

- Questions 1 to 11 are directed to the Applicant.
- Question 12 is directed to the Examining Authority (ExA).

Transport – The A449

Issue 1: The 1.8km section of the A449 immediately to the north of J2-M54 is missing from the Applicant's Appendix 11.5 data/analysis.

The Applicant's Deadline 6¹ response to this concern was:

"As described in response to Daniel Williams RR-032a in [REP1-043/8.9] submitted at Deadline 1, the operational traffic noise assessment has been completed based on the standard UK assessment methodology for road schemes set out in DMRB LA 111. Road links that are predicted to experience a potentially significant change in traffic noise level (i.e. a change due to the Scheme of 1.0 dB(A) or more in the short term, or 3.0 dB(A) or more in the long term) are referred to in Chapter 11: Noise and Vibration of the ES [AS-084] as 'affected routes'. The assessment was carried out for all links in the traffic model to determine which links meet these criteria. Links meeting the criteria, i.e. 'affected routes', are illustrated on Figure 11.2 [AS-096]. Appendix 11.5 [AS-053] reports the results for affected routes which are outside the main 600m calculation area. Road links which form the 1.8 km section of the A449 extending northwards from M54 J2 to the junction with Brewood Road are predicted to experience change in traffic noise levels due to the Scheme of less than 1.0 dB(A) in the short term and less than 3.0 dB(A) in the long term. These links therefore do not meet the criteria for 'affected routes' and are not illustrated on Figure 11.2 [AS-096] or reported in Appendix 11.5 [AS-053]."

Question 1: The A449 (T) is only 6km overall in length. If the 1.8km stretch of the A449 to the north of J2-M54 is not experiencing a drop in noise of 1dB or more, is the proposed DCO sufficiently effective at putting the right traffic, on the right roads, at the right levels?

Question 2: Does the Applicant know the number of vulnerable residential receptors that live within 30m in the 1.8km of stretch of the A449 to the immediate north of J2-M54? In the image given in Appendix 1 I have identified 50 vulnerable residential receptors - Is that correct?

Question 3: How many of the A449 dwellings to the north of J2-M54 reside within 600m of the actual Order limits²?

Question 4: Based on what is known from other stretches of the A449 (T) – at present, what levels of noise exposure do residential receptors typically experience in the 1.8km stretch of the A449 to the north of J2-M54?

¹ Page 28 - [TR010054-000933-TR010054 APP 8.25 Applicant Responses to ExA's WQs.pdf \(planninginspectorate.gov.uk\)](#)

² LAND PLANS REGULATION 5(2)(i) SHEET 2 OF 10 - -DR-LR-1002 – Rev P06 [TR010054-000110-TR010054 M54 2.2 Land Plans.pdf \(planninginspectorate.gov.uk\)](#)

Issue 2: Journey Times – The WMI Link Road – A Rat Run

The Applicant has not provided journey time data that explains how long a journey would take using the A449-West Midlands Interchange (WMI) Link Road³-A5 route between M54-J2 and J12-M6 (and vice versa) compared to the time it would take to use the route that is offered by the proposed DCO. Figure 1 below shows the way in which the Applicant is trying to frame their analysis away from a direct scrutiny of the A449-WMI Link Road-A5 route.

Question 5: Could the Applicant please provide clear, unambiguous data so we can see the full extent of the journey time benefits offered by the proposed scheme? I would like to see the journey times from J2-M54 to J12-M6 in a simple two column table so that the two routes can be compared and contrasted.

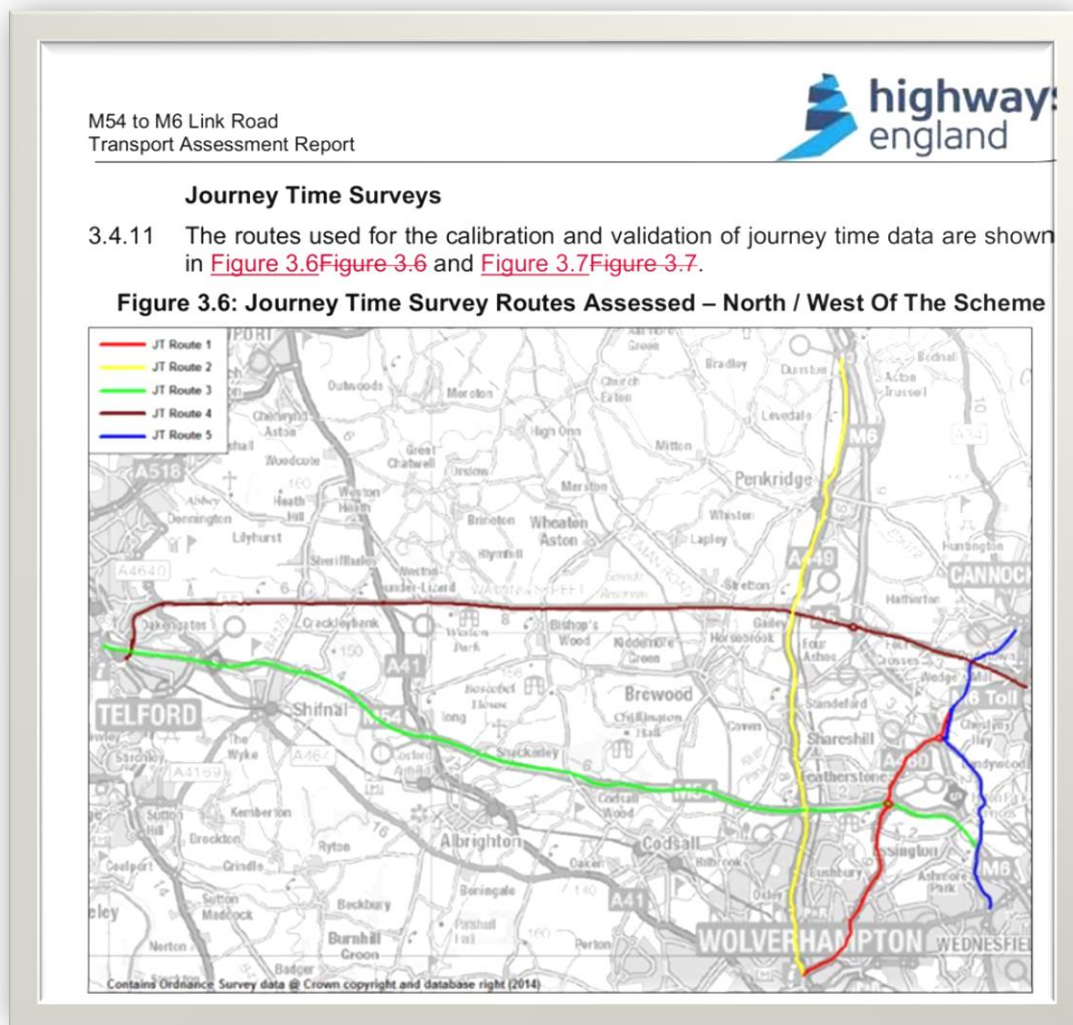


Figure 1: The image shows the Applicant's route analysis from its current Transport Assessment. The geographically more direct and shorter routes offered by the A449-WMI link Road-A5 compared to that offered by the proposed scheme is absent from the Applicant's analysis.

³ [TR050005-000282-Doc 2.13A - Highway Classification Plans Sheet 1.pdf \(planninginspectorate.gov.uk\)](#)

Issue 3: Repurposing the A449 to be a sub 53dB Road.

At Deadline 5 I made the following observation:

“The Applicant’s answer to [my] D2 question 13 makes it perfectly clear that it does not have any robust grasp of how the proposed link road and one of the two existing links (The A449) works at present and how they will both work in the future. The proposed scheme’s stated objective of getting “the right traffic, on the right roads, at the right levels” is based on nothing more than the blind hope that doing something is better than doing nothing, so long as that something does not involve thinking about or altering the A449’s strategic role, its physical layout, its speed limits or the wellbeing of the communities that live alongside it in respect of the World Health Organisation Environmental Noise Guidance (paragraph 11.3.42) recommendation that noise from road traffic should be reduced below 53dB Lden”

At Deadline 6, all the Applicant could say in response was “*noted*”. This answer epitomises the Applicant’s approach to the entire scheme; they are reluctant to consider the holistic picture, understand all the relevant policy tests⁴ they must meet and appreciate the role they can and have to play in delivering societal benefit.

At Deadline 6 the Applicant also said:

“De trunking A449 is outside the scope of the Scheme. There are no formal minutes or written transcripts to share in relation to the de-trunking of the A449 nor would they be relevant to the Examination of this DCO application. Highways England Operations Division is the maintainer and operator of the network and constantly reviews how the network operates as part of our ongoing commitment to making sure our customers have safe and reliable journeys. We have an ongoing relationship with SCC and if we believe there is a clear strategic case for de-trunking the A449 and A5 in the future, we will work with SCC to understand the benefits and risks before any future decisions are made. Highways England is also currently developing the next round of Route Strategies to inform future network plans and investment options. It will set out the long-term strategic role and purpose of the Strategic Road Network, including its geographic scope. During 2021 we intend to launch a public consultation with stakeholders and customers to understand their future aspirations and requirements for the network, including capturing views on network extent. Once the consultation launches, interested parties will be able to comment on the A449 and A5. There is no evidence to suggest that by not de-trunking the A449 and A5 the Scheme will not achieve the Scheme objectives and deliver significant local and regional benefits.”

- It was technically possible to ‘de-trunk’ the A449 as part of the proposed scheme. What the applicant has said is factually incorrect.
- It would have been logical to positively and proactively alter the way in which the A449 functions as a part of the proposed scheme rather than as a tacked-on afterthought.
- It is the stated objective of the proposed scheme to create a purpose built M54-M6 link road to transition away from the ad-hoc linkages that have formed in the absence of a purpose-built road

⁴ The National Policy Statement for National Networks - Paragraph 5.195 (Page 85) - [National Policy Statement for National Networks \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/612222/nps-national-networks.pdf)

over the past 40 years. What the Applicant has said and what the Applicant is proposing are two very different things.

Question 6: What levels of vehicle usage on the A449 would result in sub 53bD sound levels for its vulnerable residential receptors?

Question 7: What extent of vehicle usage transferred from the A449 to the proposed link road would harm the function of the proposed link road and national economic output?

Question 8: Could a compromise be reached if the A449 remained as part of the strategic road network with speed reductions and sections of single carriageway utilised to discourage/transfer trans-regional travel? The A449 could exclusively serve local traffic and act as a low speed, high volume transport link between the WMI and the West Midlands conurbation. This would benefit all road users and all vulnerable residential receptors in the A449 corridor.

Kettle Holes

The Applicant's Deadline 6 responses⁵ to the Kettle Hole & Holocene deposit questions raised by me at Deadline 5⁶ are a jumble of confusing, repetitive, and contradictory information. The Applicant needs to deal with this information in a formal, standalone document which identifies all of the potential Kettle Hole features and their associated sediment/paleo proxy sequences within and adjacent to the Order Limits. That document needs to systematically identify and explain each feature using a process of detailed scientific reasoning to explain and account for each possible Kettle Hole. These features and the information they contain are completely finite and are too precious to simply disregard.

Using Google Earth, I would invite the Applicant and the ExA to look at the landscape around Bickford Grange Farm near the settlement of Lapley (Postcode ST19 5QJ). This area contains one of the densest concentrations of Kettle Holes in Britain (please see Appendix 2). The 6-7km space between that dense concentration and the site itself is still heavily peppered with Kettle Holes. These features are not widely recognised or documented by any scientific literature that I am aware of; it is an open research gap which needs plugging as a matter of urgency. I agree with the Applicant that many geomorphic features within or adjacent to the Order limits may turn out not to be Kettle Holes but there are always exceptions which need to be found, documented, and analysed for paleoenvironmental proxies.

For brevity I have bullet-pointed the comments made by the Applicant in their Deadline 6 submission, and I have identified the associated issues and errors as I see them for the ExA to reflect upon.

- The Applicant states *"There are no kettle holes recorded in the study area."* The current absence of evidence is not evidence of absence.
- The Applicant asserts *"Locally within the vicinity of the route, aerial satellite imagery shows there are several small ponds, which at first sight could be interpreted as potential kettle holes in the absence of direct ground investigation."* The Applicant has not conducted any ground investigations i.e. Russian Coring in the water bodies or the vegetated micro meres that do exist, so how can they make this claim with any certainty?

⁵ Pages 31 to 34 - [TR010054-000933-TR010054 APP 8.25 Applicant Responses to ExA's WQs.pdf \(planninginspectorate.gov.uk\)](#)

⁶ Pages 3 and 4 - [TR010054-000884-Daniel Williams.pdf \(planninginspectorate.gov.uk\)](#)

- The BGS geological Sheet 15 is cited, and a small extract of sheet 153 map is given by the Applicant. The section of the map that is given is set at a scale of 1:50000 and identifies an area of 600 km² (30km by 20km). The suggestion that a map of this scale can identify individual Kettle Hole features measuring a few metres across when it is showing generic landscape geology at a kilometre level resolution is ludicrous. Kettle Holes are by their very nature anomalies that form in glacial and periglacial environments.
- More detailed review of the main body of sheet 153⁷ identifies that the site crosses an expanse of Late Devensian Till. This is exactly the type of terrain in which Kettle Holes form. I would invite the ExA to look at the geology of site, the geology of the area to the south east of Lapley (Postcode ST19 5QJ) on sheet 153 and the features identified in the aerial imagery given in Appendix 2.
- The Applicant states *“The BGS Memoir indicates that Eskers and Kettles present in the area are mainly associated with the Valley train outwash fans and the Kame and Kame Complex formations (also known as the Glaciofluvial Sheet Deposits)... These deposits are shown to be largely absent within the curtilage of the proposed scheme.”* ‘Largely absent’ is very different to absent or completely absent.
- The Applicant States *“The alluvial deposits identified are the only deposits that could contain palaeoenvironmental information. The rest of the scheme is made up of glacial till formed of sand and silty clay with pebbles. Palaeoenvironmental remains (such as pollen, seeds, molluscs etc) do not typically survive in these geology types. Distinct burial conditions are needed for this to survive.”* This is false. Millennial spanning peat and sediment accumulations in the bottom of open bodies of water and vegetated mere features can, and routinely do, hold paleoenvironmental proxy records.
- The Applicant then goes on to state *“Other deposits that could contain palaeoenvironmental remains, such as peat and other alluvial deposits, have not been recorded, either from existing geological information or the geotechnical investigations undertaken across the scheme.”* The Applicant has not looked at or analysed any of the actual possible Kettle Hole features. How can it possibly know that they do not exist with any degree of certainty until it purposely and analytically assesses these features?
- The Applicant states *“The stratigraphy for the Kings Pool site in Stafford is completely different to that underlying the Scheme. The Kings Pool contained both alluvial silt and clay and peat, whereas those deposits are absent from the Scheme boundary, barring a narrow band of alluvium around Latherford Brook (Watercourse 5).”* The comparison that I made with King’s Pool, Stafford was to emphasise the ease with which road schemes can affect paleoenvironmental proxy records. The type of topographic depression that the King’s Pool record formed within is different to the isolated Kettles that may have formed across the land within and adjacent to the proposed Order Limits. Focusing on the comparability between the Latherford Brook accumulation and King’s Pool and ignoring the rest of the site and scattered Kettle features is unhelpful.
- The Applicant states *“Coring has not been proposed as there are no appropriate geological deposits to suggest that this is warranted. As previously stated, the band of alluvial deposits is narrow and confined to the margins of the watercourse (Latherford Brook). While there is potential for micro- and macrofossils and other environmental deposits to survive, these are unlikely to be significant in nature.”* How does the

⁷ [British Geological Survey \(BGS\) | large image viewer | IIPMooViewer 2.0](#)

Applicant know there are no 'appropriate' geological deposits to be found in the open bodies of water or the fully and partially vegetated micro meres?

- The Applicant states *"There are several exploratory holes (boreholes and trial pits) advanced along the route of the Scheme during previous ground investigations (GIs). The previous investigations include the 1987 GI for the Birmingham Northern Relief Road (logs available on the BGS GeoIndex website and the recent 2019 GI carried out by Highways England (Ground Investigation Report, Appendix 9.1 of the ES [APP-187 to 191] for the Scheme. These previous ground investigations along the route of the Scheme did not identify any Glaciofluvial Sheet Deposits or any significant organic deposits indicative of kettle hole sediments. Localised Peat was identified in historical BGS boreholes SJ90NE217 and SJ90NE218 both located in the woodland immediate south of Hilton Lane and east of Dark Lane. Both boreholes were 20m deep and the Peat identified was only present between ground level and 0.1m below ground level."* Bore hole samples taken on land outside of the potential Kettle Holes would never have identified what may reside within them.
- The Applicant states *"The historical OS Maps (1883 to date) reviewed indicates that majority of the features which the enquirer suggests are potential kettle holes are either former man-made clay pits or recent man-made features or are outside the Order Limits of the Scheme."* The majority is not the same as all. Features outside but near the site should be considered. The potential effects of the proposal do not end arbitrarily at the red line of the Order limits.

Scale Disclaimers

The Applicant's answer to ExA WQ No. 3.0.5 was:

"The submitted plans have all been prepared to satisfy the requirements in the Planning Act 2008 and in particular the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009/2264. Regulation 5(3) simply requires plans to be no larger than A0, drawn to an identified scale and show the direction of North. All the submitted plans comply with these requirements. The plans do contain a 'do not scale' disclaimer which is standard practice and primarily to ensure plans are not printed at an incorrect size and scaled inaccurately."

Question 9: If it is 'standard practice' to include the 'DO NOT SCALE' scale disclaimer why did HE not include a scale disclaimer on the plans used to gain consent for the recently approved A303 - Stonehenge bypass/tunnel DCO⁸⁹¹⁰?

Question 10: If the 'primary' purpose of the disclaimer is to ensure 'correct printing' what are the secondary or even tertiary reasons for using the disclaimer?

The Applicant's plan disclaimer specifically states:

"DO NOT SCALE FROM THIS DRAWING, USE ONLY PRINTED DIMENSIONS."

⁸ [2.5 DCO Works Plans_P02_20181012.pdf \(planninginspectorate.gov.uk\)](#)

⁹ [TR010025-000157-2-2-LandPlans.pdf \(planninginspectorate.gov.uk\)](#)

Question 11: With regard to the examination plans that do not possess any figured dimensions (which is most of the submitted plans) could the Applicant explain how an Interested Party or the ExA can ever comply with their usage instruction?

The ExA have repeatedly been asked to form an opinion on this matter which, to all intents and purposes, is a procedural issue. The ExA have instead continually deferred the matter back to the Applicant. Whilst I recognise that the Applicant has questions to answer, the ExA **must** take an opinion on this matter.

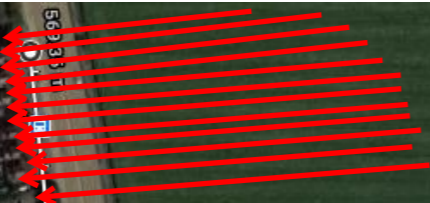
Question 12: Is it acceptable for the Applicant to retain the do not scale disclaimer on the examination plans?

APPENDIX 1:

A449 RESIDENTIAL
DWELLINGS WITHIN 600M
OF THE ORDER LIMITS

Search Google Maps

See travel times, traffic and nearby places



Andeejay Electrical

Rollin Recreation

M.C Blinds

Heath Farm marina
Homewares Shop

Royal Mail Post Box

Hom Hands Park

and ejay events

Measure distance

Click on the map to add to your path

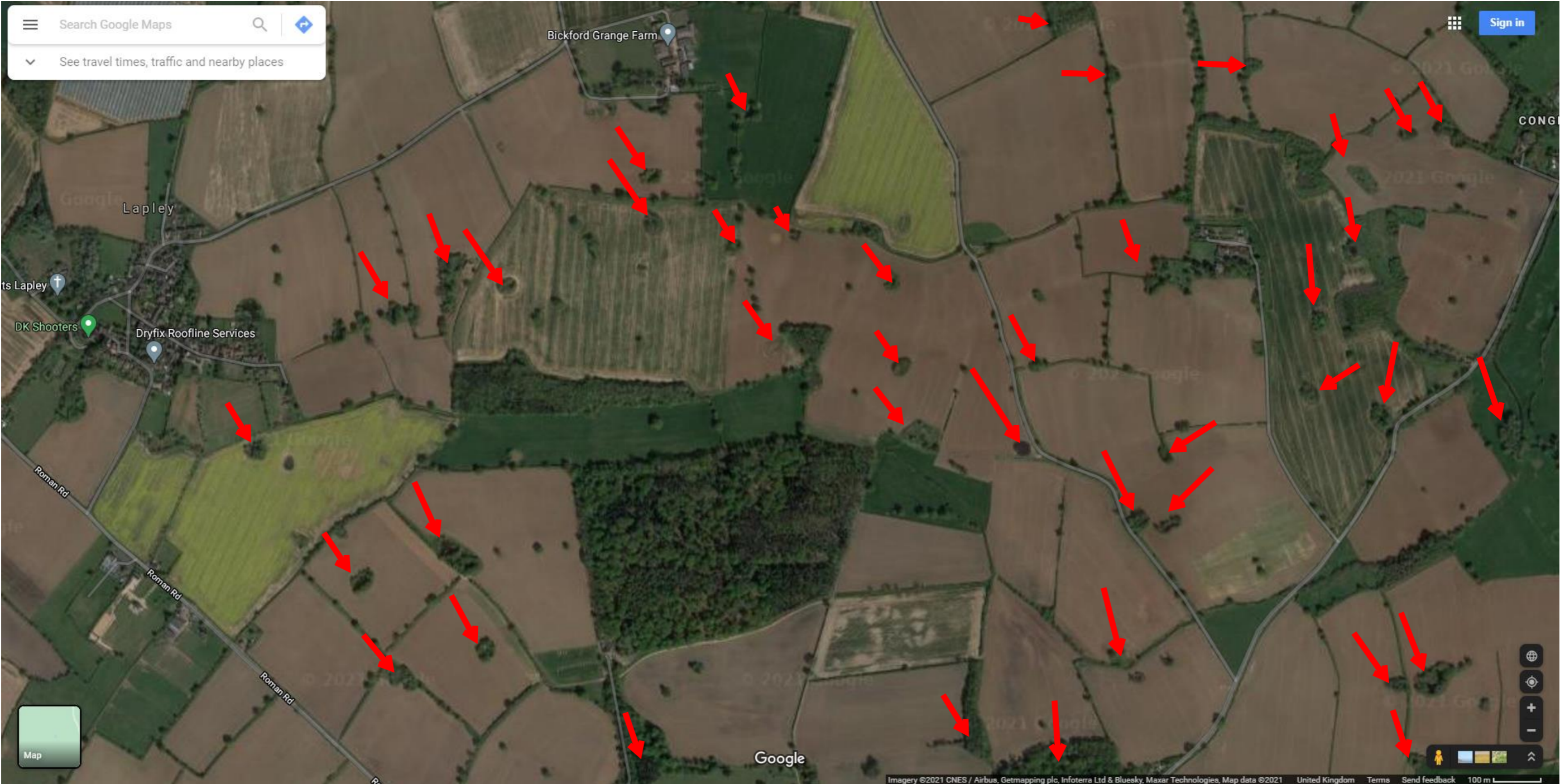
Total distance: 569.35 m (1,867.96 ft)

APPENDIX 2:

KETTLE HOLES SOUTH EAST
OF LAPLEY (ST19 5QJ)

Search Google Maps
See travel times, traffic and nearby places

Sign in



Map

Google

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