Assets and Waste, para 10.7.8 [APP-049/6.1] <i>"The Scheme design is currently being progressed to optimise the requirements for cut and fill and where possible this will be minimised to reduce the import and export of materials and waste. The project design team aim is to achieve a cut-fill balance, however predicted cut and fill for the Scheme is likely to be imbalanced and disposal of material will be required."</i> An approximate cut/fill balance showing an excess of 138, 695 m<sup>3</sup> is provided in Table 2.4 of the ES, this will be refined during the detailed design of the Scheme.</p> <p>Refer to the Applicants Response to ExAs First Written Questions, WQ 1.9.8 [REP1-036/8.10]. The environmental impact and likely effects resulting from the proposed removal and disposal of excavated materials offsite from construction work are assessed in the ES. It is not anticipated that this would result in significant adverse effects.</p>
13	<p>Highways England recently submitted 7 proposed changes to the scheme that we have been consulted on. We have reviewed the changes and consider them to be mostly minor in nature that will see improvements to the scheme. With regards to change 4 and the traffic management on the M54, we see this shorter period as a positive change, however, it will be necessary in the detailed Traffic Management Plan to engage with and take on the views of the local community and business on the precise details of the Plan, in particular how access for residents and business will be maintained during the closure period.</p>	<p>The Applicant appreciates SCC's support for the Scheme changes. The Applicant agrees that consultation with SCC and the local community/ businesses will be important to minimise the impact of the junction closure on the local area. The Outline Traffic Management Plan [AS-116/7.5] provides a commitment to carrying out consultation to inform the final Construction Traffic Management Plan.</p> <p>Requirement 10 of the draft DCO [REP2-004/3.1] ensures that no development can commence until a traffic management plan has been submitted to and approved by the Secretary of State and requires prior consultation on the document with the relevant planning authority and relevant local highway authority.</p>

## 4 Other Responses

### 4.1 Introduction

4.1.1 This section provides the Applicant responses to other documents submitted by Interested Parties at Deadlines 1 (3 November 2020) and 2 (17 November 2020).

### 4.2 Comments on Statements of Common Ground Received at Deadline 1

4.2.1 Comments were received on the following Statements of Common Ground at Deadline 1:

- Staffordshire County Council [REP1-004]
- I & A Simkin [REP1-022 and REP1-023]
- Allow Ltd [REP1-087]

4.2.2 The Applicant has no comments to make on the comments on Statements of Common Ground. These will be considered in future revisions in liaison with the Interested Parties.

### 4.3 Comments on Accompanied Site Inspection Itinerary

4.3.1 Comments were received from the following Interested Parties on the draft Accompanied Site Inspection (ASI) Itinerary at Deadline 1:

- Allow Limited [REP1-083]
- M6 Diesel Limited [REP1-081]

4.3.2 The Applicant supports the suggested amendments to the draft ASI itinerary.

### 4.4 South Staffordshire Council submission on developments to be included in the traffic model

4.4.1 The response from South Staffordshire Council (SSC) to Written Question 1.10.4 referenced 'Table 1', which provided a list of developments for Highways England to confirm whether they were modelled as specific sites in the traffic model. This table was omitted from the response submitted by SSC at Deadline 1 (3 November 2020) but included in the response from SSC submitted at Deadline 2 (17 November 2020) [REP2-016]. Table 4.2 below reproduces the table submitted by SSC, with a final column added to the right to provide Highways England's response in terms of whether the development was included in the traffic model.

4.4.2 When reviewing Table 4.2, it is relevant to note the following as general points on the specific modelling of sites within the traffic model:

- The list of sites to be specifically modelled in the traffic model was sent to each local authority in advance of finalisation. The list was sent to SSC for sites within their area, with a response received on 23 November 2018.
- Due to the length of time taken to produce the traffic model, carry out traffic and economic assessments, carry out noise and air quality modelling based on traffic results and then write the ES for submission, the list of



developments was finalised in Spring 2019. It is not possible to revisit these assumptions as developments evolve over time or to produce a revised traffic model to include/ exclude developments as the situation changes. This is not considered to be an issue due to the point below.

- Traffic forecasts for the future year highways conditions were derived by applying growth factors for each planning district to the base-year trip ends. These growth factors were derived from the National Trip End Model (NTEM), which is produced and issued by the Department for Transport, taking account of the projections made by each planning authority for their district. When sites are modelled specifically, the projections from the NTEM are reduced accordingly to avoid double counting so the inclusion or exclusion of a particular site can affect the location of traffic movements at a very local level but does not significantly alter the amount of traffic on the network. See also the Applicant's response on this to WQ 1.0.4 in [REP1-049/8.10].

4.4.3 The TAG unit M4 forecasting and uncertainty provides a table within Appendix A that describes how potential developments should be categorised and when they should be included in the traffic model. This table is reproduced in Table 4-1 below

**Table 4-1: Table from TAG Guidance**

<b>Table A2 Classification of Future Inputs</b>		
<b>Probability of the Input</b>	<b>Status</b>	<b>Core Scenario Assumption</b>
Near certain: The outcome will happen or there is a high probability that it will happen.	Intent announced by proponent to regulatory agencies. Approved development proposals. Projects under construction.	This should form part of the core scenario
More than likely: The outcome is likely to happen but there is some uncertainty.	Submission of planning or consent application imminent. Development application within the consent process.	This could form part of the core scenario [Refer to Section Developing the Core Scenario]
Reasonably foreseeable: The outcome may happen, but there is significant uncertainty	Identified within a development plan. Not directly associated with the transport strategy/scheme, but may occur if the strategy/scheme is implemented. Development conditional upon the transport strategy/scheme proceeding. Or, a committed policy goal, subject to tests (e.g. of deliverability) whose outcomes are subject to significant uncertainty	These should be excluded from the core scenario but may form part of the alternative scenarios
Hypothetical: There is considerable uncertainty whether the outcome will ever happen.	Conjecture based upon currently available information. Discussed on a conceptual basis. One of a number of possible inputs in an initial consultation process. Or, a policy aspiration	These should be excluded from the core scenario but may form part of the alternative scenarios

- 4.4.4 The Uncertainty log presented the sites categorised for the Scheme was submitted as Appendix WQ1.10.4 to document 8.14 [REP2-009/8.14] in response to the query raised on the sites included by SSC in their response to Written Question 1.10.4. All sites categorised in as 'Near certain' or 'More than Likely' in this log were included in the traffic model. Sites categorised as 'Reasonably foreseeable' or 'Hypothetical' were not included. By including all 'More than Likely' sites over the threshold in the core scenario, the approach taken for the Scheme included more sites in the core scenario than is required by the guidance above.

**Table 4-2: SSC's 'Table 1' submitted at Deadline 2 (17 November 2020) and the Applicant's response.**

Table 1: Schemes to be included in any core traffic model			Highways England's response
Scheme to be included	Development type and quantum	Category and reasoning	
ROF Featherstone employment site and associated access Road Option 7	24ha for B1, B2 and B8 class use	Site should be included as <b>More Than Likely</b> . The employment site and access roads are allocated as a key strategic site in Policy SAD5 of the Site Allocations Document 2018. The site promoters (St Francis Group) have secured and implemented a permission to remediate the site to bring the development forward (18/00995/FUL). Extensive pre-application discussions have taken place between St Francis Group, the Council and other stakeholders and an application is imminent. Significant inward investment has been committed towards the site to ensure its swift progress.	<p>ROF Featherstone was categorised as 'Reasonably Foreseeable' in the uncertainty log because whilst the site was allocated in the Local Plan, no planning application had been submitted for development on the site. In November 2020, it remains the case that no planning application has been submitted for development on the site.</p> <p>ROF Featherstone was also excluded from the traffic model because it was classified as 'dependent development'. Exclusion of dependent developments from the traffic model is specified in the Department for Transport's Transport Appraisal Guidance (TAG)</p> <p>When the traffic model assumptions were being finalised there was uncertainty over whether Option 7 or Option 9 access would be taken forward. Given that these accesses join the network at different points, this uncertainty would have also made the site difficult to specifically model.</p> <p>Please see page 36-39 of the draft SoCG with SSC [REP1-059/8.8LA(B)] for a further detail on why the site was categorised as</p>

Table 1: Schemes to be included in any core traffic model			Highways England's response
Scheme to be included	Development type and quantum	Category and reasoning	
			dependent development and the access options.
I54 western extension	40ha of land allocated for B1 and B2 class use, with planning permission on part of site for up to 100,000sqm floorspace B1b, B1c and B2	Site is a strategic employment site identified in the Core Strategy 2012 and is identified for significant extra growth in the Site Allocations Document 2018 (Policy SAD5). Area of site covered by planning permission (18/00637/OUT) should be included as <b>More Than Likely</b> .	The i54 site was specifically modelled in the traffic model. On further examination, it is probable that the trip generation associated with the site was under-estimated when considering the extension, but given the strategic nature of the Scheme's traffic model and that the majority of the site was assessed this is not considered to be an issue. See pages 40-41 of the SoCG with SSC for more detail [REP1-059/8.8LA(B)].
Land Off Gravelly Way Four Ashes South Staffordshire	Erection of 4no. industrial/distribution buildings (B1(c)/B2/B8) along with access and servicing arrangements, car parking, landscaping and associated works including attenuation ponds and biodiversity enhancement area.	Site is a strategic employment site identified in the Core Strategy 2012. Site should be included as <b>Near Certain</b> , reflecting the planning approval (16/00498/FUL) and that the site is under construction.	This development was categorised as 'Near Certain' in the uncertainty log and specifically modelled in the traffic model.
Site 168 – Land at Brinsford Lodge, Featherstone	Allocated for a minimum of 60 dwellings, but with current advanced planning application for 79 dwellings	Site sits in close proximity to the A460 and junction 1 of the M54, is an adopted housing allocation in the Site Allocations Document 2018 and has an advanced planning application (19/00919/FUL). As the site is only one dwelling under the highway's authorities recommend threshold for TA (80 dwellings) and sits within 1km of the A460 and junction 1 of the M54, we would welcome its inclusion as a <b>More Than Likely</b> site.	Site not specifically modelled as it is less than 150 dwellings. At 79 dwellings, the site also contains fewer dwellings than SSC's recommended threshold of 80 dwellings.

Table 1: Schemes to be included in any core traffic model			Highways England's response
Scheme to be included	Development type and quantum	Category and reasoning	
Site 443 – Land off Pendeford Mill Lane, Bilbrook	164 dwellings	Has planning permission for 164 dwellings (18/00710/FUL) and is believed to be under construction. Should be treated as <b>Near Certain</b> .	<p>This site was identified in the e-mail from SSC in November 2018, but with a proposed capacity of 102 dwellings. At that time the site was omitted because it was below the 150 dwelling threshold.</p> <p>In March 2019 when the log was finalised the site was subject to a planning application but planning permission had not yet been granted. The increase in dwellings on the site from 102 to 164 dwellings was not identified. Had this been noted, the site would have been categorised as 'More than Likely' and considered for inclusion in the traffic model. Planning permission was granted for the development in May 2019.</p> <p>However, the site is located to the south of Pendeford Mill Lane approximately 3.4km to the south west of M54 Junction 2. Given the distance from the Scheme and the location, specifically modelling the site would not have significantly altered the assessment of the Scheme compared to including the growth more generally through the NTEM.</p>
Site 223 – Land at Watery Lane, Codsall	180 dwellings	Has planning permission for 180 dwellings (16/00495/REM) and is part completed (92 dwellings remaining as of 1 <sup>st</sup> April 2019). Should be treated as <b>Near Certain</b> .	This site was included in the Uncertainty log as 'More than Likely', so was specifically modelled in the traffic model.
Land On The South East Side Of Hobnock Road, Essington	230 dwellings	Has planning permission for 230 dwellings (18/00450/REM) and is under construction. Should be treated as <b>Near Certain</b> .	This site was not included in the list of sites provided by SSC in November 2018 and was not included in the uncertainty log. The site gained outline consent in June 2017 and reserved matters consent in December 2018 so had the team been aware of the site, it would have been classified as 'Near Certain'.



Table 1: Schemes to be included in any core traffic model			Highways England's response
Scheme to be included	Development type and quantum	Category and reasoning	
			The site is located to the east of Essington between Essington and the M6 where it merges with the M54. Therefore, traffic heading north on the M6 would likely travel to M6 Junction 11 via the A462 rather than to M54 Junction 1 or using the new link road. As a result, specifically modelling the site is unlikely to have altered the assessment of the Scheme compared to using the growth factors provided by the NTEM.

## 4.5 Responses to Documents Submitted at Deadline 2

### 4.5.1 The following submissions were made at Deadline 2:

- Allow Limited [REP2-010];
- I & A Simkin [REP2-011];
- M6 Diesel Limited [REP2-012]
- South Staffordshire Water plc [REP2-013];
- Daniel Williams [REP2-014];
- Severn Trent Water Limited [REP2-015]; and,
- South Staffordshire Council [REP2-016].

### 4.5.2 Highways England's responses to the Deadline 2 submissions are provided in Table 4-3 below.

**Table 4-3 Highways England's Responses to Deadline 2 submissions**

Interested Party	Deadline 2 response	Applicant's Response
Allow Limited	Comments on Applicant's responses to Relevant Representations – no new points raised in addition to RRs, responses to WQs or WRs	No response required
	Comments on Statement of Reasons [REP1-056/4.1] noting some discrepancies between the Statement of Common Ground with Allow [REP1-066/88LIU(A)]	The Applicant will review the discrepancies with Allow to ensure updates of the Statement of Reasons and Statement of Common Ground are correct and consistent.
	Comment on Staffordshire County Council's Local Impact Report [REP1-007]: <i>'With regard to the mitigation strategy in para. 10.9 of the LIR, the</i>	Paragraph 10.9 of SCC's LIR discusses embedded mitigation in the context of the historic environment. Embedded

Interested Party	Deadline 2 response	Applicant's Response
	<p><i>reference to embedded mitigation is interesting. The embedded mitigation within the scheme design is actually the woodland planting and this is mitigation for loss of woodland, not for impacts on the historic environment. As expressed in our previously submitted Historic Landscape Consultants report, their view is that the assessment of impacts on Hilton Park which is presented in the ES deals only with the impact of the road and that there is no assessment of the additional impacts of the mitigation planting.'</i></p>	<p>mitigation includes design measures that are integrated into a project for the purpose of minimising environmental effects. In the context of the historic environment, examples of embedded mitigation includes routing the link road within Lower Pool woodland to screen views and minimise the impact on Hilton Park and placing the main line in cutting. Embedded mitigation measures are set out in Section 2.5 of Chapter 2: The Scheme of the ES [APP041/6.1]. The woodland planting is <u>not</u> embedded mitigation and is therefore unlikely to be what SCC were referring to under this section in their LIR.</p> <p>Essential mitigation is mitigation critical for the delivery of a project which can be acquired through statutory powers. Essential mitigation measures are reported in the 'Design, mitigation and enhancement' section of each of the technical chapters in the ES. These measures are implemented through the Construction Environmental Management Plan secured by Requirement 4 of the draft DCO [REP2-006/3.1] and are outlined in the Outline Environmental Management Plan [AS-112/6.11].</p> <p>Tree planting across the Scheme is not implemented for one single purpose, with purposes including providing habitats for Protected Species, replacement woodland habitat, compensatory woodland habitat for Ancient Woodland loss and for visual screening and landscape integration, depending on the location. The woodland planting on plot 5/2, which is presumably the subject of Allow's point, is essential mitigation primarily to mitigate for the impacts on Lower Pool SBI as described in paragraph 8.8.3 of Chapter 8 Biodiversity of the ES [AS-083/6.1]. Allow is correct that the planting on plot 5/2 is not for the purpose of mitigating impacts on heritage assets.</p>
	Comments on Environmental Mitigation Approach [REP1-057/8.11]	The Applicant will respond to these points in liaison with Allow with the

Interested Party	Deadline 2 response	Applicant's Response
		intention of covering all points of discussion within the SoCG.
I & A Simkin	Comments on Applicant's responses to Relevant Representations – no new points raised in addition to RRs, responses to WQs or WRs	No response required.
M6 Diesel	Comments on Applicant's responses to Written Questions, first revised draft dDCO, and additional submissions received by D1 – no new points raised in addition to RRs, responses to WQs or WRs	No response required.
South Staffordshire Water plc	Comments on Applicant's responses to Written Questions – no new points raised apart from ' <i>SSW requires the easements and rights that it currently has over land through which its pipes pass, whether as a result of statute or private agreements and its position cannot be weakened as a result of the Development Consent Order</i> '	Noted – The Applicant would ensure that equivalent easements and rights to SSW's current rights would be retained. This will be resolved through the SoCG and agreement of Protective Provisions.
Daniel Williams	15 questions posed to numerous Interested Parties, including 9 questions to The Applicant.	The Applicant will provide a response to these questions at Deadline 4.
Severn Trent Water Limited	Comment that STW and Highways England remain in discussion regarding proposed revisions to the protective provisions contained in the dDCO. Those discussions have not yet concluded, but will hopefully result in an agreement between the parties.	The Applicant agrees with this position.
South Staffordshire Council	Submission of 'Table 1' which was omitted from SSC's response to written question 1.10.4	Refer to Section 4.4 of this document for a detailed response.
	SSC formal submission in relation to written question 1.0.2 d) which was omitted from SCC's original response.	This additional response was emailed to the Applicant on the day of Deadline 2 and added to document 8.14 [REP2-009/8.14] – no further response required.