



West Midlands
Interchange

Four Ashes Ltd

The West Midlands Rail Freight Interchange Order 201x

Guide to the Application

Document Ref 1.2

Regulation 5(2)(q)

July 2018

Quod

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1. INTRODUCTION

- 1.1.1 Four Ashes Ltd is seeking Development Consent for a Strategic Rail Freight Interchange (SRFI), referred to as West Midlands Interchange (WMI) at Four Ashes in South Staffordshire. An application has been submitted under Section 37 of the Planning Act 2008 for a development consent order (a DCO) for the construction, operation and maintenance of the SRFI (which includes warehousing) (the 'Proposed Development').
- 1.1.2 This document provides an accessible guide to the Proposed Development, Applicant and submitted documents and drawings. This document is intended to assist those reviewing the application documents and explains the contents of each of the application documents submitted.

Structure of this Document

- 1.1.3 This document comprises 5 sections as described below:
- Section 1 introduces the document, the Applicant, the site and the Proposed Development. It also includes a list of the project team members;
 - Section 2 provides an overview of the Proposed Development and the difference between the nationally significant infrastructure project and associated development elements of the proposal;
 - Section 3 explains how the application documents and plans are organised into the seven sections and summarises the contents of each section;
 - Section 4 provides a brief summary of the contents and purpose of the individual application documents and plans; and
 - Section 5 describes the consenting strategy for the Proposed Development.

The Applicant

1.1.4 FAL is led by Kilbride Holdings ('Kilbride'), a company specialising in rail infrastructure to serve business and industry. The Kilbride team has developed rail-based projects for Jaguar Land Rover ('JLR') in Halewood and Castle Bromwich, amongst others. Kilbride is one of three partners in FAL, along with privately owned international property group, the Grosvenor Group and Piers Monckton, who is the primary landowner. Further details of the Applicant can be found in the **Funding Statement** [Document 4.2].

The Order Limits

1.1.5 The Proposed Development is to be located on a site approximately 10km north of Wolverhampton and lies immediately west of Junction 12 of the M6. The site is broadly bounded by the A5 trunk road to the north (from Junction 12 to the Gailey Roundabout); Calf Heath reservoir, the M6, Stable Lane and Woodlands Lane to the east; Station Drive, Vicarage Road and Straight Mile to the south; and the A449 trunk road (Stafford Road), from the Gailey Roundabout to Station Drive to the west. The south-eastern area of the site is also bisected by Vicarage Road. The site is referred to in the application documentation as the "Order Limits".

1.1.6 The **Order Limits and Parish Boundaries Plan** [Document 2.4] shows the Order Limits and surroundings. It also identifies the administrative boundaries relevant to the proposals. The site is within the administrative boundaries of South Staffordshire District Council ('SSDC') and Staffordshire County Council ('SCC').

1.1.7 The Order Limits comprise approximately 297 hectares ('ha').

1.1.8 For a detailed description of the land within the Order Limits, see Chapter 1 of the **Environmental Statement** [Document 6.2].

The Proposed Development

1.1.9 In summary, the Proposed Development comprises:

- An intermodal freight terminal with direct connections to the West Coast Main Line, capable of accommodating up to 10 trains per day

and trains of up to 775m long, including container storage, Heavy Goods Vehicle ('HGV') parking, rail control building and staff facilities;

- Up to 743,200 square metres (gross internal area) of rail served warehousing and ancillary service buildings;
- New road infrastructure and works to the existing road infrastructure;
- Demolition and alterations to existing structures and earthworks to create development plots and landscape zones;
- Reconfiguring and burying of existing overhead power lines and pylons; and
- Strategic landscaping and open space, including alterations to public rights of way and the creation of new ecological enhancement areas and publicly accessible open areas.

1.1.10 The Proposed Development is described in more detail in Schedule 1 of the **Draft DCO** [Document 3.1] and referred to in Section 3.5 of the **Planning Statement** [Document 7.1A] and Chapter 4 of the **Environmental Statement** [Document 6.2].

Project Team

1.1.11 The table below sets out the Project Team involved in the preparation of the Application, in addition to the Applicant.

| TOPIC | ENTITY |
|---------------------------------------|--------------------------|
| DCO Legal | Eversheds Sutherland LLP |
| Planning | Quod |
| Environmental Statement Co-ordination | Ramboll Environ |
| Design and Masterplanning | Chetwoods |
| Agriculture | Ramboll Environ |

| TOPIC | ENTITY |
|----------------------------------|--------------------------------------|
| Air Quality | Ramboll Environ |
| Archaeology | Wessex |
| Cultural Heritage | Montagu Evans |
| Ecology | Ramboll Environ |
| Landscape and Visual | FPCR |
| Lighting | Vanguardia |
| Market Analysis | Savills |
| Noise and Vibration | Resound |
| Rail | Intermodality and Stanway Consulting |
| Socio-Economic | Quod |
| Transport | WSP |
| Water, Drainage and Waste | Waldeck |

2. OVERVIEW OF THE PROPOSED DEVELOPMENT

- 2.1.1 The Proposed Development (or ‘authorised development’) is set out in full at Schedule 1 of the **Draft DCO** [Document 3.1]. Within Schedule 1, the Proposed Development is divided up into separate ‘works’ that describe the different aspects of the proposal. The unique works numbers relate to areas shown on the **Works Plans** [Document Series 2.2].
- 2.1.2 The description of the Proposed Development set out in Schedule 1 is also split into two parts: Part 1 describes the ‘Nationally Significant Infrastructure Project’ (NSIP) element of the proposal; and Part 2 describes the Associated Development.

NSIP

- 2.1.3 The proposed WMI rail freight interchange constitutes a NSIP under the criteria provided by Sections 14(1) (l) and 26 of the Act. Section 2 of the **Explanatory Memorandum** [Document 3.2] sets out the full criteria of the Act and how the proposal complies.
- 2.1.4 The NSIP element of the Proposed Development comprises the site for the rail freight terminal, warehouses, related on site infrastructure and on plot landscaping. This is described in Works No.s 1 to 5 found in Schedule 1, Part 1 of the **Draft DCO** [Document 3.1] and identified on the **Works Plans** as Works Nos.1 to 5.
- 2.1.5 Works No. 1 relates to the construction of the new railway line from the rail freight terminal to the existing West Coast Main Loop railway line.
- 2.1.6 Works No. 2 relates to the construction of the new rail freight terminal, including the rail sidings, freight storage areas and gantry cranes. Works No. 2 also relates to the stopping up of Gravelly Way.
- 2.1.7 Works No. 3 relates to the construction of rail served warehousing (including ancillary offices and other buildings). Works No. 3 also relates to the

demolition of existing farmhouses and associated outbuildings, other buildings and structures.

- 2.1.8 Works No.s 4 and 5 relates to the construction of the new A5/A449 link road and other infrastructure including estate roads footways and cycleways, signage, street lighting and a bus stop.

Associated Development

- 2.1.9 In addition to the NSIP element of the Proposed Development, the **Draft DCO** [Document 3.1] also authorises development which is not part of the NSIP itself but is associated with it, as provided for by section 115(2) of the Act. These aspects of the authorised development are considered to be ‘associated development’ as they each are *“typical of development brought forward”* with the NSIP or *“help address its impacts”*. They are *“not an aim in itself”* but are *“subordinate to the principal development”*¹.
- 2.1.10 The associated development is described in Works No.s 6 to 12 found in Schedule 1, Part 2 of the **Draft DCO** [Document 3.1] and identified on the **Works Plans** as Works Nos. 6 to 12.
- 2.1.11 The associated development comprises structural landscaping including community parks and off site highway works being Works No.s 6 and 7 respectively.
- 2.1.12 Works No.8 comprises the use of existing buildings and potentially some new build to accommodate estate management offices, welfare and amenity facilities.
- 2.1.13 Works No.s 9a and 9b relate to works to be carried out to enable the undergrounding of electricity cabling currently running across the site in a broadly north to south direction.

¹ See paragraph 5(ii) Guidance on associated development applications for major infrastructure projects April 2013

- 2.1.14 Works No.s 10a and 10b relate to the provision of revised access arrangements to the SI Group and occupants of the Four Ashes industrial area.
- 2.1.15 Works No. 11 refers to the continuation of a residential use and identification of garden land in association with that use.
- 2.1.16 Works No. 12 is the provision of an improved access to Avenue Cottages from the A5 including the provision of a turning area.
- 2.1.17 Further, site-wide, works, identified as “Further works”, are also referred to in Schedule 1 of the **Draft DCO**. These relate to items which are generally associated with the development the precise location of which is not ascertainable at this stage (such as the location of all services, services etc.) or the location of which may change (such as temporary concrete batching plants).

3. APPLICATION STRUCTURE AND CONTENTS

DCO Structure

3.1.1 The documents and plans that make up the application are grouped into the following seven sections. Each section is populated in accordance with the Planning Inspectorate's recommended categories as set out in Appendix 1 of Advice Note 6 'Preparation and submission of application documents'.

| DCO SECTION | CONTENT SUMMARY |
|--|--|
| 1. Application Submission | The completed application form and an introduction to the scheme as required by the Planning Inspectorate. |
| 2. Plans/Drawings/Sections | Plans that illustrate the location of the Proposed Development, the proposed works and provide local geographical information. |
| 3. Draft Development Consent Order | The legal powers that the Applicant is seeking to enable it to build, operate and maintain the Proposed Development, together with separate documents explaining the provisions of the Order and how other required consents will be obtained. |
| 4. Compulsory Acquisition Information | Evidence of why the Applicant requires legal powers to compulsorily acquire land, how the Proposed Development would be funded and details of the land interests that are required for the construction and use of the Proposed Development. |
| 5. Other Statutory Reports / Statements | This includes the Consultation Report which provides details of the pre-application consultation that the Applicant has undertaken on the Proposed Development and how consultation feedback has been taken into account. |

| DCO SECTION | CONTENT SUMMARY |
|---|---|
| | This section also includes the Statutory Nuisance Statement (prepared in pursuant to Regulation 5(2)(f)) and the Habitats Regulation Assessment (prepared in pursuant to Regulation 5(2)(g)). |
| 6. Environmental Impact Assessment | An assessment of the likely significant effects of the Proposed Development on the environment and a description of mitigation measures proposed to reduce any negative impacts. |
| 7. Other Documents | Additional documents that support the DCO application; these are not legally required but provide useful information on the case for the Proposed Development, including the Planning Statement, Statement of Economic Benefit, Alternative Sites Assessment, Market Statement and Design and Access Statement. |

Application Document and Plan List

- 3.1.2 The documents and plans which make up the different sections of the application are listed below. The following table groups each document and plan into the relevant section and sets out the title and unique reference number for each item.
- 3.1.3 The table below also sets out which physical submission box and folder the hard copies of each document and plan can be found.
- 3.1.4 The contents of each document and plan is explained in more details in Section 4 of this document.

| DOCUMENT / PLAN TITLE | DOCUMENT REFERENCE NUMBER | HARDCOPY BOX AND FOLDER NUMBER |
|--|----------------------------------|---------------------------------------|
| 1. Application Submission | | |
| Application Form | Document 1.1 | Box 1; Folder 1 |
| Guide to the Application | Document 1.2 | Box 1; Folder 1 |
| Document List | Document 1.3 | Box 1; Folder 1 |
| 2. Plans/Drawings/Sections | | |
| Land Plans | Document Series 2.1 | Box 1; Folder 2 |
| Works Plans | Document Series 2.2 | Box 1; Folder 2 |
| Access and Rights of Way Plans | Document Series 2.3 | Box 1; Folder 2 |
| Order Limits and Parish Boundaries Plan | Document 2.4 | Box 1; Folder 2 |
| Parameters Plans | | |
| Development Zone Parameters Plan | Document Series 2.5 | Box 1; Folder 2 |
| Floor Levels and Building Heights Parameters Plan | Document Series 2.6 | Box 1; Folder 2 |
| Green Infrastructure Parameters Plan | Document Series 2.7 | Box 1; Folder 2 |
| Illustrative Masterplan | Document Series 2.8 | Box 1; Folder 2 |
| Highway General Arrangement Plans | Document Series 2.9 | Box 1; Folder 3 |

| DOCUMENT / PLAN TITLE | DOCUMENT REFERENCE NUMBER | HARDCOPY BOX AND FOLDER NUMBER |
|--|--|---|
| Future Highways Maintenance Plans | Document Series 2.10 | Box 1; Folder 3 |
| Traffic Regulation Plans | Document Series 2.11 | Box 1; Folder 3 |
| Speed Limit Plans | Document Series 2.12 | Box 1; Folder 3 |
| Highway Classification Plans | Document Series 2.13 | Box 1; Folder 3 |
| Rail General Arrangement Drawing - Illustrative Arrangement of Rail Alignment | Document 2.14 | Box 1; Folder 3 |
| Rail Terminal - Illustrative Initial Rail Terminal Layout | Document 2.15A | Box 1; Folder 3 |
| Rail Terminal - Illustrative Expanded Rail Terminal Layout | Document 2.15B | Box 1; Folder 3 |
| Rail Sections | Document Series 2.16 | Box 1; Folder 3 |
| Bridge Plans | Document 2.17 and Document Series 2.18 | Box 1; Folder 3 |
| Ease of Use A3 Plan bundle | Document 2.19 | Box 1; A3 bound and separate from folders |
| 3. Draft Development Consent Order | | |
| Draft Development Consent Order | Document 3.1 | Box 1; Folder 4 |

| DOCUMENT / PLAN TITLE | DOCUMENT REFERENCE NUMBER | HARDCOPY BOX AND FOLDER NUMBER |
|---|----------------------------------|---------------------------------------|
| Explanatory Memorandum | Document 3.2 | Box 1; Folder 4 |
| Draft Development Consent Order – Validation Report | Document 3.3 | Box 1; Folder 4 |
| 4. Compulsory Acquisition Information | | |
| Statement of Reasons | Document 4.1 | Box 1; Folder 4 |
| Funding Statement | Document 4.2 | Box 1; Folder 4 |
| Book of Reference | Document 4.3 | Box 1; Folder 5 |
| 5. Other Statutory Reports/Statements | | |
| Consultation Report | Document 5.1 | Box 2; Folder 6 and 7 |
| Statutory Nuisance Statement | Document 5.2 | Box 2; Folder 8 |
| Habitats Regulation Assessment – No Significant Effects Report | Document 5.3 | Box 2; Folder 8 |
| 6. Environmental Impact Assessment | | |
| Scoping Opinion | Document 6.1 | Box 2; Folder 8 |
| Environmental Statement | Document 6.2 | ES Boxes 1 – 3; ES Folders 1 - 12 |
| Non-Technical Summary | Document 6.3 | ES Box 1; separate folder |
| 7. Other Documents | | |
| Planning Statement | Document 7.1A | Box 2; Folder 9 |

| DOCUMENT / PLAN TITLE | DOCUMENT REFERENCE NUMBER | HARDCOPY BOX AND FOLDER NUMBER |
|---|----------------------------------|---------------------------------------|
| Statement of Economic Benefits | Document 7.1B | Box 2; Folder 9 |
| Alternative Sites Assessment | Document 7.2 | Box 2; Folder 9 |
| Rail Operations Report | Document 7.3 | Box 2; Folder 9 |
| Market Assessment | Document 7.4 | Box 2; Folder 10 |
| Design and Access Statement | Document 7.5 | Box 2; bound separate from folders |
| Mitigation Route Map | Document 7.6 | Box 2; Folder 10 |
| Draft Development Consent Obligation | Document 7.7A | Box 2; Folder 10 |
| Draft Bird Mitigation Obligation | Document 7.7B | Box 2; Folder 10 |
| Existing Highway Orders | Document 7.8 | Box 2; Folder 10 |

3.1.5 The above list of documents has been submitted as a standalone document [Document 1.3] and will be updated from time-to-time during the Examination with the submission dates and the Planning Inspectorate's references added.

3.1.6 The **Environmental Statement** [Document 6.2] also contains extensive technical appendices and these are set out in Appendix 1 of this document.

4. CONTENTS OF APPLICATION DOCUMENTS

4.1.1 This section provides a brief summary of the contents and purpose of each application document and plan listed in the previous table.

1 - Application Submission

4.1.2 The **Application Form** [Document 1.1] is a standard form obtained directly from the Planning Inspectorate and provides a high-level summary of the Proposed Development and the documents that have been submitted.

4.1.3 This **Guide to the Application** [Document 1.2] provides a summary of the contents of the Application documentation.

4.1.4 The **Document List** [Document 1.3] is a standalone document which will be updated throughout the Examination of the Application to include any updated document references and also to include any new documents submitted following acceptance of the Application until the end of Examination.

4.1.5 The Applicant has also provided a **s.55 checklist** to assist the Planning Inspectorate, together with the required **Electronic Index**. These are not submitted as formal Application documents and therefore are not allocated a reference.

2 - Plans/Drawings/Sections

4.1.6 The set of plans [Documents 2.1 – 2.19] are described in detail below. Where a plan comprises three or more separate sheets, a key plan has been provided, showing the relationship between the different sheets. Each plan includes a key, which explains the use of symbols / lines / shading to denote features and information in the plans.

4.1.7 The **Lands Plans** [Document Series 2.1] are provided pursuant to Regulation 5(2)(i) and correspond to the **Book of Reference** [Document 4.3]. The Land Plans identify:

- Land required for the Proposed Development;
- Land over which it is proposed to exercise powers of compulsory acquisition and rights to use land; and
- Any land over which temporary possession may be taken.

- 4.1.8 The **Works Plans** [Document Series 2.2] detail, pursuant to Regulation 5(2)(j), the location of the works and the limits within which the development and works may be carried out. The areas identified on the Works Plans are the areas to which the works described in Schedule 1 of the **Draft DCO** [Document 3.1] relate. The **Works Plans** also identify limits of deviation.
- 4.1.9 The **Access and Rights of Way Plans** [Document Series 2.3] identify any new or altered means of access, stopping up of streets, roads and any diversions, extinguishment or creation of rights of way, as required by Regulation 5(2)(k).
- 4.1.10 The **Order Limits and Parish Boundaries Plan** [Document 2.4] identify the Order Limits of the Proposed Development and the parish boundaries which relate to the Order Limits.
- 4.1.11 The **Order Limits and Parish Boundaries Plan** is drawn at a scale of 1:5,000 as this is the most suitable scale to show the entirety of the Order Limits in the context of the local area, towns & villages and administrative boundaries. Whilst, this scale does not comply with the scale requirements of Regulation 5(3)², it is considered that the plan it would not best fulfil its purpose at a smaller scale.
- 4.1.12 A set of **Parameters Plans** [Document Series 2.5 – 2.7] identify the parameters with which the Proposed Development is required to comply applying a ‘Rochdale Envelope’ approach in accordance with the Planning Inspectorate’s Advice Note 9 (April 2012). The Parameters Plans identify those elements of the scheme which are to be fixed or controlled as part of the DCO (i.e. the location of development plots and the framework of Green Infrastructure) and those elements which are subject to restrictions. The set of Parameters Plans is made up of the **Development Zone Parameters Plans** [Document Series 2.5], **Floor Levels and Building Heights**

² The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

Parameters Plans [Document Series 2.6] and **Green Infrastructure Parameters Plans** [Document Series 2.7].

- 4.1.13 The **Development Zone Parameters Plans** [Document Series 2.5] identify the development zones within which the Proposed Development will be provided. These plans also identify the location of the rail terminal, and the parts of the site where the buildings will be developed. The plan also identifies, in respect of each development zone, the maximum and minimum number of units and maximum development floorspace.
- 4.1.14 The number and precise location of the proposed buildings, and their detailed appearance, are not yet known or fixed, and the detail of these will be confirmed in response to occupier requirements following an approval of the DCO. Such details will need to be agreed with the local authority pursuant to the requirements contained in Schedule 2 of the DCO. However, key characteristics and details regarding the proposed buildings are fixed as part of the DCO application process.
- 4.1.15 Finally, the **Development Zone Parameters Plans** also identify the location of the proposed Estate Management Offices/Amenity and Welfare Facilities and existing canal crossings which will be demolished.
- 4.1.16 The **Floor Levels and Building Heights Parameters Plans** [Document Series 2.6] identify the minimum and maximum finished floor level and the maximum building height in each development zone.
- 4.1.17 The **Green Infrastructure Parameters Plans** [Document Series 2.7] identify the minimum extent of green infrastructure to be provided across the Proposed Development and the existing veteran trees, woodland and hedgerows to be retained as part of the Proposed Development. The **Green Infrastructure Parameters Plans** also identify the location and heights of mounding and the location of acoustic fencing.
- 4.1.18 The **Illustrative Masterplan** [Document Series 2.8] is provided to assist in demonstrating a form of development which would comply with the set of Parameters Plans. It is not the basis for the assessment of the Proposed Development reflected in the **Environmental Statement** and it identifies simply one way in which a development may come forward in conformity with the Parameters Plans.

- 4.1.19 The **Highways General Arrangement Drawings** [Document Series 2.9] comprise general arrangement plans of all the highway works proposed. They are the plans with which the highway works will need to comply, with additional details to be agreed pursuant to the Protective Provisions relating to the highway authorities (**Draft DCO** Schedule 13, Parts 2 and 3). The key plan for the series [Document 2.9] is also intended to provide a useful overview of the entirety of the highway mitigation.
- 4.1.20 The **Future Highways Maintenance Plans** [Document Series 2.10] identify the Highways Authority which would maintain future highways infrastructure.
- 4.1.21 The **Traffic Regulation Plans** [Document Series 2.11] identify the classification of new highways following their completion and are referred to in Schedule 9 of the **Draft DCO**.
- 4.1.22 The **Speed Limit Plans** [Document Series 2.12] identify the speed limits which will apply to new highways following the completion of the relevant works and are referred to in Schedule 8 of the **Draft DCO**.
- 4.1.23 The **Highway Classification Plan** [Document 2.13] identifies the classification of new highways following their completion and are referred to in Schedule 7 of the **Draft DCO**.
- 4.1.24 The **Rail General Arrangement Drawing** [Document 2.14] comprises the illustrative arrangement plans of the rail infrastructure works proposed.
- 4.1.25 The **Rail Terminal Drawings** [Document 2.15A and 2.15B] and the **Rail Section Drawings** [Document Series 2.16] are provided to assist in demonstrating how the different phases of the rail terminal and rail infrastructure could come forward, in accordance with the set of **Parameters Plans** and **Rail Operations Report** [Document 7.3].
- 4.1.26 The **Proposed Road Bridge Location Plan** [Document 2.17] and **Road Bridge Short and Long Sections** [Document Series 2.18] illustrate the general arrangement of the proposed road bridges which would cross the rail lines, internal road and canal.
- 4.1.27 The **East of Reference A3 Bundle** [Document 2.19] is an A3 plan bundle which the Applicant has provided containing the principal plans required to

enable an understanding of the proposals and to which, it is anticipated, most reference is likely to be made by the Examining Authority. It is considered that this will be useful since the correct scale of most of those plans is A1 or A0 and reading plans at those scales is not always practical. These plans are:

- **Works Plan [Key Plan]** [Document 2.2];
- **Access and Rights of Way Plan [Key Plan]** [Document 2.3];
- **Access and Rights of Way Plan – Sheet 3 [Inset B and C to Sheet 1]** [Document 2.3C];
- **Order Limits and Parish Boundaries Plan** [Document 2.4];
- **Development Zone Parameters Plan [Key Plan]** [Documents 2.5];
- **Floor Levels & Building Heights Parameters Plan [Key Plan]** [Document 2.6];
- **Green Infrastructure Parameters Plan [Key Plan]** [Document 2.7];
- **Illustrative Masterplan [Key Plan]** [Document 2.8];
- **Highway General Arrangement [Key Plan]** [Document 2.9];
- **Rail General Arrangement – Illustrative Arrangement of Rail Alignment** [Document 2.14];
- **Proposed Road Bridge Location Plan** [Document 2.17]; and
- **Proposed Road Bridges Plan and Long Section** [Document 2.18A].

3 - Draft Development Consent Order

4.1.28 The **Draft Development Consent Order** [Document 3.1] (Draft DCO) is required to be submitted under Regulation 5(2)(b) and is accompanied by the Schedules including:

- Schedule 1 Authorised development – lists the works that would be authorised by the grant of development consent, which are shown on the works plans and to which the schedule refers;

- Schedule 2 Requirements – sets out the conditions that the Applicant would be required to accord with when implementing the development authorised by the DCO; and
- Schedule 13 Protective provisions – includes provisions to protect the interests of various bodies in the context of the Proposed Development (e.g. statutory undertakers).

4.1.29 The **Draft DCO – Validation Report** [Document 3.3] is provided to confirm the compliance of the **Draft DCO** with the Statutory Instrument template.

4 - Compulsory Acquisition Information

4.1.30 In order to implement the Proposed Development, the Applicant is likely to need to use statutory powers to acquire land and rights in land, and to possess and use land temporarily. The Applicant is required to provide evidence that the use of these powers would be justified, proportionate and in the public interest and this evidence is set out in the documents below.

4.1.31 The **Statement of Reasons** [Document 4.1] contains details of powers of compulsory acquisition and rights and the justification for the application of them. The **Statement of Reasons** explains that there is a compelling case in the public interest which would justify the Applicant’s exercise of powers of compulsory acquisition (should they be required) to acquire land and rights permanently and to use land temporarily to enable it to construct, operate and maintain the Proposed Development. This document is required to be submitted under Regulation 5(2)(h).

4.1.32 The **Funding Statement** [Document 4.2] explains how it is anticipated the development, and specifically any compensation due as a result of the exercise of compulsory acquisition powers, will be funded. This document is also required to be submitted under Regulation 5(2)(h).

4.1.33 The **Book of Reference** [Document 4.3] identifies the parties who have an interest in the in the Order Limits as well as those who may be entitled to make a “relevant claim” as defined in Section 57 of the Planning Act 2008. This document is required to be submitted under Regulation 5(2)(d).

5 - Other Statutory Reports/Statements

4.1.34 The **Consultation Report** [Document 5.1] is required to be submitted under section 37 of the 2008 Act. The **Consultation Report** provides an account of the consultation undertaken by the Applicant before submitting the Application, both formal and informal, including the statutory consultation undertaken pursuant to the Planning Act 2008. It summarises responses received and explains how the Applicant has had regard to those responses when developing the Proposed Development.

4.1.35 The Consultation Report is structured as follows:

- Chapter 1 – Executive Summary
- Chapter 2 – Introduction
- Chapter 3 – Compliance with Statutory Requirements – outlines how the Applicant has complied with statutory requirements and guidance when undertaking pre-application consultation on the Proposed Development.
- Chapter 4 – Pre-Consultation Engagement – details the pre-consultation engagement the Applicant undertook prior to commencing consultation on the Proposed Development.
- Chapter 5 – Stage 1 Consultation (Non-Statutory) – details how Stage 1 Consultation was carried out between 13 June 2016 and 24 July 2016 and how this influenced the evolution of the Proposed Development.
- Chapter 6 – Stage 2 Consultation Under Section 42 – details how consultation under section 42 of the Act was undertaken with statutory consultees including Persons with Interest in the Land (PILs) and relevant local authorities as part of Stage 2 Consultation between 5 July 2017 and 30 August 2017.
- Chapter 7 – Stage 2 Consultation: Statement of Community Consultation – describes the process followed in developing,

consulting on and publishing the Statement of Community Consultation (SoCC) for the Stage 2 Consultation.

- Chapter 8 – Stage 2 Consultation Under Section 47 – details how consultation under section 47 of the Act was undertaken with the community as part of Stage 2 Consultation between 5 July 2017 and 30 August 2017.
- Chapter 9 – Stage 2 Consultation: Publicity Under Section 48 – provides details of the publicity undertaken in respect of section 48 of the Act.
- Chapter 10 – Stage 2 Consultation: Responses Received Under Section 42 – provides a summary of the representations received under section 42 of the Act and the Applicant’s regard to these in the development of the Proposed Development.
- Chapter 11 – Stage 2 Consultation: Responses Received Under Section 47 – provides a summary of the representations received under section 47 of the Act and the Applicant’s regard to these in the development of the Proposed Development.
- Chapter 12 – Stage 2 Consultation: Responses received under Section 48 – provides a summary of the representations received under section 48 of the Act and the Applicant’s regard to these in the development of the Proposed Development.
- Chapter 13 – Stage 2a Consultation – the Applicant undertook a focused round of consultation on amendments to the Proposed Development. This chapter details how that consultation was undertaken.
- Chapter 14 – Stage 2a Consultation Responses – provides a summary of the representations received to the Stage 2a Consultation and the Applicant’s regard to these in the development of the Proposed Development.
- Chapter 15 – Ongoing engagement – the Applicant has continued to engage with consultees after the statutory consultation in order to

ensure all issues raised as part of the statutory consultation have been considered properly. This chapter summaries this engagement.

- Chapter 16 – Conclusions – concludes on the effectiveness of the consultation, in raising awareness of the Proposed Development and securing feedback that has helped develop the application.

- 4.1.36 The **Statutory Nuisance Statement** [Document 5.2] is prepared pursuant to Regulation 5(2)(f) and Section 79(1) of the Environmental Protection Act 1990. The Statement reports the conclusions of the **Environmental Statement** [Document 6.2] in respect of the potential statutory nuisance resulting from the construction and operation of the Proposed Development.
- 4.1.37 The **Habitats Regulation Assessment – No Significant Effects Report** [Document 5.3] is prepared pursuant to Regulation 5(2)(g). It confirms that there are not anticipated to be any likely significant effects on any European site.

6 - Environmental Impact Assessment

- 4.1.38 The Applicant has prepared an **Environmental Statement** which contains an assessment of the significant effects the Proposed Development is likely to have on the environment.
- 4.1.39 The **Scoping Opinion** [Document 6.1] is the scoping opinion given by the Secretary of State in October 2016, provided for ease of reference for interested parties.
- 4.1.40 The **Environmental Statement** [Document 6.2] and its appendices reports the Applicant's findings and conclusions from the assessment undertaken. The **Environmental Statement** is submitted as required by Regulation 5(2)(a) and includes the Flood Risk Assessment required to be submitted under 5(2)(e), the heritage information required under Regulation 5 (2)(m) and the nature conservation information under Regulation 5(2)(l).
- 4.1.41 The Scoping Opinion was obtained in 2016, in accordance with the 2009 regulations. Nevertheless, the **Environmental Statement** has been prepared under the provisions of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 and the additional elements required

by the 2017 EIA Regulations have been included in the **Environmental Statement**.

4.1.42 The **Environmental Statement** reports the findings of the EIA and provides general information on the Proposed Development including context, description of the scheme and its construction, main alternatives considered, the consultation process and technical information on a range of topics.

4.1.43 The **Environmental Statement** includes the following introductory chapters:

- Chapter 1 – Introduction
- Chapter 2 – EIA Process and Methodology
- Chapter 3 – Alternatives and Design Evolution
- Chapter 4 – Description of the Proposed Development
- Chapter 5 – Construction and Demolition

4.1.44 The following technical topic-based chapters set out the environmental effects of each topic listed:

- Chapter 6 – Agriculture and Soils
- Chapter 7 – Air Quality
- Chapter 8 – Archaeology (Below Ground Heritage)
- Chapter 9 – Cultural Heritage (Built Heritage)
- Chapter 10 – Ecology and Nature Conservation
- Chapter 11 – Ground Conditions
- Chapter 12 – Landscape and Visual
- Chapter 13 – Noise and Vibration
- Chapter 14 – Socio Economics and Human Health
- Chapter 15 – Transport and Access
- Chapter 16 – Water Environment and Flood Risk
- Chapter 17 – Cumulative Effects
- Chapter 18 – Summary of Residual Effects

- 4.1.45 The **Environmental Statement** is accompanied by extensive appendices that support the findings of the EIA. These are provided in the **Environmental Statement Volume 2**.
- 4.1.46 A full list of the **Environmental Statement** appendices is set out in Appendix 1 of this document.
- 4.1.47 For ease reference, the key appendices found in **Environmental Statement Volume 2** include:

| DRAWING / FIGURE / APPENDIX | REFERENCE | HARDCOPY ES FOLDER NUMBER |
|--|-------------------------|----------------------------------|
| ES Scoping Report | Technical Appendix 2.1 | ES Folder 2 |
| ES Scoping Opinion | Technical Appendix 2.2 | ES Folder 2 |
| Outline Demolition and Construction Environmental Management Plan | Technical Appendix 2.3 | ES Folder 2 |
| Historic Environment Desk-Based Assessment | Technical Appendix 8.1 | ES Folder 4 |
| Draft Written Scheme of Investigation | Technical Appendix 8.4 | ES Folder 4 |
| Map of Heritage Receptors | Technical Appendix 9.2 | ES Folder 4 |
| Ecology Baseline Report | Technical Appendix 10.1 | ES Folder 5 |
| No Significant Effects Report (Habitats Regulations) | Technical Appendix 10.3 | ES Folder 5 |
| Framework Ecological Mitigation and Management Plan | Technical Appendix 10.4 | ES Folder 5 |

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| Remediation Safeguarding Report | Technical Appendix 11.5 | ES Folder 6 |
| Lighting Strategy and Lighting Impact Assessment | Technical Appendix 12.8 | ES Folder 7 |
| Photomontages | Figure 12.13 | ES Folder 8 |
| Wind effects on sailing (desk study) | Technical Appendix 14.1 | ES Folder 9 |
| Transport Assessment, which includes: <ul style="list-style-type: none"> • Sustainable Transport Strategy • Site Wide Travel Plan • Site Wide HGV Management Plan • Demolition and Construction Traffic Management Plan | Technical Appendix 15.1 TA Appendix G TA Appendix H TA Appendix I TA Appendix N | ES Folders 10 and 11 |
| Flood Risk Assessment | Technical Appendix 16.1 | ES Folder 12 |
| Water Framework Directive (WFD) Assessment | Technical Appendix 16.2 | ES Folder 12 |
| Site Wide Surface Water Drainage Strategy | Technical Appendix 16.3 | ES Folder 12 |

4.1.48 The **Non-Technical Summary** [Document 6.3] summaries the findings of the Environmental Statement.

7 – Other Documents

- 4.1.49 A range of additional documents have been submitted with the Application. These documents are not legally required, but are intended to provide useful information on the Proposed Development and aid detailed understanding of the Application and its justification.
- 4.1.50 The **Planning Statement** [Document 7.1A] presents all of the information necessary to review the Proposed Development within the context of planning policy. The **Planning Statement** explains the rationale for the development and includes a detailed explanation of how the development complies with relevant policy, including, in particular, the National Networks National Policy Statement.
- 4.1.51 The **Statement of Economic Benefits** [Document 7.1B] summarises the economic benefits which the Proposed Development would bring to the local and regional economies.
- 4.1.52 The **Alternative Sites Assessment** [Document 7.2] assesses the alternative sites that have been considered in selecting the site of the Proposed Development. The purpose of the document is to consider whether the location is the most suitable, or whether alternative sites which could meet the need for a SRFI ought to be preferred. The **Alternative Sites Assessment** established the area in which it is appropriate to search for an alternative site, sets out the search criteria to assess potential sites and assesses the suitability of alternative sites.
- 4.1.53 The **Rail Operations Report** [Document 7.3] describes the operation of the rail infrastructure, including the main line railway access from the site; the proposed on-site railway infrastructure and interchange facilities; the method of working for trains to, from and on site; and the estimates of rail-related traffic at a mature level of operations.
- 4.1.54 The **Market Assessment Report** [Document 7.4] this document reviews policy and historical trends as well as the general market dynamics and demand in the logistics sector. It assesses the demand for, and supply of, competing floorspace, and the supply of land which might compete in the market area.

- 4.1.55 The **Design and Access Statement** [Document 7.5] explains the approach to site analysis, the design concept and principles, including how the design has been influenced by planning policy and consultation. The Statement describes the Proposed Development and Design Framework including the development parameters and the proposed Design Principles.
- 4.1.56 The **Mitigation Route Map** [Document 7.6] sets out the mitigation controls and other best practice measures identified in the **Environmental Statement** [Document 6.2] and identifies the means by which those controls and measures will be secured.
- 4.1.57 The **Draft Development Consent Order Obligation** [Document 7.7A] sets out the Applicant's proposed planning obligations to be secured through agreement with the relevant local planning authorities, being SSDC and SCC. The draft agreement is subject to discussions with the authorities. It is intended that it will be finalised shortly after submission.
- 4.1.58 The **Draft Bird Mitigation Obligation** [Document 7.7B] secures an obligation to provide compensatory bird habitat. It is under discussion with the County Council and it is anticipated it will be completed shortly.
- 4.1.59 The **Existing Highway Orders** [Document 7.8] contains copies of existing Highway Orders which are relevant to the new Highway Orders being sought in the Draft DCO.

5. CONSENTING STRATEGY

5.1.1 The **Draft DCO** includes the primary consents required to carry out the development. It provides:

- authorisation for the construction of the rail terminal, warehousing and associated infrastructure and landscaping, subject to compliance with the **Parameters Plans** and approval of certain details by the local planning authority;
- in respect of the highway works, equivalent to section 278 Agreements under the Highways Act 1980 (**Draft DCO** Article 44 Schedule 13 (Parts 2 and 3); and
- in respect of the highway works various orders required to facilitate their construction and operation (**Draft DCO** Articles 10,11 and 13 to 20 Schedules 3,4 and 6 to 9);
- in respect of footpaths and bridleways it includes the orders required to create new footpaths and bridleways rights of way and to stop up a footpath (**Draft DCO** Article12 and Schedule 5); and
- the necessary compulsory purchase powers to facilitate the construction and operation of the proposed development (**Draft DCO** Articles 23 to 38).

5.1.2 The above provisions in some case require consents or approvals from relevant authorities.

5.1.3 The requirements set out in Schedule 2 of the **Draft DCO** require that details of all the development of all elements of the Proposed Development are submitted to the relevant local planning authority (South Staffordshire District Council) for approval, prior to work on those elements commencing. These details include the precise disposition, scale and appearance of the warehousing and details of the rail terminal, all of which must be in accordance with the **Parameters Plans**.

5.1.4 Schedule 13 of the **Draft DCO** also includes provisions with respect to third parties and asset owners within the site and contain provisions for consents

as necessary under those provisions. These include the approval by the relevant highway authorities of the additional details of the highway works, based on the general arrangements shown on the highways plans.

- 5.1.5 In addition to the **Draft DCO** it is intended that a section 106 be entered into in respect of various matters as outlined in paragraph 4.1.57 of this document and in the **Draft Development Consent Obligation** [Document 7.7A].
- 5.1.6 Article 46 of the **Draft DCO** contains provisions which disapply the need for some additional consents, to make use of the “one stop shop” and avoid the need to obtain a separate consent governing the same development.
- 5.1.7 It is anticipated that the additional permits, consents or agreements set out below may also be needed in respect of the construction development and/or operation of the development. These permits/consents or agreements will be dealt with at the appropriate stages of development since they are largely dependent upon finalisation of the detailed designs and construction methodology:
- Agreement with utility providers for supplies.
 - Building Regulation Approval from South Staffordshire District Council in respect of buildings forming part of the proposals.
 - European Protected Species licence for bats.
 - Licence for work affecting Badgers.
 - Agreements in respect of drainage under sections 98,104,106 and 185 of the Water Industry Act 1991.
 - Connection agreement with Network Rail in respect of the connections to the main line.
- 5.1.8 There will also need to be a variation to the existing Environmental Permit relating to the remediation of the part of the site currently owned by SI Group UK Ltd. This has been discussed with the Environment Agency who are content with the approach to remediation as part of the authorised development which has been agreed between the Applicant and SI group.

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