

Schedule of locations referred to in Allow SoCG					
Plan Number	Description	Detail	Status	HE Position	Allow Position
2, 6	Location and extent of mitigation woodland planting in Plot 5/2 and 4/20c	Calculation of woodland loss area and extent of replacement woodland mitigation.	Disagree	<p>The landscape design for the Scheme provides a package of essential mitigation, to replace habitats lost to the Scheme, provide visual screening and provide landscape integration within existing field boundaries. The approach to mitigation and the mitigation design has been described in the Environmental Statement [TR010054/APP/6.1], the Outline Environmental Management Plan [APP-218/6.11 and subsequent revisions] and 8.11 Environmental Mitigation Approach [REP-057/8.11].</p> <p>A plan showing each area of woodland which will be lost to the Scheme was provided to Allow on 28/07/20. The issue of total woodland loss to the Scheme raised by Allow was substantiated with a report issued to Highways England on 23 September 2020, outlining their assessment of the woodland loss and mitigation requirements.</p> <p>A mapping exercise presented in document 8.16 [REP3-038]</p>	<p>Bagshaws provided our assessment of woodland losses to HE on 23rd September with some example screen shots of the areas that they have assessed as woodland and are clearly not, as illustrated in previous representations. HE had assessed the total woodland lost across the scheme as 20.4 ha and Allow had assessed it as 14.03 ha. Unfortunately, HE have not provided plans in CAD format where their areas and the works could be accurately overlaid onto OS Promap data so the scheme areas have had to be overlaid manually onto OS data. It is not cost effective to print off our OS mapping findings as HE's original baseline data has been superseded by their remapping exercise provided in 8.16 Review of Woodland Mapping provided on the 26th Nov 2020.</p> <p>The key points arising from that document are as follows:</p> <ol style="list-style-type: none"> 1) HE's initial baseline mapping was undertaken at a scale of 1:5000. This, in our opinion, is too inaccurate and we would not use a scale of less than 1:2500 for measuring land areas. O.S.maps are surveyed at 1:2500 in

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				<p>has shown that there are some minor discrepancies between the habitats mapped in the original Phase 1 habitat mapping exercise and the habitats on the ground, most notably when mapping habitat mosaics of woodland, grassland and scrub along the carriageways of the A460, M54 and M6. However, even when the loss of woodland is assessed using the revised methodology, there is no significant difference between the woodland loss reported in Table 8.18 of Version 3 of the ES [AS-083/6.1] and application document 6.18 [REP3-038]. The original woodland mapping and calculations of woodland loss were carried out at a higher scale than the analysis undertaken by Allow. This original methodology is consistent with Joint Nature Conservation methodology and it is not considered necessary to map at a smaller scale than this (as the transition to one habitat to another is not obvious nor can it be defined by an accurately mapped boundary).</p>	<p>rural areas and, for example, Land Registry require plans at a scale of 1:2500 or larger. Their scale of mapping had resulted in large areas of non-woodland habitat to be included within the woodland baseline data, as we have mentioned in more detail previously. More importantly their broad brush method of mapping is likely to have produced the largest variances.</p> <p>2) HE's revised woodland loss calculations appear in document 8.16 Review of Woodland Mapping to be on a new basis of assessment of areas lost, and a 5 m buffer against existing established woodland across the scheme is now introduced within the area required to be mitigated which was previously not allowed for. This buffer was not included within their previous assessment, they state, due to the smaller scale mapping exercise.</p> <p>3) When assessing HE's revised calculations, but excluding the buffer areas, they are more in line with Allow's assessment of woodland areas lost.</p>

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				<p>With the greater level of detail of woodland mapping, the calculations of woodland loss have been undertaken to a more detailed level. A buffer has been included to account for loss and damage during construction and extent of tree roots.</p> <p>The areas calculated using the original and more detailed methodology result in similar areas of woodland loss</p> <p>It should be noted that HE initially proposed replacement woodland on Allow Limited's land at Lower Pool at a ratio of 3:1 but, in order to address the concerns of Allow Limited, this has been reduced to approximately 2:1. HE considers this to the absolute minimum amount of replacement woodland necessary to mitigate the impacts of the Scheme on Lower Pool LWS/SBI.</p>	<p>4) Looking at the area of loss <u>excluding</u> the 6.09 ha of 5m buffer introduced in the reassessment, the area HE have assessed as direct loss of woodland across the scheme (excluding Lower Pool SBI and ancient woodland) is 12.69 ha, which is more in line with Allow's quoted area of 12.1 ha. (Allow assessed losses as 14.03 ha including Lower Pool SBI loss of 1.92 ha). The variance between 12.69 ha and 12.1 ha of 0.59 ha has not been identified across the scheme as a breakdown of HE's calculations has not been provided.</p> <p>5) HE's revised assessment has introduced a new "impact buffer" of 5m where woodland that will not be felled is situated adjacent to the construction works, as the woodland may be damaged in the adjacent works and be subject to changes in the wind / rain due to change in location of the woodland edge. Allow's ecological consultant has not seen root protection zones applied within woodland previously, rather than the more usual application for individual trees outside woodland. It is agreed that there could be effects</p>

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					<p>on woodland edges however, the express purpose of the RPA is to define an 'area required to maintain a tree's viability, and where the protection of the roots and soil structure is treated as a priority'; the RPA is not defined as a layout design tool for establishing a replanting buffer. He hasn't seen the Standard used before in this way to calculate replanting. Allow have not been provided with mapping illustrating where the 5m buffer is located and how its been calculated –awaited at deadline 4.</p> <p>Allow do have some concerns about the <u>area</u> of the buffer. For example, the length of retained woodland that is situated along the "exposed edges" of the works within the Lower Pool SBI, extends to a length of 604m, which gives an area within 5m of 0.302 ha and not the 0.47 ha that HE are stating is the required buffer within the Lower Pool SBI. Calculation is therefore awaited at deadline 4.</p> <p>Across the remainder of the scheme HE have calculated 12.69 ha of direct loss of woodland plus 6.09 ha of woodland within a 5m buffer. 6.09 ha of buffer would equate to over 12km</p>

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					<p>of exposed woodland edge along the scheme (excluding the Lower Pool SBI and Ancient Woodland.) It is difficult to see where the 12km of woodland edge adjoining the works would be situated and it would be useful to assess their plans to identify where the buffer is situated.</p> <p>Lower Pool SBI: The 8.16 Review of Woodland Mapping provides some specific areas in relation to Lower Pool SBI, which can be more readily compared to our mapping results over the SBI.</p> <p>HE's revised woodland loss would be 1.9 ha, plus a buffer of 0.47 ha, in comparison to their originally calculated ES loss of 1.83 ha. The area of loss has also been enlarged in the Scheme Changes and was reported in the ES Chapter 8 as 2.04 ha, but has been revised to 2.11 ha due to recalculations to allow a wider utility corridor.</p> <p>We are broadly in agreement with the areas of loss, as our previous estimate of woodland loss provided to them in September was 1.92 ha (<i>not</i> the 1.27 ha that they have quoted in para 3.4.4 of doc 8.16). We are awaiting the detailed calculations to consider the variation between their calculation of 2.11 ha and our</p>

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					<p>1.93 ha as their CAD scheme drawings should be very accurate. The additional area of buffer is however queried, as mentioned above.</p> <p>To compare the areas in a table as requested:</p> <table border="0"> <thead> <tr> <th></th> <th style="text-align: center;">HE</th> <th style="text-align: center;">Allow</th> </tr> </thead> <tbody> <tr> <td>Area of loss across the scheme excl. SBI :</td> <td style="text-align: center;">12.69</td> <td style="text-align: center;">12.1</td> </tr> <tr> <td>SBI (original area before scheme changes):</td> <td style="text-align: center;">1.9</td> <td style="text-align: center;">1.92</td> </tr> <tr> <td>Area of loss across the scheme incl SBI :</td> <td style="text-align: center;">14.8</td> <td style="text-align: center;">14.03</td> </tr> <tr> <td>Additional buffer:</td> <td style="text-align: center;">6.09</td> <td style="text-align: center;">0</td> </tr> </tbody> </table> <p>The total mitigation area proposed on plot 5/2 is made up of : 4.84 Wood 0.57 Water 0.78 grassland (around the new ponds as a buffer from overhanging trees etc) 6.19 total</p>		HE	Allow	Area of loss across the scheme excl. SBI :	12.69	12.1	SBI (original area before scheme changes):	1.9	1.92	Area of loss across the scheme incl SBI :	14.8	14.03	Additional buffer:	6.09	0
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					<p>The area of plot 5/2 extends to approximately 6.19 ha. The grassland shown on the Environmental masterplan plans is not as large as the 0.78 ha quoted and we believe that a mapping error may have been made by HE with a duplication of 0.57 ha, but the overall area proposed for mitigation is around the 6.19 ha they quote.</p> <p>The 2:1 mitigation planting ratio, would amount to 5.16 ha (ie. 2.58 x2) whereas plotted on 5/2 there is 5.41 ha of woodland. A further 0.964 ha of woodland planting is proposed on 4/20c, totalling 6.374 ha across the two plots, a ratio of approx. 2.5 :1.</p>
2	Location of mitigation in plot 5/2 - Planting to west of link road	Siting of woodland to west of link road which is isolated from the SBI to the east.	Disagree	<p>Several factors have been considered when determining the most appropriate location for ecological mitigation, including the needs of local biodiversity but also the historic and landscape character of the local area.</p> <p>Whilst the highway represents a partial barrier between woodland on the east and west sides, the compensatory woodland planting on Allow's land will not be isolated from the retained areas of Lower Pool, nor the woodland blocks to the</p>	<p>In terms of the location of mitigation (habitats): fundamental questions exist in terms of the siting of the proposed woodland to the west of the link road. The proposal effectively isolates the new woodland from the retained parts of the SBI and the main areas of woodland in the landscape which are situated to the east of the SBI leading to a sub-optimal ecological outcome and reducing the value of the mitigation very considerably.</p>

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				south and east of the Scheme. The road here will be in a cutting, minimising the risk of collision for bats and birds vulnerable to road traffic deaths such as barn owl. A mammal tunnel to the south will allow safe crossing, as will the vegetated crossing at Hilton Lane to the north.	<p>The road here will not be in a cutting, it is at grade.</p> <p>The bridge design does not show it to be vegetated and it has been described by HE as a “hop-over” point instead.</p>
2, 5	Location of mitigation in plot 5/2 - Planting to east of link road	Potential to re-locate mitigation from Plot 5/2 to the east of the link road	Disagree	When determining the most suitable location for habitat compensation, several factors must be considered including the needs of biodiversity, landscape integration, and heritage concerns. Considering all potential impacts Plot 5/2 is the best location for woodland and ponds, to compensate for the impacts to biodiversity, provides visual amenity and landscape integration and minimises the impacts to important local heritage features.	<p>Allow has offered to make land to the east of the proposed alignment available to provide for mitigation. Such land would deliver greater biodiversity benefits than at the location to the west.</p> <p>Allow acknowledge that mitigation planting on the East side of the new road would result in some harm to the historic parkland, but the harm needs to be considered alongside all other factors, in particular the efficacy of the environmental mitigation and CPO issue.</p>
2	Location of mitigation in plot 5/2 - Bat Activity Surveys	Species surveys are still being undertaken and therefore expectation that they will result in less land being required.	Disagree	Further surveys to be undertaken in 2020 and 2021 are for the purpose of informing the final European protected species mitigation licences for bats, great crested newt and badger, as well as further	Species surveys are still being undertaken on site. It remains unclear how the results of these surveys will be utilised in the environmental mitigation calculations. We need to see the draft licence method statements and what information has been provided in support of the bat and Great

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				<p>determining the activity levels of barn owl that may be roosting/ nesting in trees and buildings within or close to the Scheme boundary. These are pre-construction surveys which will inform licence applications if the scheme is approved, not surveys required for the Environmental Statement.</p> <p>The results of the surveys would determine the final layout of fencing to facilitate great crested newt removal from the working footprint, the need for replacement bat roosts (boxes on retained trees or retention of sections of felled trees) and the need for closure of badger setts.</p>	<p>Crested Newt Letters of No Impediment and details about Natural England's assessment.</p> <p>Whilst the need for the link road is understood it must be possible to meet the need without the use of the requested powers of compulsory acquisition and with surveys continuing the extent of the ecological mitigation is likely to support less land sought compulsorily for ecological mitigation in line with Allow's own analysis.</p> <p>Surveys have identified that bat activity levels are greater to the east of the scheme on Allow's land holdings (see Figure 8.18 of the ES). Provision of mitigation to the west of the Link Road is unlikely to be as functionally valuable (as it would not link with the existing habitat resource in the east) and would be isolated by the link road itself (see written information provided summarizing Specific Hearing 1). Furthermore, to reach the planting, bats would have to use a non-vegetated structure, sited on an area not currently used by commuting bats. Defra-funded research has shown such a structure as unlikely to be used by bats. As such, it is highly likely that bats will not reach the new planting designed to compensate for the impact of losing 39% of their habitats within Lower Pools.</p>

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2	Location of mitigation in plot 5/2 - Bat Roosts	Limited bat roosting habitat is to be affected consideration of the amount of mitigation habitat to be provided.	Disagree	<p>The levels of bat activity and the number of roosting features within Lower Pool LWS/SBI are not the principal factor for the quantum of woodland planting being created on Allows land.</p> <p>The scale of the mitigation (providing 4.94ha of woodland planting, and 0.57ha of standing water surrounded by 0.78ha of grassland for the loss of 2.04 ha of woodland and 0.46 ha of standing water within Lower Pool LWS/SBI) is proportionate to the impact, given that the LWS is of county nature conservation importance and new woodland planting will take 30+ years to establish and mature.</p>	Bat roosts were confirmed on Allow's land holdings, to the east of the proposed scheme. In addition, bat activity was greatest to the east of the proposed scheme, with little or 'low' activity recorded in plot 5/2. Given the loss of c.39% of the SBI, used by both roosting and foraging bats, compensation for this impact should be placed to the east of the scheme where it is easily accessible by the resident bat population(s)(see information presented at Specific Hearing 1).
2	Location of mitigation in plot 5/2 - Bat Roost Isolation/ Collision Risk	Location of proposed bat mitigation will increase collision risk potential for bats.	Disagree	The Scheme in this location will be in cutting. The linear habitat guiding crossing at Hilton Lane will be around 7.7m above the height of the road. Bats were most commonly recorded crossing at heights of 5m+ above ground level. Collision risk during operation is therefore considered minimal. This is true even if bats cross the road at locations other than the crossing at Hilton Lane, as the	The only identified roosts are present to the east of the proposed scheme on Allow's land holdings (see Figure 8.17 of the ES). Hence, the only way for bats within them to reach the proposed habitats in Plots 5/2 and 4/20c would be to cross the scheme directly or travel to two over bridge locations (Hilton Lane and Accommodation Bridge). This is considerably less likely than the bats continuing to forage in the retained portions of the SBI or foraging further east;

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				majority of the road through Lower Pool will be in cutting, so bats will cross above the height of the majority of traffic.	Collision risk: the result of placing mitigation to the west of the Link road could be to drive bat commuting to this location, which in turn would generate a collision risk with oncoming traffic. The rate of such fatalities can be high such that the proposals would therefore generate a risk of causing local extinctions of colonies if this were to occur. The road is in a cutting at the Hilton Road overbridge, but is rising and at normal levels as it passes the south eastern corner of plot 5/2 (where low levels of bat activity were recorded). As such, if bats try to cross at this location then they will be at collision risk height. Similarly, if bats try to cross at any location adjacent to Lower Pools it is possible that they will drop down to follow the curves of the land, still bringing them into risk of collision with vehicles (see written information provided following Specific Hearing 1)
3	Location of mitigation ponds plot 5/2	Location of mitigation ponds - Extent of Great Crested Newt and pond mitigation	Disagree	The ponds to be created in plot 5/2 are primarily to compensate for the loss of 0.46 ha of standing water in Lower Pool LWS and SBI. All ponds created are being created on 1:1 basis for those lost as a result of the Scheme. The woodland and pond habitat that make up the LWS are a feature of importance in Staffordshire and it is a requirement of national planning policy that the Scheme adequately compensates for	Ecological ponds are proposed to be created within Plot 5/2. This is to compensate for loss of standing water within Lower Pool LWS. However, the waterbodies will be separated from Lower, Middle and Upper pool by the scheme and will not benefit those species affected by the scheme, as they will be isolated from it. By placing waterbodies to the east of the scheme, a coherent network of waterbodies would be created, benefiting those species affected within Lower Pool and also potentially benefiting the Great Crested Newts within Pond 34

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				effects to this locally designated site.	(thereby maximizing ecological opportunities). Woodland planting and pond creation to the east of the scheme would bolster and complementing the existing Lower Pools LWS (comprising broadleaved woodland and standing water)
1, 2	Borrow Pit Plot 5/2 & 5/25	Consultation with Landowner with regards to borrow pit.	Disagree	<p>The proposal for a borrow pit was set out in the Application submitted in January 2020.</p> <p>In particular, Annex A of the Statement of Reasons [APP-021/4.1], submitted as part of the Application, identifies the purpose for which the plot 5/2 is required to include Works No.74. "as shown on sheet No. 5 of the Work Plans and being the construction of a borrow pit including the excavation, working and restoration to win material required for the construction of the Scheme". This purpose is unaffected by the Scheme changes.</p>	Mention is made for the first time of a borrow pit located within 5/25 however no further information has been provided to the Landowner. We are not aware of the design or reinstatement being proposed and information has been requested.
6	Location and extent of mitigation woodland planting plot 4/20c	Extent of mitigation woodland - South of Dark Lane	Disagree	The band of trees to the south of Dark Lane is provided to screen views of the proposed dumbbell roundabout and western slip road which forms part of the new M54 Junction 1, from the first floor windows of residential properties on Dark	<p>Concerns relating to excessive woodland planting mitigation also apply to the proposed woodland planting in Plot 4/20c.</p> <p>The need for the extent of woodland mitigation planting at this location is unclear; the table states that it is to screen views of the scheme however the extent of</p>

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				<p>Lane. It also contributes to visual amenity and biodiversity.</p> <p>The trees on the south side of Dark Lane are existing and will be retained as part of the Scheme.</p>	<p>planting required to provide screening is questioned.</p> <p>The retained land will be smaller and more shaded by the proposed woodland planting and therefore agriculturally less productive.</p>
4	Permanent acquisition of boundary fence south of Dark Lane Plot 4/20c..	Justification and explanation for why a strip of land to the north of Plot 4/20c is required and concern regarding likelihood of fly tipping if hedgerow provided along Dark Lane.	Disagree	<p>As this land is only required to provide a new fence fronting onto Dark Lane, HE are agreeable to changing it from a permanent acquisition plot to a new rights plot. The new rights would include the right to enter onto the land to carry out works to clear the existing vegetation and remove the boundary treatment and to provide a new fence and hedgerow.</p> <p>Details are to be agreed with Allow.</p>	<p>Environmental mitigation plans illustrate a proposed hedge SH08 along this boundary, although this was not mentioned by HE in the meeting on the 24.9.20. A new hedge is likely to be an inadequate barrier to the anti-social behaviour, such as fly tipping, ongoing in the vicinity. The inadequacy of a hedge to address fly tipping is illustrated on the ground by the existing hedge on the car boot field (plot 5/2) along Dark Lane, which suffers from fly tipping. Design suggestions are awaited from HE.</p>