

Q No.	To:	Question	Response
3.3.2	The Applicant SCC SSC Allow Limited Nurton Development (Hilton) Ltd	Biodiversity net gain While not a requirement of NPSNN, and thus not part of CA/TP, this does not mean that Biodiversity net gain could not be delivered as part of the project on land that is required in any event – ie up-grading biodiversity on this land beyond the minimum. The Applicant's approach has been to show that the CA land is needed holistically, ie to ensure that the development best-fits the many facets of the scheme. What is there to prevent the upgrading in terms of biodiversity of land which is required in any event, for example, the verges, cuttings, so as to meet the Government's overall aim of enhancement to ecology and biodiversity?	<p>We have raised a similar point with the applicant that whilst the NPSNN does not make it a requirement for net gain as an agency of Government Highways England could aspire to achieving net gain on schemes where possible. While this would be welcome, there are two potential issues with this scheme. One is that it will necessarily involve quite narrow parcels of land which will restrict their usefulness to a range of species as noise, light and disturbance levels either side will probably be considerable. The other is the difficulty of securing adequate remediation during establishment or management in future. Species-rich grassland requires annual cut and collect management, while woodland will need regular thinning and possibly coppicing on rotation, which are tasks that require personnel and / or specialist machinery.</p> <p>We remain concerned that net gain to biodiversity is unlikely with this scheme and believe that the applicant should be prepared to make available a financial contribution towards off-site habitat compensation. While we understand that the applicant is pursuing habitat benefits through the Designated Funds programme, this is not a guaranteed outcome as any bid will be competing with other schemes.</p>
3.3.7	The Applicant Natural England Allow Limited SSC SCC Staffordshire Wildlife Trust	Allow Limited proposal is that mitigation planting should be located to the east of the proposal. Could the parties set out their positions as to the effects of this planting, were it to occur, on the special interest of the two veteran trees in this field (trees T-178 and T-182) as shown on Environmental Statement Figure 2.5 (Ver P15) [AS-090]?	Carefully designed planting could benefit the veteran trees by adding additional habitat and a degree of protection. It could be used to incorporate additional dead wood as log piles and could be designed as wood pasture, rather than dense woodland. Planting should allow for a halo space around each tree, preferably advised by an arboriculturalist with a Vet Tree certificate.
3.5.2	The Applicant SCC	<p>Article 16 In its representations at D5 M6 Diesel [REP5-010] request that the provisions of Article 16 of the dDCO should be time limited. (a) If the Applicant considers this appropriate could it provide such provisions within the dDCO?</p>	(a) & (b) whilst not directed at SCC we would make the point that although there is disagreement between us and the applicant on the imposition of a Weight Limit, at no point has there been any suggestion that the provisions of the DCO should be limited to remove any possibility of a TRO being implemented. Indeed, the applicants' position is to monitor the A460 post scheme opening and implement a TRO if necessary.

		<p>(b) If the Applicant does not consider this appropriate could it explain why, and also provide, on a without prejudice basis, draft provisions for possible inclusion in the dDCO?</p> <p>(c) Could SCC provide its response to M6 Diesel's representation?</p>	<p>Also is there an apparent inconsistency here compared to what has been asked for from SCC previously on this issue? We were asked to suggest provisions in the dDCO for a TRO whereas here the applicant is being asked to consider how they could include provisions to address the concerns M6 Diesel raise in their representation</p> <p>(c) We disagree with the position M6 Diesel present in their representation. Whilst we understand their concern it must be recognised that even without a weight limit in place there will be no pass-by trade (i.e. impromptu stops made simply through decisions on site of the filling station), once the new link road opens. At that point any trade will be via pre-determined decisions to leave the motorway network to re-fuel. It is in this context where we believe the weight limit will serve most value as the only HGV's likely to be using the A460 motorway to motorway (M6 Jct 11 to M54 Jct 1 and vice versa) will be those accessing the filling station as part of a longer distance journey.</p> <p>The response submitted on behalf of M6 Diesel reinforces our concerns. At paragraph 2.5 M6 Diesel state that 'for drivers leaving the M6 Diesel site, seeking M54 J1, their satellite navigation system (and road user knowledge if they have used the facility previously) will indicate that they should turn left.' It is precisely this sort of behaviour/human nature that the traffic model or journey time analysis will not pick up. Further, it is this section of the A460 that we would want to keep unnecessary HGV movements from.</p> <p>The response goes on to suggest that drivers may miss the signage and then be faced with a decision to breach the Order or perform a turning manoeuvre. SCC is suggesting that suitable advanced signing be installed to complement the proposed weight restriction and reduce any likelihood of drivers contravening it. There is no requirement to provide turning facilities for Heavy Goods Vehicles at the point of the restriction given that drivers would have had to ignore all advanced signing to reach that point and had the opportunity to avoid such a contravention by turning at either the M54 or M6 junctions or at the filling station itself.</p>
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Whilst the traffic model takes into account future traffic generated by significant local development locations such as the West Midlands Interchange (WMI) and Cannock Designer Outlet Village which will, no doubt, generate additional Heavy Goods Vehicles locally. It cannot estimate of those HGVs generated how many may utilise the M6 Diesel filling station over its existing customer base. With WMI forecast to generate over 6,000 HGV movements per day, invariably some of this additional local HGV traffic will find its way to M6 Diesel i.e. demand for use of the facility will increase. As we have stated before we contend that the forecast HGV numbers on the A460 post scheme are underestimated. The traffic model cannot estimate the long distance traffic on the new link which may be potential customers of M6 Diesel or the route they would take to access the facility off the M6 or M54. It is also noted that in discussions with Highways England on this matter they have conceded that the model shows zero HGV movements heading between the M54 and M6 post scheme.

Highways England has previously agreed to the reclassification of the A460 to an unnumbered C-road which would enable implementation of a weight restriction. However, the numbers suggest that the volume of Heavy Goods Vehicles will remain relatively high and not in line with what would be expected essentially on a 'village street'.

SCC and Highways England have expressed a desire to implement 'legacy' schemes along the A460 upon completion of the new link road, for example improvements for pedestrians, cyclists and equestrians. SCC feels such schemes would be significantly constrained by both the number of remaining HGVs using the road and the proportion of HGVs to other traffic. This would not necessarily promote an environment to encourage sustainable travel.

The extent of the weight limit proposed by SCC would permit access to properties within the restriction, allow larger vehicles to access New Road from the M54 junction 1 and the M6 Diesel filling station from M6

junction 11. The aim of the order is solely to prevent HGVs using the A460 along its entire length from the M6 to the M54.

The introduction of an environmental weight restriction as part of the DCO process would be the most cost-effective solution. The only additional cost to the overall scheme would be for the procurement of additional signs and posts where they are required. Costs associated with traffic management; new signage at Junctions 1 and 11; and labour will already be accounted for in the overall scheme cost. Highways England has previously supported a monitor and manage approach for which it has earmarked £50,000. However, once a proportion of that £50,000 has been spent on surveys and consultancy support there will be little left to do anything meaningful. We believe that the scheme we have proposed may require up to 10 additional signs/posts plus the incorporation of notification of the weight limit on new signage proposed for the link road. This should be able to be accommodated within the £50,000 Highways England have set aside for monitoring post scheme.

Further, the subsequent retrospective introduction of a weight restriction would be far more costly to the public purse as in many instances newly installed signing would have to be amended/replaced under appropriate and expensive temporary traffic management protocols. The scheme costs would then likely move into the hundreds of thousands of pounds bracket.

In addition to the weight limit signage we would support the inclusion of advisory signage directing M6 Diesel customers on the trunk road network to access via M6 Jct 11.

In relation to section 3 of M6 Diesels' Representation we have no empirical data from Highways England on journey times but during meetings we've had on this matter they have expressed an opinion that for drivers on the M54 wishing to access M6 Diesel staying on the link road and utilising junction 11 is the quicker and more convenient route. We do not agree and whilst we have no data on journey times it is

			<p>reasonable to assume that the difference will be marginal. We therefore believe that drivers would continue to access M6 Diesel via the shortest route or the route they have historically used, which concurs with what M6 Diesel believe will happen without any restriction in place.</p> <p>The introduction of an environmental weight restriction at this stage would support the objective of keeping the right traffic on the right road and reinforce the proposed road hierarchy. SCC is supported in this stance by local Parish Councils and South Staffordshire District Council.</p>
3.6.1.	SCC SSC RCHME	Archaeological WSI (a) Do the parties consider that the proposed Written Scheme of Investigation [REP4-032] is a robust approach to dealing with this matter? (b) How is this to be secured within the draft DCO?	<p>(a) and (b) SCC is of the opinion that the proposed Archaeological WSI, which has been commented on and approved by the County Archaeologist, is a robust enough approach for dealing with this matter. It has been previously been advised that the County Archaeologist was happy that the Archaeological Trial Trenching covered by the WSI does not necessarily need to be carried out prior to decision making on the DCO application but could be carried out in parallel with the application or after the DCO has been made. The County Archaeologist has been informed by the applicant that the programme of archaeological evaluation works outlined in the WSI is currently being carried out and is receiving daily reports on progress, in addition to carrying out regular monitoring visits (when deemed necessary). The fieldwork programme is on track in terms of timescales, and it is anticipated that a final or a detailed interim report on this work will be submitted in time to inform the inspector's decision and indeed to inform and assist in the development, in liaison with the County Archaeologist, of an appropriate archaeological mitigation strategy (including the potential for preservation in situ where appropriate). It is anticipated that the OEMP, Archaeological Management Plan, and the Archaeological Mitigation Strategy will be updated accordingly, and that, where necessary, Site Specific Written Schemes of Investigation will be developed. This approach would be certified under the DCO.</p>
3.6.2.	The Applicant	Less than substantial harm The parties have made various comments effectively relating to a	SCC is happy to defer to RCHME and South Staffordshire Council's Conservation Officer on this matter.

	SCC SSC RCHME Allow Limited	'spectrum' of harm that would represent 'less than substantial harm'. Could the parties please provide their representations as to how that should be considered in the light of the High Court judgement of <i>Shimbles v City of Bradford MBC</i> [2018] EWHC 195 (Admin).	
3.6.3	The Applicant SCC SSC RCHME Allow Limited	Hilton Park In its paper on Assessment of Alternative Locations for Mitigation in Plot 5/2 submitted at D4 [REP4-036] the Applicant appears to accept that Hilton Park was designed by Humphrey Repton. (a) Is this a fair summation of the Applicant's view? (b) If Hilton Park was designed by Humphrey Repton does this make any difference to the consideration of the Proposed Development?	SCC is happy to defer to RCHME and South Staffordshire Council's Conservation Officer on this matter.
3.7.2.	The Applicant Allow Limited SSC SCC	Dark Lane Fence It is indicated that the existing Dark Lane fence is to be removed to be replaced by a hedgerow and fence. The fence being of similar height to that existing. (a) Could it be clarified whether the hedgerow or fence is to be on the highway side? (b) If it is the fence, could it please be explained why this is appropriate given the effect on the landscape? (c) Could SSC and SCC give their comments on the appropriateness of this design approach?	c) In relation to matters of design of the fence we will defer to SSC. Our only comment would be in relation to the maintenance of the hedge and fence, which should be the responsibility of the landowner or HE.
3.10.2.	The Applicant SCC	Junction of Cannock Road/The Avenue The ExA notes that the proposal is to leave the priorities as at present, that is with the main carriageway along Cannock Road. However, only a very small proportion of traffic would use this route as it would only to serve 10 properties. It is indicated that this the main flow from traffic between Cannock Road and The Avenue will be advised by traffic signs, which must add to visual clutter.	We have discussed the form of this junction with the applicant in relation to a T-junction and mini roundabout. We will happily revisit in light of the comments from the ExA to consider a change in priority.

		Could the Applicant and SCC please relook at this junction with a view to rearranging it so that the main flow is between Cannock Road and The Avenue.	
3.10.3	The Applicant SCC	Tie in with existing A460 The draft SoCG between the Applicant and SCC [REP4-026] notes discussions between the parties in relation to the land between the proposed carriageway and adjacent properties that need to be considered. Could the parties please set out the latest position.	Same question as 3.10.7
3.10.4	The Applicant SCC	Speed Limit on Hilton Lane The draft SoCG between the Applicant and SCC [REP4-026] notes discussions between the parties over the appropriate speed limit for Hilton Lane. Could the parties please set out the latest position.	We have a general agreement in principle but are working through the detail of how the incremental drop in speed from 60mph to 30mph will be delivered.
3.10.5	The Applicant SCC	Signage on SCC network The draft SoCG between the Applicant and SCC [REP4-026] notes SCC has confirmed that they are content to amend signs on their own network using their existing powers, where this is necessary following construction of the Scheme. SCC has suggested this should be subject to funding from the Applicant. (a) If the Applicant does not consider this appropriate, can the Applicant explain why this should not be the case, given that the need for this would be caused by the Proposed Development? (b) If the Applicant accepts this, could relevant provision be made in the dDCO or other certified document for this, or could it be explained how this funding is to be provided?	We are content to utilise our existing powers to amend any signage on the local highway network. It will be for the applicant to determine which signs need changing and fund in full the cost of the new signs and their installation.

3.10.7	The Applicant SCC	<p>Maintenance Plans In its response at D4 SCC [REP4-042] in response to ExQ2.10.10 indicated that there are issues in the vicinity of works 6 and 7 both over private accesses, the extent of the public highway after the development and an embankment. The Applicant and SCC are asked to provide a detailed analysis of the issues and their preference methods of resolution.</p>	<p>We have been supplied with a new design for the tie in with the existing A460 and the applicant has only recently indicated that they would like the local highway authority to take responsibility for the area bounded by the new alignment of the A460 and its original. We are currently reviewing the proposal and will consider with pragmatism. However, the proposed retention of the existing A460 alignment in its entirety in this location as adopted highway results in scenarios whereby unnecessary additional road space and verge is created. This will need to be maintained at taxpayer expense. Our preference for the original option would be for the old alignment of the A460 to be stopped up; the services/utilities diverted into the new alignment; and the additional land left over between the new A460 and the existing properties offered to those frontagers as additional garden space or forecourt in the case of the petrol station.</p> <p>If we are to consider a situation whereby there is an increase in adopted highway it will need to be accompanied by an appropriate commuted maintenance sum. Discussions are continuing with the applicant.</p>
3.11.1	The Applicant SCC Environment Agency	<p>Proposed Pond to southwest of Junction 11 of M6 The draft SoCG between the Applicant and SCC indicates that the attenuation pond close to Junction 11 of the M6 (Work 60) is proposed to be split to serve the maintenance authorities. The ExA notes that this is described in the dDCO as “a balancing pond” in the singular.</p> <p>(a) Could the parties explain why this is necessary, other than convenience for maintenance purposes?</p> <p>(b) If formally proposed, could the Applicant undertake a full assessment of this, dealing with the effects in landscape, biodiversity and water environment terms?</p> <p>(c) If necessary, all appropriate drawings, reports and other matters will need to be updated to take account of any changes?</p>	<p>(a) The splitting of pond is acceptable in principle to clarify maintenance responsibilities. However, this is not reflected in the drainage strategy submitted. Splitting the pond may require additional area to provide the required attenuation volume. As such if this approach is to be followed the Drainage strategy should be updated to reflect changes, including discharge rates, volumes and levels for split ponds.</p>

		(d) The Applicant should also set out how this is to be examined within the Examination Timetable?	
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