Document 7.1A

Planning Statement

The West Midlands Rail Freight Interchange Order 201X

Regulation 5 (2) (q)

Quod - July 2018

West Midlands Interchange

Four Ashes Ltd

The West Midlands Rail Freight Interchange Order 201X

Planning Statement

Document Ref 7.1A

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EXECUTIVE SUMMARY

This **Planning Statement** has been prepared on behalf of Four Ashes Limited ('FAL' or 'the Applicant'). It presents all of the information necessary to review the West Midlands Interchange ('WMI') proposals within the context of planning policy.

The development proposed by this application is for a new Strategic Rail Freight Interchange ('SRFI'). The proposals for the SRFI constitute a Nationally Significant Infrastructure Project ('NSIP') under the criteria provided by the Planning Act 2008 ('the Act'). It is necessary, therefore, for the proposals to be applied for using the Development Consent Order ('DCO') process with the application being submitted to the Planning Inspectorate ('PINS'), on behalf of the Secretary of State ('SoS'), rather than to the local authority.

This Planning Statement accompanies an application for a DCO under the Act for the development of a new SRFI (which includes warehousing) (together, 'the Proposed Development' or 'the Scheme') at land located at Four Ashes, Staffordshire ('the Site'), see Figure 1.

The Site is located approximately 10 kilometres ('km') north of Wolverhampton and lies immediately west of Junction 12 of the M6, with the West Coast Main Line ('WCML') intersecting. It lies within the administrative boundary of South Staffordshire District Council ('SSDC') and comprises approximately 297 hectares ('ha') of land.

Consultation with the community has been carried out in accordance with the published Statement of Community Consultation ('SoCC') under Section 47 of the Act. Consultation with statutory bodies and the general public has been run concurrently to meet the requirements set out in Sections 42 and 48 of the Act.

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 of 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.

This Planning Statement assesses the planning issues raised by the Proposed Development within the context of the National Policy Statement for National Networks ('the NPS'), which provides the principal policy framework for SRFI applications.

The NPS sets out strong policy support for the development of a national network of SRFIs. This support arises from the acknowledged benefits the use of rail can bring to the movement of freight through providing economy and efficiency for business and, particularly, because of the substantial environmental benefits achieved by transferring longer-distance freight movements from road to rail. The NPS makes clear that there is a ***"compelling need for an expanded network of SRFIs***"[1] and there is an in principle presumption in favour of granting development consent. Within that context, individual SRFI proposals need to meet a range of planning policy tests and, where proposals are in the Green Belt, need to demonstrate that there are very special circumstances justifying the grant of development consent.

The clear need for a SRFI in southern Staffordshire has been established through public policy for many years, but local planning policy has failed to find a solution, with the Act and the NPS now providing a way in which a SRFI may come forward in this location. There is a substantial gap in the national network of SRFIs between the Midlands and the North West of England. A new SRFI in South Staffordshire would help to address that gap, providing substantial economic and sustainability benefits. A high quality SRFI

[1] (emphasis added) [Paragraph 2.56] National Policy Statement for National Networks, DfT (2014)

situated in the northern / western quadrant of the West Midlands region would create significant economic benefits in its own right and provide an important service to business and industry in the region. Market evidence demonstrates that there is an extraordinary scarcity of supply of large-scale, rail served distribution buildings, in this area and nationwide.

The Proposed Development would provide in excess of a hundred million pounds worth of investment into both rail and road infrastructure, of a scale which can contribute towards the continued economic growth in the region. The WMI rail terminal would be open-access and operated by an independent service provider[2]. This means the terminal would be available not only to occupiers of units at the Site, but also to businesses across the West Midlands region (and beyond). The terminal would be capable of handling up to 10 full length trains (775 m)[3] per day, without the need to 'split' the trains into sections for handling. The handling of freight trains would be done via dedicated freight line connections, with sufficient loading gauge[4] (W10) to link the Site to all major UK ports.

WMI would build on the competitive advantages of the manufacturing and distribution sector in the region. It would make a significant contribution to establishing a critical mass of such activities and by providing a rail freight terminal and encouraging further investment, it would help to ensure that the area remains competitive against other regions, both nationally and internationally, which have similar facilities already in place.

A SRFI in this location would reduce HGV kilometres on the national road network, and has the potential to make a direct and significant contribution towards national efforts to reduce greenhouse emissions from transport, both through reducing the carbon impact of freight movements by encouraging a modal shift from road to rail and through providing congestion benefits on the national road network[5].

An **Alternative Sites Assessment** ('ASA') [Document 7.2] has established that there are no other appropriate locations for a SRFI in the identified area of need. As the NPS recognises, countryside and Green Belt locations may provide the only option for fulfilling Government policy[6] given the large land requirements of SRFIs and the need for SRFIs to be near the markets they will serve. The very specific requirements of

[2] A logistics company or specialist rail freight terminal operator.
[3] The maximum length of UK intermodal trains.
[4] A loading gauge defines the maximum height and width for railway vehicles and their loads to ensure safe passage through bridges, tunnels and other structures.
[5] In accordance with [paragraph 2.40] National Policy Statement for National Networks, DfT (2014)
[6] [Paragraph 5.172] National Policy Statement for National Networks, DfT (2014)

SRFIs, including high quality connections to the motorway network and proximity to a rail line of W8 loading gauge or above, mean that potential locations are extremely limited and that the Proposed Development is ideally located to provide a full scale, high quality, modern SRFI, directly consistent with planning policy.

Comprehensive assessments submitted as part of this Application have reviewed the Proposed Development against a full range of environmental and planning considerations. In each case, the NPS provides clear guidance on the approach to be taken to the assessment and, in particular, the importance of mitigation.

From the outset, the WMI team has included specialists in landscape, transport, noise, ecology, heritage and other key environmental issues, enabling the design to evolve, while giving consideration to the opportunities and constraints presented by the Site. The Site is significantly influenced by a number of surrounding urban and industrial factors but the design that has emerged has a particular emphasis on Green Infrastructure ('GI'), landscaping and mounding in order to soften and screen the development but also to provide a connected network of landscaped routes and two community parks. The Site has no national, regional or even local designations for landscape or ecology.

Particular attention has been paid to the potential proximity of a limited number of residential properties[7] by setting back development from residential boundaries, through the careful orientation of buildings and a commitment to high quality landscaped boundaries.

The **Environmental Statement** ('ES') [Document 6.2] reviews the likely significant effects of the Proposed Development against a full range of environmental considerations. Impacts inevitably arise from the scale of the Proposed Development, the loss of countryside and the generation of traffic, but these impacts are limited by the inherent characteristics of the site – for example, its immediate proximity to Junction 12 of the M6 enables traffic to be focussed on the trunk road network and its high quality access to the WCML optimises the potential to achieve a transfer of freight from road to rail. Particular care has been taken to embed mitigation within the design of the Proposed Development, but commitments are also proposed to limit residual impacts. For example, a noise insulation scheme is proposed for properties where the change in noise levels as a result of the Proposed Development are most significant, even though

[7] Approximately 35 residential properties have been identified as potential receptors, see [Figure 13.1] of the **ES.**

residual noise levels are below those which would normally give rise to an entitlement to statutory noise insulation.

The Proposed Development is estimated to support the generation of up to 8,550 full-time jobs on site, with the profile of jobs providing a good fit with those jobs being sought in the surrounding area. The proposals would provide a major economic boost for the sub-regional economy, at the same time as achieving very substantial sustainability benefits. There will also be a net benefit for the local road network, with a new link road between the A5 and A449, and other local road improvements, providing greater resilience on the strategic road network surrounding the Site.

When these benefits are weighed together with the strong policy support for the proposals set out in the NPS and the lack of alternative sites, this Planning Statement concludes that development consent should be granted for the West Midlands Interchange subject to the provisions of the draft DCO Section 106 obligations.

1. INTRODUCTION

1.1 Purpose of the Document

1.1.1 This Planning Statement has been prepared on behalf of Four Ashes Limited ('the Applicant' or 'FAL'). It presents and reviews the West Midlands Interchange ('WMI') proposals within the context of planning policy.

1.2 The Applicant

1.2.1 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.

1.2.2 The partners of FAL adopted a vision for the WMI Scheme. This vision was committed to and set out at the Stage 1 Consultation and it has guided the development of the WMI proposals:

> ***The partners of Four Ashes Limited are committed to delivering a rail served development which will bring significant sustainable social and economic benefits to South Staffordshire, the Black Country and the wider region, through responsible design and by taking into account community interests and environmental considerations.***

1.3 The Site

1.3.1 The Site, as indicated by the **Order Limits and Parish Boundaries Plan** [Document 2.4] and at Figure 1, is located approximately 10km north of Wolverhampton and lies immediately west of Junction 12 of the M6. The WCML intersects the Site.

1.3.2 The Order Limits for the Proposed Development comprise approximately 297 hectares ('ha') of land.

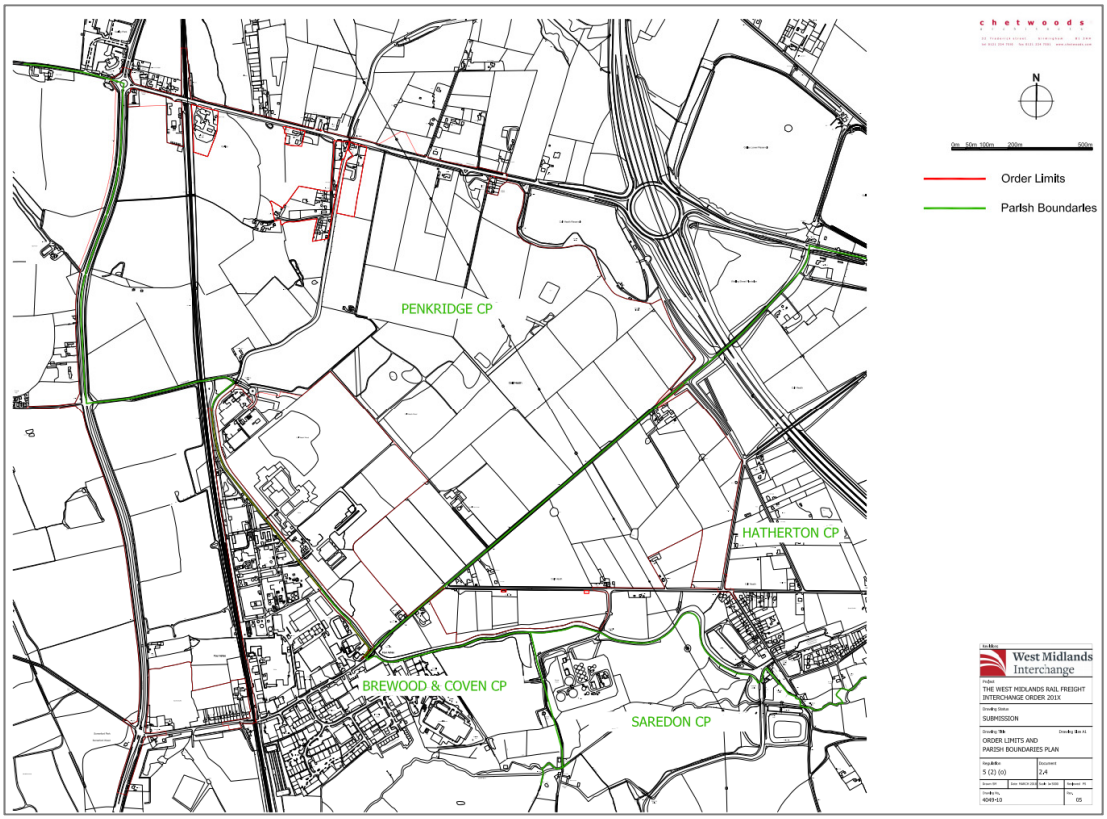

Figure 1: Order Limits and Parish Boundaries Plan [Document 2.4]

Figure 2: WMI in the context of the West Midland Region (shown in red)

1.3.3 The Site lies inside the West Midlands Region[8] and to the north west of the West Midlands Metropolitan County[9]. It is within the administrative boundaries of South Staffordshire District Council ('SSDC') and Staffordshire County Council ('SCC').

1.4 Project Background

1.4.1 This Planning Statement accompanies an application by FAL to the Secretary of State ('SoS') via the Planning Inspectorate ('PINS') for a development consent order ('DCO') under the Planning Act 2008 ('the Act') for the development of a new Strategic Rail Freight Interchange ('SRFI') (which includes warehousing) (together, 'the Proposed Development' or 'the Scheme') on land located at Four Ashes, Staffordshire.

1.4.2 A SRFI is a large rail served distribution park linked into both the railway network and the strategic road system, capable of accommodating the large warehouses necessary for the storage, processing and movement of goods for manufacturers, retailers and end consumers. The aim of a SRFI is to optimise the use of rail in the freight journey by maximising rail trunk haul and minimising some elements of the secondary distribution journey by road, through co-location of other distribution and freight activities and by adopting locations close to centres of demand. Consequently, SRFIs have very specific locational requirements.

1.5 National Policy Context

1.5.1 The National Policy Statement for National Networks (December 2014) (the 'NPS') provides the primary policy basis for the consideration of a nationally significant SRFI. The NPS is a very specific policy regime designed to provide a bespoke policy framework for the infrastructure which is necessary to meet identified national needs. It contains detailed guidance, on a topic by topic basis, to guide both applicants and the decision maker in their detailed approach to nationally significant infrastructure projects ('NSIPs') – namely their design, assessment and mitigation.

[8] The West Midlands (UKG) is one of nine official regions of England.
[9] The West Midlands Metropolitan County is a metropolitan county and city region in western central England with an estimated population of 2,808,356 (2014), making it the second (out of forty eight) most populous county in England.

1.5.2 Under Section 104 of the Act, an application for a SRFI must be determined in accordance with the NPS, except in limited specified circumstances[10].

1.5.3 The NPS sets out the matters which PINS and the SoS are required to consider under a series of headings. The acceptability of the Proposed Development against these assessment principles is considered in Sections 6 to 15 of this Planning Statement, with the benefits of the Proposed Development noted in Section 16 and Section 17 drawing overall conclusions about the compliance of the Proposed Development with the NPS.

1.6 The Proposed Development

1.6.1 The proposals for the WMI SRFI constitute a NSIP under the criteria provided by Sections 14(1) (l) and 26 of the Act. The **Explanatory Memorandum** [Document 3.2] fully sets out the criteria of the Act and how the Proposed Development complies.

1.6.2 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

[10] [Section 104(2)] Planning Act 2008

- 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.

1.6.3 The Proposed Development is described above. This description should be read in conjunction with the **Parameters Plans** [Documents 2.5 – 2.7], Schedule 1 of the **Draft Development Consent Order** [Document 3.1] and the **Works Plans** [Document 2.2] submitted as part of the application for Development Consent.

1.6.4 The main components of the Proposed Development are described in further detail in Section 3.5 of this Statement.

1.7 Approach to Consultation

1.7.1 Consultation helps to shape and improve proposals. FAL carried out three stages of consultation before submission of the DCO application, including:

- one stage of 'non-statutory' consultation (Stage 1, carried out between 13 June and 24 July 2016) on early considerations and proposals;
- one stage of 'statutory' consultation (Stage 2, held from 5 July 2017 to 30 August 2017) on detailed draft proposals; and
- one further stage of targeted 'non-statutory' consultation (Stage 2a, held from 23 November 2017 to 02 January 2018) on minor changes to the Order Limits.

1.7.2 FAL undertook close consultation with key stakeholders throughout the process, including on a one to one basis with the owners and occupiers of properties closest to the Proposed Development.

1.7.3 FAL recognises that developments of this scale may have significant implications for local people, particularly those living close to the Site. FAL has considered and reflected on all responses received from consultees, taking all individual views expressed about the WMI project carefully into account and has, where possible, adjusted plans to reflect their local knowledge of the area with consultation helping to shape and improve the proposals.

1.7.4 The changes made to the Scheme as a result of the three stages of consultation and the evolution of the design are explained in Section 3 of this Planning Statement and in Section 5 of the **Design and Access Statement** ('**DAS**').

1.7.5 The representations received during the pre-application stage were recorded, analysed and used to inform the evolution of the WMI project. Further detailed information about the consultation and responses received can be found in the **Consultation Report** [Document 5.1].

1.8 Structure of this Planning Statement

1.8.1 This Planning Statement is structured as follows:

Section 1 - Introduction

Section 2 - Main Features of the Site

Section 3 - Scheme Development

Section 4 - Identification of Principal Planning Considerations

Section 5 - Need, Scale, Location and Alternative Sites

Section 6 - Green Belt

Section 7 - Land Use Designations

Section 8 - Landscape and Visual Impacts

Section 9 - Natural Environment

Section 10 - Transport Networks

Section 11 - Carbon

Section 12 - Air Quality

2. MAIN FEATURES OF THE SITE

2.1 Introduction

2.1.1 This section describes the Site location and the context of its surroundings, details the Site's planning policy designations and provides an overview of the relevant planning history.

2.2 Site location

2.2.1 The Site lies within the West Midlands Region and the administrative boundaries of SSDC and SCC and the Civil Parishes of Brewood and Coven, Penkridge and Hatherton (see the **Order Limits and Parish Boundaries Plan** [Document 2.4]).

2.2.2 The Site is located approximately 10km north of Wolverhampton and occupies a strategically significant location on both the national road and rail networks, lying immediately west of Junction 12 of the M6, with the West Coast Main Line ('WCML') (western branch / Bushbury to Stafford Line) intersecting the Site.

2.2.3 The Site also borders the A5 and the A449 trunk roads, providing the potential for easy connections to the M6, M6 Toll and the M54, as illustrated by Figure 3. Penkridge railway station is located approximately 3 kilometres (2 miles) north of the Site.

2.2.4 The Proposed Development would broadly be 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, Straight Mile and Woodlands Lane 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 bisected by Vicarage Road.

Figure 3: Strategic Road and Rail Network (Order Limits illustrative only)

2.2.5 i54 South Staffordshire[11] ('i54'), which is located approximately 5 kilometres (3 miles) to the south, is a new major employment site, which accommodates JLR's flagship Engine Manufacturing Centre and other industrial / manufacturing companies.

2.2.6 The **Order Limits and Parish Boundaries Plan** [Document 2.4] shows the land required to deliver the Proposed Development, including all necessary landscaping and highway works. The proposed highway works include a new road (that is to be adopted) through the Site linking the A5 and A449, providing access into the Site and new estate roads to serve the SRFI and the associated warehousing. Improvements are also proposed to existing roads on the A449, the A5 and on Station Drive and Vicarage Road.

[11] i54 South Staffordshire is a 98 ha, strategic technology-based business park, allocated Enterprise Zone status by the UK Government.

2.3 Site Description and Context

2.3.1 The Site comprises approximately 297 ha of land.

2.3.2 The north eastern section of the Site is currently characterised by a significant area of sand and gravel mineral extraction at Calf Heath Quarry ('the Quarry') (shown in Figure 4 below). The mineral extraction area covers approximately 40 ha, with almost the entirety of this area open-cast with silt lagoons and areas of standing water extending across.

Figure 4: View looking north east across Calf Heath Quarry and beyond to Calf Heath and Gailey Reservoirs (October 2017)

2.3.3 The majority of the remainder of the Site is made up of a patchwork of agricultural fields with hedgerows and trees around the outer boundaries of Site. Calf Heath Wood is an area of mixed woodland part of which lies within the Order Limits, towards the middle of the Site.

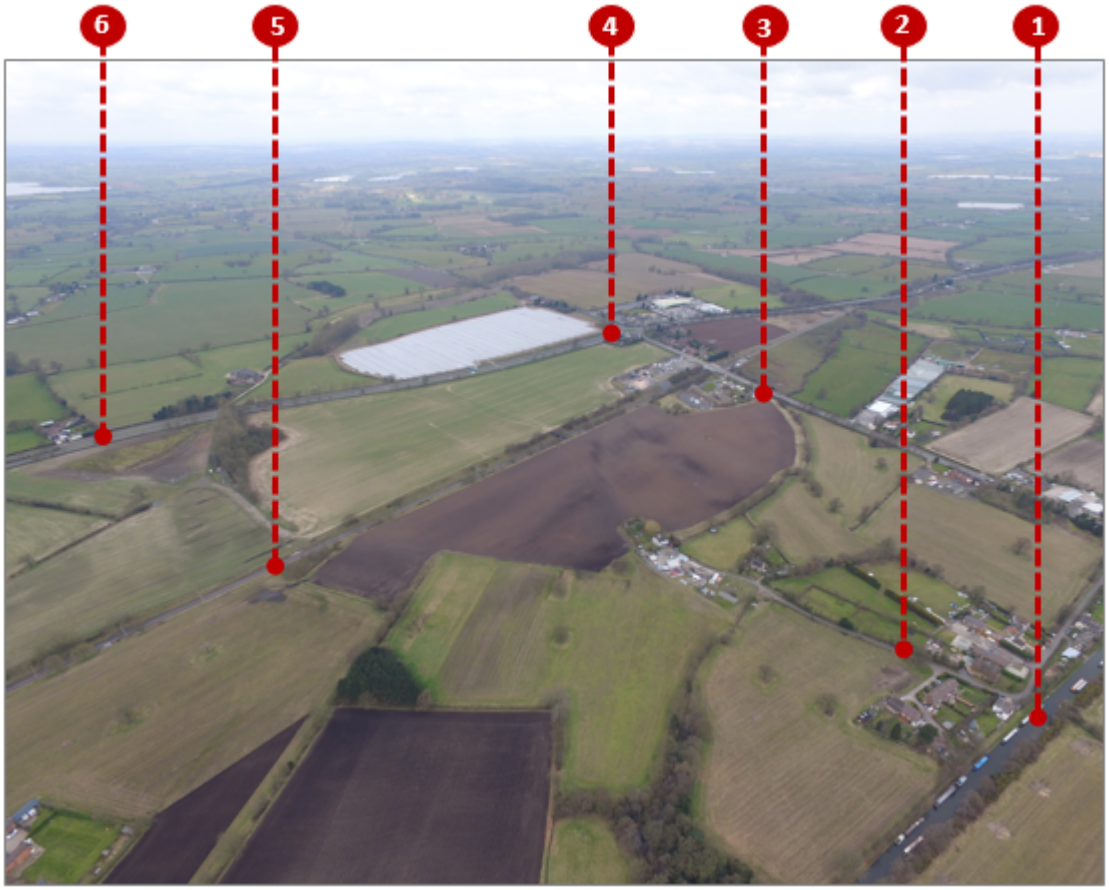

Figure 5: View looking north west across the part of the Site including the Canal (1), Croft Lane (2) the A5 (3), the Gailey Roundabout (4), the WCML (5) and the A449 (6) (March 2016)

2.3.4 The Site is surrounded and intersected by a number of urban and industrial influences, including the A449, the A5, the M6, the WCML, the Staffordshire and Worcestershire Canal ('the Canal'), Calf Heath Reservoir, the Four Ashes Industrial Estate, the SI Group Chemical Plant[12] and the Quarry. Also adjacent to the Site boundary is the Four Ashes Energy Recovery Facility ('the ERF'), the Severn Trent Sludge Disposal Centre and the Bericote Site / Gestamp Factory to the south, with the Rodbaston Wind Farm approximately 1 km to the north. A plan illustrating the Site location in the context of these neighbouring uses is contained at **Appendix 1**.

2.3.5 There are a number of residential properties within the Order Limits, with some further residential properties in close proximity to the perimeter[13] of the Order

[12] The SI Group is a developer and manufacturer of chemical intermediates, based within the Four Ashes Industrial Estate
[13] Approximately 35 residential properties have been identified as potential receptors, see [Figure 13.1] of the **ES.**

Limits, including a grouping of properties located on Croft Lane, and properties off Station Drive, Vicarage Road, the A449 and the A5.

2.3.6 Public access to the Site is currently limited to Gravelly Way, the Canal towpath and a single public right of way[14] which exists in the north-west of the Site. The public right of way runs from the A449, across an overbridge and finishes around 100 yards south west of Croft Farm.

2.3.7 The Canal and WCML both run through the western part of the Site and are important historic features of industry, logistics and transportation, although the Canal is now only used by leisure boats. The Canal was completed in the 1770's as a highway for carrying goods from one industrial centre to another.

2.3.8 Calf Heath Reservoir, another feature of the industrial heritage of the area, was also constructed in the 1770's, shortly after the completion of the Canal, to help maintain water levels. The Upper and Lower Gailey Reservoirs, to the north east of the Site, were constructed in the 1840's to provide further water for the Canal, which had become very busy around this time.

2.3.9 The WCML was constructed between the 1830's and 1880's. The Site is bisected by the Bushbury to Stafford line[15]. This line forms the western branch of the WCML between Rugby and Stafford (with the eastern branch via Tamworth[16] being the busier of the two WCML branches). The WCML links the West Midlands, southern Staffordshire and the Black Country to London, the South East, the North West and Scotland, and is the principal route for the movement of north-south intermodal and conventional wagon rail traffic in the UK.

2.3.10 The WCML forms a core part of the Trans-European Network (TEN-T), and the line south of Crewe to London is one of the sections of the national rail network already cleared for ('full-length') 775m length trains, with this clearance being extended south to Southampton by the end of 2019[17]. The Bushbury to Stafford line is twin-track formation, electrified and cleared to W10

[14] Staffordshire County Council Footpath 29
[15] Engineer's Line Reference RBS3
[16] Engineer's Line Reference LEC2
[17] [Page 33] Freight Network Study, Network Rail (2017)

loading gauge[18]. WMI would have access via the WCML at W10[19] gauge to the principal deep-sea ports of Felixstowe, Southampton and London Gateway, as well as other ports and SRFI / RFIs at W10 gauge in London, the South West, South Wales, Midlands, North West, Yorkshire & Humberside, North East and the Scottish Central Belt.

2.3.11 The M6 motorway is a more recent feature of the local area, with the Walsall to Stafford link, which includes junction 12 and runs along the eastern border of the Site, opened in the 1960's. The full motorway, running from Rugby to the Scottish border was completed in 1970's.

2.3.12 The Four Ashes Industrial Estate, the ERF, the Rodbaston Wind Farm and the Sludge Disposal Centre have added to the industrial character of the area surrounding the Site in recent years, with the 55,000 sq m Gestamp Factory, which neighbours the Site, completed in 2017. It is understood that Gestamp supply automotive metal components from Germany to the JLR plant at i54 – with Gestamp's materials currently brought into the factory via the road network.

2.3.13 In February 2018, Bericote announced it had sold First Panattoni a 25-acre site within the Bericote Site. First Panattoni anticipate speculatively building a 42,000 sq m unit at the Bericote Site, which is now under construction.

2.3.14 The groundwater in the parcel of land in the south west corner of the Site, contained by the WCML and Gravelly Way ('6' in Figure 6 below), was historically contaminated and is being remediated. Further details are available in Chapter 11 (Ground Conditions) of the **ES** [Document 6.2].

[18] A loading gauge defines the maximum height and width for railway vehicles and their loads to ensure safe passage through bridges, tunnels and other structures.
[19] W10 allows for the transporting of larger European rectangular freight containers of up to 9ft 6 in (2.9m) by 8ft 2 in (2.5m).

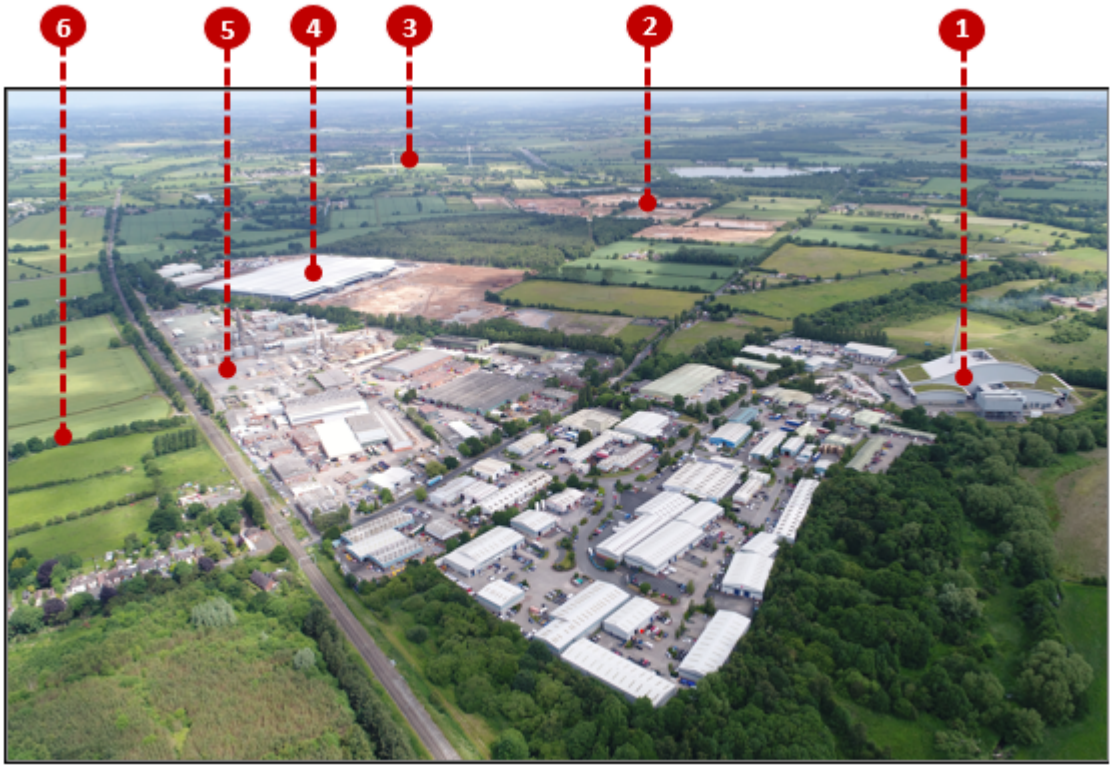

Figure 6: View looking north across the ERF (1), Calf Heath Quarry (2) the Rodbaston Wind Farm (3), the Beritcote / Gestamp Site (4) and the Four Ashes Industrial Estate (5) (October 2017)

2.4 Planning Policy Designations

2.4.1 A plan showing the relevant planning policy designations is provided in **Appendix 2**.

2.4.2 The Site is designated as West Midlands Metropolitan Green Belt (the 'Green Belt'). The Green Belt was formally approved by the SoS in 1975. Around 80% of SSDC is designated as Green Belt.

2.4.3 A small section of the Four Ashes Strategic Employment Site[20] lies within the Order Limits Plan. The Four Ashes Strategic Employment Site also includes the Four Ashes Industrial Estate (which includes the SI Group complex), the

[20] [Policy CP1, Policies Map 15] Core Strategy, South Staffordshire District Council, (2012) [available at **Appendix 8**]

ERF and the Bericote Site (which includes the newly constructed Gestamp factory).

2.4.4 One segment of the much larger Staffordshire and Worcestershire Canal Conservation Area runs through the Site, principally along the line of the Canal, but also includes some land and buildings around it. Heath Farm[21] (locally listed at Grade B) and Woodside Farm (a non-designated heritage asset) are also located within the Site. There are no other designated heritage assets within the Site, but the Site is within the setting of a number of other heritage assets, particularly the Round House and Wharf Cottage (both Grade II listed), which are located close to the A5 and associated with the Canal.

2.4.5 The Site has no landscape or ecological designations of a national, regional or local importance. A geological site of special scientific interest ('SSSI'), the Four Ashes Pit SSSI, is located south of Station Drive, approximately 135m from the Site boundary.

2.4.6 Part of the north eastern quadrant of the Site, known as 'Calf Heath Quarry', has been allocated in the Minerals Local Plan for Staffordshire (2015-2030) ('the Minerals Plan') for an extension to the existing sand and gravel extraction area. The Calf Heath extension, shown in Figure 7 overleaf, with 0.75 million tonnes of indicated resources is the joint smallest minerals allocation (and the smallest sand and gravel allocation) in the Minerals Plan.

2.4.7 Calf Heath Wood, partially located within the Site, has no planning designations. There are some veteran trees on the Site within hedgerows and their protection within the Proposed Development is described in Section 9.3 of this Planning Statement.

[21] Permission to demolish Heath Farm was granted at appeal (APP/C3430/W/17/3169548)

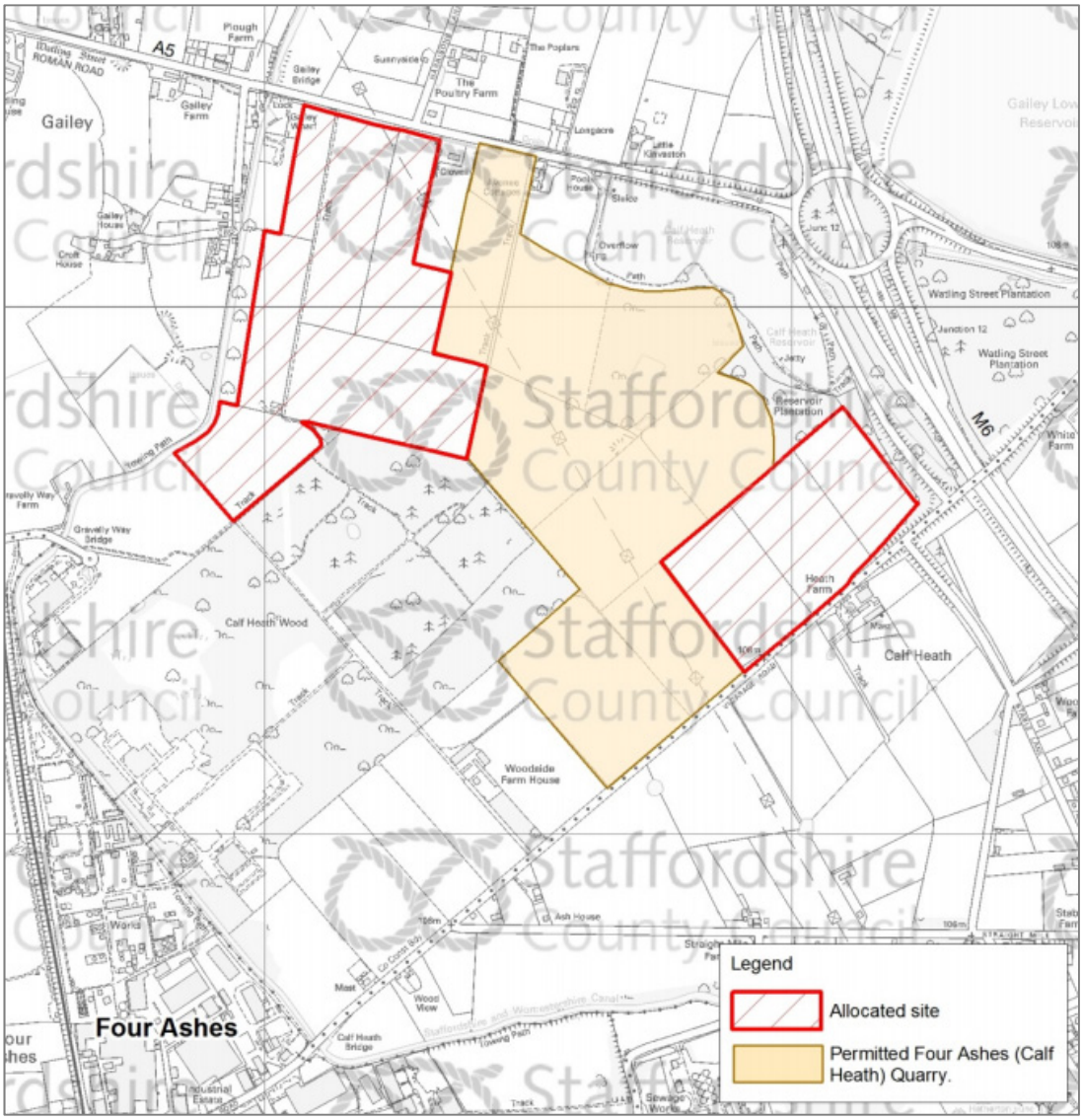

Figure 7: Calf Heath Allocation – Minerals Local Plan for Staffordshire (2015-2030)

2.5 Planning History

2.5.1 The principal events relating to the Site's planning history include:

- planning applications for mineral extraction on the Site;
- the approval of warehousing and other industrial development on land adjacent to and in close proximity to the Site; and
- local highways improvements.

2.5.2 A full planning history, compiled by SSDC, is available at **Appendix 3**.

Mineral Extraction

2.5.3 In November 1996, permission was granted (SS.54/95) to Parkhill Estates Ltd for the extraction of aggregates for the construction industry and restoration to agriculture by means of inert waste infilling on land at Calf Heath Quarry. The permission allowed the extraction and restoration over an 8 year period across 23.9 ha of land.

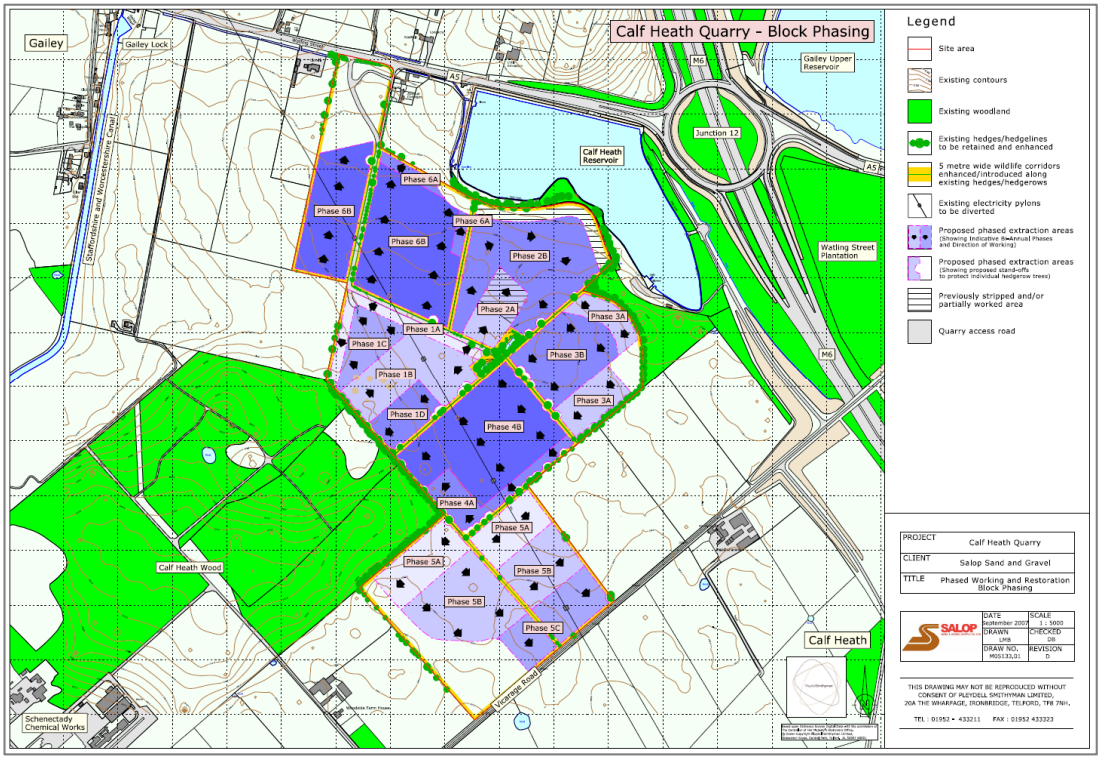

Figure 8: Consented Minerals Workings (SS.07/19/681) (Drawing M0151331.01 D)

2.5.4 In August 2009, a new permission was granted (SS.07/19/681) to new operators Salop Sand and Gravel Ltd ('SSG'), extending the extraction area to the south and northwest of the previously permitted area. The permission allowed the extraction of minerals and the restoration of land across a 13-year period (to 2021). This extended the extraction area to approximately 40 ha of land, as shown in Figure 8 above.

2.5.5 The application was amended by SSG in December 2012 (SS.12/08/681). This altered the area layout (without extending the extraction area) to enable a small

quantity of mineral products to be imported and stored on the site. This consent also updated the conditions attached the mineral consent.

2.5.6 Given the current rate of extraction by SSG, it is anticipated that the application area will be totally worked prior to a decision on the DCO application being made.

2.5.7 The restoration of Calf Heath Quarry by SSG, however, has not progressed as expected, with the conditions of the existing consent (SS.12/08/681) requiring the restoration of preceding phases of the quarry, prior to the extraction of material in subsequent phases. No restoration of any phase of the quarry has been undertaken since works begun (as can be seen in Figure 4). It is understood that SSG is in discussions with the Minerals Department at SCC regarding the restoration of the Quarry.

Warehousing

2.5.8 In March 2008, outline permission was granted (07/01363/OUT) to Bericote Properties Limited ('Bericote') for the erection of 84,000 sq m of warehousing (Use Class B8) and associated offices, parking, and access at a 25 ha site located between the Canal and Calf Heath Wood, directly adjacent to the Site. The permission was never implemented.

2.5.9 In May 2016, full permission was granted (16/00498/FUL) to Bericote for the erection of 105,000 sq m of industrial / distribution warehousing (Use Class B1(c) / B2 / B8) along with access and servicing arrangements, car parking, landscaping and associated works, on the same site. The application was approved and the first phase of the development, occupied by Gestamp, is now complete (55,000 sq m), with First Panattoni speculatively building a 42,000 sq m unit at the Site as part of the second phase.

2.5.10 The consented site is known locally as the 'Bericote Site'.

Local highway improvement contributions

2.5.11 In 2014, the Stoke-on-Trent and Staffordshire Local Enterprise Partnership ('SSLEP') allocated a total of £1.91m in funding for access and signalling improvements for the Bericote Site, with funding from the Government's Local

Growth Fund[22]. In 2015, SCC entered into a Site Implementation Agreement[23] with the applicant and the landowners in pursuance of the delivery of the works, which are now completed. The chairman of the SSLEP stated that the ambitions of the works is to create ***"more and better jobs benefitting local communities"***, as "***the availability of great sites such as Four Ashes [the Bericote Site], our central location in the UK and a skilled labour force are an unbeatable combination***"[24]. The works included the resurfacing of Gravelly Way and the construction of a full access road signalled junction to the A449. These works were completed at the end of 2017.

2.5.12 As part of the i54 Section 106 agreement in 2010, a £2.4m contribution was agreed for improvements to the Gailey roundabout and the A449.

[22] Local Growth Funds are provided by the Government through Growth Deals. The deals provide funds to Local Enterprise Partnerships ('LEPs') (partnerships between local authorities and businesses) for projects that benefit the local area and economy.
[23] A Site Implementation Agreement confirms the SCC investment in infrastructure and access improvements, subject to Bericote's commitment to undertake the necessary onsite land reclamation and servicing.
[24] David Frost, SSLEP Chairman (23 March 2016) (https://www.stokestaffslep.org.uk/prime-staffordshire-site-gets-ready-for-business-development/)

3. SCHEME DEVELOPMENT

3.1 Introduction

3.1.1 This section explains how the Scheme has evolved, from the search for a suitable SRFI site, through to the selection of a preferred masterplan option and more detailed design development in response to consultation and environmental analysis.

3.2 The search for a SRFI site

2005 - 2007

3.2.1 In **2005**, Kilbride, a transport infrastructure and property development company specialising in the rail sector, began a search for a suitable SRFI site, within the West Midlands and surrounding area. From their market knowledge, Kilbride were aware of a significant gap in the national network of large scale, rail served distribution sites in the northern / western quadrant of the West Midlands region. Kilbride's principal search criteria required sites to be of a sufficient size to accommodate a SRFI, be close to a motorway junction and have good rail access from the WCML.

3.2.2 During the search, a number of potential sites were identified (all of which were subsequently reconsidered in the **Alternative Sites Assessment** [Document 7.2]) and assessed by Kilbride. Kilbride concluded that the WMI Site, known then as 'Four Ashes', was the only site within the search area suitable for a SRFI, as a result of its size, location, topography and relationship with both the WCML and the motorway / trunk road network.

3.2.3 Discussions with the principal landowner of the Site subsequently began in **2006**, with an agreement to promote the Site for a SRFI reached in January **2007**.

3.3 Feasibility Work and Early Stages

3.3.1 Kilbride followed a model approach and initially sought to promote a SRFI at the Site through the West Midlands Regional Spatial Strategy ('WM RSS') and

through discussions with Network Rail. The WMI Scheme gained support from Network Rail[25] during **2008** and, in principle, from the panel examining the 2008 update to WM RSS. However, changes in government policy meant that the WM RSS was never updated to reflect this support. The history of the relevant policy making is explained in Section 5 of this Statement.

2006 - 2008

3.3.2 Due diligence and feasibility work on the WMI Scheme began in **2006** and the following year Kilbride appointed GVA Grimley (Planners), Scott Wilson (Highways) and Environ (Environmental) to prepare representations to the WM RSS and to undertake further work to inform discussions with the local authority, SSDC, regarding the promotion of the Site for a SRFI. Initial meetings were held with SSDC in **2008**.

3.3.3 The first formal promotion of the Site was in December **2008** when representations to the WM RSS were submitted by Kilbride[26].

2008 - 2010

3.3.4 The promotion of the Site for the WM RSS led to Network Rail undertaking feasibility work on the WMI proposals as part of its development planning for new projects in **2008/9**[27].

3.3.5 Network Rail expressed their support for the scheme as early as **2008**, when Kilbride began formal work with Network Rail. A letter in April **2008** states Network Rail's support for the scheme in the context of the current Governance for Railway Investment Projects [28] ('GRIP') stage and that they "***look forward to developing the detailed proposals for the scheme***"[29]. Network Rail agreed to take the project through the GRIP process and the proposals achieved GRIP approval to GRIP Stage 3 (Option Selection) in April **2010**, which supported the principle of a full rail connection to the Site to serve a SRFI.

[25] Network Rail Letter (15 April 2008) and GRIP 3 Approval (12 April 2010)
[26] Four Ashes, Stretton (GVA) Representations to Policy PA9: Regional Logistics Sites (December 2008)
[27] Network Rail Letter (15 April 2008) and GRIP 3 Approval (12 April 2010)
[28] Governance for Railway Investment Projects ('GRIP') is the process that Network Rail uses to manage developments to enhance or renew Britain's rail network.
[29] Letter, RE: Four Ashes Rail Freight Terminal Development (15 April 2008) [available at **Appendix 9**]

3.3.6 Whilst the principle of the proposals received clear support through the RSS process (see Section 5 of this Statement), in May **2010** the Department of Communities and Local Government ('DCLG') announced the Government's intention to abolish Regional Spatial Strategies ('RSSs') (which were formally revoked in May 2013).

3.3.7 Kilbride continued promoting the Site, however, as the outstanding need, which is further explained in Section 5 of this Statement, remained unaddressed.

2010 - 2014

3.3.8 Alongside the work being undertaken with Network Rail, Kilbride entered negotiations to secure in principle agreements with further landowners at the Site from **2010**, including SI Group, to enable the potential delivery of a SRFI.

3.3.9 In **2010** Kilbride initiated formal consultation with SSDC on an early stage assessment of alternative sites, as a prelude to proposing an allocation of the Site in the local plan as a Regional Logistics Site[30] ('RLS'). A scoping document was submitted to SSDC by Kilbride, identifying Four Ashes as a potential rail-served RLS site.

3.3.10 Representations were also made during the SSDC Core Strategy consultation, resulting in a hearing on the provision of RLS options at the Examination in Public in **2011**. This resulted in a recognition by SSDC that there was an outstanding need for a RLS, which SSDC suggested should be considered through future studies and consultation with neighbouring Local Planning Authority's ('LPA'). Kilbride engaged fully in the resulting logistics studies commissioned by SSDC.

3.3.11 In **2012**, Kilbride approached Grosvenor as a potential funding partner. As part of Grosvenor's due diligence on the proposed project Quod were appointed to review the planning prospects and issues relevant to the proposed SRFI at Four Ashes. The work undertaken by Quod concluded that the Site represented a significant opportunity for a large-scale SRFI. Quod also noted that an assessment of any potential alternative sites (an Alternative Sites

[30] A RLS is a concentrated development of warehousing and distribution uses, generally be 50 ha or more and with existing or potential dedicated access to the regional rail and highway networks, allowing for intermodal handling ([Policy 9A] WM RSS Phase Two Revision (2007)).

Assessment) should be undertaken in view of the Green Belt designation of the site. A core consultant team was appointed to assess the merits, potential and constraints of the site, prior to progressing the project further.

3.3.12 In late **2013**, Quod reported that, based on the information available, Four Ashes has the potential to be one of the best sites in the country for a SRFI and that work on the project should be progressed.

3.3.13 In February **2014**, Quod submitted representations, on behalf of Kilbride, on the draft National Policy Statement for National Networks ('the draft NPS').

3.3.14 On 14 January **2015**, the National Policy Statement for National Networks ('the NPS') was designated by the Department for Transport ('DfT').

2015 - Present

3.3.15 In **2015**, FAL was established by Kilbride, in partnership with the principal land owner, Piers Monkton, and with Grosvenor, to bring forward a DCO application for a SRFI at Four Ashes, under the title of the 'West Midlands Interchange'. Grosvenor has funded the project since their involvement.

3.3.16 The development of the Proposed Development since this stage is detailed in Section 3.6 of this Statement.

3.4 Mission Statement and Vision

3.4.1 Following on from earlier work done by the core team up to **2014**, the full consultant team was appointed in late **2015** to work on the WMI proposals. Inputs from the consultant team allowed for the careful evolution of the proposals through detailed engagement, consultation, environmental assessment and design development, directly consistent with FAL's Mission Statement set out at Stage 1 Consultation.

3.4.2 The vision for the WMI project is to maximise the benefits of the unique, strategic location to provide a state-of-the-art rail freight interchange of national importance and significance, fulfilling the long-outstanding need for a strategic rail served logistics site in this area. Having regard to the quality of the connectivity, the scale of the proposals, and the strength of the commercial

market, FAL believe that WMI would be capable of serving regional, national and potentially international markets and would become a major asset to the economy of the area. A SRFI of this scale and quality would be capable of supporting up to 8,550 full-time jobs directly and achieving a major shift in the movement of goods from road to rail. It could also serve as a facility of enormous value to industry and commerce in the area by providing a new transport option for the movement of goods.

3.4.3 No specific occupiers have been identified at this stage of the planning process. The warehousing and logistics market is very dynamic with the requirements of occupiers consistently changing to meet market requirements. It is therefore important that any DCO granted provides a level of flexibility to ensure occupiers requirements can be accommodated. A **Market Assessment Report** [Document 7.4] from Savills also forms part of the submission. It evidences an extreme shortage of rail served distribution facilities in the area compared to the scale of historic and projected market demand for both 'big shed'[31] warehousing and rail served warehousing.

3.5 Description of Development

3.5.1 The Proposed Development is described in paragraph 1.6.

3.5.2 A 'parameters approach' has been applied to the Proposed Development whereby the development is described in terms of clearly defined parameters inside which future design development will be undertaken. This approach has been used across a range of infrastructure projects in order to ensure that the potential impacts of a project are properly controlled whilst allowing flexibility for future detailed design development.

3.5.3 A set of **Parameters Plans** [Documents 2.5 – 2.7] have been developed which encapsulate the scheme's concept and which form the 'envelope'[32] within which future detailed design proposals will need to evolve.

3.5.4 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

[31] Industrial and warehousing units of 9,290 sq. m and above
[32] Advice Note 9 – Using the Rochdale Envelope, PINS (2012)

subject to restrictions. The **Parameters Plans** which set out the design parameters are the:

- **Development Zones Parameters Plan** [Document 2.5];
- **Floor Level and Building Heights Parameters Plan** [Document 2.6]; and
- **Green Infrastructure Parameters Plan** [Document 2.7]

3.5.5 An **Illustrative Masterplan** [Document 2.8] has also been produced which demonstrates one way in which the WMI proposals could potentially come forward, in accordance with the controls set out in the **Parameters Plans**.

3.5.6 This section provides details of the development proposals. This description should be read in conjunction with the **Parameters Plans**, Schedule 1 of the **Draft Development Consent Order** [Document 3.1] and the **Works Plans** [Document 2.2] submitted as part of the Application for Development Consent.

3.5.7 The main components of the application are described in further detail below.

Intermodal freight terminal with connections to the West Coast Main Line, container storage and parking

3.5.8 An intermodal freight terminal is proposed, to be connected to, and immediately west of, the WCML.

3.5.9 The intermodal freight terminal is designed to accommodate up to 10 trains per day, and to accommodate trains of up to 775m in length (the maximum length of UK intermodal trains), without the need to 'split' the trains into sections for handling. The terminal would enable the transfer of longer-distance freight movements from road to rail, and vice versa. In addition to serving the operators located on the WMI site itself, the terminal would also be an open-access[33] facility that would serve a wider market, enabling the transfer, storage and distribution, as required, of containers and other goods.

[33] The rail freight interchange terminal would be operated by an independent service provider (a logistics company or specialist rail freight terminal operator). The terminal would be available not only to occupiers of units at the Site, but also to businesses across the West Midlands region (and beyond).

Areas for container storage and a 75 space HGV parking area would be provided at and adjacent to the terminal.

3.5.10 The intermodal freight terminal would connect directly to the WCML via north and south facing connections, giving direct access to and from the principal UK ports at Southampton, Felixstowe, London Gateway plus other smaller container ports, the Channel Tunnel and many of the key UK regional distribution cluster locations.

3.5.11 The intermodal freight terminal would be delivered across two phases, with the 'Initial Rail Terminal'[34] delivered in the first phase of development, and an 'Expanded Rail Terminal'[35] provided as the Proposed Development expands. The rail terminal would comprise six through sidings and three dead end sidings. It is expected that mobile reach-stacker units would be used for handling operations in the early operation of the terminal, with overhead gantry cranes operational in the later phases.

3.5.12 At start-up and based on equivalent UK intermodal freight terminal operations, WMI is expected to handle at least four trains per day in its earlier phases through the 'Initial Rail Terminal', rising over time up to 10 trains per day via the 'Expanded Rail Terminal'. Greater detail of the rail layout, connections and the operation of the intermodal freight terminal are contained in the **Rail Operations Report** [Document 7.3], while the indicative phasing of infrastructure and warehousing is explained at Section 3.7 of this Statement.

[34] The Initial Rail Terminal would be capable of handling at least 4 freight trains per day.
[35] The Expanded Rail Terminal would be capable of handling up to 10 freight trains per day.

Up to 743,200 sq m of rail served warehousing and ancillary service buildings

3.5.13 The Scheme proposes up to 743,200 sq m (c. 8 million sq ft) of rail served warehousing floorspace. A small amount of space for ancillary buildings relating to the freight terminal and storage areas is also proposed.

3.5.14 The final and detailed configuration of the warehousing would be determined in response to market demand, but the expectation is that the development would primarily comprise large floorplate buildings.

3.5.15 The Application identifies of a number of development plots within the site, which are shown on the submitted **Parameters Plans**. The **Parameters Plans** also identify and define the maximum floorspace, building plateau levels, and building heights.

3.5.16 The **Illustrative Masterplan** [Document 2.8], demonstrates one way in which the warehousing and Site could be laid out and orientated in accordance with the **Parameters Plans**.

Highways works

3.5.17 The Scheme contains a number of road infrastructure elements, including new roads, and improvements to existing roads – the extent and nature of the transport and access works proposed are described and their effects assessed in Chapter 15 of the **ES**, the **Transport Assessment** and Section 10 of this Statement.

3.5.18 Principal new highways works include:

- the construction of a new roundabout on the A5, providing access to the Site;
- the construction of a new roundabout on the A449, providing access to the Site;
- the construction of a new roundabout on Vicarage Road, providing access to the Site;

- the construction of a new link road between the new A5 and A449 roundabouts (to become adopted highway);

- the construction of two new bridges, one across the Canal and one across the WCML to facilitate the link new road between the A5 and A449; and

- the construction of a new road off the new A5 to A449 road, linking with the new Vicarage Road roundabout.

3.5.19 The following other works are proposed to the local highway network to facilitate and improve access to the Site and mitigate the impacts of the Proposed Development:

- the alteration of the existing junction layout at the A449 / Station Drive traffic signals, including banning northbound A449 traffic from turning right onto Station Drive;

- amending Crateford Lane to make it one way to the A449 (eastwards) from the last property on Crateford Lane;

- realigning and improving Gravelly Way, including replacing the bridge over the WCML;

- two new laybys on the A449 between Gravelly Way and the A5, one northbound and one southbound, to replace and upgrade the existing laybys on the A5 at the proposed site entrance;

- alterations to the Harrison Lane (north of the A5) access; and

- the construction of a HGV turning head on Station Drive to the west of the WCML bridge.

3.5.20 The following works proposed to the main pedestrian and cycle routes to WMI to facilitate and improve access to the Site and mitigate the impacts of the Proposed Development:

- upgrading and widening to 3m the existing footway / cycleway along the east side of the A449 from Station Drive to Gailey roundabout;
- upgrading and widening to 2m the existing footway to the west of the A449;
- the provision of pedestrian crossing facilities at the proposed A449 site access roundabout to facilitate access to bus facilities;
- upgrading the existing footway along the A5 from Gailey roundabout to the new A5 access to a combined footway / cycleway; and
- upgrading the section of towpath on the Canal that is present within the Order Limits to provide a route for pedestrians and cyclists who wish to travel away from road traffic via the Canal Enhancement Strategy (to be secured through the Requirements).

Structural earthworks and demolition and alterations to existing structures

3.5.21 The Site is relatively flat but some changes in levels are required which would involve earthworks to create development plateaus (or plots) within the development zones identified in the **Parameters Plans**.

3.5.22 The built development zones would potentially include very large buildings, and earthworks are proposed to both create level plateaus for these buildings but also to help create bunding and screening to limit the visual impact of the Proposed Development from viewpoints and receptors outside the Site. These bunds have been designed as landscaped, naturalistic features and will effectively define the northern, western, and southern boundaries of the Scheme. Overall a balance of cut and fill is achieved to limit the need for the import or export of material from the Site.

3.5.23 A number of structures have been identified that would need to be demolished for the Proposed Development. Of the structures to be demolished, 11 comprise residential properties. These structures and the reasoning behind their demolition is addressed in Chapter 4 of the **ES**, while a full schedule of the residential properties to be demolished and the reasons for demolition is provided at **Appendix 4**.

3.5.24 The Gravelly Way Farm buildings, towards the centre of the Site, would not be demolished. Instead it is proposed that these buildings are converted to be used as of estate management offices, meeting and training rooms, amenity and welfare facilities with ancillary parking and landscaping.

Electricity Pylons and Cables

3.5.25 The works to the electricity infrastructure would comprise the repositioning of pylons and poles to facilitate the under-grounding of the existing electricity overhead lines within the Site. This would require the replacement and under-grounding of the majority of the 132kV pylon line – consisting of 7 pylons that currently cross the Site, plus the removal and undergrounding of majority of the 11kV network – consisting of two pole mounted substations and 34 wood poles within the Site.

3.5.26 All the overhead line circuits to be terminated at the perimeter of the Site and replaced by underground cables installed within the pathways of the proposed highway infrastructure.

3.5.27 The works would be undertaken in stages, predominately before each phase of construction works, to ensure safety and minimise any layout constraints on warehouse buildings being brought forward.

Strategic Landscaping and Open Space

3.5.28 The Green Infrastructure ('GI') [36] Strategy for the Proposed Development is secured via the **Green Infrastructure Parameters Plan** [Document 2.7] and has been prepared following extensive site surveys and appraisals, detailed consultations with relevant parties and environmental groups and careful consideration of the overall design and planning process. The GI Strategy is

[36] Green Infrastructure is a term used to describe the network of natural and semi-natural features within the Site.

explained further within the **DAS** [Document 7.5]. The GI Strategy responds to an understanding of the Site's existing sensitivity and interest, landscape character and context, as well as to its ecology and biodiversity, and to the relevant planning and environmental policy context.

3.5.29 Notwithstanding the need to incorporate full scale and highly efficient intermodal freight facilities and buildings, the Scheme has been underpinned by a sustainable design philosophy. The GI Strategy has been central to this process and it has been important in shaping the parameters for the Proposed Development.

3.5.30 The GI Strategy ensures the establishment of a strong and cohesive framework of landscape and environmental areas, based on strong site boundaries and use of the important natural features of the site. The GI Strategy will also include the creation and conservation of landscape corridors throughout the Proposed Development; the provision of new mixed habitats to satisfy biodiversity objectives; the formation and planting of earthwork bunds around the perimeter of the Site and the establishment of high quality landscapes to the built development plots and surrounds.

3.5.31 The GI Strategy would provide around 36% of the Site as green infrastructure with landscaped areas forming an important part of the character of the development, as can be seen on the **Illustrative Masterplan** [Document 2.8].

3.5.32 The GI Strategy provides a strong buffer through community parks, landscape corridors, mounding and woodland planting, allowing the proposed built development to be significantly set back from the residential areas and the Canal.

3.5.33 Two community parks would be created as part of the Proposed Development. Croft Lane Community Park (approximately 21ha), located in the north of the Site off Croft Lane, would retain existing natural features and facilitate the creation of new habitat through landscaping and planting, water features and reed beds. Calf Heath Community Park (approximately 23ha) would retain existing areas of woodland and landscape features, in addition to extensive landscaping (including planting of native species), wildlife corridors and improving of the linkages to the Canal.

3.5.34 A **Drainage Strategy** [Technical Appendix 16.03 of the ES] has been developed for the Proposed Development. This has been integrated where possible with the GI strategy to combine water quality and flood risk benefits with ecological benefits. Key features of the design are an extensive network of swales and balancing ponds across the Site.

3.5.35 A **Lighting Strategy and Lighting Impact Assessment** [Technical Appendix 12.8 of the ES] has been developed to minimise spill light and light pollution to the surrounding areas, minimise sky glow and ensure safety and security on Site. The **Lighting Strategy** was designed with input from ecology experts in order to minimise disturbance for bats and other night creatures.

3.5.36 A number of key landscape and visual considerations have been taken into account as part of the assessment process, and full details of the key issues are provided in the **ES** and the **DAS** (Section 5).

3.6 Design Overview and Scheme Development

3.6.1 The Scheme has been carefully developed, based on a close understanding of the Site's characteristics. As noted in Section 3.4 of this Statement, the consultant team was selected to ensure that the necessary skills would be available to provide an appropriate response to the Site's opportunities and constraints, allowing for a considered and thorough analysis of these issues while developing and testing different masterplan options.

3.6.2 Full details of the evolution of the Scheme can be found in the **DAS**.

Pre-Consultation

3.6.3 Following the initial work of the core consultant team, detailed work on the masterplanning of the Proposed Development began in **January 2016**.

3.6.4 Initial work undertaken by the core team resulted in four different layout options being drawn up in **February 2016** for the full consultant team to analyse and consider. The layouts principally considered the location of the terminal, the associated railway infrastructure and the location of the warehousing and road infrastructure.

3.6.5 The consultant team considered, inter alia, the rail, commercial, operational and environmental constraints of the each option, whilst giving particular attention to the potential impacts of each option on local communities and other sensitive receptors within and surrounding the Site.

3.6.6 Following examination and further refinement of each of the four layout options, two preferred layout options were identified in **April 2016**. The two options were further refined to provide two detailed masterplan options to be presented at Stage 1 Consultation.

3.6.7 Following the identification of the two preferred options, the project team engaged on a one-to-one basis in **April 2016** with those who it was considered might be most directly impacted by the proposals. These discussions helped to inform the evolving design of the masterplan options.

3.6.8 It was considered that in bringing two masterplan options forward to Stage 1 Consultation, a more comprehensive consultation could be undertaken prior to any elements of the layout being 'fixed'. This allowed the project team to fully consider responses from consultation prior to selecting a preferred layout option.

Stage 1 "non-statutory" Consultation

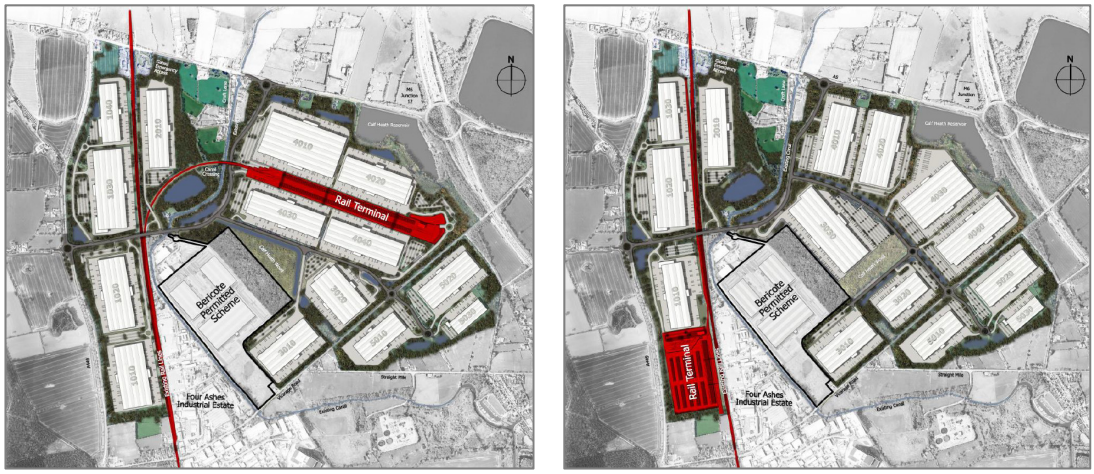

Figure 9: Stage One Consultation Illustrative Masterplan Options

3.6.9 The two illustrative masterplan options brought forward to Stage 1 Consultation, held from **June** to **July 2016** are shown in Figure 9. Full details

of the proposals brought forward to Stage 1 Consultation are available in the **Stage 1 Consultation Overview Document** [Document 7.8].

3.6.10 The two options provided alternative locations for the rail terminal, east or west of the WCML / Canal, generating different layouts and operating characteristics as a result of the proposed terminal locations. The west option had the benefit of utilising the existing GRIP 3 approval from Network Rail.

3.6.11 The feedback received from the first stage of consultation was reviewed and considered by the project team, informing the decision on the masterplan option that was brought forward to the second stage of consultation.

3.6.12 Full details of the feedback received and the changes made as a result of the Stage 1 Consultation are contained within the **Consultation Report** [Document 7.10], with the principal changes listed below.

Changes following Stage 1 Consultation

3.6.13 The following principal changes were made to the Proposed Development as a result of the feedback from Stage 1 Consultation and the further assessment undertaken between Stage 1 and Stage 2 Consultation:

- A western terminal option was chosen as the preferred option;
- The layout of the buildings to the south of Vicarage Road were altered to retain existing veteran trees, hedgerows and pond and to reduce the impact on Calf Heath village through detailed landscaping changes and by requiring that the buildings be single sided units;
- Part of the internal link road and the adjoining A5 roundabout were relocated 30m to the east to reduce impact on the setting of the Canal Conservation Area and the two listed buildings[37], following feedback from Historic England;

[37] Wharf Cottage and the Roundhouse, both Grade II listed

- A 20m landscape buffer was introduced along the western boundary of Zone A4, to enhance ecological connectivity through the Site;

- The rail terminal layout was refined to allow the terminal to accept 'full-length' 775m trains from either direction, without 'splitting'[38]. This required the reconfiguration of Gravelly Way and the introduction of a new road bridge;

- The rail terminal footprint was reconfigured and reduced, allowing for additional landscape screening to the A449 and minimising the impact of the rail terminal on residents on Station Drive;

- Additional mitigation land was brought into the Scheme to reduce the impact of the rail terminal on the residents of Station Drive;

- Additional land was brought into the Scheme to create Calf Heath Community Park; and

- The amount of green space across the Scheme was increased, with ecological and pedestrian connectivity enhanced within the Site.

3.6.14 The revised layout of the western terminal required the GRIP approval to be refreshed. The team received sufficient reassurance from Network Rail during consultation to take the revised layout forward. Network Rail have since reconfirmed their support for the Proposed Development, based on this option.

3.6.15 Additionally, negotiations to enter purchase agreements were started with a number of properties that were in close proximity of the Site or within the Site.

Stage 2 "statutory" Consultation

3.6.16 A set of draft parameter plans, with an accompanying draft Illustrative Masterplan, were brought forward to Stage 2 Consultation, held from **July** to **August 2017**, shown in Figures 10 and 11.

[38] The 'splitting' of freight trains is required when a rail terminal is not of sufficient size to accept an incoming train. This often requires the trains to be 'broken' into separate sections and shunted into the terminal.

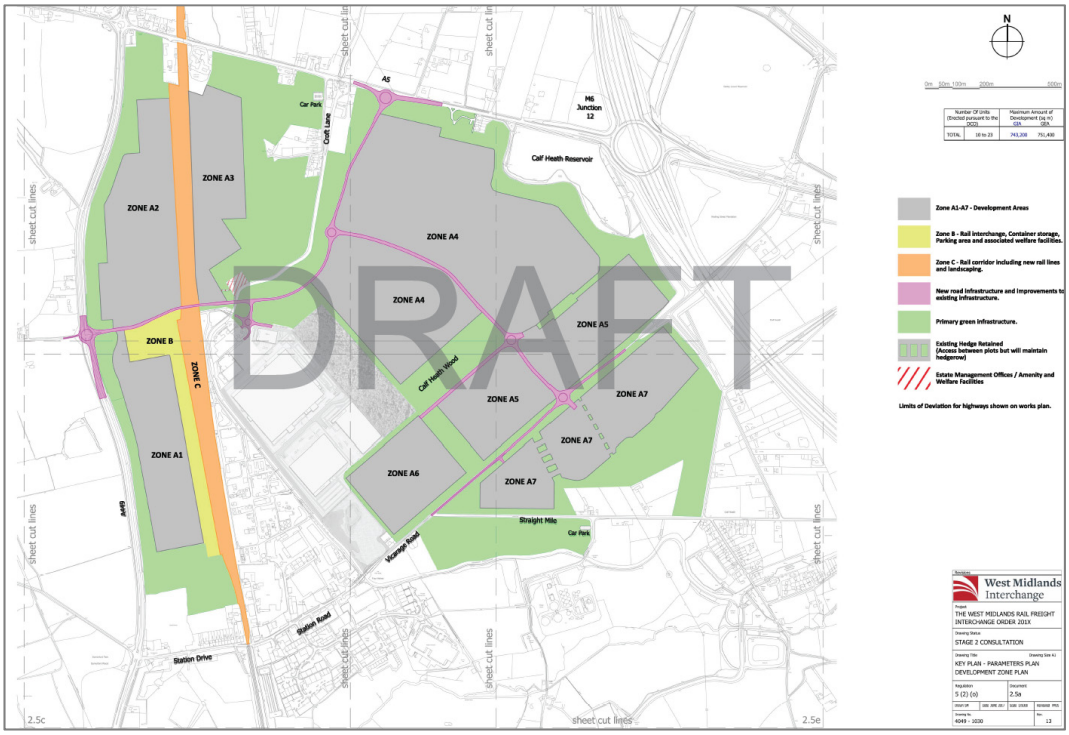

Figure 10: Stage 2 Consultation Development Zone Parameters Plan

Figure 11: Stage 2 Consultation Illustrative Masterplan

3.6.17 Full details of the proposals brought forward to Stage 2 Consultation are available in the **Stage 2 Consultation Overview Document** [Document 7.9].

3.6.18 The draft Parameters Plans and the draft Illustrative Masterplan for Stage 2 Consultation were influenced by the first stage of public consultation, evolving and responding to the feedback received during and after the consultation, with an improved west terminal option carried forward to Stage 2 Consultation.

3.6.19 The west terminal option was brought forward in response to comments made during the first stage of consultation and as a result of work done by the project team in assessing the two terminal location options. The improved western terminal option had a number of benefits over the eastern option, including limiting the impact on the Canal Conservation Area, simpler terminal access, improved terminal operational efficiency from the WCML and perceived occupier preference. The improved western terminal also allowed the terminal to take full-length freight trains, without the need for 'splitting'.

3.6.20 Full details of the feedback received and the changes made as a result of the Stage 2 Consultation is contained within the **Consultation Report**.

Stage 2a focused "non-statutory" Consultation

3.6.21 A further consultation was held from **November 2017** to **January 2018** on two minor changes to the Order Limits.

3.6.22 One change to the south of the Site allowed an extension to the Calf Heath Community Park, improving the connectivity through the park and strengthening the southern boundary of the Site, shown in Figure 12 below.

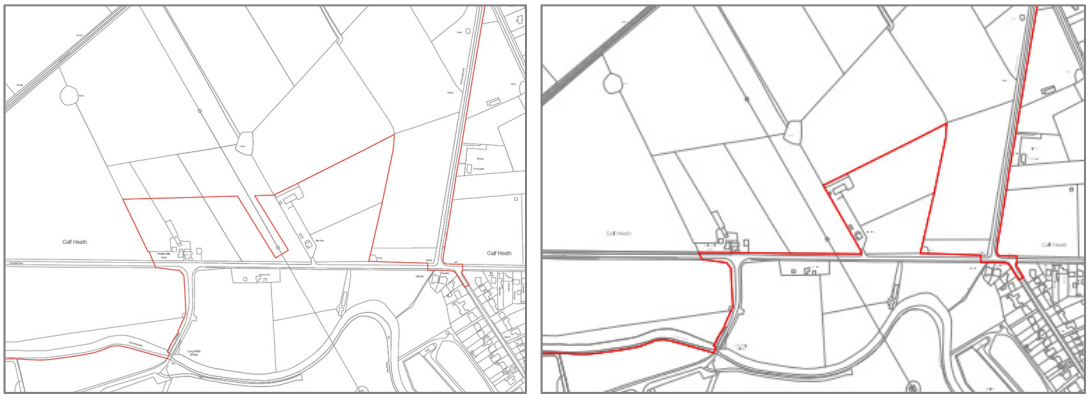

Figure 12: Stage 2a Consultation Calf Heath Community Park (L Stage 2, R Stage 2a)

3.6.23 The other change to the north of the A5 allows for work to be carried out to install underground electricity cables, shown in Figure 13 below.

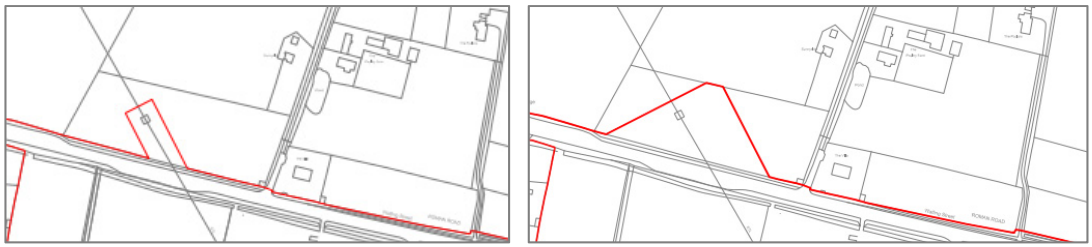

Figure 13: Stage 2a Consultation A5 Electricity Cables (L Stage 2, R Stage 2a)

3.6.24 Full details of the feedback received and the changes made as a result of the Stage 2a Consultation is contained within the **Consultation Report**.

Changes following Stage 2 and 2a Consultation

3.6.25 The following principal changes were made to the Proposed Development as a result of the feedback from Stage 2 and 2a Consultations and the further assessment undertaken between Stage 2 Consultation and submission:

- Additional land was brought into the Scheme to improve the connectivity of Calf Heath Community Park, following further work by the project team;

- Additional land was brought into the Scheme to the north of the A5 to allow for works to be carried out on electrical infrastructure, following further consultation with the local power distribution company;

- The footprint of Zone A4 was reduced to allow a 100m wide dark 'ecological corridor' for bats and other wildlife to run from the Reservoir to Calf Heath Wood, following further discussions with the SSDC environmental health officer;

- The layout of the roundabout to the north of the Bericote Site, the height of the elevated section of the link road and the access to the Four Ashes Industrial Estate have all been amended to improve accessibility, following consultation with local occupiers; and

- Minor amendments to the Order Limits to avoid small parcels of unnecessary land and part of the Canal.

3.6.26 These changes were all a direct and positive response to the consultation and sought to ensure that the very best scheme would be taken forward to submission.

Rail Approval

3.6.27 The GRIP approval, previously obtained in April 2010, is in the process of being refreshed in consultation with Network Rail following some technical changes to the rail layouts.

3.6.28 Research undertaken in support of the Network Rail Freight Market Study in 2013 assumed a SRFI in the locality of the WMI Site (either at Four Ashes (the WMI Site) or at Featherstone) in its rail freight forecasts, as shown in Figure 14 below.

Rail connected warehousing sites assumed in rail freight forecasts (Oct 2012)		Thousand square metres				Proportion NDC	Status of planning
Site	County	Current	2023/4	2033/4	2043/4		
DIRFT	Northants	500	828	1,193	1,601	60%	Consent sought for extension
London Gateway	Essex	-	403	726	1,029	80%	Being constructed
Rossington	S Yorks	-	112	355	572	50%	Secured
Burnaston X / Etwall	Derbyshire	-	149	371	572	50%	Yet to be applied for
Corby	Northants	-	269	422	572	60%	Part secured, part sought
Four Ashes / F'stone	Staffordshire	-	119	297	457	60%	Yet to be applied for
Bicester	Oxfordshire	-	119	297	457	70%	Speculative
Milton Keynes	Bucks	-	179	322	457	70%	Yet to be applied for
South Northampton	Northants	-	179	322	457	70%	Yet to be applied for
Kegworth	Leics	-	179	322	457	70%	Consent being sought
Sevington	Kent	-	179	322	457	80%	Yet to be applied for

Figure 14: Rail Freight forecasts to 2023/4, 2033/4 and 2043/4[39]

3.6.29 Further to this, Network Rail explicitly expressed its support for the Proposed Development, at Four Ashes, in April 2016, stating that:

> ***"Network Rail is supportive of the West Midlands Interchange proposal and will be engaged with the Four Ashes team as it progresses through the normal process of rail technical investigation, planning and design."***[40]

3.6.30 West Midlands Interchange was named specifically in MDS Transmodal's 2017 rail freight forecasts[41], undertaken on behalf of Network Rail and published for consultation in December 2017. WMI is listed as one of the locations where development is anticipated to happen[42], with WMI embedded in the network's forecasting, having been used to model all eight rail freight forecast scenarios[43].

Submitted Scheme

3.6.31 The result of the work undertaken across the life of the Scheme's development is that a SRFI of exceptional operational quality has been designed within a framework that has been heavily influenced by community consultation, environmental considerations and occupier needs.

[39] [Page 24], Rail Freight Forecasts to 2023/4, 2033/4 and 2043/4: Final Report, MDS Transmodal (April 2013)
[40] Guy Bates, Head of Freight Development, Network Rail (April 2016) [email available at **Appendix 10**]
[41] Rail Freight Forecasts: Scenarios for 2023/24. Final Report, MDS Transmodal (November 2017)
[42] [Paragraph 3.3.2] Rail Freight Forecasts: Scenarios for 2023/24. Final Report, MDS Transmodal (November 2017)
[43] [Paragraph 10.1] Rail Freight Forecasts: Scenarios for 2023/24. Final Report, MDS Transmodal (November 2017)

3.6.32 The Proposed Development is capable of delivering a scheme that:

- is well connected to both the national rail and road networks;
- will deliver rail-served[44] and rail-linked[45] warehousing in the initial stages of the development (see the Indicative Phasing Plan at Figure 15);
- provides warehousing units that are all capable of being rail-served;
- provides a significant element of warehousing (over 1.6 million sq ft) with potential to be directly rail-linked;
- is capable of handling at least four trains a day in the early phases of the Proposed Development via the 'Initial Rail Terminal', from both directions, whilst being of sufficient scale and capacity to deliver a more extensive rail connection within the Site in the longer term via the 'Expanded Rail Terminal', enabling this to rise to up to 10 trains per day at full maturity;
- can handle 'full-length' (up to 775m) long freight trains from both directions (north and south), without the need to 'split' the trains, reducing the need for on-site shunting;
- is located close to the business markets it will serve; and
- mitigates its impacts whilst delivering 36% of the Scheme as Green Infrastructure.

3.6.33 The **DAS** and **Consultation Report** provide a detailed explanation of how the proposals have developed in response to all of the relevant considerations, including the feedback received through extensive engagement and consultation.

[44] Rail-served refers to the provision of rail freight services on the wider site, through an intermodal terminal.
[45] Rail-linked refers to a direct connection of a building, or building plot, to rail.

3.7 Operational Matters

Indicative Construction Programme

3.7.1 The likely environmental significant effects of the Proposed Development are assessed in the **ES**, based on indicative phasing comprising 5 separate phases. The Indicative Phasing Plan, shown in Figure 15, outlines the indicative phasing for the Proposed Development, utilising the **Parameters Plans** as its base.

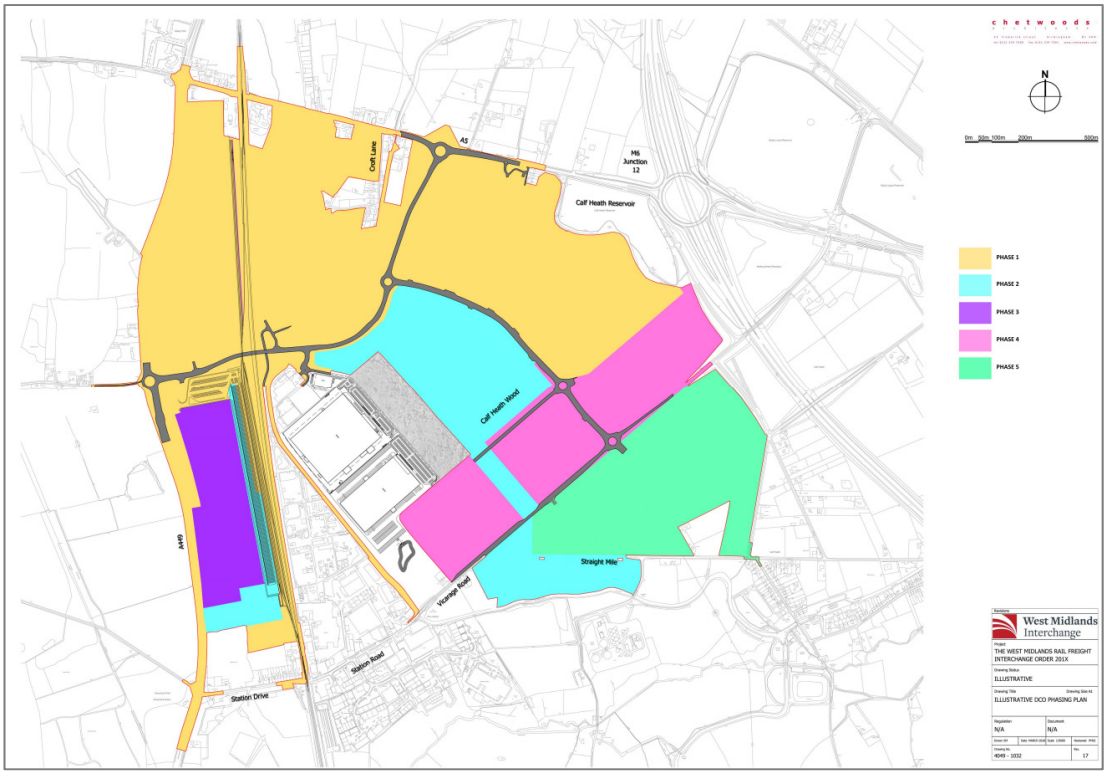

Figure 15: Indicative Phasing Plan [Drawing 4.05 of the ES]

3.7.2 The phasing is indicative and would be subject to occupier requirements and detailed design. Some elements of the Proposed Development, however, will be fixed and linked to the delivery of warehousing floorspace, such as the delivery of the rail terminal and the A5 to A449 link road.

3.7.3 It is expected that some of the warehousing units would be occupied ahead of the rail terminal being operational, due to the processes and programme that

would be required for the delivery of the rail terminal, including the rail design approval process.

3.7.4 The timing of the delivery of the rail terminal would be secured via the Section 106 ('S106'), while the phasing of highway works, including the internal roads, will be secured through the Schedule 1 Requirements. See the **draft DCO** [Document 3.1] and **draft Development Consent Order Obligation** [Document 7.7A] for full details on items to be secured.

3.7.5 It is anticipated that the construction of the Scheme will take place over approximately 15 years. Phased works will be made up of a number of elements to include infrastructure (roads, bridges, drainage, etc.), two phases of the rail freight terminal and individual warehouse buildings, with relevant earthworks, landscaping and utilities works to be undertaken in each phase. The phased works would serve the delivery of the principal warehouse buildings, the delivery and timing of which would respond to market demand.

3.7.6 The indicative phasing strategy is shown in Table 1, below. Prior to the commencement of any works for any given phase, the approval of details required by the requirements contained in Schedule 2 of the **draft DCO** would be obtained for the works in that phase. The draft Schedule 2 Requirements require that no phase of the Proposed Development (with the exception of certain highways works) is to commence until agreed with the LPA (see the **draft DCO** requirements).

Phase	From	To	Indicative Description of Works
1	**2020**	**2026**	Infrastructure works to be undertaken in Phase 1 include the construction of the Initial Rail Terminal[46], formation of the new A5 and A449 roundabouts, the link road, the bridges over the Canal and the railway and the construction of on-site access roads. Phase 1 would also include the construction of the warehousing units in the area shown on the Phasing Plan.

[46] The Initial Rail Terminal would be capable of handling at least 4 freight trains per day.

			Landscaping, earthworks and works to Croft Lane Community Park, to minimise the impact of the warehousing, would also be undertaken in Phase 1.
2	**2026**	**2029**	Infrastructure works to be undertaken in Phase 2 include the commencing of construction of the site access road off the link road, together with the construction of the Expanded Rail Terminal[47] and the construction of on-site access roads. Phase 2 would include the construction of the warehousing units in the area shown on the Phasing Plan. Landscaping, earthworks and works to Calf Heath Community Park, to minimise the impact of the warehousing, would also be undertaken in Phase 2.
3	**2029**	**2030**	Infrastructure works to be undertaken in Phase 3 include the construction of on-site access roads. Phase 3 would include the construction of the warehousing units in the area shown on the Phasing Plan. Landscaping and earthworks, to minimise the impact of the warehousing, would also be undertaken in Phase 3.
4	**2030**	**2033**	Infrastructure works to be undertaken in Phase 4 include the completion of the site access road to Vicarage Road, the formation of the roundabout on Vicarage Road and the construction of on-site access roads. Phase 4 would include the construction of the warehousing units in the area shown on the Phasing Plan. Landscaping and earthworks, to minimise the impact of the warehousing, would also be undertaken in Phase 4.

[47] The Expanded Rail Terminal would be capable of handling up to 10 freight trains per day.

5	**2033**	**2035**	Phase 5 would include the construction of the warehousing units in the area shown on the Phasing Plan and the construction of on-site access roads. Landscaping, earthworks and further works to Calf Heath Community Park, to minimise the impact of the warehousing, would also be undertaken in Phase 5.

Table 1: Indicative Phasing Strategy

Construction Parameters and Characteristics

3.7.7 The Proposed Development would be the subject of an **Outline Demolition and Construction Environmental Management Plan** ('**ODCEMP**'). The **ODCEMP** would ensure that noise, dust and all forms of pollution is limited and controlled. An **ODCEMP** [Technical Appendix 2.5 of the ES] has been provided as part of the application.

Operational Characteristics of the Completed SRFI

3.7.8 The Proposed Development would operate as a SRFI, with the intermodal rail terminal at the centre of the logistics activities on the Site. The Site would operate 24 hours a day and 7 days per week. This will typically involve the majority of employees working in shifts. Conventionally, the timing of shift changes is likely to occur outside the morning and evening peak traffic periods, reducing the impact the Proposed Development would otherwise have on the local highways network.

3.7.9 The Bushbury to Stafford line that intersects the Site is cleared to W10 gauge, with the full western branch of the WCML (also known as the Birmingham Loop Line) shown in red on Figure 16, overleaf. As the subsidiary branch, the Bushbury to Stafford line carries considerably less traffic compared to the main route and route analysis, together with engagement with Network Rail, has confirmed that there is expected to be a sufficient number of train paths available to serve the development.

3.7.10 The twin-track railway alignment that runs through the Site is typically much easier to link to a SRFI than the four-track WCML branch which runs through the Rugeley branch of the WCML, as it avoids the need for complex at-grade

or grade-separated railway junctions and associated signalling which would otherwise need to be installed. This in turn provides benefits for the accessibility of the site by rail and the duration of the construction rail works programme required to connect the Proposed Development to the WCML.

3.7.11 The **Rail Operations Report** [Document 7.3] provides further details on the rail-related aspects of the Proposed Development.

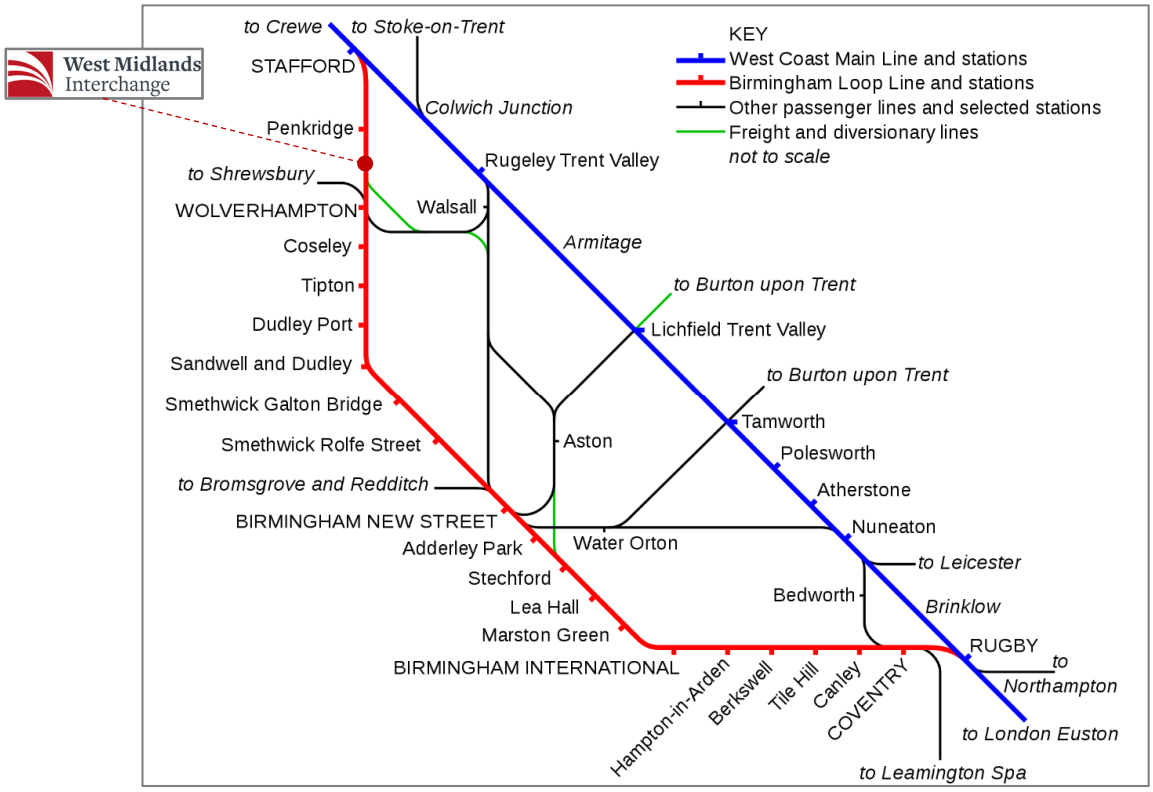

Figure 16: Main WCML route (via Tamworth) and the Stafford to Bushbury line (part of the 'Birmingham Loop Line') where WMI would be located

Terminal Operations

3.7.12 Trains will arrive at the terminal from the south or the north, loaded ordinarily with intermodal containers, which will either be unloaded directly onto HGVs or held in temporary storage awaiting later call-off from site or be transported to the on-site warehouses.

3.7.13 The intermodal terminal would operate 24 hours a day with train arrivals and departures likely to be outside peak passenger train times in the early morning

and early evening. The type of lifting equipment used would depend on the selected terminal operator, but it is expected that a number of reach-stackers would be used in the operation of the Initial Rail Terminal.

3.7.14 The Expanded Rail Terminal would utilise up to 3 overhead gantry cranes (up to 30m in height), capable of travelling the full length of the rail terminal. The maximum height of the container storage stack would be 4 containers (or 12m) high[48].

3.7.15 The intermodal terminal area is proposed to include a substantial HGV parking area, with up to 75 HGV parking spaces and associated rest facilities. The access to the HGV parking area and the rail terminal has been designed to ensure the smooth flow of HGVs through the Site and the terminal. The intermodal terminal area would operate a one-way circulatory road system, for operational safety and the efficiency of container movements.

3.7.16 Containers from the intermodal terminal's storage stack would then be moved by HGVs to their end destination, which will usually be a warehouse either on site at WMI or in the surrounding area. If the containers are bound for warehousing within the WMI development they may be moved by either HGVs or tugmaster units[49]. This process would be replicated and reversed for containers leaving WMI by rail.

Site Operations

3.7.17 A flow would develop within the Proposed Development of full and / or empty containers moving between the individual warehouses and the intermodal terminal using the internal road system.

3.7.18 The Scheme would benefit from exceptional permeability, with three separate access points into the Site (A5 / A449 / Vicarage Road), two of which are from trunk roads (A5 / A449).

3.7.19 The new link road connecting the A5 with the A449 has been designed to accommodate both the movement of traffic between the new A5 and A449

[48] Heights of the Development Zones would be secured via the DCO (see the **draft DCO** and the **Floor Level and Building Heights Parameter Plans** [Document 2.6])
[49] Tugmasters are an alternative to use of road-legal HGVs. Tugmasters are able to use red diesel if within 1km of the rail terminal and are unplated.

roundabouts and the internal SRFI movements. The number of access points on the new link road have been minimised by placing access points for development plots on the secondary internal road where possible.

3.7.20 Each plot / warehouse would have early arrival bays for HGVs to minimise any potential disruption if there are early and late arrivals to units around the Site. Details of the early arrival bays are provided in Section 7.6 of the **DAS**. The operation of the HGV fleets for each occupier would be regulated and monitored by the **Site Wide HGV Management Plan** [Appendix 15.01 of the ES].

3.7.21 The majority of containers arriving and departing the Site by road would utilise the main trunk roads surrounding the Site, limiting the impact on the local road network. The principal access point into the Site would be the proposed A5 roundabout, with the A449 and Vicarage Road roundabouts acting as secondary and tertiary access points respectively.

4. IDENTIFICATION OF PRINCIPAL PLANNING CONSIDERATIONS

4.1 Introduction

4.1.1 There are a wide range of policy documents which have some potential relevance to the determination of the Application. However, the regime established by the Act makes clear that the NPS is the primary policy document relevant to the determination of this application.

4.1.2 Section 104 of the Act requires the SoS to determine an application for a NSIP in accordance with the relevant National Policy Statement ('NPS'), except in a limited number of specific circumstances. In this case, the National Networks NPS ('the NPS'), published in December 2014, sets out the need for (and Government's policies to deliver) nationally significant projects on the national road and rail networks in England, including SRFIs.

4.1.3 To be considered nationally significant, a rail freight interchange ('RFI') must be at least 60 ha in area and have the capacity to handle at least four goods trains a day[50]. The WMI proposal would cover approximately 297 hectares (of which at least c. 108 ha would be provided as GI) with the capacity to handle around 10 goods trains per day along with meeting the other criteria of Section 26 of the Act (see the **Explanatory Memorandum** [Document 3.2]) and is, therefore, classified as a NSIP.

4.1.4 This section of the Planning Statement reviews the terms of planning policy to identify the way in which proposals for a new SRFI should be addressed and the tests which individual SRFI proposers are expected to meet.

4.2 Legal and Policy Context

NPS Policy

4.2.1 The NPS is a specific policy regime, designed to test, shape and deliver infrastructure which meets the identified national need for improved road and

[50] [Section 26] Planning Act 2008

rail networks, containing detailed guidance on a topic by topic basis to guide both applicants and the decision maker in their detailed approach to NSIP projects.

4.2.2 Paragraph 4.2 of the NPS explicitly states:

> ***"Subject to the detailed policies and protections in this NPS, and the legal constraints set out in the Planning Act, there is a presumption in favour of granting development consent for national networks NSIPs that fall within the need for infrastructure established in this NPS."*** (emphasis added)

4.2.3 Paragraph 2.10 makes clear:

> ***"The Government has therefore concluded that at a strategic level there is a compelling need for development of the national networks – both as individual networks and as an integrated system. The Examining Authority and the Secretary of State should therefore start their assessment of applications for infrastructure covered by this NPS on that basis."*** (emphasis added)

4.2.4 Paragraph 2.56 further states that:

> ***"The Government has concluded that there is a compelling need for an expanded network of SRFIs."*** (emphasis added)

4.2.5 The particular importance of SRFIs is set out in a series of paragraphs in the NPS and could not be more clearly or directly expressed. For example, at paragraphs 2.42 – 2.45:

> ***"The logistics industry, which directly employs over two million people across more than 190,000 companies generating over £90 billion annually, underpins the efficient operations of most sectors of the wider national economy. Over recent years, rail freight has started to play an increasingly significant role in logistics and has become an important driver of economic growth."*** (emphasis added) (NPS paragraph 2.42)

"Rail freight interchanges (RFI) enable freight to be transferred between transport modes, thus allowing rail to be used to best effect to undertake the long-haul primary trunk journey, with other modes (usually road) providing the secondary (final delivery) leg of the journey." (NPS paragraph 2.43)

"The aim of a strategic rail freight interchange (SRFI) is to optimise the use of rail in the freight journey by maximising rail trunk haul and minimising some elements of the secondary distribution leg by road, through co-location of other distribution and freight activities. SRFIs are a key element in reducing the cost to users of moving freight by rail and are important in facilitating the transfer of freight from road to rail, thereby reducing trip mileage of freight movements on both the national and local road networks." (emphasis added) (NPS paragraph 2.44)

"The logistics industry provides warehousing and distribution networks for UK manufacturers, importers and retailers - currently this is predominantly a road based industry. However, the users and buyers of warehousing and distribution services are increasingly looking to integrate rail freight into their transport operations with rail freight options sometimes specified in procurement contracts. This requires the logistics industry to develop new facilities that need to be located alongside the major rail routes, close to major trunk roads as well as near to the conurbations that consume the goods." (emphasis added) (NPS paragraph 2.45)

4.2.6 The Government's policy for addressing the need for SRFIs is noted at paragraph 2.54:

***"To facilitate this modal transfer, a network of SRFIs is needed across the regions, to serve regional, sub-regional and cross-regional markets*. In all cases it is essential that these have good connectivity with both the road and rail networks, in particular the strategic rail freight network."** (emphasis added) (NPS paragraph 2.54)

4.2.7 Paragraph 2.49, in the context of rail freight growth, explains that "***the industry, working with Network Rail, has produced unconstrained rail freight forecasts to 2023 and 2033***". Paragraph 2.50 confirms that "***the forecasts in themselves, do not provide sufficient granularity to allow site-specific need cases to be demonstrated, they confirm the need for an expanded network of large SRFIs across the regions to accommodate the long-term growth in rail freight. They also indicate that new rail freight interchanges, especially in areas poorly served by such facilities at present, are likely to attract substantial business, generally new to rail***".

4.2.8 Paragraph 2.56 notes that "***The Government has concluded that there is a compelling need for an expanded network of SRFIs***" and subsequently explains "***It is important that SRFIs are located near the business markets they will serve – major urban centres, or groups of centres – and are linked to key supply chain routes. Given the locational requirements and the need for effective connections for both rail and road, the number of locations suitable for SRFIs will be limited, which will restrict the scope for developers to identify viable alternative sites***".

4.2.9 Paragraph 2.58 confirms that:

> ***"This means that SRFI capacity needs to be provided at a wide range of locations, to provide the flexibility needed to match the changing demands of the market, possibly with traffic moving from existing RFI to new larger facilities."***

4.2.10 The need for SRFIs, in the right locations, is therefore established by the NPS and it is made clear in the NPS that the desired national network should consist of SRFIs of an appropriate and strategic scale.

4.2.11 To press home this point, Table 4 of the NPS sets out a range of options that "***are neither viable nor desirable***" for addressing the need for SRFIs (NPS paragraph 2.55):

Reliance on the existing rail freight interchanges to manage demand	Perpetuating the status quo, by design or default, is simply not a viable option. Road congestion would continue to increase and the deep-sea ports would face increasing difficulties in ensuring the efficient inland movement of the forecast growth in the

	volume of sea freight trade, causing port congestion and unacceptable costs and delays for shippers. This would constitute a constraint on economic growth, private sector investment and job creation.
Reliance on road-based logistics	Even with significant future improvements and enhancements to the Strategic Road Network, the forecast growth in freight demand would lead to increasing congestion both on the road network and at our ports, together with a continued increase in transport carbon emissions. Modal shift to rail therefore needs to be encouraged. This will require sustained investment in the capability of the national rail network and the terminals and interchange facilities which serve it.
Reliance on a larger number of smaller rail freight interchange terminals	The increasing performance and efficiency required of our logistics system would not allow reliance on an expanded network of smaller terminals. While there is a place for local terminals, these cannot provide the scale economies, operating efficiencies and benefits of the related business facilities and linkages offered by SRFIs.

Table 2: Table 4 of the NPS - options to address need (emphasis added)

4.2.12 The NPS explains the anticipated function of SRFIs at paragraph 4.83:

> ***"Rail freight interchanges are not only locations for freight access to the railway but also locations for businesses, capable now or in the future, of supporting their commercial activities by rail. Therefore, from the outset, a rail freight interchange (RFI) should be developed in a form that can accommodate both rail and non-rail activities."***

4.2.13 The transport and location requirements of proposed SRFIs are noted in paragraphs 4.84 – 4.87:

> ***"Given the strategic nature of large rail freight interchanges it is important that new SRFIs or proposed extensions to RFIs upgrading them to SRFIs, are appropriately located relative to the markets they will serve, which will focus***

largely on major urban centres, or groups of centres, and key supply chain routes. Because the vast majority of freight in the UK is moved by road, proposed new rail freight interchanges should have good road access as this will allow rail to effectively compete with, and work alongside, road freight to achieve a modal shift to rail. Due to these requirements, it may be that countryside locations are required for SRFIs." (emphasis added) (NPS paragraph 4.84)

"Adequate links to the rail and road networks are essential. Rail access will vary between rail lines, both in the number of services that can be accommodated, and the physical characteristics such as the train length and, for intermodal services, the size of intermodal units that can be carried (the 'loading gauge'). As a minimum a SRFI should ideally be located on a route with a gauge capability of W8 or more, or capable of enhancement to a suitable gauge. For road links, the Government's policy is set out in Circular 02/2013 The Strategic Road Network and the delivery of sustainable development."[51] (NPS paragraph 4.85)

"SRFIs tend to be large scale commercial operations, which are most likely to need continuous working arrangements (up to 24 hours). By necessity they involve large structures, buildings and the operation of heavy machinery. In terms of location therefore, they often may not be considered suitable adjacent to residential areas or environmentally sensitive areas such as National Parks, the Broads and AONBs, which may be sensitive to the impact of noise and movements. However, depending on the particular circumstances involved, appropriate mitigation measures may be available to limit the impacts of noise and light." (emphasis added) (NPS paragraph 4.86)

"SFRIs can provide many benefits for the local economy. For example because many of the on-site functions of major distribution operations are relatively labour intensive, this can create many new job opportunities. The existence of an available and economic local workforce will therefore be an

[51] WMI would be able to comply with the NPS and the Circular as there is a direct access to two trunk roads with one entrance being near a motorway.

important consideration for the applicant." (NPS paragraph 4.87)

4.2.14 Paragraphs 4.88 and 4.89 explain the expected scale and design of SRFI proposals:

> ***"Applications for a proposed SRFI should provide for a number of rail connected or rail accessible buildings for initial take up, plus rail infrastructure to allow more extensive rail connection within the site in the longer term. The initial stages of the development must provide an operational rail network connection and areas for intermodal handling and container storage. It is not essential for all buildings on the site to be rail connected from the outset, but a significant element should be."*** (NPS paragraph 4.88)

> ***"As a minimum, a SRFI should be capable of handling four trains per day and, where possible, be capable of increasing the number of trains handled. SRFIs should, where possible, have the capability to handle 775 metre trains with appropriately configured on-site infrastructure and layout. This should seek to minimise the need for on-site rail shunting and provide for a configuration which, ideally, will allow main line access for trains from either direction."*** (NPS paragraph 4.89)

4.2.15 Paragraph 5.151, on decision making regarding development within nationally designated areas[52], states that the SoS should "***refuse development consent in [nationally designated areas] areas except in exceptional circumstances and where it can be demonstrated that it is in the public interest***". However, it is important to note that this does not apply to Green Belt designations.

[52] e.g. National Parks and Areas of Outstanding Natural Beauty ('AONB')

4.2.16 Paragraph 5.170 sets out the presumption against inappropriate development in the countryside and the Green Belt:

> ***"The general policies controlling development in the countryside apply with equal force in Green Belts but there is, in addition, a general presumption against inappropriate development within them. Such development should not be approved except in very special circumstances."***

4.2.17 It is, however, important to note that paragraph 5.172 acknowledges that:

> ***"Promoters of strategic rail freight interchanges may find that the only viable sites for meeting the need for regional strategic rail freight interchanges are on Green Belt land. Promoters need to recognise the special protection given to Green Belt land. The Secretary of State would have to be convinced, and promoters would need to demonstrate, very special circumstances to justify planning consent for inappropriate development in the Green Belt."*** (emphasis added)

4.2.18 Paragraph 5.178, regarding decision making in the Green Belt explains that:

> ***"When located in the Green Belt national networks infrastructure projects may comprise inappropriate development. Inappropriate development is by definition harmful to the Green Belt and there is a presumption against it except in very special circumstances. The Secretary of State will need to assess whether there are very special circumstances to justify inappropriate development. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. In view of the presumption against inappropriate development, the Secretary of State will attach substantial weight to the harm to the Green Belt, when considering any application for such development."***

4.2.19 In summary, the NPS provides a policy presumption in favour of SRFIs and clearly states that the Government has concluded that there is a compelling

need for an expanded network of SRFIs. Against this compelling need the NPS sets out the exacting locational criteria for SRFIs and recognises that due to these requirements it may be that Green Belt land provides the only viable sites for meeting the need for regional SRFIs. Where promotors can only find sites on Green Belt land, promoters are required to demonstrate that the NPS need is met by the proposals and that the benefits of the scheme amount to very special circumstances sufficient to outweigh the potential harm to the Green Belt. However, the acknowledged national need and the policy presumption in favour of SRFIs in the NPS itself, forms an important element of those circumstances.

National Planning Policy Framework

4.2.20 The National Planning Policy Framework ('NPPF') was published by the Ministry of Housing, Communities and Local Government ('MHCLG') on 24 July 2018.

4.2.21 Paragraphs 1.17 to 1.20 of the NPS make clear that while the overall strategic aims of the NPPF and NPS are consistent, the two documents have differing roles to play. The NPPF may be an important and relevant consideration in decisions on NSIPs, but *"**only to the extent relevant to that project**"* (NPS paragraph 1.18).

4.2.22 The NPS provides the specific policies for NSIPs and will guide the development brought forward under it.

4.2.23 The NPPF at paragraph 5, consistent with this approach, states:

> ***"The Framework does not contain specific policies for nationally significant infrastructure projects. These are determined in accordance with the decision-making framework in the Planning Act 2008 (as amended) and relevant national policy statements for major infrastructure, as well as any other matters that are relevant (which may include the National Planning Policy Framework). National policy statements form part of the overall framework of national planning policy, and may be a material consideration in preparing plans and making decisions on planning applications."***

Role of Regional and Local Policy

4.2.24 Unlike in the determination of planning applications, there is no statutory requirement for the decision maker to attach weight to development plan policy. Regional and local policy can be ***"important and relevant"***[53] to the determination of a DCO, but the weight attached to it is likely to depend upon its consistency with the policies of the NPS.

4.2.25 The current Development Plan for South Staffordshire consists of:

- The South Staffordshire Core Strategy Development Plan Document (2012);
- The Minerals Local Plan for Staffordshire (2015-2030) (2017); and
- The Staffordshire and Stoke-on-Trent Joint Waste Local Plan (2010-2026) (2013).

4.2.26 Other documents that are a material consideration for Town and Country Planning Act applications in South Staffordshire and may be important and relevant to the determination of this development consent application include:

- The South Staffordshire Green Belt and Open Countryside SPD (2014); and
- The emerging SSDC Site Allocations Plan (2018).

4.2.27 The policy approach of the SSDC Core Strategy is best explained in the context of the historic WM RSS work which informed its preparation.

Regional policy and evidence base

4.2.28 For the purpose of this section of this Planning Statement the background to the WM RSS and to subsequent development plan documents is set out very

[53] [104 (2)(d)] Planning Act 2008, Act of the Parliament of the United Kingdom (2008)

briefly to explain their status and consequence. More detail drawn from their evidence base is contained in Section 5.

4.2.29 The WM RSS was first issued as Regional Planning Guidance ('RPG') in June 2004, with a number of issues identified for early review and further work. These issues were divided into blocks of work, with each one intended to form a partial revision to the WM RSS.

4.2.30 Briefly, the status of the WM RSS and its relevance in this case can be summarised as follows:

i. Consultants were appointed to advise the regional planning authority on the need for distribution floorspace and this led to the publication of the West Midlands Regional Logistics Study in 2004 and its update in 2009;

ii. the work identified the need for new rail-linked Regional Logistics Sites ('RLS') on a large scale. The land shortage was identified as "***at least 200-250 hectares***"[54];

iii. the panel examining the RSS revision in 2009 agreed and concluded that priority attention must be given to securing RLS provision to the north of the conurbation to serve the Black Country and southern Staffordshire *"**as it is that area that is identified in the Preferred Option as in most urgent need**";* and

iv. prior to the approval of the RSS and before its proposals could be implemented in local policy, the Government announced its intention to abolish the RSS regime and further work was halted.

Sub-regional policy context

4.2.31 The four Black Country Local Authorities (Dudley, Sandwell, Walsall and Wolverhampton) worked together to produce a joint Core Strategy for the Black Country, which was adopted in 2011.

[54] [R5.15] Panel Report on the West Midlands Regional Logistics Study, The Government Office (2009)

4.2.32 The Inspectors' Report (2010) into the examination of the Black Country Core Strategy (2011) concluded that the Black Country did not have a site of the size necessary to provide for a RLS[55], which according to the RSS criteria, was defined as 50 ha or more[56].

4.2.33 The Black County Core Strategy – Issues and Options Report (July 2017) (the first stage of the formal review of the Black Country Core Strategy) confirms that the Black County will not be able to meet their anticipated needs for employment land and will need to rely on South Staffordshire to provide land to contribute towards meeting Black Country needs[57].

South Staffordshire District Council policy

4.2.34 The SSDC Core Strategy Development Plan Document was adopted in December 2012 and sets out the Council's policies to guide new development up to 2028.

4.2.35 The identified need for a large scale RLS was known during the preparation of the Core Strategy but was not addressed. Text in the draft Core Strategy (2011) referred to the Council's concern over the lack of evidence to support a large logistics site in South Staffordshire. However, following modifications recommended by the Inspector, SSDC committed to cooperate in a comprehensive study to update the evidence base to consider the case for a RLS in the district by the end of 2012.

4.2.36 The need for the comprehensive study is acknowledged by the terms of the adopted South Staffordshire Core Strategy (2012) under paragraph 9.11:

> ***"The Council accepts the RLS issue remains outstanding and that a comprehensive study should now be set in train."***

4.2.37 The study[58] was commissioned, but proved inconclusive. Section 5 of this Statement contains further explanation.

[55] The Executive Summary of the URS Report notes that ***"for the purposes of this study a SRFI is broadly consistent with the definition of a RLS"*** and therefore the terms are often used interchangeably between reports, although a SRFI is likely to be significantly larger than a RLS.
[56] [Paragraph 26] Inspector's Report on the Black Country Core Strategy, PINS (October 2010)
[57] [Paragraph 3.26] Black Country Core Strategy Issues and Options Report, Black Country Local Authorities (July 2017)
[58] West Midlands Strategic Employment Sites Study, JLL / PBA (September 2015)

4.2.38 Work on the SSDC Site Allocations Document ('SAD') begun in August 2014. The SAD was submitted to the SoS in September 2017 for examination and has been found sound. SSDC anticipate that the SSDC SAD will be adopted in August 2018, once an update to the Habitats Regulation Assessment has been completed.

4.2.39 The SSDC SAD deals with smaller scale housing and employment development. It recommends some Green Belt release to provide for relatively small scale requirements for housing and employment land which cannot be provided in the Black Country. The emerging SAD (2018) states at paragraph 9.33 that:

> ***"The Core Strategy recognises employment cross-boundary issues, and the requirement to consider if a Regional Logistics Site is needed in light of the WMRSS evidence base. In June 2012 a number of local authorities in the Black Country and Staffordshire commissioned URS to consider the need for regional logistics provision to serve the Black Country and southern Staffordshire; and, dependent on the findings, make recommendations for a suitable location. Stage 1 of the study concluded that there is a need for a RLS facility that can serve the Black Country and southern Staffordshire, but only insofar as they form part of the wider West Midlands, which taken as a whole region, has a need. It is recognised that the issue of an RLS/SRFI remains outstanding. However, it is also recognised that an RLS would require a scale of development beyond a 'modest extension' and therefore seeking to resolve this issue in the SAD would be contrary to the adopted Core Strategy, and therefore will be considered in the Local Plan Review."*** (emphasis added)

4.2.40 The Inspector's Report on the SAD (May 2018), at paragraph 49, recognises the Proposed Development and confirms that as WMI is defined as a NSIP, it is outside the scope of the SAD and SSDCs decision making responsibilities:

> ***"The SAD also refers to a proposed Regional Logistics Site/Strategic Rail Freight Terminal, which is currently being promoted at Four Ashes. However, this is a large-scale proposal, defined as a Nationally Significant Infrastructure***

Project; this will be determined by the Secretary of State, outside the scope of the SAD and SSDC's decision-making responsibilities."

Summary

4.2.41 The need for a large scale rail served distribution development to serve southern Staffordshire and the Black Country and West Midlands conurbations was identified as long ago as 2004. Despite this, successive development plan documents have been adopted since then which have recognised, but failed to address, this outstanding need.

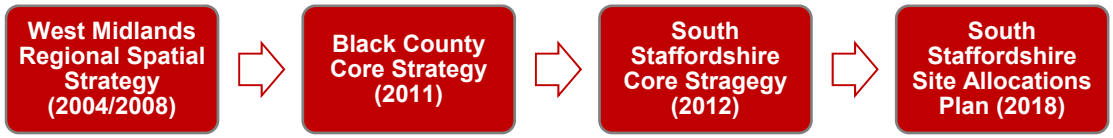

Figure 17: Regional and Local Planning Policy Timeline (2004-2018)

4.3 Planning Considerations

4.3.1 Against this background, the appropriate approach to planning considerations in this case can be identified.

Need

4.3.2 The need for a national network SRFIs is clearly established by the NPS. The extent to which there is a particular need for a SRFI in this location, as part that network, is important however and is considered in detail in Section 5 of this Planning Statement.

Planning Issues

4.3.3 The "***generic***"[59] planning issues relevant to national networks infrastructure and in particular to SRFIs are highlighted by the NPS. Having established the need in principle for a network of SRFIs, the NPS sets out how the impacts of

[59] [Paragraph 5.1] National Policy Statement for National Networks, DfT (2014)

proposed SRFI NSIPs should be considered by the applicant and assessed by the Examining Authority and the SoS.

4.3.4 Those planning considerations which are likely to be particularly important in this case based on the characteristics of the Site and the policies of the NPS are noted below. Sections 6 to 17 of this Planning Statement cover the individual considerations in further detail, taking account of any mitigation measures proposed and any relevant regional and local policies.

- Green Belt;
- Land use; including open space, GI and minerals;
- Landscape and Visual Impacts;
- Natural Environment;
- Transport Networks; including road and rail;
- Carbon Savings;
- Air Quality;
- Noise and Vibration; and
- The Historic Environment.

4.3.5 The impact of the Proposed Development on the local community and how this has influenced the development of the Scheme is addressed in Section 15, with the benefits arising from WMI noted in Section 16.

4.4 Summary

4.4.1 This section of the Planning Statement has set out the legal and planning policy background and has identified the principal planning issues that need to be considered to determine the acceptability of the WMI proposals. Those planning issues are now considered in turn in the following sections of this

Statement, against the NPS with any relevant regional and local policy documents also considered within these sections.

5. NEED, SCALE, LOCATION AND ALTERNATIVE SITES

5.1 National Need

5.1.1 As set out in Section 4, national policy clearly establishes the "***compelling need for an expanded network of SRFIs***" (NPS paragraph 2.56).

5.1.2 The NPS explains the drivers of the need for development of the national rail network and acknowledges the role that rail transport has in reducing pollution and congestion:

> ***"Rail transport has a crucial role to play in delivering significant reductions in pollution and congestion. Tonne for tonne, rail freight produces 70% less CO_2 than road freight, up to fifteen times lower NOx emissions and nearly 90% lower PM10 emissions. It also has de-congestion benefits – depending on its load, each freight train can remove between 43 and 77 HGVs from the road."*** (NPS paragraph 2.35)

5.1.3 The NPS provides an overview of the key drivers of the need for additional rail freight interchanges. In addition to the need to respond to the growth in rail freight, these drivers include:

The changing needs of the logistics sector:

> ***"A network of SRFIs is a key element in aiding the transfer of freight from road to rail, supporting sustainable distribution and rail freight growth and meeting the changing needs of the logistics industry, especially the ports and retail sector. SRFIs also play an important role in reducing trip mileage of freight movements on the national and local road networks. The siting of many existing rail freight interchanges in traditional urban locations means that there is no opportunity to expand, that they lack warehousing and they are not conveniently located for the***

modern logistics and supply chain industry." (NPS paragraph 2.47);

Rail freight growth:

"The development of additional capacity at Felixstowe North Terminal and the construction of London Gateway will lead to a significant increase in logistics operations. This will increase the need for SRFI development to reduce the dependence on road haulage to serve the major markets." (NPS paragraph 2.48);

Environment:

"The environmental advantages of rail freight have already been noted at paragraph 2.40 and 2.41 Nevertheless, for developments such as SRFIs, it is likely that there will be local impacts in terms of land use and increased road and rail movements, and it is important for the environmental impacts at these locations to be minimised." (NPS paragraph 2.51);

"Modal shift from road and aviation to rail can help reduce transport's carbon emissions, as well as providing wider transport and economic benefits. For these reasons, the Government seeks to accommodate an increase in rail travel and rail freight where it is practical and affordable by providing for extra capacity." (NPS paragraph 2.40);

UK economy, national and local benefits – jobs and growth:

"SRFIs can provide considerable benefits for the local economy. For example, because many of the on-site functions of major distribution operations are relatively labour-intensive this can create many new job opportunities and contribute to the enhancement of people's skills and use of technology, with wider longer term benefits to the economy. The availability of a suitable workforce will therefore be an important consideration" (NPS paragraph 2.52).

5.1.4 The importance of SRFIs is noted at NPS paragraphs 2.42 – 2.45 (and in Section 4 of this Statement), whilst NPS paragraph 2.50 notes that the forecasts "***confirm the need for an expanded network of large SRFIs across the regions to accommodate the long-term growth in rail freight***".

5.1.5 "***Existing operational SRFIs and other intermodal RFIs are situated predominately in the Midlands and the North***" (NPS paragraph 2.57). However, the NPS provides that "***SRFI capacity needs to be provided at a wide range of locations, to provide the flexibility needed to match the changing demands of the market, possibly with traffic moving from existing RFI to new larger facilities***" (NPS paragraph 2.58).

5.1.6 The NPS notes that industry, working with Network Rail, has produced unconstrained rail freight forecasts to 2023 and 2033. "***These forecasts, and the method used to produce them, are considered robust and the Government has accepted them for planning purposes***" (NPS paragraph 2.49).

5.1.7 The NPS notes that, while the forecasts in themselves do not provide sufficient granularity to allow site specific need cases to be demonstrated, they do confirm the need for an expanded network of large SRFIs across the regions to accommodate the long-term growth in rail freight. The forecasts also indicate that new rail freight interchanges, especially in areas poorly served by such facilities at present, are likely to attract substantial business, generally new to rail (NPS paragraph 2.50). For the Government's forecasts of rail freight growth to be achieved, "***SRFI capacity needs to be provided at a wide range of locations***" (NPS paragraph 2.58).

5.1.8 Network Rail forecasts for rail freight growth rely on the assumed development of new SRFI. WMI is included in the list of sites on which the forecast is based[60]. It is these forecasts which form the basis of the NPS and which the NPS advises should be accepted for planning purposes (NPS paragraph 2.49). As the NPS explains at paragraph 2.58, without a SRFI in the general locations assumed in the Network Rail forecast model, the NPS forecasts will not be met and government policy will be frustrated[61].

[60] [Page 15] Long Terms Planning Process: Freight Market Study, Network Rail (October 2013)
[61] See [Paragraph 10.1] Rail Freight Forecasts: Scenarios for 2023/24. Final Report, MDS Transmodal (November 2017)

5.1.9 With the extent of rail served warehousing construction being less than expected, Network Rail has recently considered a range of growth scenarios in the short to medium term (to 2024) which it considers to be robust, with its current central assumption on growth being equal to 15.6% total growth in freight lifted between 2016/17 and 2023/24[62].

5.1.10 The growth in rail freight is not being hampered by any failure of the existing SRFI to develop rail services, but by the slow progress in expanding the network of SRFI, envisaged in the NPS. Network Rail believes that forecast growth levels can be achieved, but only if the SRFI are provided in accordance with the framework provide by the NPS and the Network Rail Freight Strategy. Delivering the objectives of the NPS with regard to provision of more SRFI is therefore now even more important. See Section 3.3 of the **Rail Operations Report** [Document 7.3] for further information.

5.1.11 Prior to the publication of the NPS, the SRA published its Strategic Rail Freight Interchange Policy (March 2004). The SRA's assessment considered national requirements by regions and advised:

> ***"Outside the South East, interchange capacity is most likely to present a constraint to growth in the West Midlands, where new capacity equivalent to two strategic facilities is needed, together with significant new capacity for metals, aggregates and minerals. Apart from the Freightliner intermodal terminal at Landor Street in the centre of Birmingham, which may be working at or near capacity, most of the current interchange capacity is located to the east and south of the region. The major conurbation of the West Midlands primarily lacks capacity in the northern and western quadrants."*** (paragraph 6.11) (emphasis added)

5.1.12 The urgent identification of a site to serve southern Staffordshire and the Black Country and West Midlands conurbations was also confirmed in work undertaken for the WM RSS, as noted in Section 4 of this Statement.

[62] [Pages 25-26] Freight & National Passenger Operators Route Strategic Plan, Network Rail (February 2018)

5.2 National and Regional Policy

5.2.1 Investing in new rail freight infrastructure to serve the West Midlands economy is directly consistent with a number of the most up to date elements of national planning and economic policy.

5.2.2 In particular, the Government has identified the Midlands Engine Vision for Growth[63]. In December 2015 the then SoS for Business, Innovation and Skills launched a Prospectus in response to the Government's ambition that the Midlands economy could grow by £34 billion by 2030, creating a further 300,000 jobs by 2020. The Prospectus explained the Government's commitment to position the Midlands as a major UK and European gateway to unlock the region's potential and support growth across every sector. Central to this was the establishment of 'Midlands Connect', a new organisation charged with developing the vision for regional connectivity and setting out a long term transport strategy for the Midlands Engine. The stated purpose of that Strategy was to recognise the need for transport investment in order to support growth, to enhance the reliability of transport networks and to develop connections between the Midlands and international gateways.

5.2.3 Supported by funding announcements in successive Budgets the Midlands Engine has undertaken substantial work to develop a Vision for Growth which identifies five main ways to achieve growth, increase prosperity and improve quality of life for 'Midlanders'. The first of these is "***Connect the Midlands***" – the development and fulfilment of a transport strategy to unlock growth, with that Transport Strategy published in March 2017[64].

5.2.4 The Transport Strategy recognises the importance of the Midlands Engine as the "***heart of the UK's economy***". The Midlands is identified as the largest economic area outside of London with a manufacturing sector which accounts for a quarter of all UK manufacturing jobs and production. Because of its location, the Midlands is identified as the centre of the UK logistics sector, accounting for approximately 20% of UK jobs and GVA. The Midlands' traditional strengths in manufacturing and growing strengths in advance manufacturing and the automotive sector are identified but the Strategy recognises that all sectors are reliant on reliable transport links for supply

[63] The Midlands Engine for Growth: Prospectus, Department for Business, Innovation & Skills (December 2015)
[64] Delivering a Transport Strategy for the Midlands, Midlands Connect (March 2017)

chains and customer markets to maintain their competitive advantage. Consequently, the Strategy explains:

> "***Our strategy will build on these proven strengths and exploit the natural advantages offered by the Midlands location at the heart of the UK. Through transforming our transport connectivity we will widen the labour markets, business markets (customer and supplier) and stimulate growth in our sectors and locations***." [65]

5.2.5 Spatially the Strategy identifies areas that are likely to form the main focus for economic growth in the Midlands: a network of "***intensive growth corridors***" connecting the main urban areas and strategic growth locations[66]. Four hubs are identified as the key centres of economic activity, the first of which included the WMI location and is identified as "***Birmingham, Solihull and the Black Country***". In addition, six "***intensive growth corridors***" are identified, including:

- Corridor 2: Birmingham – the Black Country – Staffordshire and the North, and includes connections to Telford, Shrewsbury and North Wales.[67]

5.2.6 Consistent with this geography, the Transport Strategy identifies "***strategic growth sites***", including the remaining plots at i54 together with the Bericote Site at Four Ashes[68].

5.2.7 The Transport Strategy recognises that rail has a key role to play in delivering the Vision for the Growth Engine. It identifies that a lack of rail capacity would create a brake on the Midlands economy but that the Midlands lies at the heart of the UK rail freight network and hence plays a key role in terms of national and regional freight movements.[69]

[65] [Page 7] Delivering a Transport Strategy for the Midlands, Midlands Connect (March 2017)
[66] [Page 16] Delivering a Transport Strategy for the Midlands, Midlands Connect (March 2017)
[67] [Pages 16-18] Delivering a Transport Strategy for the Midlands, Midlands Connect (March 2017)
[68] [Page 11] Delivering a Transport Strategy for the Midlands, Midlands Connect (March 2017)
[69] [Pages 19-20] Delivering a Transport Strategy for the Midlands, Midlands Connect (March 2017)

5.2.8 Targeted investment is proposed to address local barriers to rail capacity, although no barrier is identified in Corridor 2. The Strategy recognises the importance of rail freight to the economy. For example:

> "***Rail freight is the most efficient way to move large volumes of freight on long journeys, especially as part of international supply chains. The key routes for freight industry are the links to the ports at Felixstowe, Southampton and London, […] These routes meet in the Midlands, providing through routes to the North, and access to major terminals in the East and West Midlands, both existing and planned.***
>
> ***Major growth in freight traffic is expected on 3 routes – the West Coast Main Line, the Midland Main Line and the route via Leicester and Peterborough to Felixstowe***."

5.2.9 Strategies for the Midlands Engine are directly referenced in the Government's Industrial Strategy and the Government's commitment to the Midlands Engine was reinforced, for instance, in the Budget of November 2017 with further committed investment in the Midlands Connect Strategy to enhance transport capacity and release the potential for economic growth.

5.2.10 The WMI project was featured as one of 6 strategic sites forming the M54-Staffordshire High Growth Zone by the Wolverhampton City Council and Staffordshire County Council at MIPIM in 2018:

> ***"The M54-Staffordshire High Growth Zone is supported by the Black Country Local Enterprise Partnership, the Stoke-on-Trent and Staffordshire Local Enterprise Partnership, the West Midlands Combined Authority and the Midlands Engine."***[70]

5.2.11 Against this up to date policy background, the evolution of the Scheme from the regional evidence base is an important part of the context for this application. The identification of an outstanding need for large scale SRFI facilities able to serve southern Staffordshire and the Black Country and West Midlands conurbations, in the northern / western quadrant of the West Midlands region is not new and the NPS's requirement for a network of SRFI

[70] MIPIM Press Release, 13 March 2018

serving major built up areas will not be satisfied until the outstanding need is addressed. As the NPS confirms:

> ***"It is important that SRFIs are located near the business markets they serve – major urban centres or groups of centres – and are linked to key supply chain routes."*** (NPS paragraph 2.56)

5.2.12 The regional evidence base identifying the need for a new RLS / SRFI this part of the West Midlands region goes back as far as 2004, when, the West Midlands Regional Logistics Study Stage One (2004) identified the ***"North Black Country/South Staffordshire***"[71] area as one of the best sub-regional locations for a RLS in the West Midlands.

5.2.13 The West Midlands Regional Logistics Study ('WM RL Study') identified the "***Wolverhampton to Penkridge rail corridor - the area to the north of Wolverhampton covering the Wolverhampton to Stafford railway line corridor between Wolverhampton and Penkridge (W10 loading gauge), an area served by the M6, M54 and M6 Toll***", in particular, as one of the "***best regional logistics locations***" within the potential areas "***appropriate for supporting Regional Logistics Sites***"[72].

5.2.14 The Regional Spatial Strategy for the West Midlands ('WM RSS') was first published in June 2004, with Policy PA9 promoting the development of RLSs at key logistics locations across the region. The policy stated that "***provision should be made for Regional Logistics Sites***", that should generally "***be served or proposed to be served by multi-modal transport facilities***" and that "***the Region should have a choice of RLS available at any point in time***".

5.2.15 An update to the WM RL Study was published in May 2009 to inform a revised WM RSS. The study estimated that there was a "***shortfall of between 213 ha and 345 ha of land required at RLSs by 2026***"[73], concluding that new rail-

[71] [Page 15] Regional Logistics Study, King Sturge (June 2004)
[72] [Table 15] West Midlands Regional Logistics Site Study Stage Two, MDS Transmodal (2005)
[73] [Paragraph 5.3] West Midlands Regional Logistics Study, MDS Transmodal (May 2009)

linked RLS / SRFI would need to be brought forward in the long term to cater for the full scale of this requirement.

5.2.16 The revised WM RSS (2009) was published for examination, amending Policy PA9[74] to state that consideration and priority should be given to bringing forward additional land for two new rail-served facilities:

> ***"Potential for new rail-served facilities to serve (a) the needs of the Black Country located in southern Staffordshire and (b) to serve the North Staffordshire conurbation."***

5.2.17 The Panel Report (2009) on the WM RSS revision was strongly supportive of the concept of RLS provision, and recommended that such provision should be rail served[75]. The panel report suggested amendments to Policy PA9 to the effect that "***at least 150ha***" of land for RLS-type locations should be replaced with "***at least 200-250ha***"[76], consistent with the output from the updated WM RL Study. The Panel Report further stated at paragraph 5.29 that:

> ***"Priority attention must therefore be directed to securing provision to the north of the conurbation to serve the Black Country and southern Staffordshire as it is that area that is identified in the Preferred Option as in most urgent need."***

5.2.18 In 2010, the Government announced its intention to abolish all RSSs[77] and further work on the WM RSS was halted. Whilst the RSSs were subsequently revoked before the 2009 WM RSS could be adopted their policies and the supporting evidence base documents provide support for the recognised and unmet need for two RLS / SRFI in Staffordshire, with the most urgent need being identified for a SRFI to serve southern Staffordshire and the Black Country and West Midlands conurbations.

5.2.19 The four Black Country Local Authorities (Dudley, Sandwell, Walsall and Wolverhampton) jointly prepared and adopted the joint Black Country Core Strategy in February 2011. The Inspectors' Report into the examination of the Black Country Core Strategy (2010) concluded that the Black Country does

[74] [Policy PA9b] West Midlands Regional Logistics Study, MDS Transmodal (May 2009)
[75] [R5.15] Panel Report on the West Midlands RSS Phase Two Revision, The Government Office (2009)
[76] [R5.15] Panel Report on the West Midlands RSS Phase Two Revision, The Government Office (2009)
[77] Letter from DCLG Chief of Planning to Local Authorities, DCLG (6 July 2010)

not have a site of the size necessary to provide for a RLS / SRFI, which was defined as 50 ha or more[78]. The adopted Black Country Core Strategy made provision for 1,565 ha of strategic, high quality employment land, of which 90 ha was to be provided by land in the district of South Staffordshire[79], due to the lack of suitable land in the Black Country itself. This high quality employment land provision was separate, however, from the need for RLS and it is this smaller scale, general employment requirement which is being picked up in the SSDC SAD (see earlier paragraph 4.2.41). The SSDC SAD specifically has not considered the allocation of land for a RLS as it would require a scale of development beyond the modest extensions allowed by the SSDC Core Strategy[80].

5.2.20 In preparing the SSDC Core Strategy, there was liaison with adjoining local authorities, with a number of cross-boundary issues identified. Stafford Borough Council, Cannock Chase District Council, Walsall Metropolitan Borough Council, Wolverhampton City Council and Dudley Metropolitan Borough Council all identified the potential need for a RLS in light of the WM RSS evidence base[81].

5.2.21 The Inspectors' Report into the SSDC Core Strategy noted that there were a "***number of deficiencies in relation to soundness and/or legal compliance***"[82] and recommended a number of modifications to make the Core Strategy sound. The modifications included acknowledging that the RLS issue remained outstanding and that a comprehensive study to explore alternative approaches would be undertaken:

> ***"The Council accepts that the RLS issue remains outstanding and that a comprehensive study should now be set in train."*** (paragraph 9.11)
>
> ***"*****The Council will co-operate with partners and relevant parties and will use its best endeavours to ensure that the**

[78] [Paragraph 26] Inspector's Report on the Black Country Core Strategy, PINS (October 2010)
[79] [CSP1] Black Country Core Strategy, Black Country Local Authorities (February 2011)
[80] [Paragraph 6.14] SSDC Core Strategy, SSDC (December 2012)
[81] [Paragraph 3.2] SSDC Core Strategy, SSDC (December 2012)
[82] [Paragraph 103] Report to South Staffordshire Council, Report on the Examination into the Core Strategy Development Plan Document, PINS (October 2012)

Comprehensive Study is completed by 31 December 2012." (paragraph 9.12)

5.2.22 As noted above, no appropriate RLS sites were identified through the Joint Black Country (2010) or the SSDC (2012) Core Strategies. Studies were, however, committed to in order to assess, and potentially deliver, a coherent industrial and distribution strategy for the region. In particular, the following principal reports were jointly commissioned:

- the '**Black Country and southern Staffordshire Regional Logistics Site Study**', April 2013, prepared by URS for 10 local authorities; and
- the '**West Midlands Strategic Employment Sites Study'**, September 2015, prepared by PBA and JLL on behalf of the West Midlands Local Authority Chief Executives.

5.2.23 Both studies have confirmed the outstanding scale of need, the importance of rail served large-scale warehousing and the particular needs of southern Staffordshire and the Black Country, but neither were charged with finding sites.

5.2.24 The URS Study analysed the potential regeneration impacts of a RLS in the study area, and provided (by way of illustration) a high level overview summary of the regeneration benefits that could occur based on the provision of a RLS at Four Ashes (the Proposed Development Site)[83]. The conclusions of this were (inter alia):

- "***regeneration outputs are highly positive and regeneration outcomes are also likely to be beneficial with the exception of local environmental impact and risks to ongoing regeneration programmes in the Black Country Zone";***
- ***"a RLS facility is likely to provide a range of skilled, semi-skilled and low skilled job opportunities but 47% of jobs could be in***

[83] [Table 8.5] Black Country and southern Staffordshire Regional Logistics Site Study, URS (April 2013)

process, plant, machine and elementary occupations using figures from Skills for Logistics";

- ***"the RLS would offer opportunities for local residents to secure new or higher paid, skilled jobs";***

- ***"there is limited capacity within South Staffordshire to provide the labour for a new RLS in its area, a gap that would need to be plugged by other adjacent local authorities such as Wolverhampton with consequent economic benefits in deprived areas"; and***

- ***"there is overall capacity in and good skills profile match with the workforce in the immediate travel to work areas***".[84]

5.2.25 With regard to the potential capacity of the existing RLS sites, the URS Study found that the two existing SRFI in the region, Birch Coppice and Hams Hall (both of which are located to the south east of the West Midlands), had limited available undeveloped land, with less than 40 ha between both sites.

5.2.26 The Study also noted that concerns had previously been raised within the Regional Planning Guidance about over development in that part of the region and the Study's consultations revealed strong officer and member resistance to any further allocation at Birch Coppice, centring on the feeling that the borough already provides for more than its "***fair share***" of B8[85] land and that other regeneration initiatives now have to take priority[86]. North Warwickshire (the local authority for Birch Coppice and Hams Hall) therefore did not support any further expansion of rail freight facilities[87].

[84] [Paragraph 8.9] Black Country and southern Staffordshire Regional Logistics Site Study, URS (April 2013)
[85] (Storage or Distribution) Town and Country Planning (Use Classes) Order 1987 (as amended)
[86] [Paragraph 10.5.3] Black Country and southern Staffordshire Regional Logistics Site Study, URS (April 2013)
[87] [Paragraph 10.5.4] Black Country and southern Staffordshire Regional Logistics Site Study, URS (April 2013)

5.2.27 The URS Study reviewed the conclusions of the WM RSS Panel Report that "***at least 200-250 ha***"[88] of RLS land should be provided for and advised at paragraph 13.4.4 that:

> ***"our conclusion is that the previously derived figure from the Regional Logistics Study Update 2009 of 200-250 ha holds good."***

5.2.28 In a report from the Director (Planning and Strategic Services) of South Staffordshire Council to the Staffordshire and Stoke-on-Trent Planning Forum of 28 February 2013, the Director confirmed the Council's agreement that the estimate of outstanding need for new RLS continues to hold good[89].

5.2.29 The URS Study confirmed that the methodology used for the WM RSS was well respected and robust, that there had been no new RLS land brought forward to meet the forecast demand and that, whilst development had happened outside the West Midlands, there remained a mismatch between demand and supply in the West Midlands[90].

5.2.30 Appendix C of the URS Study confirmed "***that there is a limited supply of development ready logistics sites to serve the Midlands over the medium and longer term and the West Midlands in particular in the short, medium and long term***"[91]. The implications of this mismatch were said to be constraining the West Midlands economy:

- an inability to attract investment and new jobs in the large-scale B8 sector; and
- an inability to compete with other regions, including the East Midlands.[92]

5.2.31 The URS Study confirmed the spatial approach taken by the WM RSS, including its focus on sub-regions with particular needs and concluded:

[88] [R5.15] Panel Report on the West Midlands RSS Phase Two Revision, The Government Office (2009)
[89] [Paragraph 12] Staffordshire and Stoke-on-Trent Planning Forum Report, Director (Planning & Strategic Services) SSDC, (February 2013)
[90] [Paragraph 13.4.4] Black Country and southern Staffordshire Regional Logistics Site Study, URS (April 2013)
[91] [Paragraph 13.3.2] Black Country and southern Staffordshire Regional Logistics Site Study, URS (April 2013)
[92] [Paragraph 13.3.3] Black Country and southern Staffordshire Regional Logistics Site Study, URS (April 2013)

> ***"Based on our market assessment we conclude that <u>there is a need for a RLS facility that can serve the Black Country and southern Staffordshire, but only in so far as they form part of the West Midlands which taken as a region has a need</u>."***[93] (emphasis added)
>
> ***"In spatial terms, it is true to say that north Midlands has less current RLS provision than the east of the conurbation and given high population density in the Black Country it is our opinion that a RLS site located in southern Staffordshire, assuming that it remains the case that a viable site could not be found in the Black Country, would be an attractive proposition to developers and occupiers."***[94]

5.2.32 Any suggestion that the need could be met by a facility remote from the Black Country and South Staffordshire is hard to understand and is now completely inconsistent with the requirement in the NPS that SRFIs "***should be located close to the business markets they are intended to serve***" (paragraph 2.56 of the NPS).

5.2.33 It would be entirely contrary to the fundamental purpose of national policy to seek to meet rail freight needs in the Black Country and southern Staffordshire by relying on long road based journeys to remote rail interchanges. The NPS is clear (at paragraph 2.44) that the aim of a SRFI is to optimise the use of rail in the freight journey by maximising rail trunk haul and minimising some elements of the secondary distribution leg by road. A need exists, therefore, for large scale rail interchange facilities in this area.

5.2.34 Employment land requirements were further considered in a two stage sub regional, High Quality Employment Land Study, commissioned by South Staffordshire District Council, the four Black Country Authorities (Wolverhampton City Council, Walsall MBC, Dudley MBC, Sandwell MBC) and Staffordshire County Council, with the first stage published in November 2014 and the second stage published in August 2015. Both reports confirmed an undersupply of employment land across the study area, but neither report addressed the outstanding need for a RLS / SRFI.

[93] [Paragraph 13.3.11] Black Country and southern Staffordshire Regional Logistics Site Study, URS (April 2013)
[94] [Paragraph 13.3.13] Black Country and southern Staffordshire Regional Logistics Site Study, URS (April 2013)

5.2.35 There does not appear to be any local planning policy process in place in Staffordshire to address the acknowledged outstanding requirement for a RLS / SRFI, with the Act and the DCO regime therefore offering the appropriate way to address this outstanding need for a RLS / SRFI.

5.2.36 In the West Midlands, work has continued, at least to research the need for further employment sites. The West Midlands Strategic Employment Sites Study was published in September 2015, intended as Phase 1 of a larger study. Like its predecessors, the study, undertaken by PBA and JLL, identified that the West Midlands has an acute shortage of large industrial sites, including for RLS[95] (or SRFI). In particular, the Study identified that:

- supply of Grade A industrial and distribution floorspace in the UK has fallen at a rapid rate over the past few years (paragraph 4.11) but particularly in the Midlands, which "***remain the industrial and distribution heartland***" (paragraph 4.13);

- the lowest vacancy rates are in the West Midlands (1%) and East Midlands (2%) (paragraph 4.14) where a shortage of available stock was driving increased rents (paragraph 4,16) and creating evidence of large scale occupiers unable to find space (paragraph 4.36);

- distributors were seeking increasingly large scale units (paragraph 4.56) but the supply of large units had fallen dramatically with literally no new space available (paragraph 4.58); and

- supply generally was lowest of all in the Black Country (paragraphs 4.63 and 4.82) and the Black Country was identified as one of three areas of highest demand where supply falls "***severely short***" (paragraph 6.5) .

5.2.37 The Study identified the importance of JLR as a particularly significant presence in the region with a considerable direct impact on employment and research spending (paragraph 4.24) but identified that JLR had expressed concerns over the availability of built stock, both for their own logistics needs, as well as for their suppliers (paragraph 4.25).

[95] [Paragraph 6.5] West Midlands Strategic Employment Sites Study, PBA / JLL (September 2015)

5.2.38 The Study identified the Green Belt as the principal cause of the constraint on supply (paragraph 4.66), recognising that the largest potential sites are all constrained by Green Belt policy, with no clear mechanism for their release (paragraph 4.66).

5.2.39 Against this background, PBA and JLL reviewed the RSS assessment of the scale of the need and concluded:

> "***As regards the features of strategic industrial sites, we believe that most of the requirements in the Regional Strategy remain valid. In particular, we would support the requirement that major logistics sites should be served by rail freight. This is what many occupiers want, partly because retailers have sustainability strategies which require them to use more environmentally friendly forms of transport, but also because in the right locations rail freight is cheaper and more efficient***." (paragraph 6.11)

5.2.40 The Study is entirely consistent with the Applicant's own **Market Assessment** (see further below). The Study, however, principally serves to confirm the long recognised extreme scarcity of and need for high quality new rail served logistics sites. It is not, in itself, a policy document.

5.2.41 This first phase of the study was intended to consider whether there was a need for strategic employment sites to be held in reserve for regionally significant projects, continuing the strategic sites policies for general employment sites in the former WM RSS[96]. The study concluded that the land supply in the West Midlands falls short of demand and that a second stage of the study should be carried out to identify specific opportunities and to assess policy implications[97]. However, to date, no further study has been commissioned or published.

5.2.42 The most recent publication is a report[98], prepared by the West Midlands Land Commission ('WMLC') for the West Midlands Combined Authority[99] ('WMCA') (which excludes SSDC), to consider the shortage of available land to meet

[96] [Section 1] West Midlands Strategic Employment Sites Study, PBA / JLL (September 2015)
[97] [Paragraph 6.19] West Midlands Strategic Employment Sites Study, PBA / JLL (September 2015)
[98] Final Report to the West Midlands Combined Authority Board, WMLC (February 2017)
[99] The WMCA includes the following constituent members: Birmingham City Council, City of Wolverhampton Council, Coventry City Council, Dudley Metropolitan Borough Council, Sandwell Metropolitan Borough Council, Solihull Metropolitan Borough Council, Walsall Council

forecast economic requirements. Six 'game changers' for the land market of the West Midlands are put forward in the report in view of the severe shortage of employment sites.

5.2.43 The WMLC document states "***that the shortfall of land for employment space is at least as pressing as the shortage of land for new homes, and possibly more so***"[100]. This statement is supported by the conclusions that employment sites of strategic size are rarely delivered through the traditional planning activities of local planning authorities and a wider, more strategically focused approach is required[101].

5.2.44 The Commission's report, in conjunction with the study conducted by JLL / PBA, finds that there is not a single developable site in the WMCA in excess of 25 ha that meets the needs of a potential major employer. This has the potential to severely constrain the West Midlands economy and was previously recognised in the WMCA Strategic Economic Plan:

> ***"The area's good track record of securing inward investment is in danger of being constrained by an impending shortage of large strategic sites with significant costs in land remediation and assembly needed in order to bring forward a pipeline of sites for employment use."***[102]

5.2.45 The Commission considered that this demonstrated the requirement for a strategic approach to tackling land supply demands, so that sites of a suitable size to meet the employment needs of the region can be identified.

5.2.46 Furthermore, the emerging Black Country Core Strategy evidence base recognises that the Black County is not able to meet their own needs for employment floorspace and relies on the contribution expected to be made in South Staffordshire and other areas for industrial land (B1c/B2 and B8), with specific reference to WMI. The Black Country Economic Development Needs Assessment (May 2017) states at paragraphs 8.4 and 8.5, respectively, that:

> ***"The overall gap between supply and demand for industrial land in the Black Country taking into consideration [the]***

[100] [Paragraph 5.20] Final Report to the West Midlands Combined Authority Board, WMLC (February 2017)
[101] [Paragraphs 11.81 – 83] Final Report to the West Midlands Combined Authority Board, WMLC (February 2017)
[102] [Page 21] West Midlands Combined Authority Strategic Economic Plan, WMCA (June 2016)

potential contribution to be made by other available land including in South Staffordshire […] [would still be] circa 450 ha (and potentially 350 ha if the future contribution of Four Ashes [WMI] is taken into account).”

“The currently estimated additional supply of industrial land (including in South Staffordshire) that could contribute to meeting demand in the Black Country is estimated to include […] Four Ashes West Midlands Interchange – a proportion of the 270 ha (emerging infrastructure proposal), would potentially contribute to meeting the needs / jobs for the Black Country.”

5.2.47 This history of planning policy confirms the urgency and consistency of the identified need for large scale rail served distribution sites in this region, but that no policy progress has been made to secure their development so that the scale of the identified shortfall remains outstanding.

5.2.48 As of July 2018, there are no new known, proposed or planned SRFIs in the West Midlands or southern Staffordshire, apart from WMI.

5.3 Market Demand

5.3.1 The findings of the previous sections (Sections 5.1 and 5.2) are confirmed by the **Market Assessment Report** [Document 7.4], prepared by Savills, that accompanies this Application.

5.3.2 As a result of high levels of take-up and muted speculative development, supply of ‘big shed’[103] floorspace nationally was critically low at the end of 2016, at just 2.56 million sq m (27.6 million sq ft), having fallen by approximately 70% since 2009 (Figure 18, below). Supply increased marginally over the course of 2017 and now stands at just over 2.60 million sq m (28.0 million sq ft)[104] but there remains a severe shortage of premises nationwide, and particularly of the largest units and units in prime locations, such as the West Midlands. The region sees very high levels of demand from both the logistics and manufacturing sectors, which has resulted in a critical undersupply of floorspace, evidenced by ongoing rental increases above the

[103] ‘Big Shed’ floorspace is defined as industrial and warehousing units of 9,290 sq. m (100,000 sq. ft) and above
[104] Savills Research Data (November 2017)

long term trend. Despite an increase in supply during 2017, there remains an acute shortage of premises in the region, with less than 1.2 years of supply as at November 2017.

5.3.3 As noted in the PBA / JLL report, the total supply should preferably be 15 years or longer in order to provide confidence and a range of sites for potential occupiers[105].

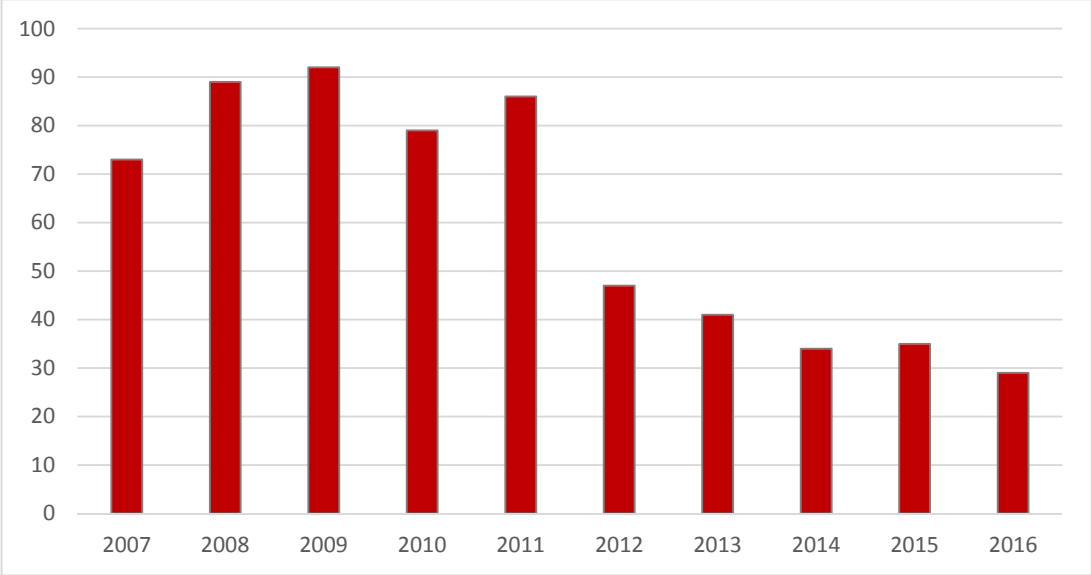

Figure 18: UK total supply in millions of sq ft of 'big sheds' [Figure 5.2, WMI Market Assessment Report]

5.3.4 The NPS requires that new SRFIs are "***appropriately located relative to the markets they will serve, which focus largely on major urban centres, or groups of centres, and key supply chain routes***"[106]. According with this, the Site is located in southern Staffordshire but also relates closely to, and would serve, the Black Country, the West Midlands and the Birmingham markets. It is also located alongside the key supply chain routes (see Figure 3), being adjacent to Junction 12 of the M6 and with the WCML intersecting the Site and is therefore in compliance with NPS paragraph 4.84.

[106] [Paragraph 4.84] National Policy Statement for National Networks, DfT (2014)

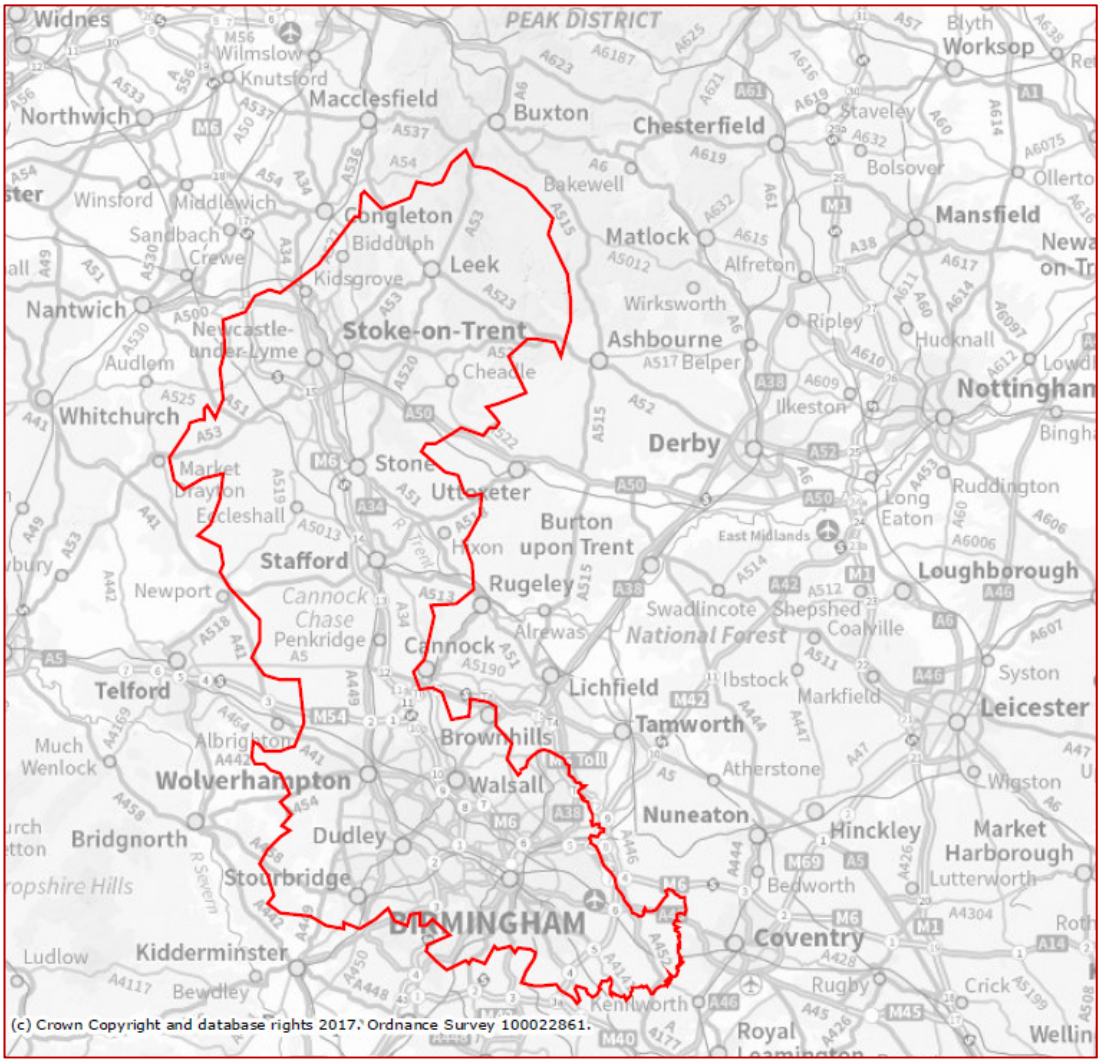

Figure 19: LEP Market Area. Stoke-on-Trent and Staffordshire LEP, the Black Country LEP and the Greater Birmingham and Solihull LEP boundaries.

5.3.5 In order to take a comprehensive approach to the market area, the **Market Assessment Report**, considers and assesses the demand and supply in the three LEP areas: Stoke-on-Trent and Staffordshire; the Black Country; and Greater Birmingham and Solihull (together 'the LEP Market Area'), shown in Figure 19.

5.3.6 There are no existing operational rail-served sites within the LEP Market Area. However, there are two rail served schemes adjacent to the south-east of the LEP Market Area which are noted in the West Midlands Employment Sites Study; Birch Coppice (Dordon) and Hams Hall (Coleshill). The PBA and JLL study noted that the two schemes remain the only RLSs in the West

Midlands[107]. Currently, there is just one plot of 20 ha in the pipeline at Hams Hall which has recently been granted planning permission and is likely to be taken up quickly based on current market conditions. There is no availability at Birch Coppice.

5.3.7 The serious failure of the planning process to identify new land for distribution, coupled with the area's inherent attraction for warehousing have resulted in an ever decreasing availability of land and buildings. The result is an exceptional scarcity of supply. This shortage is particularly evident in the Black Country where there is only 0.2 years' supply (which is comprised in one secondary building).

LEP Area	Total Floorspace (sq m)	% of floorspace which is Grade A	Years supply of floorspace
Stoke and Staffs	181,583	58.1	1.5
Black Country	11,170	0.0	0.2
Birmingham and Solihull	100,969	20.2	1.4
TOTAL	293,722	-	1.2

Table 3: Market Area Building Supply in 2016[108]

5.3.8 The lack of floorspace means that a supply of readily available land would be vitally important. There is only 341ha of land available in the whole of the LEP Market Area. This land is subject to a number of constraints, which result in the actual amount of readily available, deliverable land, capable of accommodating strategic distribution uses being very limited, with:

- no rail-served sites in the LEP Market Area which are readily available and deliverable;
- almost 40% of available land being located in Stoke-on-Trent, in the north of the LEP Market Area. Sites at Stoke-on-Trent would be unable to

[107] [Paragraph 2.20] West Midlands Strategic Employment Sites Study, PBA / JLL (September 2015)
[108] [Table 5.3] Market Assessment Report [Document 7.4], Savills (December 2017)

compete with WMI for most occupiers due to their location and accessibility to the motorway network;

- a particularly severe shortage of land in Birmingham, Solihull and the Black Country, which will focus additional demand, over and above that which would normally be expected, on those areas adjoining, such as South Staffordshire and Cannock;

- a significant amount of land which is not serviced and is likely to require major public sector funding to do so;

- no deliverable sites which could be classed as strategic (i.e. being over 25 ha / c. 60 acres), despite including three LEP areas in one of the areas of highest demand for logistics in the UK;

- over 50% of sites only able to cater for smaller units up to 18,580 sq. m (200,000 sq. ft), which does not offer sufficient choice to occupiers and precludes the development of larger units, for which there is a significant demand; and

- the supply of land in the pipeline is limited, and there are no sites forthcoming that will be served by rail.

5.3.9 The Proposed Development would meet an identified need for a SRFI and also meet a clear need within the market area for high quality, well-located sites, capable of accommodating large occupier requirements, with the appropriate infrastructure and facilities, enabling the use of rail.

5.3.10 A significant amount of new land and premises in the right locations and of the right quality and scale is required in order address the ongoing shortage. The **Market Assessment Report** demonstrates that there is a critical shortage of land and that WMI would make a vital contribution to the supply of sites currently available and in the pipeline.

5.3.11 As further clear evidence of the strength of demand for high quality logistics sites, there have been a number of confidential enquiries from potential occupiers, expressing an interest in occupying warehouses at WMI over the last 12 months. This is despite the fact that a decision on the DCO application

will not be made until 2019 (at the earliest) and that no marketing has been undertaken.

5.3.12 In summary, the NPS objective for a network of SRFIs will not be satisfied until the outstanding need is addressed. The Network Rail forecast model will not be met without a SRFI in the general location of the Site.

5.3.13 However, employment and logistic sites of strategic size are rarely delivered via the traditional planning processes through LPAs, with the Act providing an opportunity to deliver this infrastructure. The recognised need for a SRFI facility in this part of the West Midlands has gone unmet since 2004. There are currently no new known, proposed or planned SRFIs in the West Midlands.

5.4 Scale of Development

5.4.1 The Act specifies that (inter alia) RFIs over 60 ha and capable of handling at least 4 goods trains per day should be considered nationally significant. The WMI Site is approximately 297 ha in area and is designed to be capable of handling up to 10 trains per day at maturity and is therefore a NSIP. The Act defines 60 ha as a minimum threshold for a RFI to be considered nationally significant. The 60 ha figure is a planning threshold, not one that is related to market demand, operational requirements or viability.

5.4.2 Only two SRFIs to date have gone through the DCO regime, both of a similar scale – DIRFT III and EMG. The DIRFT III extension is approximately 345 ha[109] (providing up to 7.9m sq ft of rail-served floorspace) in extent, expanding on the existing 178 ha of the DIRFT I & II sites. DIRFT will subsequently total approximately 523 ha. EMG is approximately 336 ha in extent[110] (providing up to 6m sq ft of rail-served floorspace).

5.4.3 Three other SRFIs, in addition to WMI, are currently registered on PINS Programme of Projects[111]. East Midlands Intermodal Park (255 ha, providing up to 6m sq ft of rail-served floorspace) and Rail Central (250 ha, providing 7.4m sq ft of rail-served floorspace) are in the pre-application stage. As of July

[109] [Section 4.2] Planning Statement, DIRFT III (2013)
[110] [Section 2.0] Planning Statement, EMG (2014)
[111] The PINS Programme of Projects are those projects where a developer has advised PINS in writing that they intend to submit an application in the future, where an application has already been made to PINS and is undergoing the development consent process, or where a proposal has been decided.

2018, Northampton Gateway (200 ha, providing 5m sq ft of rail-served floorspace) is at the pre-examination stage of the DCO process. The location of these developments can be seen at Figure 20.

5.4.4 The creation of a '*critical mass*' of development is important to support the operations of a modern SRFI. The larger a SRFI is, the more effective and efficient the operations on site can become. This is recognised in Table 4 (paragraph 2.55) of the NPS, where it acknowledges that reliance on smaller RFI terminals is neither viable nor desirable.

5.4.5 The development of SRFIs is a major investment, with infrastructure – particularly the rail connection and terminal, land and development potentially amounting to ***"many tens of millions of pounds"*** and ***"to justify such substantial investment there needs to be a large concentration of warehouses"***[112]. A larger SRFI site supports more occupiers, encouraging sustainable development, facilitating longer and more frequent trains and creating a virtuous circle of opportunity to share trains and to achieve a greater modal shift, thereby truly establishing the development as fundamentally rail based.

5.4.6 The growth in demand for rail served warehousing, predominantly from retailers and logistics companies also generates demand for larger units, which can maximise the benefits of rail in terms of volume and consistency. The significant scale of distribution warehouses is illustrated by recent examples:

- DIRFT II – Tesco (76,6500 sq m / 825,000 sq ft);
- DIRFT II – Sainsbury's (92,900 sq m / 1,000,000 sq ft); and
- Goldthorpe Industrial Estate, Barnsley – Aldi (79,500 sq m / 855,000 sq ft).

5.4.7 Clearly this scale of unit demand also has a direct impact on the size of overall schemes capable of accepting these larger buildings and the speed at which sites are taken-up. More recently, the growth of the online retail sector has led

[112] [Paragraph 3.1.16] Black Country and southern Staffordshire Regional Logistics Site Study, URS (April 2013)

to a rapid growth in demand for floorspace for larger, often bespoke distribution facilities, in highly accessible locations as online retailers seek out well located sites, close to markets that allow them to compete on fulfilment times.

5.4.8 In order to maximise the economic potential of the logistics sector, it is vital for the property market to provide the appropriate accommodation to meet the needs of companies seeking efficiency in the scale and modal connection of their distribution requirements. Developers of distribution warehouses are increasingly having to respond to a more sophisticated and demanding client base, providing users with reliability and flexibility in their product. Again, this is recognised in Table 4 (paragraph 2.55) of the NPS.

5.4.9 The 297 ha site area proposed at WMI will allow the delivery of a new intermodal rail terminal for the LEP Market Area, responding to the severe scarcity of supply and with up to 743,200 sq m (c. 8m sq ft) of rail served warehousing. This proposal is a direct response to the scale of the unmet need for rail served warehousing in the northern / western quadrant of the West Midlands region. The Proposed Development is, therefore, of sufficient scale to be attractive to the market and to secure the frequency of trains necessary to achieve a high quality rail served centre for distribution. This would enable significant modal shift away from exclusively HGV based distribution, which is characteristic of the area.

5.4.10 As noted in the NPS[113], reliance on a larger number of smaller RFIs is "***neither viable nor desirable***"[114]. Smaller, local terminals cannot provide economies of scale, operating efficiencies and the critical mass required to attract operators and occupiers. Furthermore, it is only the scale of a SRFI that is able to fulfil the wider environmental and economic benefits identified in the NPS.

5.4.11 In considering the scale of the development, the NPS attaches importance to realising the full benefits of nationally significant infrastructure projects. For example, in the context of considering landscape impacts, it states that calls to reduce the scale of a project should only be sanctioned in exceptional circumstances where a significant benefit would be derived with only a small

[113] [Table 4] National Policy Statement for National Networks, DfT (2014)
[114] [Paragraph 2.55] National Policy Statement for National Networks, DfT (2014)

reduction in scale or function. This much is set out at paragraph 5.159 of the NPS which provides:

> ***"Reducing the scale of a project or making changes to its operation can help to avoid or mitigate the visual and landscape effects of a proposed project. However, reducing the scale or otherwise amending the design or changing the operation of a proposed development may result in a significant operational constraint and reduction in function. There may, be exceptional circumstances, where mitigation could have a very significant benefit and warrant a small reduction in scale or function. In these circumstances, the Secretary of State may decide that the benefits of the mitigation to reduce the landscape effects outweigh the marginal loss of scale or function."***

5.5 Site Selection and Alternative Site Assessment

5.5.1 The Applicant's **Alternative Sites Assessment** ('ASA') [Document 7.2] is a technical document that has considered both the general location of the greatest need and then revisited the availability of alternative sites. All of the work undertaken over a prolonged period of time by a wide range of authorities and expert assessment has confirmed the existence of a large outstanding need for a SRFI in the northern / western quadrant of the West Midlands region (to serve southern Staffordshire and the Black Country and West Midlands conurbations). The Applicants have undertaken their own work in this respect which reaches the same conclusions.

5.5.2 In relation to the site location, the **ASA** finds that whilst the NPS identifies a compelling need for an expanded network of SRFIs throughout the country, substantial gaps in the network remain. Several important observations are apparent from an examination of the current network of SRFIs.

5.5.3 The SRFI network is still maturing, with some parts of the country now well served by individual SRFI or even clusters of SRFIs. However, relatively few SRFIs are emerging to infill gaps that exist in the network (see Figure 20 below).

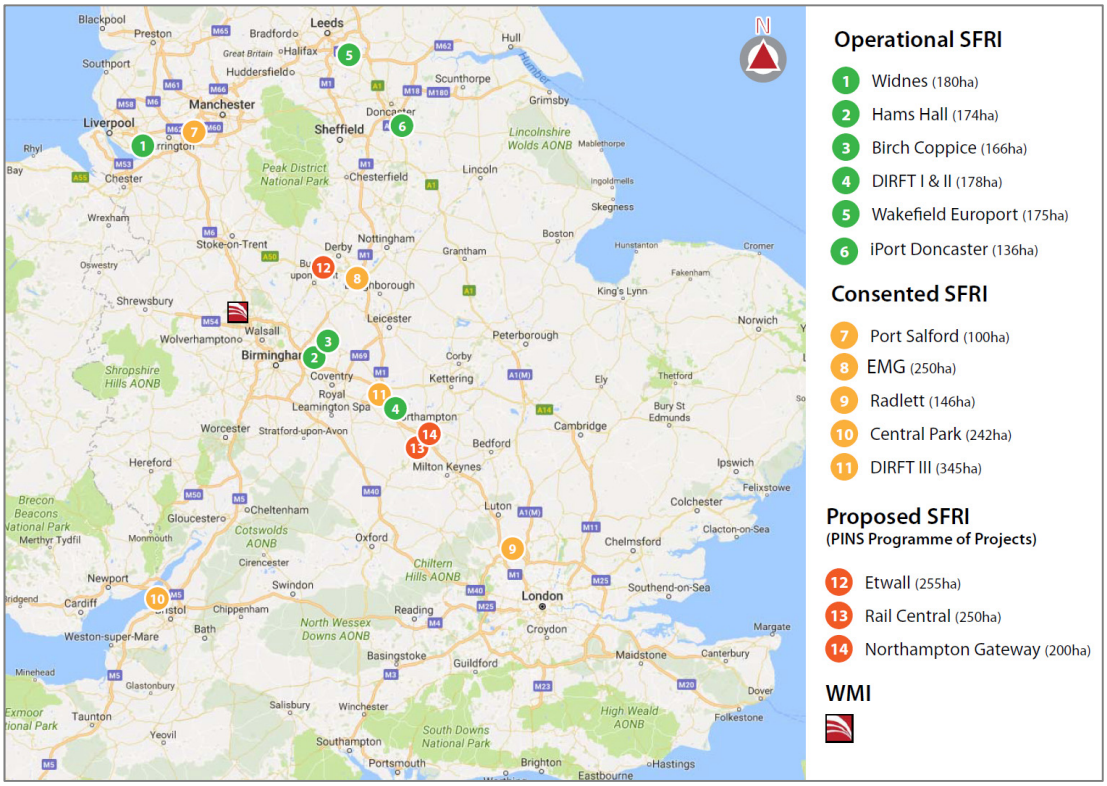

Figure 20: National Network of Operational, Consented and Proposed SRFIs

5.5.4 Within the Midlands area, existing or proposed SRFI provision is defined by a network of three principal clusters comprising (1) Hams Hall / Birch Coppice, (2) East Midlands Gateway and, the built, but not yet operational RFI at Castle Donnington and (3) DIRFT I, II and III, with that cluster proposed to be reinforced with emerging SRFI proposals near Northampton (i.e. Rail Central and Northampton Gateway).

5.5.5 However, even when the consented and proposed SRFIs are considered (see Figure 20), it is apparent that substantial gaps in the network remain. One of the most striking of these is the gap of approximately 120km between SRFIs at Birch Coppice / Hams Hall and Widnes / Port Salford. It is along this 120km existing gap in the network that WMI is proposed.

5.5.6 Consistent with the NPS, appropriate locations for SRFI are those with high quality strategic locations, but also proximity to major markets. In this context the lack of provision of rail served warehousing / a SRFI in the northern / western quadrant of the West Midlands region, all the way through the 120km

gap along the Staffordshire corridor towards the north west is particularly obvious.

5.5.7 The **ASA** [Document 7.2] accompanies this application. The **ASA** considers other sites and possible locations, exploring the extent to which these could meet the identified need. The **ASA** also explores whether or not this identified need can be met without the use of Green Belt land.

5.5.8 The **ASA** concludes that the WMI Site represents the only suitable site to meet the need for a SRFI in the identified market area. Full detail is set out in the **ASA** itself, but a summary is provided below.

Methodology

5.5.9 Whilst the NPS establishes several location and search criteria for an SRFI, there is no formally prescribed process or methodology for undertaking an **ASA**. In the context of the Green Belt designation of the Site, the **ASA** also helps to inform the consideration of very special circumstances.

5.5.10 The methodology of the **ASA** reflects the planning policy requirements set out in Section 4; the specific operational and locational needs of a SRFI and the precedent and best-practice which has developed in previous SRFI applications and alternative site assessments.

5.5.11 For the WMI project, the **ASA** broadly follows these key steps:

- Identifying a need for a SRFI;
- drawing on policy, precedent (other alternative site assessments) and market signals to establish the geographic area within which it is appropriate to search for alternative sites that could potentially accommodate a SRFI which meets the identified need;
- establish a search criteria to assess potential alternative sites;
- identify potential alternative sites within the search area (having regard to the search criteria); and

- assess the alternative sites to determine the potential for suitable and appropriate sites.

Policy, precedent, market signals and search area

5.5.12 Drawing on policy, precedent (other ASAs) and market signals, a geographic area was established within which it is appropriate to search for alternative sites that could potentially accommodate a SRFI which meets the identified need.

5.5.13 The ASA search area is shown in a series of plans at **Appendix 5**.

5.5.14 The initial ASA search area was established and shaped by the following:

- The "***North Black Country and South Staffordshire***" and "***Black Country and southern Staffordshire***", areas previously identified by regional policy and logistics study as being one of the ***"best Regional Logistics Locations"*** and an area of most urgent need.

- To contribute to an effective national network, the development of a new SRFI facility should recognise the location and market areas of existing and planned facilities.

- The rail infrastructure towards Telford, to the west the West Midlands conurbation is not of a sufficient gauge[115] to support a modern SRFI.

- The northern boundary of the search area is approximately 38km[116] from the M54 / northern boundary of Wolverhampton and, in accordance with the established precedent in previous ASAs, it is considered that sites which are located in the northern extremity of the search area would be less able to efficiently and sustainably meet the demands of the Birmingham / Wolverhampton conurbation.

5.5.15 The search area was then refined using a series of key criteria which discounted areas that were fundamentally unsuitable and identified the more

[115] SRFIs should be located on routes with a gauge of W8 or above. See [Paragraph 4.85] National Policy Statement for National Networks, DfT (2014)
[116] See [Paragraph 4.1.9 and Appendix 1] of the **ASA**

appropriate locations for a SRFI, narrowing the search area to just those areas which are both at least within 5km of a rail line of gauge W8 or above (or planned to be upgraded to W8 or above by Network Rail) and at least within 5km of a motorway junction or road of near motorway standard. Additionally those areas with environmental constraints which the NPS identified as unlikely to be suitable for consideration as potential alternative sites were then discounted.

5.5.16 The Refined ASA search area is shown at **Appendix 6**.

5.5.17 Having refined the broad **ASA** search area, a series of more detailed criteria was established based on policy, precedent and market signals to help identify and assess potential alternative sites. The search criteria are summarised below:

- **Ability to access rail infrastructure** – new connections must enable 775m length trains to be moved on and off the main line in one single movement (NPS paragraph 4.89);
- **Ability to access the strategic highways network** – a site's ability to access the road infrastructure easily and affordably (NPS paragraph 2.45);
- **Site Size** – a minimum of 60 ha was set as the site size threshold (Section 27 of the Act);
- **Relationship with other land uses** – SRFIs are not considered suitable adjacent to populated residential areas or environmentally sensitive land such as National Parks and AONBs (NPS paragraph 4.86);
- **Planning Policy** – a site's policy allocation in a development plan is a relevant consideration in terms of any alternatives uses identified for a site;
- **Topography** – the need for a relatively level site to accommodate train movement is a critical operational requirement for any SRFI site and,

as such, sites where achieving a relatively flat development plot is impractical, were discounted; and

- **Availability** – a site's potential availability, planning history and ownership are relevant considerations.

Long-list of potential SRFI sites

5.5.18 A comprehensive and detailed approach was taken in searching for and identifying potential SRFI sites. Potential alternative sites were found through a comprehensive review of all relevant existing and emerging planning literature within the region, as well as a close examination of the search area. All specific sites suggested as potential alternatives during the consultation process were also considered. Having regard to the search criteria, a long-list of 8 potential alternative sites were identified, as in Table 4.

Ref	Site	Source
1	Meaford Power Station	Policy Documents Search
2	Mid Cannock Colliery / Poplars Landfill Site	Policy Documents Search
3	ROF Featherstone	Policy Documents Search
4	Rugeley Power Station	Policy Documents Search
5	Dunston	Map Search
6	Creswell	Map Search
7	Stafford West	Map Search
8	WMI	Proposed Development Site

Table 4: Long-List of potential SRFI sites

5.5.19 A map illustrating the long-list of alternative sites is available at Figure 11 of the **ASA**.

5.5.20 The final stage of the **ASA** was to assess the alternative sites to determine whether they provide locations which could meet the need for a SRFI. The assessment of the alternative sites involved a two-stage process.

5.5.21 The initial assessment involved assessing the long-list of potential alternative sites in detail against the search criteria identified above, to appraise their suitability in principle for the development and successful operation of a SRFI. This first stage 'filtered out' sites which would be prohibitively constrained to the extent that they are fundamentally unsuitable as a SRFI development site. The sites that passed through the first filter were then shortlisted and evaluated to determine the most appropriate site.

Short-list of potential SRFI sites

5.5.22 The outcome of the initial assessment was that three sites failed to meet one or more of the essential criteria (this is shown in Appendix 4 of the **ASA**), leaving five sites to be assessed in more detail.

Ref	Site
3	ROF Featherstone
4	Rugeley Power Station
5	Dunston
6	Creswell
8	WMI

Table 5: Short-List of potential SRFI sites

5.5.23 The remaining sites were then compared in a comprehensive assessment of both market and sustainability constraints. The purpose of this work was to establish the potential for the shortlisted sites to accommodate an SRFI, to understand how these locations could operate and if they have the potential to be an alternative to the proposed location of WMI.

Summary of the assessment of potential SRFI sites

5.5.24 In terms of potential transport impacts, the WMI Site performs much better than Creswell, Rugeley Power Station and ROF Featherstone, which each have difficult highways issues. These sites would require large scale highway improvements or reliance on existing routes to the strategic road network which pass through built up residential areas. In comparison access to the M6 at WMI can be achieved in less than 850m and only passes a small number of residential properties, mostly set back from the A5.

5.5.25 Like all the short-list sites (apart from Rugeley Power Station), WMI is located adjacent to the WCML branch via Penkridge. However, Featherstone and Creswell have significant site constraints which would result in complex and unsuitable rail connections. Dunston could potentially accommodate main line access from either direction of travel on the WCML, however, WMI is clearly suitable and has already received Network Rail's in-principle support. This demonstrates the feasibility of achieving the rail infrastructure and connections at the Site.

5.5.26 This demonstrates that the Site represents a strong location where the strategic freight network for rail comes together with the strategic road network and the site can be developed to accommodate the necessary infrastructure and associated warehousing. Featherstone, Creswell and Rugeley Power Station are simply not considered to represent suitable alternatives in the context of a SRFIs fundamental requirement to facilitate efficient modal shift from road to rail.

5.5.27 As part of the **ASA** exercise, a thorough map search was undertaken by the WMI consultant team and Dunston was one of the sites flagged as a theoretical alternative site. Despite the long-established need for further SRFI / RFI development in the West Midlands, the Dunston site has never been promoted, privately or through the numerous policy reviews, for large-scale development.

5.5.28 When compared to Dunston, the WMI Site is considered to be a much more suitable site to meet the identified need for a SRFI to serve the market area.

5.5.29 Dunston is protected as Open Countryside and is an existing open rural landscape that is visually cohesive and well connected with its broader landscape context. A development of the size and scale of a SRFI would be very difficult to successfully assimilate or mitigate in landscape and visual terms. The resultant effects on the landscape character of the site and its context would stretch over a much broader area so that the visual impacts would be significant due to the site's existing openness and rural character and the absence of existing industry, urban influences or woodland from its setting.

5.5.30 The creation of development platforms at the Dunston site would require sustainability re-profiling, further disrupting the rural character. In addition,

existing water courses that lie to the west of the WCML at Dunston would need to be realigned or culverted to allow the development of the site and an efficient layout could not be achieved which avoids the existing floodplain in the western section of the site.

5.5.31 Finally, land assembly would be required to achieve a suitable sized development site. To achieve site assembly at Dunston through compulsory acquisition would require it to be demonstrated that there were no alternative sites available. The combined impacts on this rural site, the unacceptable impacts on the open rural site, as well as the effects on local amenity, make the site unsuitable and is not considered to be an acceptable location for an SRFI or a suitable alternative to WMI.

5.5.32 Whist the WMI site is designated Green Belt land, its surrounding context is made up of a mix of uses, features and influences. Areas of agricultural use, mineral workings and woodland (Calf Heath Wood) make up the site, however, the neighbouring chemical works at SI, the Four Ashes Industrial Area, the ERF and the Bericote Site influence the landscape and contribute to a more built up and industrial setting.

5.5.33 WMI is also located in southern Staffordshire and closer to the Black Country and West Midlands conurbations and could more effectively serve that market.

5.5.34 The WMI Site, therefore, offers the opportunity to create a high quality SRFI development and is considered to perform significantly better than the identified alternative sites. In fact, none of the other sites identified can be regarded as genuine alternatives.

5.5.35 Given these conclusions, and in the context of the scale and character of the unmet need, there are compelling reasons to conclude that the WMI proposal represents the only SRFI development option that can meet the identified need.

Consultation on the ASA

5.5.36 The draft ASA was made available as part of the Stage 2 Consultation (5 July 2017 to Wednesday 30 August 2017). The feedback from Stage 2 was analysed by the project team with a number of alternative sites suggested by

the public. In addition to State 2 Consultation, focus discussions were held with Planning Officers at Cannock Chase District Council, Wolverhampton City Council, Stafford Borough Council, South Staffordshire Borough Council and Staffordshire County Council to seek to agree the methodology and results of the draft ASA.

5.5.37 None of the Planning Officers raised in-principle objections to the methodology of the ASA and no additional genuine alternative sites were identified by the Officers who are very familiar with the local areas and opportunities.

5.5.38 Through ongoing discussions with SSDC regarding a Statement of Common Ground ('SoCG'), Officers have agreed the following wording in respect of the **ASA**:

> ***"The ASA evidence provided by the applicant (Four Ashes Ltd) has demonstrated that there is no alternative site for a SRFI (within the identified area of search) that offers a viable alternative that better meets the locational criteria, as set out in the National Networks NPS, than the Proposed Development. Accordingly it is the case that the Proposed Development should be considered on its individual merits against the policies set out in the National Networks NPS and any other relevant considerations set out in the National Planning Policy Framework (NPPF)."*** (paragraph 9.10, Draft Planning and ASA SoCG between FAL and SSDC (23 July 2018)

6. GREEN BELT

6.1 Introduction

6.1.1 Section 4 of this Statement identifies that one of the principal planning issues to be considered, in determining the suitability of the WMI proposals, is whether or not there are very special circumstances justifying development in the Green Belt. Paragraph 5.178 of the NPS is clear that:

> ***"When located in the Green Belt national networks infrastructure projects may comprise inappropriate development. Inappropriate development is by definition harmful to the Green Belt and there is a presumption against it except in very special circumstances. The Secretary of State will need to assess whether there are very special circumstances to justify inappropriate development. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. In view of the presumption against inappropriate development, the Secretary of State will attach substantial weight to the harm to the Green Belt, when considering any application for such development."***

6.1.2 Local policy in the SSDC Core Strategy and the SSDC Green Belt and Open Countryside SPD do not add significantly to the Green Belt policies set out in the NPS. Both documents confirm, however, that (apart from the inset villages) 80% of South Staffordshire is designated as Green Belt, with the remaining 20% designated as Open Countryside and subject to very similar policies of restraint. Therefore, should a SRFI be provided in SSDC, it will inevitably impact on the openness of the Green Belt or designated Open Countryside.

6.1.3 In this context, this section of the Planning Statement is divided into four principal sub-sections, as follows:

- the principle of SRFI development in the Green Belt;

- the West Midlands Green Belt in South Staffordshire and the recognised need for a SRFI;
- the impacts of the Proposed Development on the Green Belt; and
- the existence of very special circumstances in this case.

6.2 SRFI Development in the Green Belt

6.2.1 Uniquely for any statement of national planning policy, the NPS recognises that sites suitable for SRFI development may only be available in the Green Belt at paragraph 5.172 of the NPS:

> ***"Promoters of strategic rail freight interchanges may find that the only viable sites for meeting the need for regional strategic rail freight interchanges are on Green Belt land."***

6.2.2 This unusual statement of national policy appears to be a recognition of the exacting requirements of SRFIs, which are themselves derived from the NPS, namely:

i. SRFIs require large sites – the Act defines SRFIs as a minimum of 60ha, whilst Table 4 of the NPS makes clear that the need cannot be met from smaller scale rail freight interchanges;

ii. the NPS is clear that SRFIs need to be located "***near the conurbations that consume the goods***" (NPS paragraph 2.45) because "***it is important that SRFIs are located near the business markets they will serve – major urban centres, or groups of centres***" (NPS paragraph 2.56)[117];

iii. at the same time, however, the NPS recognises that "***Green Belts […] are situated around certain cities and large built up areas***" (NPS paragraph 5.164);

[117] See also [Paragraph 4.84] National Policy Statement for National Networks, DfT (2014)

iv. "***given the locational requirements and the need for effective connections for both rail and road, the number of locations suitable for SRFIs will be limited, which will restrict the scope for developers to identify viable alternative sites***" (NPS paragraph 2.56);

v. "***by necessity they involve large structures, buildings and the operation of heavy machinery. In terms of location therefore, they often may not be considered suitable adjacent to residential areas***" (NPS paragraph 4.86) and *"**for SRFIs, brownfield land may not be economically or commercially feasible**"* (NPS paragraph 5.163); and

vi. *"**due to these requirements, it may be that countryside locations are required for SRFIs**"* (NPS paragraph 4.84).

6.2.3 In principle, it is these characteristics in the context of a nationally important land use which cannot normally be accommodated within urban areas, which has led to the acceptance of very special circumstances for SRFI developments at Radlett[118], Doncaster[119] and, previously, at Howbury Park, London[120].

6.2.4 Whilst it is clearly necessary, therefore, to recognise that SRFIs are inappropriate development in the Green Belt and that very special circumstances for their development need to be demonstrated, the NPS clearly recognises that the Green Belt close to conurbations may provide the only viable sites if the compelling need for a national network of appropriately located SRFIs is to be achieved.

6.2.5 The importance of achieving that national network is set out in the NPS and reviewed in Section 5 of this Statement together with a review of the **ASA**, which identifies that there are no locations in this case (within or outside the Green Belt) that would serve as a suitable alternative to the Site.

6.3 The West Midlands Green Belt

[118] Helioslough Ltd (Decision issued 14 July 2014) [APP/B1930/A/09/2109433]
[119] Helioslough Ltd (Decision issued 19 August 2011) [09/00190/OUTA]
[120] ProLogis Developments Ltd (Decision issued 24 September 2007) [APP/T2215/A/05/1185897] and [APP/D5120/A/05/1198457]

6.3.1 The map below illustrates the extent of the West Midlands Green Belt boundary today and how tightly the boundaries are drawn around the existing settlements.

Figure 21: Map of the West Midlands Green Belt[121]

6.3.2 In the case of South Staffordshire, for the reasons explained further below, the Green Belt policies are seriously out of date, particularly in the context of the policy requirement for SRFI development.

6.3.3 The concept of a Green Belt around Birmingham and the Black Country first appeared in the 1948 Regional Study *'Conurbation - A Planning Survey of Birmingham and the Black Country'*[122]. A Green Belt was then defined and

[121] [Page 2] West Midlands Regional Spatial Strategy, the Government Office for the West Midlands (January 2008)
[122] Conurbation: A Planning Survey of Birmingham and the Black Country, West Midland Group (1948)

sanctioned in Circular 42/55 to inform proposed amendments to development plans. The Green Belt's status remained as 'proposed' for twenty years (although the Circular's policies were applied largely as if they were approved) until 1975 when the SoS formally approved the West Midlands Green Belt.

6.3.4 The Green Belt boundaries in South Staffordshire were last reviewed at a strategic level 22 years ago, in 1996 – although the SSDC SAD, when it is adopted, is expected to allow for "***modest extensions***" of employment sites into the Green Belt and in total to promote 25 revisions to Green Belt boundaries to meet local housing and employment needs.

6.3.5 Regional Planning Policy ('RPG') that directly related to the West Midlands Green Belt originally took the form of RPG 11, approved in 1998[123]. The RPG set out an expectation that development requirements would normally be met within urban areas but, in the context of the requirement for new employment land, the RPG provided the following:

> ***"However, in the particular circumstances of the West Midlands with its tight Green Belt boundaries and shortage of suitable sites within the built-up area, some sites may, exceptionally, need to be in the Green Belt."[124]***

6.3.6 The RPG identified that the central location of the region on the national motorway and rail networks meant that the region was in a good position to provide very large-scale distribution facilities serving a national and European market. The importance of sites coming forward through development plans to ensure adequate provision of freight distribution facilities was also highlighted[125].

6.3.7 However, as explained further below, Green Belt boundaries have not been amended to meet that need.

6.3.8 As explained in Section 5, the need for large scale employment facilities was a matter explored through the Phase 1 and Phase 2 reviews of the RSS for the West Midlands. Section 5 identifies the Panel's endorsement of the

[123] RPG 11 Regional Planning Guidance for the West Midlands, the Government Office for the West Midlands (1995)
[124] [Paragraph 7.14] RPG 11 Regional Planning Guidance for the West Midlands, the Government Office for the West Midlands (1995)
[125] Paragraphs 7.26 - 7.27] RPG 11 Regional Planning Guidance for the West Midlands, the Government Office for the West Midlands (1995)

recommendations of the Regional Logistics Studies, which stated that policies should identify an outstanding requirement of between 213 and 345 ha of rail served warehousing and that "***priority attention must be directed to securing provision to the north of the conurbation to serve the Black Country and Southern Staffordshire as it is that area that is identified in the Preferred Option as in most urgent need"***[126]***.***

6.3.9 The Panel endorsed the identification of a requirement in policy PA9 for a new rail served Regional Logistics Site to serve the needs of the Black Country located in southern Staffordshire and that the relevant supporting paragraph should be amended to provide the following guidance:

> ***"Possibilities to be explored further for provision of RLS include Brinsford, Four Ashes, Cannock, Fradley and Meaford."***[127]

6.3.10 The Panel Report also considered the consequences for the Green Belt of the RSS proposals. For South Staffordshire, it concluded that it should not be necessary to alter Green Belt boundaries in South Staffordshire to meet RSS housing requirements but that the requirements for new RLS provision should be considered separately (paragraph 8.107).

6.3.11 In view of the tightly drawn Green Belt boundaries, the Panel recognised that there would be a need for strategic amendments to Green Belt boundaries and the relevant text of the RSS was recommended to be amended as follows:

> ***"To retain the Green Belt but to allow an adjustment of boundaries, where exceptional circumstances can be demonstrated, either to support urban regeneration or where specifically identified as necessary or potentially appropriate to provide for the most sustainable form of development to deliver the proposals referred to within the sub-regional policy implications of the strategy."***[128]

6.3.12 The RSS proposed a need for a RLS in southern Staffordshire to meet the needs of the Black Country. If a Green Belt site was necessary to meet that

[126] [Paragraphs 5.27 - 5.29] Panel Report on the West Midlands RSS Phase Two Revision, The Government Office (2009)
[127] [Recommendation R5.15] Panel Report on the West Midlands RSS Phase Two Revision, The Government Office (2009)
[128] [Paragraph 3.9(d) as recommended to be amended by recommendation R8.2] Panel Report on the West Midlands RSS Phase Two Revision, The Government Office (2009)

need, its identification for that purpose would have been directly consistent with the RSS.

6.3.13 The RSS, of course, did not progress and the abolition of RSS in 2010 created a policy vacuum which has not been filled. Its evidence base, however, identified the need for a large-scale rail freight facility in southern Staffordshire and the suitability in policy terms of that need being met within the Green Belt if alternative sites were not available.

6.3.14 The **ASA** documents the lack of suitable alternative sites, including confirmation through the Black Country Core Strategy that the Black Country cannot provide a suitable site[129]. The potential alternative locations canvassed in the RSS at Brinsford, Cannock, Fradley and Meaford have also been shown to be unsuitable.

6.3.15 The fact that the West Midlands Green Belt is tightly drawn and requires amendment if the region's development requirements are to be met is established not only by a review of the historic documents but also by up to date events. The Panel Report for the RSS Phase 2 Revisions made a number of recommendations for the strategic review of Green Belt boundaries to meet outstanding development requirements[130].

6.3.16 The failure of the RSS process and the consequent absence of a region-wide review of West Midlands Green Belt boundaries has resulted in insufficient suitable sites for development being identified and thus the housing and employment needs of the region not being met in full. Critical shortages of employment and housing land are apparent, such as the extreme shortage of sites for rail served distribution identified in the **Market Assessment Report**. Local planning authorities are having to react to the chronic shortage of land to meet development needs by conducting their own Green Belt reviews in accordance with the NPPF guidance as they attempt to overcome the shortfall and meet projected needs.

[129] [Paragraph 26] Black Country Core Strategy Inspector's Report, PINS (October 2010)
[130] [Paragraphs 8.3 - 8.4 and 8.21] Panel Report on the West Midlands RSS Phase Two Revision, The Government Office (2009)

6.3.17 The accumulated shortfall in the delivery of housing and employment space has built up and resulted in large areas of the West Midlands Green Belt now being considered for release to accommodate identified needs.

6.3.18 A notable example of this is Birmingham City Council which had a holding objection on its Local Plan lifted by the SoS in January 2017, authorising the release of substantial Green Belt sites. The principal release (near Sutton Coldfield bypass) will accommodate up to 6,000 new homes and 71 ha of employment land.

6.3.19 The Inspector examining the Birmingham Local Plan considered that the scale of unmet demand in Birmingham was pressing and that brownfield alternatives had been exhausted. Even by releasing the allocated Green Belt sites, Birmingham City Council still fell significantly short of the identified housing and employment needs of the area and has passed significant pressures for further release to neighbouring authorities, which will in turn generate the need for further Green Belt release in those districts.[131]

6.3.20 In reviewing the Birmingham Local Plan Planning Minister Gavin Barwell stated that there were "***no grounds to find different conclusions from those the Inspector appointed to examine the plan has reached***" and that "***though the plan does not accommodate provision for all of Birmingham's housing need within the city, the council has taken steps with regard to the duty to cooperate to address the issue and persuade other local planning authorities to act if this becomes necessary to address the shortfall***"[132].

6.3.21 Similarly, local authorities to the south east of the West Midlands conurbation (North Warwickshire, Nuneaton & Bedworth, Rugby, Coventry, Warwick and Stratford-on-Avon) have no choice but to rely on Green Belt release to address their housing and employment needs and address the shortfall that cannot be met by Coventry City Council. Coventry has identified capacity to accommodate only approximately half of its housing and employment needs and a Memorandum of Understanding has been agreed with some authorities to address the deficit[133]. Even accounting for this deficit, Coventry City Council

[131] This knock-on effect is directly recognised, for instance, in the submitted SSDC SAD at Policy SAD1
[132] Gavin Barwell MP, Birmingham Development Plan 2031 (November 2016)
[133] Memorandum of Understanding relating to the planned distribution of housing within the Coventry & Warwickshire Housing Market Area (HMA) (2016) - Coventry City, Rugby Borough, Warwick District, North Warwickshire Borough, Stratford on Avon District and Nuneaton and Bedworth Borough

is still proposing the release of 16 Green Belt sites to accommodate some of its needs.

6.3.22 Comparable issues arise regarding the shortfall of employment sites all across the West Midlands area. An application was made in March 2018 for a large scale employment scheme in the Coventry / Warwick Green Belt, known as Coventry & Warwickshire Gateway. This application is anticipated to be permitted, with an earlier application in the Coventry and Warwickshire Green Belt for adjacent development permitted in 2017. Further employment land is also to be released from the Green Belt in the Warwick Local Plan. Stoke-on-Trent and Newcastle-under-Lyme published a 'preferred options' report as part of their joint plan preparation in December 2017 which includes a plan for approximately 3,000 new homes on existing Green Belt land.

6.3.23 Such is the concern across the region regarding the limited nature of land supply, the West Midlands Combined Authority commissioned the West Midlands Land Commission ('WCML') to take a fresh look at the West Midlands land supply and consider what measures could be initiated to ensure an improved supply of developable land.

6.3.24 The WMLC's Final Report identified the shortage of available land to meet forecast economic requirements and proposed six "***game changers***" for the land market to address the shortage, one of which was a "***Strategic Review of the Green Belt***". The proposal was for a strategic level review which would supersede any Green Belt reviews being undertaken at a local level to provide a comprehensive overview of the demands and land supply across the region, with the local level Green Belt reviews being described as "***restrictive and piecemeal***". The Report noted that there is not a single developable site in the Combined Authority area in excess of 25 hectares that meets the needs of a potential major employer[134].

6.3.25 SSDC, of course, does not form part of the Combined Authority but it has yet to address the requirement to provide a RLS / SRFI to meet the needs of southern Staffordshire and the Black Country and it is unclear how it plans to do so if this DCO application is unsuccessful.

[134] [Paragraph 2.10] Initial Report to the West Midlands Combined Authority Board, WCMA (February 2017)

6.3.26 It is acknowledged in the Black Country Core Strategy Inspector's report[135] that the local authorities (Dudley, Sandwell, Walsall and Wolverhampton), who sought to prepare the joint Core Strategy (adopted in February 2011) could meet their housing needs within the urban area but did not have a site of a size necessary to accommodate an RLS. The Inspector's report references a Green Belt review taking place as part of any joint Core Strategy updates[136].

6.3.27 Similar issues arise in South Staffordshire in relation to general housing and employment development, even before consideration is given to the need for RLS / SRFI. In his consideration of the South Staffordshire Core Strategy in October 2012, the Inspector recognised that many of the District's settlements were defined by "***quite tightly drawn Green Belt boundaries***"[137] and that the Core Strategy itself must identify the need for a review of Green Belt boundaries. The Inspector's conclusions included the following:

> ***"I firmly concur that the delivery of the plan and its strategy for growth depends on reviewing the Green Belt. In this context, the CS would be fatally flawed if it did not plan for such a review.***
>
> ***To my mind, the necessity for a Green Belt review is a fundamental issue. That the CS effectively defers the review to the emerging Site Allocations DPD is less than ideal. While this does not in itself render the CS unsound, it is imperative that the CS sets in place a robust framework for the review. This is essential for the Plan's effectiveness. In essence, the CS must set clear parameters to steer the preparation of the Site Allocations DPD. The submission version of the CS is inadequate in this regard, particularly in that it provides no meaningful policy to direct the site selection process"***[138]

6.3.28 Accordingly, the adopted terms of Core Policy 1 of the Core Strategy provides that a partial review of Green Belt boundaries will be carried out through the

[135] Report on the Examination into the Black Country Core Strategy Development Plan Document, Nigel Payne BSc (Hons) DipTP MRTPI MCMI and Vincent Maher MA (Cantab) MCD MBA MRTPI Inspectors appointed by the Secretary of State for Communities and Local Government (October 2010)
[136] [Paragraph 5.22] Initial Report to the West Midlands Combined Authority Board, WCMA (February 2017)
[137] [Paragraph 13] Report to South Staffordshire Council, Report on the Examination into the Core Strategy Development Plan Document, PINS (October 2012)
[138] [Paragraphs 14 – 15] Report to South Staffordshire Council, Report on the Examination into the Core Strategy Development Plan Document, PINS (October 2012)

SSDC SAD. Core Strategy paragraph 6.14 confirms that some land will need to be released from the Green Belt and Open Countryside in some locations, including ***"modest extensions"*** to the four existing free-standing strategic employment sites (i54 Hilton Cross, ROF Featherstone / Brinsford and Four Ashes) to accommodate justified development needs.

6.3.29 The SSDC SAD follows this lead and promotes 25 revisions to Green Belt boundaries in order to meet housing and employment needs[139].

6.3.30 The Core Strategy recognises that there are "***no alternatives***" but to alter the boundaries of the plan to meet housing and employment needs, including employment needs that cannot be met in the Black Country[140].

6.3.31 However, neither the Core Strategy nor the SAD address the outstanding need for a large scale RLS / SRFI. This much is recognised directly in the Core Strategy Inspector's Report at paragraphs 65 and 66 which provided:

> ***"65. The RS Phase 2 Revision includes a policy relating to the provision of a RLS to serve the needs to the Black Country. Local authority areas within southern Staffordshire are identified within an area of search for the RLS. As submitted, the CS acknowledges the need for a comprehensive study to explore the alternatives, but does little to facilitate this or otherwise positively address the issue. The positive preparation of the CS is at issue here.***
>
> ***66. However, the Council has put forward a modification on this point. New wording is proposed which recognises that Wolverhampton City Council has agreed to lead on joint working with the other Council's involved. It also commits the Council to cooperating in this study and endeavouring to ensure that it is completed by the end of 2012. This is necessary for soundness, and the proposed text goes as far as could reasonably be expected, given that this matter is not wholly in the Council's control."***

[139] [Pages 48 – 49] Submitted SSDC SAD, SSDC (September 2017)
[140] [Paragraphs 6.20 and 6.24] SSDC Core Strategy, SSDC (2012)

6.3.32 The Core Strategy recognises this outstanding requirement at paragraphs 9.9 – 9.12. In particular, paragraph 9.11 states that "***the Council accepts that the RLS issue remains outstanding and that a comprehensive study should be set in train***". Paragraph 9.12 recognises that an RLS would require a scale of development beyond a "***modest extension***" of existing employment sites, so that this is not a matter which can be addressed in the SAD. The same paragraph recognises that a refresh of the Employment Land Study might also generate a scale of requirements which would be contrary to the agreed spatial strategy of the Core Strategy. Accordingly the paragraph provides:

> ***"In order to provide flexibility if either of these events occur, the Council will carry out a partial review of the Core Strategy to take account of such changes. The provision of an RLS in South Staffordshire would need to be justified by robust and comprehensive evidence."***

6.3.33 Taken together, the Core Strategy and the SAD identify that even small-scale housing and employment needs could not be addressed without a Green Belt review. It follows that the need for a SRFI in South Staffordshire can only be met by development in the Green Belt or in open countryside – although the **ASA** has identified that only the Site is suitable to meet the identified need.

6.3.34 This principle is further confirmed within the publication version of the SAD which states at paragraph 9.31 that:

> ***"It is recognised that the issue of an RLS/SRFI remains outstanding. However. It is also recognised that an RLS would require a scale of development beyond a "modest extension" and therefore seeking to resolve this issue in the SAD would be contrary to the adopted Core Strategy and therefore will be considered in the Local Plan review."***

6.3.35 Paragraph 6.15 of the SAD confirms the expectation that a SSDC Local Plan review would be accompanied by a strategic Green Belt review.

6.3.36 Based on the commentary outlined above, it is apparent that:

i. the Green Belt boundaries in South Staffordshire are tightly drawn and have not been reviewed at a strategic level to address large scale employment land requirements since at least 1996;

ii. in the meantime, the need for a large scale RLS / SRFI in southern Staffordshire has been identified as ***"urgent"*** and an alternative sites assessment has confirmed that there are no suitable locations except the Green Belt location of the WMI Site in South Staffordshire;

iii. the statutory development plan recognises that the need for a RLS / SRFI is outstanding;

iv. the policy background establishes that the need could not be met in South Staffordshire except on a Green Belt site; and

v. the principle of releasing Green Belt land to meet identified needs is established in the South Staffordshire Core Strategy and across the West Midlands.

6.3.37 Against this background, Green Belt policies in South Staffordshire are out of date in so far as they relate to the established need for a RLS / SRFI. It is also relevant to identify that, whilst the scale of the WMI proposals is considered to be substantial, the Site area of 297 ha represents 0.9% of the SSDC Green Belt[141] and 0.1% of the West Midlands Green Belt.

6.3.38 As explained above, there is no development plan policy initiative in South Staffordshire to address the outstanding need for a SRFI and that fact, coupled with the advent of the Planning Act 2008 makes it entirely appropriate that nationally significant infrastructure of this type should be now be determined through the DCO process.

6.4 Impacts on the Green Belt

6.4.1 The NPPF (2018) sets out the Government's planning policies for England and notes that the "***fundamental aim of Green Belt policy is to prevent urban***

[141] [Paragraph 2.1] SSDC Core Strategy, SSDC (2012) confirms that the South Staffordshire Green Belt extends to 32,310 ha.

sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence"[142].

6.4.2 The NPPF identifies that the Green belt serves five purposes and these purposes provide a helpful framework for considering the extent to which the Proposed Development would cause harm to the Green Belt. Those purposes are set out in the NPPF at paragraph 134:

> ***"a) to check the unrestricted sprawl of large built-up areas;***
>
> ***b) to prevent neighbouring towns merging into one another;***
>
> ***c) to assist in safeguarding the countryside from encroachment;***
>
> ***d) to preserve the setting and special character of historic towns; and***
>
> ***e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land."***

6.4.3 The Proposed Development is relevant to some to some but not all of these purposes:

- a) the Site's location, away from large built-up areas, along with the suitable landscaped boundaries of the Proposed Development (see Section 8.2 of this Statement) means that it would not result the unrestricted sprawl of large built-up areas;
- b) the Site's location, away from any towns, means that it would not result in neighbouring town merging into one another;
- c) the Proposed Development would encroach on the countryside, with c. 190 ha of Green Belt land proposed for development within Development Zones;

[142] [Paragraph 133] National Planning Policy Framework, MHCLG (2018)

- d) the Proposed Development is not within the setting or nearby to any historic towns; and

- e) the **ASA** confirms that there are no brownfield sites (or any other viable sites) in the market area that are capable of meeting the need for a SRFI. The Proposed Development would not, therefore, inhibit the recycling of derelict or other urban land.

6.4.4 In this context, therefore, it is necessary to consider the extent to which the Proposed Development would impact on the Open Countryside, having regard to the purpose of its Green Belt designation. In other important respects, however, the Site does not perform a strategic purpose, as is sometimes the case where a narrow neck of Green Belt separates settlements.

6.4.5 Inappropriate development is by definition, harmful to the Green Belt[143], but it is also necessary to assess the extent of any other harm to the Green Belt and then to consider any other harm before considering whether such harm is outweighed by very special circumstances.

6.4.6 Given the structure of this Planning Statement and the need to work systematically thorough the topic areas identified in the NPS, questions of 'other harm' are addressed in subsequent topic specific Chapters of this Statement, they are not quantified here.

6.4.7 Equally, it is the Landscape and Visual Impact Section of this Statement (Section 8) which considers the impact of the Proposed Development on the openness of the Green Belt. Whilst it is acknowledged that landscape and visual matters are not necessarily the same as those relating to effects on the Green Belt, that assessment does specifically consider the impact on the qualities of 'openness' and it does so in the context of an appreciation of the qualities of the landscape.

6.4.8 That analysis is set out from paragraph 8.2.18 of this Statement. It is not repeated here but, in summary, it identifies that:

[143] [Paragraph 5.178] National Policy Statement for National Networks, DfT (2014) and [Paragraph 143] National Planning Policy Framework, MHCLG (2018)

a) the large scale and nature of the Proposed Development will have a direct impact on the openness of the Green Belt;

b) that impact will be mitigated to some extent by the extensive amount of Green Infrastructure, which extends to approximately 36% of the Site and which allows considerable areas to remain and be appreciated as open;

c) the Proposed Development will not occupy an open and cohesive landscape but one that is relatively enclosed and separate, defined by clear boundaries;

d) the openness of the land is already affected by a number of urban influences, a number of which lie on the boundaries of the Site and enclose or terminate its openness and its connection with open countryside; and

e) as a result, the Site does not form part of a larger or more extensive landscape but lies within clear defensible boundaries such that its development, whilst harmful, would not impact on or undermine the openness of adjacent areas.

6.4.9 The analysis demonstrates that, while the Proposed Development would cause the loss of a large area of Green Belt and the introduction of significant urban development, the careful site selection and design development of the Scheme (see for example the **ASA** and Section 5 of the **DAS**) means that, if the need for SRFI is to be met, that need can be met here without causing harm to a number of purposes of the Green Belt and limiting the harm caused to the footprint of the development itself.

6.4.10 Against this background, the test provided by paragraph 5.178 of the NPS is considered at the very end of this Planning Statement in Chapter 17, when account can be taken of any 'other harm' caused by the Proposed Development before applying any very special circumstances identified in this case.

6.4.11 The next part of this Section considers whether there are very special circumstances to be weighed in that balance.

6.5 Very Special Circumstances

6.5.1 The NPS recognises at paragraph 2.56 the ***"compelling need for an expanded network of SRFIs"***, and that due to the locational and operational requirements of SRFIs, the ***"number of locations suitable for SRFIs will be limited***".

6.5.2 That SRFIs also need to be near the conurbations they will serve[144], in this case the Black Country, the West Midlands and southern Staffordshire, all of which are surrounded by Green Belt, means that it may be that Green Belt land is required to deliver on this need. This is recognised in the NPS at paragraph 5.172 that states that "***promoters of strategic rail freight interchanges may find that the only viable sites for meeting the need for regional strategic rail freight interchanges are on Green Belt land***".

6.5.3 This does not detract from the fact that the decision maker is required by the NPS to attach "***substantial weight to the harm to the Green Belt***"[145] and that very special circumstances will need to be demonstrated to justify inappropriate development. It is, however, considered that in the case of the Proposed Development, the combination of considerations set out in this Statement, and below, establish that, in principle, very special circumstances do exist. This would allow the Proposed Development to meet the acknowledged need for a large scale RLS / SRFI in South Staffordshire and to fulfil the requirements of government policy, as set out in the NPS and in other documents. These very special circumstances are summarised below:

- There is a **compelling need to expand the network of SRFIs** as is established by the NPS. Figure 20 illustrates a 120 km gap in existing and planned SRFI provision between Birch Coppice / Hams Hall to the south west of the West Midlands and Widnes / Port Salford to the North West of England. The provision of a SRFI in this location, will aid in expanding the network, providing intermodal facilities to the north west of the West Midlands.

- There is an **extreme shortage of large scale, rail served employment land suitable for distribution or other uses in this**

[144] [Paragraph 2.45] National Policy Statement for National Networks, DfT (2014)
[145] [Paragraph 5.178] National Policy Statement for National Networks, DfT (2014)

area. The **Market Assessment Report** has confirmed that there are no suitable sites across the market area where the policy requirement for rail based distribution facilities will be met. This is a legacy of the failure of strategic planning policy in the West Midlands.

- The Site area of 297 ha represents only **0.9% of the SSDC Green Belt** and **0.1% of the West Midlands Green Belt**.

- The Inspector's Report into the SSDC Core Strategy, back in 2012, is clear that "***the necessity for a Green Belt review is a fundamental issue***"[146]. There have been partial reviews of the Green Belt in 2013 and 2016, but as of July 2018, there has still been no strategic level review of the Green Belt since 1996. **The Green Belt policies in SSDC are therefore out of date**, in so far as they relate to the established need for a RLS / SRFI.

- The NPS recognises, at paragraph 5.172, that the Green Belt close to conurbations may provide the only viable sites if the compelling need for a national network of appropriately located SRFIs is to be achieved. The markets that the Proposed Development would serve are surrounded by this Green Belt. It is established by the NPS at paragraph 2.45 that SRFIs must be near to the conurbations it would serve. It is therefore entirely reasonable to suggest that for **a SRFI to effectively serve southern Staffordshire, the Black Country and the West Midlands is likely to have to be in the Green Belt**.

- WMI would make a **major contribution to enabling the area to achieve its inherent potential as a natural centre for distribution** (a potential which is only limited by the lack of suitable opportunity).

- There is a **need for a development of this scale** to meet the outstanding need for rail served distribution floorspace in this location and it is essential that **any development in this location maximises**

[146] [Paragraphs 14 – 15] Report to South Staffordshire Council, Report on the Examination into the Core Strategy Development Plan Document, PINS (October 2012)

the opportunity to meet the identified unmet need and take more HGVs off the national road network.

- **The sustainability benefits of SRFIs are of particular importance** with the NPS noting the "***crucial role***"[147] rail transport has to play **in reducing pollution and congestion**. Rail freight produces "***70% less CO2 than road freight, up to fifteen times lower NOx emissions and nearly 90% lower PM10 emissions. It also has de-congestion benefits – depending on its load, each freight train can remove between 43 and 77 HGVs from the road***".[148]

- The scale of the development will **secure the removal of up to 50 million HGV kilometres off the road per year**, as detailed in Section 11 of this Statement.

- The **ASA** explores all other reasonable options for the Proposed Development, using a similar principle to that proposed by the draft revised NPPF[149], with there being compelling reasons to conclude that **the Proposed Development represents the only SRFI development option that can meet the identified need**. In this context, the conclusions of the **ASA** mean that **nationally important policy objectives[150], will not be met unless Green Belt development is permitted in principle – and specifically at this Site**.

- The **Rail Operations Report**, and this Statement, provide details of **the Site's unique characteristics** that make it **ideally suited for the development of a nationally significant SFRI**, including:

    - the Site's ideal **location on the WCML branch line** (the Stafford to Bushbury line), which offers not only **the train path capacity**, but also **the topography and geometry required to achieve high quality north and south facing connections** to the WCML **for full length (775m) freight trains**;

[147] [Paragraph 2.35] National Policy Statement for National Networks, DfT (2014)
[148] [Paragraph 2.35] National Policy Statement for National Networks, DfT (2014)
[149] [Paragraph 136] National Planning Policy Framework, Draft text for consultation, MHCLG (2018)
[150] [Paragraph 2.56] National Policy Statement for National Networks, DfT (2014)

- the Site's scale and physical suitability for development, which offers the **opportunity to provide a well laid out rail-served distribution park**. The critical mass of the Proposed Development is **capable of providing not only the size of buildings necessary to meet modern requirements**, but also to **deliver a sufficient quantum of development to support a high frequency of freight trains**, and thereby **offer the opportunity for significant modal shift**; and

- the Site's location on the strategic road and rail network is **ideally placed to meet the identified need for SRFI** in this locality and to **serve a dense catchment of manufacturing, distribution and consumer businesses**.

- There are very strategic and particular benefits of the WMI Scheme (which are reviewed in further detail in Section 16 of this Planning Statement):

  - the **economic benefit is substantial**, with **WMI expected to generate up to £912m of additional value in the economy when fully operational**;

  - the Proposed Development would generate up to **8,550 full-time jobs** on site, with the scale of job creation particularly important in the context of the need for jobs in the travel to work area; and

  - a further **8,100 indirect and induced jobs** would also be estimated to be supported by the Proposed Development.

6.5.4 The combination of the above considerations amounts to very special circumstances in the case of the Proposed Development, meaning that DCO consent could be granted, consistent with the policies of the NPS.

7. LAND USE DESIGNATIONS

7.1 Introduction

7.1.1 The principal planning matters relating to land use designations and any land use effects of the Proposed Development have been the subject of comprehensive analysis.

7.1.2 Policy on these issues is set out at paragraphs 5.162 – 5.185 of the NPS, which relates to matters such as minerals, Green Belt and agricultural land. Issues relating to rights of way and GI are also raised, but these are dealt with in Section 8 of this Statement.

7.2 Minerals

Existing and Proposed Situation

7.2.1 The sand and gravel within the area consented by the most recent minerals consent (SS.12/08/681) at Calf Heath Quarry is anticipated to be completely worked prior to the Proposed Development coming forward in this area. This consent also allows for mineral processing at the Quarry, with mineral infrastructure currently in place at the Site.

7.2.2 The conditions of this existing consent require the restoration of preceding phases of the quarry, prior to the extraction of material in subsequent phases. However, the restoration of Calf Heath Quarry by SSG has not progressed as anticipated. No restoration of any phase of the Quarry has been undertaken since works begun (as can be seen in Figure 4). It is understood that SSG is in discussions with the Minerals Department at SCC regarding the restoration of the Quarry.

7.2.3 Should the Proposed Development come forward, the Quarry will not require restoration, as the base of the existing Quarry would be used as the development platform for part of the Scheme.

7.2.4 In addition to the area being worked, the Minerals Local Plan for Staffordshire (2015-2030), prepared by SCC, allocates a 0.75 million tonne deposit of sand

and gravel at Calf Heath, within the proposed **Order Limits**. This allocation is shown at Figure 7 of this Statement. It is the joint smallest allocation in the Minerals Local Plan, accounting for only circa 2%[151] of the Sand and Gravel allocated in the Minerals Local Plan. It is therefore not a significant or important mineral resource, in the context of the Minerals Local Plan.

7.2.5 Should DCO consent be granted, no further minerals (outside of the existing (SS.12/08/681) consent) will be worked within the Order Limits, including the new allocation.

Policy

7.2.6 The NPS notes that ***"applicants should safeguard any mineral resources on the proposed site as far as possible***"[152] (emphasis added).

7.2.7 The safeguarding of minerals is supported by local planning policy in the adopted Minerals Local Plan for Staffordshire (2015-2030), at Policy 3 (inter alia):

> ***"3.1 The following mineral resources [including sand and gravel], within the Mineral Safeguarding Areas shown on the Policies and Proposals Map, will be safeguarded against needless sterilisation by non-mineral development"***
>
> ***"3.3 Within a Mineral Safeguarding Area, where important mineral resources do exist […] non-mineral development should not be permitted unless it has been demonstrated that […] the material planning benefits of the non-mineral development would outweigh the material planning benefits of the underlying or adjacent mineral"*** (emphasis added)

7.2.8 The Minerals Local Plan also safeguards 'important mineral infrastructure sites' which are defined as those sites used for "***mineral processing, handling, and transportation***"[153]. This includes Calf Heath Quarry. At mineral infrastructure sites, the Minerals Local Plan states that non-mineral

[151] By indicated resources in the Minerals Local Plan (2015-2030)
[152] [Paragraph 5.169] National Policy Statement for National Networks, DfT (2014)
[153] [Policy 3.5] Mineral Local Plan for Staffordshire (2015-2030), SCC (2017)

development should not be permitted unless it has been demonstrated that (inter alia) "***the material planning benefits of the non-mineral development would outweigh the material planning benefits of the mineral infrastructure site***"[154].

7.2.9 Therefore, where mineral resources and infrastructure may be affected, should the material benefits of the development be demonstrated to outweigh the material planning benefits of the underlying mineral or infrastructure (or if safeguarding may not be possible), development may be permitted.

7.2.10 The NPS further requires applicants to minimise the risks of land instability, which may require the extraction of remaining minerals where land is already affected by mining activity:

> ***"Applicants have a range of mechanisms available to mitigate and minimise risks of land instability. These include (inter alia):***
>
> - ***Requiring ground improvement techniques, usually involving the removal of poor material and its replacement with suitable inert and stable material. For development on land previously affected by mining activity, this may mean prior extraction of any remaining mineral resource."*** (emphasis added) (NPS paragraph 5.119)

Strategy and Likely Effects

Existing Quarry and Minerals Infrastructure

7.2.11 To reduce the risk of land instability and in accordance with NPS paragraph 5.119, should the existing Quarry area not be fully worked by SSG and the DCO granted, the remaining resource within the consented minerals area would be removed from the Quarry. As of July 2018, there is only very limited mineral resource left at the Quarry, with SSG in the final phases of their extraction works. Given the limited resource left at the Quarry, this would be removed and sustainably used as part of cut and fill balance operations across

[154] [Policy 3.5] Mineral Local Plan for Staffordshire (2015-2030), SCC (2017)

the Site. The extraction and re-use in this way of any remaining resource would ensure a suitable and stable platform for development in the existing Quarry area.

7.2.12 The regime established by the 2008 Planning Act makes clear that the NPS is the primary policy document relevant to the determination of the DCO application, however, the Minerals Plan is still a material consideration. The economic and sustainability benefits of the Proposed Development significantly outweigh the loss of the mineral processing facility that currently exists at the Site, as required by Policy 3.5 of the Minerals Local Plan.

Cut and Fill Balance

7.2.13 The cut and fill volumes across the Site have been balanced as part of the **Floor Level and Building Heights Parameters Plan** [Document 2.6].

7.2.14 This approach reduces the impact of the Proposed Development on the environment, as the import of fill material for foundations and landscaping are not anticipated to be required, nor would materials need to be exported off the Site to balance the cut and fill volumes.

Sustainability, Land Instability and Ground Water

7.2.15 Should development consent be granted, any further extraction of the minerals from the area allocated in the Minerals Local Plan (i.e. the area outside of the existing planning consent) would result in the need to import materials of a similar nature at a later date to restore the foundation levels and the cut and fill balance of the Site. This would be an unsustainable and counterproductive approach, resulting in needless disruption of the environment through additional and unnecessary disruption and pollution.

7.2.16 The extraction of these minerals may also significantly risk the instability of the ground to form the foundations of the Scheme, contrary to paragraph 5.119 of the NPS.

7.2.17 Retaining the minerals in situ would minimise disruption to the existing groundwater regime[155].

Potential 'loss' of mineral resource

7.2.18 The retention of the minerals in-situ means that the mineral resource would not be sterilised in the very long-term. Rather, the minerals would be used sustainably within the constraints of the Proposed Development and retained for extraction, should it be determined appropriate once the use of the Scheme is complete.

7.2.19 Notwithstanding this, the economic and sustainability benefits of the Proposed Development significantly outweigh the loss of the underlying mineral, as required by Policy 3.3 of the Minerals Local Plan.

7.2.20 In leaving the minerals in situ, the minerals would not be sterilised for the very long-term (i.e. beyond the life of the development).

Conclusion

7.2.21 The Proposed Development would not extract the mineral resource allocated in the Minerals Local Plan, however, the consented Quarry would be fully worked prior to the Proposed Development coming forward.

7.2.22 The remaining minerals within the Order Limits that are allocated in the Minerals Local Plan should remain in-situ. It is considered that any extraction of these minerals could contribute towards increased risks of land instability. The extraction of these minerals would also be unstainable and counterproductive with respect to the environment, as it would result in the need to import materials of a similar nature at a later date.

7.2.23 The retention of the minerals in-situ, however, means that the mineral resource would not be sterilised, in the very long-term. The Proposed Development would retain the minerals for extraction, should it be determined appropriate once the use of the Scheme is complete.

[155] See [Paragraphs 5.219 and 5.226] National Policy Statement for National Networks, DfT (2014)

7.2.24 To reduce the risk of land instability[156], should the existing Quarry area not be fully worked, the remaining resource within the consented minerals area would be removed from the Quarry and appropriately re-used across the Site.

7.2.25 The allocated (and unworked) mineral resource contained within the Site is not considered important or significant in the context of the Minerals Local Plan and the temporary sterilisation of these minerals during the Minerals Local Plan period is not considered significant in the context of the benefits of the Proposed Development.

7.2.26 The material benefits of the Proposed Development far outweigh the material planning benefits of the mineral infrastructure on Site and underlying mineral, even if the mineral exists to the maximum extent estimated by the Minerals Local Plan. The Proposed Development is therefore in compliance with national and regional policy regarding mineral resources.

7.3 Agriculture and Soils

Policy

7.3.1 The NPS requires applicants to "***take into account the economic and other benefits of the best and most versatile agricultural land***"[157] and to "***seek to use areas of poorer quality land in preference to that of higher quality***."[158]

7.3.2 "***Applicants should also identify any effects, and seek to minimise impacts, on soil quality, taking into account any mitigation measures proposed***."[159] The decision maker "sh***ould give little weight to the loss of agricultural land in grades 3b, 4 and 5***"[160].

Assessment

7.3.3 The Site consists of grassland and arable land, with some woodland. The former Ministry of Agriculture, Fisheries, and Food ('MAFF') Provisional 1960-

[156] In accordance with [Paragraph 5.119] National Policy Statement for National Networks, DfT (2014)
[157] [Paragraph 5.168] National Policy Statement for National Networks, DfT (2014)
[158] [Paragraph 5.168] National Policy Statement for National Networks, DfT (2014)
[159] [Paragraph 5.168] National Policy Statement for National Networks, DfT (2014)
[160] [Paragraph 5.176] National Policy Statement for National Networks, DfT (2014)

1970 map indicates that the agricultural land quality at the Site is Grade 3. A post 1988 MAFF ALC survey exists for the eastern part of the Site and indicates the presence of Grade 2, and Subgrade 3a and 3b land. There is no Grade 1 land at the Site.

7.3.4 The Site has been the subject of an Agricultural Land Classification ('ALC') investigation, results of which are presented at Table 6 below, with further details available at Chapter 6 of the ES.

ALC Grade	Total (ha)	Total (% of Site)
Grade 1 (Excellent)	0	0
Grade 2 (Very Good)	51.1	17.2
Subgrade 3a (Good)	121.9	41.0
Best and Most Versatile Agricultural Land (i.e. ALC Grades 1, 2 and Subgrade 3a)	173.0	58.2
Subgrade 3b (Moderate)	38.2	12.9
Grade 4 (Poor)	0	0
Grade 5 (Very Poor)	0	0
Other Land / Minerals Workings / Non-agricultural	85.7	28.9
Total	296.9	100.0

Table 6: Agricultural Land Classification at the Site

Mitigation

7.3.5 The demolition and construction stages of the Proposed Development, without mitigation, could generate some potentially significant direct effects on topsoil

and subsoil resources. The specific effects on topsoil can be mitigated to some extent but the Proposed Development would result in the permanent loss of Grade 2 and 3a agricultural land. No mitigation is proposed for these effects and there will be residual effects of major significance on agricultural land quality relating to the loss of Best and Most Versatile land.

7.3.6 However, the presence of Grade 2 and Grade 3 agricultural land at the Site is to be expected, as these grades of agricultural land are widespread in SSDC and the **ASA** has confirmed that there are no alternative sites which could meet the need for a SRFI. If there were an alternative site, it is likely that land of similar quality (or higher) would be affected.

7.3.7 The construction of the Proposed Development has the potential to adversely affect the quality of topsoil and subsoil by damaging soil structure through compaction. This is proposed to be mitigated by adoption of a Soil Resource Plan ('SRP'), which will detail measures for the appropriate protection, handling and storage of soils during construction allowing for maximum re-use in on-site landscaping. Consequently, the SRP would reduce the effect on soil resources to Minor significance.

7.3.8 The predicted likely significant adverse effects of constructing the Proposed Development on agriculture and soil will be avoided, reduced or offset by employing best practice management techniques set out in the 'Code of Practice for the Sustainable Management and Use of Soil on Construction Sites' (DEFRA, September 2009). This is included in the **ODCEMP** which will be secured via a DCO requirement (see the **draft DCO**).

7.3.9 The Proposed Development would be carried out in five phases, as shown on the Indicative Phasing Plan. It is intended that agricultural production on agricultural land in the later phases (i.e. Phases 2 to 5) is progressed for as long as is possible, i.e. before construction in that phase commences.

Conclusion

7.3.10 The **ASA** has confirmed that there are no alternative sites which could meet the need for a SRFI. Brownfield land is not available and the Site's location and nature means that the permanent loss of higher quality agricultural land is inevitable. The significant benefits that would arise as a result of the Proposed

Development (as set out in Section 16 of this Statement) outweigh the impacts of the loss of a not uncommon resource in this location.

7.3.11 The Applicant has identified the effects and sought to minimise the impacts on soil quality through a number of mitigation measures, which are summarised above, detailed in Chapter 6 of the **ES** and will be secured through the DCO. The proposals are, therefore, in accordance with national policy.

8. LANDSCAPE AND VISUAL IMPACTS

8.1 Introduction

8.1.1 Full details and assessment of the landscape and visual impacts of the Proposed Development are contained within Chapter 12 the **ES**, with landscape design issues also addressed in the **DAS** [Document 7.5].

8.1.2 The effect of the WMI project on the landscape and its potential visual impact has been the subject of comprehensive analysis, including analysis of the potential impacts arising from artificial lighting.

8.1.3 Policy on these issues is set out at paragraphs 5.82 – 5.89 and 5.143 – 5.161 of the NPS, which relates to matters including artificial light, landscape and visual impacts.

8.2 Landscape and Green Infrastructure Strategy

Policy

8.2.1 The NPS requires that applicants undertake an assessment of landscape and visual impacts within the ES, taking account of any relevant local policies and the assessment should include the following:

> ***"Where the development is subject to EIA the applicant should undertake an assessment of any likely significant landscape and visual impacts in the environmental impact assessment and describe these in the environmental assessment. A number of guides have been produced to assist in addressing landscape issues. The landscape and visual assessment should include reference to any landscape character assessment and associated studies, as a means of assessing landscape impacts relevant to the proposed project. The applicant's assessment should also take account of any relevant policies based on these assessments in local development documents in England."***
> (NPS paragraph 5.144)

> ***"The applicant's assessment should include any significant effects during construction of the project and/or the significant effects of the completed development and its operation on landscape components and landscape character (including historic landscape characterisation)."*** (NPS paragraph 5.145)

> ***"The assessment should include the visibility and conspicuousness of the project during construction and of the presence and operation of the project and potential impacts on views and visual amenity. This should include any noise and light pollution effects, including on local amenity, tranquillity and nature conservation."*** (NPS paragraph 5.146)

8.2.2 The NPS provides that local landscape designations and views from designated areas should not, themselves, be used as reasons to refuse consent:

> ***"The fact that a proposed project will be visible from within a designated area should not in itself be a reason for refusing consent."*** (NPS paragraph 5.155)

> ***"Outside nationally designated areas, there are local landscapes that may be highly valued locally and protected by local designation. Where a local development document in England has policies based on landscape character assessment, these should be given particular consideration. However, local landscape designations should not be used in themselves as reasons to refuse consent, as this may unduly restrict acceptable development."*** (NPS paragraph 5.156)

8.2.3 The Proposed Development should be designed carefully to avoid adverse impacts and to minimise harm to the landscape:

> ***"In taking decisions, the Secretary of State should consider whether the project has been designed carefully, taking account of environmental effects on the landscape and siting, operational and other relevant constraints, to avoid***

adverse effects on landscape or to minimise harm to the landscape, including by reasonable mitigation." (NPS paragraph 5.157)

"The Secretary of State will have to judge whether the visual effects on sensitive receptors, such as local residents, and other receptors, such as visitors to the local area, outweigh the benefits of the development." (NPS paragraph 5.158)

Assessment

8.2.4 Chapter 12 of the **ES** assesses the likely significant environmental effects of the Proposed Development in respect of landscape and visual matters in accordance with the Landscape and Visual Impact Assessment ('LVIA') prepared using the Guidelines for Landscape and Visual Impact Assessment, GLVIA3 (2013)[161], and in accordance with the requirement of NPS paragraph 5.144.

8.2.5 Approaches and methodologies are proposed which would avoid or minimise any unnecessary effects upon the landscape and surrounding visual receptors during the construction process in accordance with NPS paragraph 5.146. For example, the location and design of temporary site compounds, lighting, signage and perimeter mounding have or would all take these issues into account. Combined with effective project management and close liaison and communication with the relevant authorities and stakeholders, the potential landscape and visual effects of construction would be mitigated and minimised as far as practicable.

Likely Effects

8.2.6 Chapter 12 of the **ES** explains how the suitability of the Site for employment development was considered by SSDC in 2015 as part of its Landscape Sensitivity Assessment Study for Employment Site Allocations (December 2015), published as part of the evidence base for SSDC SAD. That assessment was concerned with understanding the sensitivity of landscape adjacent to the district's four strategic employment sites, including Four Ashes. At that time, the SAD was seeking sites for ***"modest"*** extensions to its

[161] Guidelines for Landscape and Visual Impact Assessment, GLVIA3, Landscape Institute and Institute of Environmental Management & Assessment (2013)

employment sites, rather than the scale of development necessary for a SRFI (as noted in Section 4 and 5 of this Statement).

8.2.7 Nevertheless, a substantial area of land in the vicinity of Four Ashes was sub-divided into nine Land Cover parcels ('LCP'). Four of the LCPs were assessed as being High Landscape Sensitivity, one as High / Medium and four as medium.

8.2.8 The Site includes land within three of the LCPs, none of which were classified as being of High Landscape Sensitivity.

8.2.9 All of the High Sensitivity LCPs within the Four Ashes area lie to the south of Station Drive and the existing Four Ashes industrial area. The three LCPs which now form part of the WMI proposals were assessed as follows:

LCP FAE 01 (west of the rail line)

"***Summary description:***

…the main receptors are users of the A449, sports ground, pub garden and residents to the south and on the main road. The tranquillity is limited by the road, railway and presence of settlement and industry nearby. The LCP lies in the Green Belt…

Evaluation justification:

The sensitivity of the LCP lies in its openness, especially to the north, its rural character and its visibility to use it as the A449. Residents and users of the sports ground to the south are sensitive…

Potential for mitigation and improvement of settlement edge:

If the area was selected for development a strong mixed tree belt buffer would be needed to the west along the A449 to screen views from the wider landscape and to the north…."

LCP FAE 02 (majority of the site to the east of the rail line and north of Vicarage Road)

"Summary description:

A very gently rolling landscape comprising of a series of rectilinear fields of arable to the north, pasture to the south with blocks of mixed plantation, secondary woodland and Calf Heath reservoir in the north- east corner. The arable fields to the north have trimmed hedges and occasional trees and bound the straight A5 Watling Street roman road which has occasional settlement along the road, particularly at Gailey Wharf where the road crosses the Staffordshire and Worcestershire Canal…further south east there are sand and gravel workings with an access road off the A5 and a power line. These workings further reduce tranquillity.

The core of the LCP is formed by Calf Heath Wood plantation which appears dominated by conifers with deciduous tree edges to the north west and south east. These trees form a strong edge in views across the area. The main receptors are users of the canal, A5, reservoir and Vicarage Road, and scattered residents. The tranquillity is limited by the roads and presence of settlement and the industrial estate nearby. The LCP lies in the Green Belt and the Canal Conservation Area runs through the area.

Potential for mitigation and improvement of settlement edge:

If the area was selected for development care would be needed to avoid or mitigate impacts on the canal corridor and its users, and on the broad strip of landscape to the north-south of the A5, including the reservoir and its users. It would be desirable to maintain parts of the Calf Heath Wood plantation to act as a screen and buffer, as well as a strong landscape element. Hedgerow trees, especially oaks should be maintained where possible."

LCP FAE 03 (south of Vicarage Road)

"Summary description:

A relatively flat landscape comprising of a series of rectilinear fields of pasture with small blocks of secondary woodland and the Staffordshire and Worcester canal on the southern boundary…

…the canal appears to be well used and well maintained and has a strong deciduous tree buffer between it and the area for the majority of its length. A power line is a detractor. The tranquillity of the area is reduced by noise from the nearby M6 to the north east, views of the adjacent industrial estate and Energy from Waste building to the south-west and the urban fringe character of the area. The LCP lies in the Green Belt and the Canal Conservation Area.

Potential for mitigation and improvement of settlement edge:

If the area was selected for development care would be needed to avoid or mitigate impacts on the canal corridor and its users, and on rural residents. Hedgerow trees, especially oak, should be maintained where possible."

8.2.10 The first of these three areas was identified in the Study as being of High / Medium Landscape Sensitivity, with the other two areas identified as Medium sensitivity.

8.2.11 The Landscape Sensitivity Assessment Study for Employment Site Allocations provides a fair broad assessment of the landscape character and sensitivity of the Site. It also provides helpful guidance which has informed the design of the application proposals. In particular, care has been taken to provide the landscape buffers suggested, to respect the amenity of residential neighbours and to protect significant hedgerow trees where possible.

8.2.12 The Proposed Development would result in a number of likely significant landscape effects upon the character of the Site and its immediate context during construction and upon completion of the Scheme. The Proposed

Development would result in a significant loss of landscape, whilst substantially urbanising land which is predominantly now countryside, albeit subject to mineral workings in part and affected by a number of urbanising influences.

8.2.13 During construction, moderate / major adverse landscape effects would arise. The landscape effects on the Canal are assessed as moderate adverse, whereas the magnitude of landscape change for the Cannock Chase AONB is assessed as low or negligible, resulting in a minor adverse effect during construction of the Proposed Development.

8.2.14 Similarly, the visual impacts of construction are assessed for a number of receptors to range between minor, moderate and major adverse in the case of a limited number of residential properties in particular proximity to construction works. The visual impact of construction from the AONB, viewed from Shoal Hill at a distance of 3-5 km is assessed as moderate adverse during the construction period.

8.2.15 Chapter 12 of the **ES** repeats its assessment for the landscape and visual effects of the completed development. For the landscapes of the Site and its immediate context, the landscape effect is assessed as moderate / major adverse, whilst the significance of the landscape effect upon the AONB is assessed as minor adverse and the magnitude of change upon the landscape character and features of the Canal is assessed as low / medium, resulting in a moderate adverse effect, with this effect occurring over a limited stretch of the Canal. From the Shoal Hill view point within the AONB the higher parts of the proposed buildings would be seen within a wooded context and within the context of other active and industrial elements. However, from much of Shoal Hill and from within the more extensive wooded areas of the AONB there are no opportunities for views towards the Site. The significance of the visual effects from the limited available viewpoints at Shoal Hill is assessed as moderate adverse upon completion of the Proposed Development.

8.2.16 Comparable effects are assessed for the visual impact of the completed Scheme. Moderate / major adverse effects would arise in the immediate vicinity of the site but with views generally becoming more limited or screened as one moves away from the site. From nearby local settlements, such as Calf Heath, Brewood or Coven views would either not be available or would largely be limited and seen in the context of the Four Ashes Industrial Estate, the ERF,

the Bericote Site / Gestamp factory and the Rodbaston Wind Farm to the north of the Site.

8.2.17 For users of the Canal towpath the visual effects would vary along its length in the vicinity of the Site, with the most notable visual change arising between Gailey Marina and Gravelly Way Bridge and for a very short stretch immediately south of Straight Mile. The significance of the visual effects for towpath users with the clearest and closest views will be up to moderate / major adverse. From other parts of this section of the Canal and towpath the visual effects will be reduced.

The Impact on Openness

8.2.18 Development of a SRFI on the Site will have a direct physical impact upon its openness. The physical extent of this effect will reflect the overall built development (including rail structures) 'footprint' of the proposals. The remainder of the Site will comprise predominantly the conserved and proposed landscape and GI areas that will remain open and undeveloped. These areas will extend to approximately 36% of the total Site area.

8.2.19 The landscape and GI areas will include conservation of existing woodland and trees, together with new native woodland, tree and shrub planting and other open grassland and wetland habitats. The existing conserved and new planting and GI areas will reinforce the existing boundaries and containment of the built development area. In physical terms, the Proposed Development will have a quantifiable and direct effect upon the Site`s openness, yet will still maintain some notable areas of open land, dedicated to environmental uses.

8.2.20 Beyond the direct effect of the Proposed Development upon the Site`s openness, it is also appropriate to consider how this effect will be experienced or perceived.

8.2.21 The Proposed Development will not occupy an open and cohesive landscape in character terms but one that is relatively enclosed with mature and plantation woodland, with trees and hedgerows in its immediate context providing visual containment and interruption. This natural enclosure is reinforced by existing built development that exists alongside and in close proximity to the Site, most notably to the south west (comprising the Four Ashes Industrial Estate, SI

Group Chemical Works, the ERF and the Bericote Site / Gestamp factory). This combination of natural and existing built development immediately surrounding the Site limits its visual influence and its contribution to the surrounding landscape in terms of openness.

8.2.22 It is not a Site that naturally forms part of a larger or more extensive or connected landscape stretching significantly beyond its boundaries. This assessment is supported by the results of the published landscape character assessment studies that place the Site close to the boundary of a number of different landscape character areas. The site is contained by surrounding major roads, industry and woodland and it can be developed without encroaching into surrounding, open countryside.

8.2.23 The perceived effects upon openness will thus be less than a 2D plan view of the Proposed Development would imply.

8.2.24 In the context of suitable Green Belt boundaries, the landscape surrounding the Site includes a series of natural and other strong features that are appropriate and defensible as boundaries. These include the major transport corridors and the existing adjoining industrial development (currently excluded from the Green Belt).

Mitigation

8.2.25 The GI Strategy, outlined in the **DAS** (and shown in illustrative terms on Figure 12.11 of the **ES**), for the Proposed Development, has been prepared in the context of a thorough and detailed understanding of the Site and its context and within the framework of policy and design guidance. The GI Strategy incorporates integrated mitigation throughout the Proposed Development, including two new community parks (Croft Lane Community Park and Calf Heath Community Park).

8.2.26 In total, 36% of the Site will be dedicated to GI and the Proposed Development will site the new large-scale warehousing buildings and infrastructure within a robust framework of new and existing landscaped areas and corridors.

8.2.27 In the context of the LVIA, primary mitigation measures have been incorporated as an integral (or 'embedded') part of the design and layout of the

Proposed Development. These include attention to the siting, layout and heights of the Proposed Development and consideration of the earthworks and ground modelling proposals. All of these aspects and features have been taken into account in the design of the Proposed Development and the development parameters and have therefore been assessed as part of the Proposed Development.

8.2.28 Well managed and controlled site activities and the application of good practices (as outlined within the **ODCEMP** [Technical Appendix 2.5 of the **ES**]) throughout the construction process will minimise the potential adverse visual effects arising from construction.

8.2.29 In general, the landscape effects of the completed and operational Proposed Development would reduce over time following the establishment and subsequent maturing of the proposed planting and habitat creation. The comprehensive management of not only the proposed planting and habitats but also the existing conserved woodland, trees, hedgerows and other habitats would also assist in reducing the initial operational landscape effects.

8.2.30 Chapter 12 of the **ES** anticipates that the residual effects for many of the properties on Croft Lane, A5, A449 and Station Drive will reduce over time as a result of the increased natural screening and filtering within the development. Views from the majority of these properties will still be possible after 15 years. However, these are more likely to be increasingly limited to the higher parts of the buildings and in some instances even those views will be filtered, particularly in the summer. At this stage, effects are likely to be moderate adverse, with properties with more limited and restricted views experiencing minor / moderate effects. A similar reduction in the level of visual effects would generally be experienced by other properties and receptors close to the site as a result of the proposed mounding and the increasing maturity of the planting.

8.2.31 From the Canal towpath, the maturing of the new woodland, trees and other planting together with positive management would increasingly reduce the visual effects of the proposed development over time. After 15 years, the visual effects are assessed as minor / moderate adverse.

8.2.32 These mitigation measures are covered in further detail at Chapter 12 of the **ES**.

Conclusion

8.2.33 The proposed GI Strategy would generate a number of longer term beneficial effects, through the creation of the community parks and comprehensive management of both the existing and new planting and habitats.

8.2.34 In its assessment and in its design of the Scheme, the Applicant has carefully followed the advice within the NPS, paying particular attention to landscape effects from designated areas and to the landscape and visual impact of the development for nearby receptors.

8.2.35 The Site lies approximately 3km to the west of the south western extent of the Cannock Chase AONB. The Proposed Development has taken into account and addressed the potential effects upon the landscape and visual receptors (including its special qualities) of the Cannock Chase AONB. The influence of the Proposed Development would be limited to the south west corner of the AONB and the proposals will form one of a number of active and large scale infrastructure and development in this wider context (including the settlement of Cannock, the M6 Motorway, the ERF, the Rodbaston Wind Turbines, the Four Ashes Industrial Estate, the Bericote Site / Gestamp factory, etc.).

8.2.36 The Proposed Development would result in some likely significant visual effects during construction, upon completion and post completion of the Proposed Development. The majority of these visual effects will reduce as the existing and new planting is managed and matures.

8.2.37 The Proposed Development would not result in any unacceptable harm in landscape and visual terms, with all reasonable steps taken to minimise any impact on landscape, views and amenity, in accordance with the NPS.

8.2.38 Given that there is a recognised need for SRFI development in the locality of the Site, and that no suitable alternative sites can be identified, it is inevitable that the fulfilment of that need will generate some landscape and visual effects. Nevertheless, the Site has capacity for employment development, so long as that development is carefully planned and it is clear that the applicant has paid

particular attention to measures for limiting and mitigating adverse effects. With a strong commitment to planting and GI which will mature over time, no long term major adverse effects are forecast and the Application proposals will meet the policy requirements of the NPS.

8.3 Artificial Light

Policy

8.3.1 The NPS recognises that the construction and operation of SRFIs has the potential to create a range of emissions, including artificial light. Artificial light has the potential to have a detrimental impact on amenity or cause a common law nuisance or statutory nuisance[162], which must be considered by the decision maker:

> ***"Because of the potential effects of these emissions and in view of the availability of the defence of statutory authority against nuisance claims described previously, it is important that the potential for these impacts is considered by the applicant in their application, by the Examining Authority in examining applications and by the Secretary of State in taking decisions on development consents."*** (NPS paragraph 5.82)

8.3.2 The NPS acknowledges that some impact on amenity is likely to be unavoidable as a result of the development of NSIPs:

> ***"For nationally significant infrastructure projects of the type covered by this NPS, some impact on amenity for local communities is likely to be unavoidable. Impacts should be kept to a minimum and should be at a level that is acceptable."*** (NPS paragraph 5.83)

8.3.3 Whilst NPS paragraph 5.85 explains how the Proposed Development should be assessed by the applicant:

[162] [Part III] Environmental Protection Act 1990, Act of the Parliament of the United Kingdom (1990)

"In particular, the assessment provided by the applicant should describe:

- ***the type and quantity of emissions;***
- ***aspects of the development which may give rise to emissions during construction, operation and decommissioning;***
- ***premises or locations that may be affected by the emissions;***
- ***effects of the emission on identified premises or locations; and***
- ***measures to be employed in preventing or mitigation the emissions".***

8.3.4 The NPS advises the applicant to consult the relevant Local Planning Authority and the Environment Agency regarding the scope and methodology in the ES:

> ***"The applicant is advised to consult the relevant local planning authority and, where appropriate, the Environment Agency about the scope and methodology of the assessment."*** (NPS paragraph 5.86)

8.3.5 The NPS states that the decision maker should be satisfied that reasonable steps have been taken to minimise any detrimental impact on amenity:

> ***"The Secretary of State should be satisfied that all reasonable steps have been taken, and will be taken, to minimise any detrimental impact on amenity from emissions of odour, dust, steam, smoke and artificial light. This includes the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation."*** (NPS paragraph 5.87)

Assessment

8.3.6 The applicant has considered the potential impacts of artificial light in accordance with NPS paragraph 5.82. A Lighting Impact Assessment of the Proposed Development has been undertaken and is included at Appendix 12.8 of the ES. This assessment has been undertaken on the basis of the proposed **Lighting Strategy**. This strategy is founded on the key principles of energy efficiency and minimising environmental effects. The proposed Lighting Strategy will, in accordance with NPS paragraph 5.85:

- Minimise spill light to surrounding areas;
- Minimise upward sky pollution; and
- Ensure appropriate surveillance on-site.

8.3.7 This approach was discussed and agreed with the Environmental Health Officer ('EHO') at SSDC, as advised by NPS paragraph 5.86.

Mitigation

8.3.8 The **Lighting Strategy** incorporates the latest energy efficient directional luminaires that prevent sky glow, glare and light spillage. The detailed lighting scheme would be designed to satisfy the Lighting Strategy and to minimise upward light pollution and to comply with the Institute of Lighting Engineers ('ILE') best practice.

8.3.9 It is recognised that light has the potential to adversely affect ecological receptors (such as bats and other wildlife). The **Lighting Strategy** has therefore been the subject of considerable consultation with SCC ecologists to ensure that the mitigation proposed is appropriate and sufficient to prevent adverse impacts on ecologically sensitive areas and species. Measures proposed in the Lighting Strategy ensure that lighting is appropriate to its context and that effects are either negligible or non-existent. This has included specific work to design dark 'ecological corridors' for bats (see Section 7.4 of the **DAS**) across the Proposed Development and maintaining a dark corridor along the Canal.

8.3.10 All lighting units will emit light downwards and towards the task area, minimising any potential overspill and avoiding impacts on surrounding receptors.

8.3.11 The following factors largely influence the extent of the artificial light effects arising from the lighting proposals:

- the existing extent, sources and levels of lighting in and around the Site;
- the location of receptors and areas of settlement with views towards the proposals; and
- the adoption of best lighting design practice.

8.3.12 Due to the nature of the mitigation required, individual detailed Lighting Strategies will be submitted when details of the warehouses and site layouts are confirmed. Where possible lighting units will be positioned out of view of receptors. This will involve mounting lighting units as low as reasonably practicable, especially around the perimeter locations, considering and utilising the proposed mounding / screening provided by the GI Strategy. The lighting details will be secured via a requirement in the DCO (see the **draft DCO**).

8.3.13 Overall, the artificial light effects of the Proposed Development will be minimised through the adoption of the Lighting Strategy and further attention at the detailed design stage to the lighting proposals. The presence of existing locally notable light sources (e.g. surrounding major roads, SI Group and Four Ashes Industrial Estate and the ERF) in the Site`s context would moderate the adverse night time visual effects, as detailed in the Lighting Impact Assessment.

8.3.14 The resultant night time effects will vary for the surrounding visual receptors yet are likely to be predominantly ‘Minor to Moderate Adverse’ upon completion of the Proposed Development.

8.3.15 The construction impacts of lighting at the Proposed Development would generally be no greater than operational impacts, and in many cases they will be less.

Conclusion

8.3.16 The **Lighting Strategy**, developed through consultation with SCC and the EA (with the changes made noted within Section 3.6 of this Statement), in conjunction with the GI Strategy, will ensure lighting impacts are mostly negligible, rising to moderate adverse in a few limited instances. The impacts on ecology in all instances would be negligible.

8.3.17 The NPS acknowledges at paragraph 5.83 that some impact on amenity for local communities is likely to be unavoidable, and the limited impacts of the Lighting Strategy, as assessed by the **Lighting Impact Assessment**, accord with the principle of this paragraph.

8.3.18 All reasonable steps have been taken to minimise any detrimental impact on amenity from artificial light, in accordance with NPS paragraph 5.87 and the Proposed Development is in compliance with national planning policy.

9. NATURAL ENVIRONMENT

9.1 Introduction

9.1.1 Policy at all levels seeks to both protect and, where possible, enhance the natural environment. The effect of the WMI project on the natural environment has been the subject of comprehensive analysis.

9.1.2 National planning policy relating to biodiversity and ecological conservation (including veteran trees) is set out in NPS paragraphs 5.20 – 5.38, whilst policy relating to flood risk is set out at NPS paragraphs 5.90 – 5.115.

9.1.3 The effect of the proposed operations at the Proposed Development (rail and warehousing) in terms of dust, odour, smoke and steam (referenced at NPS paragraphs 5.82 – 5.89) have been scoped out of the **ES** and are not assessed in this Statement. Significant sources of dust, odour, smoke and steam are considered unlikely during the operational phase. This approach was discussed and agreed with the Environmental Health Officer ('EHO') at SSDC.

9.1.4 Potential dust emissions during the demolition / construction phases are addressed under Air Quality in Section 11 of this Statement.

9.1.5 Full details and assessment of the impacts of the scheme on the natural environment are contained within Chapters 10 and 16 of the **ES**.

9.2 Biodiversity and Ecological Conservation

Policy

9.2.1 The NPS provides that the applicant's assessment should ensure that the **ES** sets out any significant effects of any designated sites of ecological or geological conservation importance, on protected species and on habitats and other species:

> ***"Where the project is subject to EIA the applicant should ensure that the environmental statement clearly sets out any likely significant effects on internationally, nationally and***

> ***locally designated sites of ecological or geological conservation importance (including those outside England) on protected species and on habitats and other species identified as being of principal importance for the conservation of biodiversity and that the statement considers the full range of potential impacts on ecosystems."*** (NPS paragraph 5.22)

9.2.2 Development should avoid significant harm to biodiversity and geological conservation interests:

> ***"As a general principle, and subject to the specific policies below, development should avoid significant harm to biodiversity and geological conservation interests, including through mitigation and consideration of reasonable alternatives."*** (NPS paragraph 5.25)

9.2.3 The decision maker should not grant consent for development that would result in the loss of irreplaceable habitats, unless the national need for the development, in that location outweighs the loss:

> ***"The Secretary of State should not grant development consent for any development that would result in the loss or deterioration of irreplaceable habitats including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the national need for and benefits of the development, in that location, clearly outweigh the loss."*** (NPS paragraph 5.32)

Assessment

9.2.4 The full assessment of the likely effects and associated likely effects of the Proposed Development in respect of biodiversity and ecological conservation in accordance with paragraph 5.22 of the NPS is addressed in Chapter 10 of the **ES**.

9.2.5 The assessment utilises desk study data from publicly available sources, information obtained through consultation with key stakeholders and information gathered from a comprehensive programme of ecology habitat and species surveys carried out at the Site to inform the **ES**.

9.2.6 The assessment takes into account a significant number of embedded mitigation measures including (but not limited to) the proposed landscaping design, retention of certain features with biodiversity interest, provision of ecological corridors and Community Parks, sensitive lighting strategy, Canal corridor enhancements, amphibian friendly infrastructure design, mammal tunnels under roads, bat roosting enhancements, nesting bird habitat (vegetation and boxes), off-site land managed for the benefit of farmland birds and deadwood habitats of value to a range of species. A commitment has been made to deliver a biodiversity net gain for woodlands in area terms (native broadleaved), for hedgerows in terms of linear metres (native species rich) and standing water in area and quantity. Habitats provided as embedded mitigation are to be managed for their biodiversity interest in the long-term.

9.2.7 In accordance with the requirement of NPS paragraph 5.22, the Site has been the subject of a number of surveys. The baseline environment at the Site is characterised as follows:

- there are no Internationally or Nationally designated sites located on or immediately adjacent to the Site;
- there are no Special Protection Areas ('SPAs') or Ramsar Sites within 10 km of the Proposed Development;
- Special Protection Areas ('SACs') within 10km comprise the following:
    - Mottey Meadows SAC, located 7.5km north west;
    - Cannock Chase SAC, located 7.4km north east; and
    - Cannock Chase Extension Canal SAC, located 10km south east.
- SSSIs within the vicinity of the Site comprise Belvide Reservoir (4.5km west) and Four Ashes Pit (135m south), the latter designated for its geological rather than ecological features;
- thirteen Local Wildlife Sites ('LWS') were identified within a 1km search radius of the Site, the closest being Gailey Reservoirs including Calf

Heath Reservoir, located immediately adjacent to the Site's north-east boundary;

- habitats at the Site comprise arable and pastoral farmland; ephemeral ditches and several ponds; hedgerows, woodland, improved and semi-improved grassland, scrub and trees; quarry habitats including bare earth and pools; buildings and canal; and

- surveys at the Site have recorded the presence of several protected, rare, declining or notable species including great crested newt (off-site but present in the landscape in low numbers) and other amphibians; birds including breeding birds, in particular farmland birds and water birds; invertebrates; several species of bat; and terrestrial mammals including badger, hedgehog and otter.

Mitigation

9.2.8 Mitigation measures relating to the natural environment would be secured via a requirement in the DCO (see the **draft DCO**) and, in respect of bird mitigation, a Section 106 obligation.

9.2.9 Potentially significant effects were identified across a range of receptors as a result of the Proposed Development during construction and completed development phases, primarily due to the direct effects associated with loss of a range of habitats to the development. A comprehensive and significant range of embedded mitigation measures have been developed to address these effects. Further mitigation (in addition to that which has been embedded) has also been developed and is discussed in further detail in the **ES** at Chapter 10.

9.2.10 The decision makers should consider if the applicant has maximised opportunities to build in beneficial biodiversity or geological features:

> ***"Development proposals potentially provide many opportunities for building in beneficial biodiversity or geological features as part of good design. When considering proposals, the Secretary of State should consider whether the applicant has maximised such opportunities in and around developments. The Secretary of State may use requirements or planning obligations where***

appropriate in order to ensure that such beneficial features are delivered." (NPS paragraph 5.33)

9.2.11 Residual effects identified for ecology and nature conservation, as well as key mitigation measures for receptors are summarised as follows:

- **Effects on habitats**: significant effects are identified from loss of a range of habitats across the Site. Much of this loss will be mitigated through provision of new habitats and retention of some features through the landscape design. However, significant adverse residual effects will remain, including loss of veteran trees (significant at the local scale) and effects from construction works on remaining site habitats. The Proposed Development will secure the provision of native black poplar on Site, and as such, a beneficial effect at the County Scale has been identified for this impact;

- **Birds**: a significant effect has been identified due to the loss of breeding habitat (arable land) for farming birds. This impact is partially mitigated by the enhancement and management of 12 ha of existing intensively managed arable farmland off-site (within 1 km) dedicated for the benefit of farmland birds. Gains will also be made for other bird species such as water birds at the Site through the landscaping provision. An adverse effect at the Site scale is anticipated for woodland / scrub birds owing to uncertainties relating to effectiveness of habitat improvements and management;

- **Invertebrates**: a significant adverse effect at the Site scale is anticipated during construction due to habitat loss, but it is expected that this will be balanced by a significant beneficial effect at the local scale once the Proposed Development is completed;

- **Bats**: a significant adverse effect at the local scale is identified during construction, owing to the time taken for mitigation measures such as green corridors to establish. This effect will continue during the operational phase due to the potential impact of the lighting strategy on bats, however, it is expected that this will be addressed as the **Lighting Strategy** develops further. Bat 'hop-overs' are to be incorporated into lighting and landscaping proposals to ensure the effectiveness of

ecological corridors. Therefore, with anticipated mitigation in place, the magnitude of impact of lighting on bats would likely reduce removing this significant residual effect once finalised; and

- **Badger**: details regarding badger at the Site are considered confidential and therefore detailed within the **Confidential Appendix** (Volume 2, Appendix 10.2) of the **ES**. For animal welfare reasons this document is issued to ecological consultees only.

9.2.12 Ecological mitigation has been incorporated into the parameters for the Proposed Development and embedded in the Scheme design. This includes the following specific commitments:

- To deliver a biodiversity net gain for woodlands in area terms (native broadleaved) and hedgerows in terms of linear metres (native species rich). Wherever possible these features will be linked together and with existing retained habitats.

- New ponds will be provided as compensation for any ponds lost as a result of the Proposed Development and a minimum of 10 waterbodies will be provided as enhancement whereby the primary aim is to increase biodiversity and offer suitable breeding habitat for Great Crested Newts to include a range of depths, bank profiles, aquatic planting and shade regimes.

- The Community Parks will be designed to provide a range of native habitats including substantial areas of open water, species rich grassland, native woodland, hedges and scrub.

9.2.13 A greater range of habitats would be present in the operational phase of the Proposed Development. Notably there would be no net loss of grassland and the operational phase would provide more diverse and species rich creating lowland meadows. The bulk of this compensatory habitat would be provided within Croft Lane Community Park which presently comprises arable fields. Existing grassland within the area identified for Calf Heath Community Park would be enhanced (increased species diversity, removal of grazing pressure and nature conservation management) and woodland would be more evenly

distributed across the Site. There would be substantially more open water across the Site, notably in the Community Parks.

9.2.14 The Proposed Development would retain of a portion of Calf Heath Wood which comprises the more ecologically diverse areas of the plantation woodland, in addition to retaining and providing ecological corridors including linking Calf Heath Wood and Calf Heath Reservoir and two the Community Parks.

9.2.15 These measures are included in the **Framework Ecological Mitigation and Management Plan** ('**FEMMP**'), which will be secured via a DCO requirement (see the **draft DCO**).

Conclusion

9.2.16 In summary there are significant residual effects (beneficial and adverse) in the construction and operational phase, generally at the Site or Local scale or while habitats develop. This is balanced in part through the provision of significant new and enhanced habitat as part of the GI Strategy. This would be maintained in the long term and would provide benefits to a range of wildlife through positive habitat management for the duration of the operational phase. The habitats created would also address local and national biodiversity action plan targets.

9.2.17 The Proposed Development would avoid significant harm to biodiversity, in accordance with NPS paragraph 5.25, with ecological mitigation incorporated into the parameters of the Proposed Development.

9.2.18 Overall, the Proposed Development will have a broadly neutral impact on biodiversity, ecology and nature conservation, with the exception of the loss of 4 veteran trees (see Section 9.3), which is unavoidable. It is therefore considered that the Proposed Development meets the requirements of NPS paragraphs 5.23 – 38.

9.2.19 The Proposed Development has been, in accordance with policy and best practice, subject to significant assessment, which has directly influenced the design of the project throughout its development. This has ensured that, as far as possible, all facets of the biodiversity and ecology are protected and

enhanced as part of the Scheme. The Proposed Development is in compliance with national planning policy.

9.3 Veteran Trees

Policy

9.3.1 The NPS states that the decision maker should not grant consent for development that would result in the loss of irreplaceable habitats, unless the national need for the development, in that location outweighs the loss:

> ***"The Secretary of State should not grant development consent for any development that would result in the loss or deterioration of irreplaceable habitats including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the national need for and benefits of the development, in that location, clearly outweigh the loss."*** (NPS paragraph 5.32) (emphasis added)

9.3.2 And that the loss of aged or veteran trees should be avoided, where possible:

> ***"Aged or veteran trees found outside ancient woodland are also particularly valuable for biodiversity and their loss should be avoided. Where such trees would be affected by development proposals, the applicant should set out proposals for their conservation or, where their loss is unavoidable, the reasons for this."*** (NPS paragraph 5.32) (emphasis added)

Assessment

9.3.3 A thorough assessment for any veteran trees that may be present within the site was undertaken by appropriately qualified arboriculturalists as part of the site wide British Standard[163] tree survey. The methodology for the survey, the assessment criteria and the definition of a veteran tree used to determine whether or not any trees were of veteran status was based on accepted

[163] BS 5837:2012 (2012)

references and using an adaptation of English Nature's (now 'Natural England') Specialist Survey Method ('SSM'); at Level 2.

Presence

9.3.4 A total of 11 English oak on Site were found to be 'true veteran trees' as they possessed the minimum number of associated features pertaining to veteran trees in accordance with the above assessment criteria's and survey method, and are therefore of veteran status.

9.3.5 There were also a further 25 specimens, all of which were also English oak, which in accordance with the accepted survey methodologies and assessment criteria, would for their respective species still be 'interesting' and therefore were considered as 'transitional' or 'future' veteran trees.

9.3.6 Care has been taken with the layout of the Proposed Development to limit impacts on veteran trees. Due to the layout requirements of the development, however, and particularly, the need for large footprint buildings, it is anticipated that the development would require the loss of 4 of the 11 veteran trees and 5 of the 25 transitional veteran trees.

Mitigation

9.3.7 The principal mitigation measure has been the careful design of the parameters of the Proposed Development. It has been adapted in order to retain and conserve as many of the true veteran trees and transitional veteran trees as possible.

9.3.8 Mitigation measures relating to veteran trees would be secured via a requirement in the DCO (see the **draft DCO**).

9.3.9 In line with the recommended mitigation measures provided by Natural England and Forestry Commission guidance (known as 'standing advice'; updated 27 November 2017), the buffer zones for retained 'true' veteran trees are at least 15 times larger than the diameter of the veteran tree in question or 5m from the edge of the canopy, whichever is greater. For all the retained veterans, where feasible open spaces have been designed to provide as much undisturbed areas as possible for long term protection. During construction

appropriate screening barriers will be erected to protect from dust and pollution.

9.3.10 Further mitigation for the loss of veteran trees will take the form of retaining as much of the physical structure of the trees as possible, in large sections i.e. trunk and key limbs / branches close to their original position, preferably where they would not be disturbed. This would be possible within the new landscaped areas immediately to the east and north around the Calf Heath Reservoir on the M6 side of the Site where there are large buffers of existing and proposed new planting. The retained dead wood, either as large pieces of the trees or the entire trees (it would be possible to move large sections using specialist equipment) without their crown structure, would continue to supply the local invertebrate population with a dead wood habitat as well as offering a Site for fungal interaction and increased opportunity for new fungal habitats.

9.3.11 Alternatively, consideration would be given to 'translocating' the entire tree, albeit with a reduced form and to re-erect them also in the abovementioned landscaped areas.

9.3.12 It is also proposed to propagate the trees through hard wood cuttings and direct growing of acorns for use in planting on the Site, close to the parent trees and other retained 'future / transitional' veterans where they exist to expand the veteran community. Off-spring from the parent trees is highly important for succession to support the life that is supported by these valuable habitat trees.

9.3.13 The proposed mitigation measures would form part of an overall Veteran Tree Management Strategy for managing, maintaining and replenishing the veteran oak community for the long term.

Conclusion

9.3.14 The applicant has sought to conserve all veteran trees, where possible, and only where their loss is unavoidable are veteran trees proposed to be lost[164]. Due to the nature and scale of the Proposed Development, it would require the loss of 4 of the 11 true veteran trees and 5 of the 25 transitional veteran trees. The benefits of the Proposed Development are noted in Section 15 of this

[164] See [Paragraphs 5.35 – 5.39] of the **Arboricultural Assessment** [Appendix 12.7 of the ES]

Statement and the approach taken to veteran trees accords with NPS paragraph 5.32, thereby meeting the requirements of National Policy.

9.3.15 Mitigation for the loss of the veteran trees will be undertaken in order to retain as far as possible the specialist habitat that their veteran condition currently offers to local bio-diversity. The mitigation measures will be suitably tailored to ensure continuation of that habitat resource as best possible.

9.4 Drainage and Flood risk

Policy

9.4.1 Applications for projects of 1 ha or greater in Flood Zone 1 should be accompanied by a flood risk assessment. This should:

> ***"Identify and assess the risks of all forms of flooding to and from the project and demonstrate how these flood risks will be managed, taking climate change into account."*** (NPS paragraph 5.93)

Assessment

9.4.2 The Site has been the subject of a **Flood Risk Assessment** [ES Technical Appendix 16.1], which accompanies the **ES**, in accordance with NPS paragraph 5.93.

9.4.3 There are numerous surface water features located on, and within close proximity of the Site. There are a number of ponds on-site. In addition the Staffordshire and Worcestershire Canal bisects the Site. Two canal feeder reservoirs, Calf Heath Reservoir and Gailey Reservoir, are situated adjacent to the north-east Site boundary. Saredon Brook, the closest Environment Agency ('EA') designated Main River, is situated approximately 500m south of the Site.

9.4.4 According to the EA indicative flood maps, the Site is situated within Flood Zone 1, with less than a 0.1% (1 in 1000) annual probability of tidal / fluvial flooding. A small part of the northern boundary of the Site is shown to be at

risk of reservoir flooding, although this is considered to be a residual risk due to the statutory requirements for management and monitoring of reservoirs.

Mitigation

9.4.5 Mitigation measures relating to drainage, flood risk and foul water drainage would be secured via the requirements (see the **draft DCO**).

9.4.6 Without mitigation the demolition and construction stages of the Proposed Development could generate some potential significant direct effects on the water environment including risk of silt or increased surface water runoff, pollution and damage to on-site watercourses. The operational stages of the Proposed Development, if not mitigated, could potentially generate significant effects on the water environment including risk of increased surface water flood risk due to changes in impermeable area and pollution due to on-site processes.

9.4.7 Mitigation measures to ensure the construction and operational stages of the Proposed Development are not impacted from flooding have been developed and include a **Surface Water Drainage Report**, which proposes to restrict runoff rates to green field rates (including an allowance for climate change). Storm water which might build up in the drainage network due to the flow restriction will be stored in man-made watercourses, ponds and basins which have been strategically placed around the Proposed Development.

9.4.8 The drainage infrastructure has been designed to control surface water runoff quality in accordance with planning policy and SuDS[165] best practice to mitigate potential impacts on receiving watercourses and the underlying ground water. Oil interceptors and alternative treatment options to provide water treatment will be incorporated into the Proposed Development.

9.4.9 A foul drainage strategy has been designed to convey foul water from the development into the existing local sewer network. Through consultation with the sewerage undertaker it has been established that local reinforcements will be required to ensure that the network continues to operate within capacity

[165] Sustainable drainage systems (SuDS) mimic nature and typically manage rainfall close to where it falls. SuDS can be designed to convey surface water, slow runoff down (attenuate) before it enters watercourses, they provide areas to store water in natural contours and can be used to allow water to infiltrate into the ground or evaporated from surface water and lost or transpired from vegetation (known as evapotranspiration).

without increasing flood risk. All necessary reinforcement measures will be incorporated in the Proposed Development.

Conclusion

9.4.10 The Site is well suited to Proposed Development and the proposed drainage strategy has been designed to direct storm water towards existing drainage routes and maintain the natural hydrological regime, as far as possible.

9.4.11 The Proposed Development has been assessed in accordance with policy and best practice, ensuring that the Proposed Development is compliant with national planning policy.

10. TRANSPORT NETWORKS

10.1 Introduction

10.1.1 The effect of the WMI project on transport networks has been the subject of comprehensive analysis, both in terms of the effects on rail and road transport. Policy at all levels provides strong support for development which promotes a shift towards sustainable transport modes, particularly rail freight.

10.1.2 Policy relating to impacts on transport networks is set out at paragraphs 5.201 – 5.218 of the NPS.

10.1.3 Full details and assessment of the impacts of the scheme on transport networks can be seen in in the **Rail Operations Report** [Document 7.3] and in Chapter 15 of the **ES**.

10.2 Rail Freight

Policy

10.2.1 The Government's policy for encouraging the shift of freight from road to rail centres on addressing the need for a network of SRFIs. This is set out in the NPS, which notes that a network or SRFIs with good connectivity to the rail and road networks is essential:

> ***"it is essential that these [SRFIs] have good connectivity with both the road and rail networks, in particular the strategic rail freight network"*** (paragraph 2.54)

> ***"This means that SRFI capacity needs to be provided at a wide range of locations, to provide the flexibility needed to match the changing demands of the market"*** (paragraph 2.58)

10.2.2 The rail network requirements for new SRFIs are set out in paragraph 4.85 of the NPS:

> ***"As a minimum a SRFI should ideally be located on a route with a gauge capability of W8 or more, or capable of enhancement to a suitable gauge."*** (paragraph 4.85)

10.2.3 While paragraphs 4.88 and 4.89 of the NPS set out the scale and design requirements of new SRFIs:

> ***"Applications for a proposed SRFI should provide for a number of rail connected or rail accessible buildings for initial take up, plus rail infrastructure to allow more extensive rail connection within the site in the longer term. The initial stages of the development must provide an operational rail network connection and areas for intermodal handling and container storage. It is not essential for all buildings on the site to be rail connected from the outset, but a significant element should be."*** (paragraph 4.88)

> ***"As a minimum, a SRFI should be capable of handling four trains per day and, where possible, be capable of increasing the number of trains handled. SRFIs should, where possible, have the capability to handle 775 metre trains with appropriately configured on-site infrastructure and layout. This should seek to minimise the need for on-site rail shunting and provide for a configuration which, ideally, will allow main line access for trains from either direction."*** (paragraph 4.89)

Commitment to Rail

10.2.4 As noted in the Mission Statement, FAL are committed to delivering a rail served development which will bring significant sustainable social and economic benefits to the region. The WMI Scheme has been designed with rail at the heart of the Proposed Development, with up to 8m sq ft of rail-served warehousing, of which up to 1.6m sq ft has the potential to be directly rail-linked. The rail infrastructure would be provided through an 'Initial Rail

Terminal', with an 'Expanded Rail Terminal' allowing for future growth on the Site.

10.2.5 Two other SRFIs have so far come forward under the DCO regime, Daventry International Rail Freight Interchange ('DIRFT') and East Midlands Gateway ('EMG'), both in the East Midlands, with both having been consented (in 2014 and 2016).

10.2.6 Whilst each proposal is unique, the progress of these applications through the DCO process provides a useful guide on the approach to securing rail connectivity.

10.2.7 To ensure each of the consented DCO SRFI applications addressed NPS paragraph 4.88, each DCO contained a commitment to when the respective rail terminal would be operational, in the context of occupied warehousing floorspace – secured via Section 106 obligations or requirements.

Recent SRFI Decisions

Daventry International Rail Freight Terminal III (DIRFT III) (Decision July 2014)

10.2.8 The DIRFT III SRFI DCO application proposed up to 7.36m sq ft of rail served (or rail accessible) warehousing.

10.2.9 Up to 40% of the warehousing provided by the DIRFT III application has the potential to be rail-linked.

10.2.10 In the DIRFT III Decision Letter, dated 03 July 2014, the SoS agreed with the Examining Authority ('ExA') that the applicant's provision of rail infrastructure was adequate[166]. The rail connection to DIRFT III would utilise the existing DIRFT connections to the WCML, and the new terminal would replace the existing DIRFT rail freight interchange. These works would improve the capacity of the DIRFT reception sidings to handle more trains.

[166] [Paragraph 13] SoS for Transport's Decision Letter and Statement of Reasons for DIRFT III, PINS (July 2014)

10.2.11 The provision of the rail infrastructure was secured in the DIRFT III Section 106. Schedule 1 of the Section 106 included an obligation:

> ***"Not to occupy or allow the occupation of more than the Interim Floorspace Limit unless and until the phase one rail works have been constructed and are available for use unless otherwise agreed by the District Council"***

10.2.12 The DIRFT III 'Interim Floorspace Limit' is defined as "***the limit of 1.65 million square feet [(21%)] of gross internal floorspace of any warehouse units constructed as part of the development***".

10.2.13 The 'Phase One Rail Works' refer to the provision of an operational rail terminal and are defined as:

> ***"The following works:***
>
> ***(i) four western transhipment sidings;***
>
> ***(ii) the engine release track;***
>
> ***(iii) western loading land;***
>
> ***(iv) western container storage area;***
>
> ***(v) sufficient of the rail terminal entry/exit gateway to serve the operation of the above; and***
>
> ***(vi) sufficient rail track and associated work to serve the above"***

10.2.14 The ExA report to the SoS did not consider the timing of the rail connection at DIRFT III in particular detail, but did note that the new rail freight interchange being in phase one of the development accorded with policy guidance[167]:

> ***"The new rail freight interchange is proposed to be constructed in phase 1 of the construction programme. This is in accordance with the Policy Guidance which identifies that a SRFI should seek to provide a connection to an operational rail network during the 'initial stages' of the development."***[168]

10.2.15 Due to the DIRFT site already having an operational rail terminal in place, the provision and timing of the DIRFT III rail terminal was not considered in detail by the ExA or SoS (as noted above). The SoS and ExA considered that the interim floorspace limit was appropriate to ensure that the rail infrastructure would be delivered as soon as is reasonably practicable in the programme for the development.

East Midlands Gateway (EMG) (Decision January 2016)

10.2.16 The EMG SRFI DCO application proposed up to 6m sq ft of rail served (or rail accessible) warehousing.

10.2.17 None of the warehousing proposed in the EMG application has the potential to be directly rail-linked.

10.2.18 In the EMG Decision Letter, dated 12 January 2016, the SoS gave specific consideration to the provision of rail infrastructure and paragraph 4.88 of the NPS, which is repeated below:

> ***"Applications for a proposed SRFI should provide for a number of rail connected or rail accessible buildings for initial take up, plus rail infrastructure to allow more extensive rail connection within the site in the longer term. The initial stages of the development must provide an operational rail network connection and areas for***

[167] DIRFT III was consented ahead of the NPS being adopted, although the policy text for operational rail connections in the 'initial stages' largely remain the same
[168] [Paragraph 4.12] DIRFT III Examining Authority's Report of Findings and Conclusions, PINS (7 April 2014)

intermodal handling and container storage. It is not essential for all buildings on the site to be rail connected from the outset, but a significant element should be."

10.2.19 In the case of EMG, 2.8m sq ft (47%) of the proposed floorspace was proposed to be occupied before the opening of the rail freight terminal. The SoS was satisfied, however, that the proposals met the requirements of the NPS and his conclusions included the following:

> ***"The Secretary of State does not agree with the Examining Authority that the fact that a proportion of the warehousing would be made available for use in the period of 3 years during which the rail link was being constructed means that the project would fail to meet the functionality requirements of the NPSNN referred to above. He appreciates that the construction of warehousing and the construction of a new railway will involve different timescales and he considers it entirely reasonable that a commercial undertaking should seek to generate income from the warehousing facilities before the railway becomes operational. The Secretary of State considers that the interpretation of these NPSNN requirements must allow for the realities of constructing and funding major projects such as this. Having regard to the terms of paragraph 4.83 of the NPSNN, he is satisfied that, from the outset, this SRFI is being developed in a form that can (that is, will be able to) accommodate rail activities. He considers further that it is not unreasonable to regard the requirement for rail accessible buildings to be available "for initial take up" as having been effectively met in the circumstances of this project, taking into account the time required for essential earthworks and for subsequent construction of the rail infrastructure, the 30 year period planned for the build-up of rail operations and the limitation on how much warehousing can be occupied before the rail line is operational."*** (Paragraph 16)
>
> ***"The Secretary of State notes that the proposed arrangement at the SRFI is that railborne freight would be transported between the terminal and individual warehouses by roadbased tractors. He considers that this would, at the least, mean that the warehouses would be "rail***

> ***accessible" or "rail served", even if not directly connected in terms of rail sidings being physically located in close proximity to warehousing units. He considers that the proposed form of connection between warehouses and the rail freight terminal is sufficient to satisfy the objective of this part of the NPSNN, namely to facilitate and encourage the transport of freight by rail. "*** (Paragraph 18)
>
> ***"With regard to the risk that a significant part of the development could remain roadbased, the Secretary of State considers that the requirement for the rail freight terminal to be operational before the occupation of more than 260,000m^2 of rail served warehousing gives sufficient assurance that the rail facilities will be delivered as soon as is reasonably practicable in the programme for this development. While he accepts that in a commercial project of this sort there can be no absolute certainty that the rail facilities will be used to their fullest extent, he is reassured that the strong and growing demand for rail freight facilities including SRFIs recognised by the Examining Authority, and as expressed in the NPSNN (paragraph 2.45), means that there are reasonable prospects that as this SRFI is developed it will fulfil its potential for contributing to modal transfer in the freight sector, which is the clear purpose of this application."*** (Paragraph 24)

10.2.20 With regard to the risk that a significant part of the development could remain road based, the SoS considered that the requirement for the rail freight terminal to be operational before the occupation of more than 2.8m sq ft of rail served warehousing, gave sufficient assurance that the rail infrastructure would be delivered as soon as is reasonably practicable in the programme for the development.

10.2.21 The SoS accepted that in a commercial project of this sort there can be no absolute certainty that the rail facilities will be used to their fullest extent, but the SoS was reassured that the strong and growing demand for rail freight facilities including SRFIs, which was also recognised by the ExA, and as expressed in the NPS (paragraph 2.45), meant that there is a reasonable prospect that as EMG is developed it will fulfil its potential for contributing to

modal transfer in the freight sector, which is the clear purpose of the application[169].

WMI's Commitment to Rail

10.2.22 The WMI SRFI DCO application proposes up to 8m sq ft of rail served warehousing, with the potential for a significant proportion (20% / 1.6m sq ft) of the warehousing to be directly rail-linked.

10.2.23 WMI would be capable of accommodating rail-linked and rail-served warehousing in the first phase of development, with this phase capable of providing an operational rail network connection and areas for intermodal handling and container storage through the Initial Rail Terminal[170].

10.2.24 FAL are committed to ensuring an appropriate long stop date for the delivery of the intermodal terminal at the Proposed Development. A long stop date was not applied to either DIRFT III or EMG, however, at WMI this would ensure that the intermodal terminal is constructed and available to use by an appropriate date or before an appropriate quantum of warehousing floorspace is occupied. This will be secured through the S106 and in consultation with SSDC and SCC.

10.2.25 The WMI rail freight interchange terminal would be open-access and operated by an independent service provider. This means the terminal would be available not only to occupiers of units at the Site, but also to businesses across the West Midlands region (and beyond), helping them to make improvements in efficiency and productivity. At maturity, the terminal would be capable of handling up to 10 full length trains (775 metre), without the need to 'split' the trains into sections for handling. This would be done via dedicated main line connections, with sufficient gauging to link the Site to all major ports.

10.2.26 The terminal is served by a dedicated reception siding, which allows trains to be brought to and from the WCML at convenient times for operators, while allowing for passenger paths in the timetable.

Compliance with Policy

[169] [Paragraph 24] SoS for Transport's Decision Letter and Statement of Reasons for EMG, PINS (January 2016)
[170] In accordance with [Paragraph 4.88] National Policy Statement for National Networks, DfT (2014)

10.2.27 Pre-application discussions undertaken to date with Network Rail indicate that, should development consent be granted, the main line rail network has the capability to accommodate the emerging requirements of WMI and other existing or proposed rail freight interchanges in the surrounding area. The Proposed Development would fill a gap in the network of existing SRFIs between Hams Hall and Birch Coppice through to Widnes and Port Salford[171].

10.2.28 Network Rail are satisfied that there will be no adverse impacts on the operation of the railway and therefore no mitigation measures are necessary, beyond amendments to the existing track and signalling on the main line to accommodate the new main line connections. Two existing overbridges will be removed, one (Gravelly Way) being replaced with a new structure, the other being a disused accommodation bridge.

10.2.29 The Bushbury to Stafford line that intersects the Site is cleared to W10 gauge[172] and as the subsidiary branch to the WCML in this location, the line carries considerably less traffic compared to the main WCML route, with the WCML forming a core part of the strategic rail freight network[173] (see Annex C of the NPS).

10.2.30 From the outset, the Proposed Development would be capable of handling 775m trains, allowing access for trains from either direction on the main line directly to and from the intermodal terminal, minimising the need for shunting[174].

10.2.31 Discussions with Network Rail and associated technical assessments have indicated that sufficient train paths will be available for the Scheme to function at its anticipated first phase of operations in line with the Act definition of a RFI (up to 4 trains per day in and out of the site)[175]. Trains to and from WMI would be scheduled in accordance with established rail industry procedures, with train operating companies applying for paths from Network Rail, which would then review and allocate available capacity in order to avoid conflicts with existing services.

[171] In accordance with [Paragraph 2.58] National Policy Statement for National Networks, DfT (2014)
[172] In accordance with [Paragraph 4.85] National Policy Statement for National Networks, DfT (2014)
[173] In accordance with [Paragraph 2.54] National Policy Statement for National Networks, DfT (2014)
[174] In accordance with [Paragraph 4.89] National Policy Statement for National Networks, DfT (2014)
[175] In accordance with [Paragraph 4.89] National Policy Statement for National Networks, DfT (2014)

10.2.32 The twin-track railway alignment that runs through the Site is typically much easier to link to a SRFI than the four-track arrangement elsewhere on the WCML. The simpler twin-track arrangement avoids the need for complex at-grade or grade-separated railway junctions and associated signalling which would otherwise need to be installed. This in turn provides benefits for the accessibility of the site by rail and the duration of the construction rail works programme required to connect the Proposed Development to the WCML and reduces the number of train paths that would be affected by each new freight train.

10.2.33 The on-site rail layout is designed to facilitate an efficient and fast turnaround of freight trains within the intermodal terminal. The proposed rail freight interchange design would bring trains and trucks directly alongside each other, with a one-way flow for HGVs through the terminal, again to promote the fast and efficient transfer of freight. Additional rail sidings would be provided to permit direct rail access to warehousing on site, as well as additional stabling and the ability to handle electrically-hauled freight trains in future.

Conclusion

10.2.34 The Proposed Development would provide up to 8m sq ft of rail-served warehousing, with the potential for up to 1.6m sq ft of the warehousing to be directly rail linked. The rail infrastructure would be provided through an 'Initial Rail Terminal' capable of handling at least four freight trains per day, with an 'Expanded Rail Terminal' to allow for future growth on the Site. The Initial Rail Terminal would provide operational rail connections in both directions of travel, along with a dedicated area for intermodal handling and container storage[176].

10.2.35 As an open-access SRFI, the Proposed Development can be delivered and operated in a manner entirely aligned with the objectives of the NPS. WMI would help expand the limited number of existing SRFI into a much larger interconnected network of facilities, assisting with modal shift of freight as evidenced by the existing SRFI and associated benefits.

10.2.36 All of the works relating to railway infrastructure would be secured via the draft DCO and Section 106 obligations.

[176] In accordance with [Paragraph 4.88] National Policy Statement for National Networks, DfT (2014)

10.2.37 The **Rail Operations Report** [Document 7.3] provides further details on the rail-related aspects of the Proposed Development.

10.2.38 For the reasons set out above the application is therefore compliant, in rail terms, with government policy set out in the NPS, whilst also having the support of Network Rail, as noted in Section 3.6 of this Statement.

10.3 Highways

Policy

10.3.1 The NPS requires applicants to give due consideration to local planning policy relating to transport networks and to consult the relevant highway authority and local planning authority, as appropriate :

> ***"Applicants should have regard to the policies set out in local plans, for example, policies on demand management being undertaken at the local level."*** (NPS paragraph 5.203)

> ***"Applicants should consult the relevant highway authority, and local planning authority, as appropriate, on the assessment of transport impacts."*** (NPS paragraph 5.204)

10.3.2 A travel plan should be prepared by the applicant:

> ***"Where appropriate, the applicant should prepare a travel plan including management measures to mitigate transport impacts. The applicant should also provide details of proposed measures to improve access by public transport and sustainable modes where relevant, to reduce the need for any parking associated with the proposal and to mitigate transport impacts."*** (NPS paragraph 5.208)

10.3.3 Applicants should accept requirements and obligations to mitigate for any adverse impacts on transport networks:

> ***"Projects may give rise to impacts on the surrounding transport infrastructure including connecting transport networks. The Secretary of State should therefore ensure that the applicant has taken reasonable steps to mitigate these impacts. Where the proposed mitigation measures are insufficient to reduce the impact on the transport infrastructure to acceptable levels, the Secretary of State should expect applicants to accept requirements and/or obligations for funding infrastructure and otherwise mitigating adverse impacts on transport networks."*** (NPS paragraph 5.213)

> ***"Provided that the applicant is willing to commit to transport planning obligations and, to mitigate transport impacts identified in the WebTAG transport assessment (including environment and social impacts), with attribution of costs calculated in accordance with the Department's guidance, then development consent should not be withheld. Appropriately limited weight should be applied to residual effects on the surrounding transport infrastructure."*** (emphasis added) (NPS paragraph 5.214)

Assessment

10.3.4 The Applicant has listened carefully to the views of the local community and has worked closely with HE and SCC throughout the pre-application process. All transport work has been reviewed by SCC appointed consultants and by consultants on behalf of HE. The Applicant has agreed the transport assessment methodology with HE and SCC, in accordance with NPS paragraph 5.204.

10.3.5 The transport impacts of the WMI proposals have been independently assessed using a combination of source material. The traffic generation is based on DIRFT, including its latest operational phase known as 'DIRFT II'. The highway network has been assessed using two HE models which look respectively at the regional context and the more local area.

10.3.6 The assessment of wider transport and sustainability criteria is based on policy and current best practice, as exemplified in a number of policy documents at a national, regional and local level. A comprehensive review of policy documents is provided in the **Transport Assessment** and Chapter 15 of the **ES**.

Benefits

10.3.7 The Proposed Development includes a number of features embedded into the design proposals, along with improvements to the local road network that would improve access to the Site and resilience and permeability of the local road network.

A5 to A449 link road

10.3.8 Through consultation with the local community and with relevant stakeholders FAL identified concerns regarding the capacity at Gailey roundabout, both at present and into the future.

10.3.9 The location of the Site and the proposed infrastructure allows the Scheme to provide a new route for all vehicles to travel from the A5 east to the A449 south and vice versa via a new link road (that is to be adopted) through the Site.

10.3.10 This route would provide all vehicles with a choice of routes when travelling between the A5 and A449, giving the local road network greater resilience and permeability in addition to reducing the demands on the Gailey Roundabout.

10.3.11 The A5 to A449 link road is a major benefit of the Proposed Development to the local area and has been recognised as such by HE and SCC[177].

Right turn ban travelling north on the A449 at the junction with Station Drive

10.3.12 The junction of Station Drive and the A449 is currently subject to peak period queuing both from local employees and road users, and also due to 'rat running', with some motorists using this junction to avoid the Gailey roundabout when travelling to / from the M6.

10.3.13 Station Drive and Station Road also have a number of properties with direct frontage, with a low railway bridge (12ft 3in) between the two roads which frequently gives rise to problems of over height vehicles inadvertently finding that they are unable to pass under.

10.3.14 The Proposed Development would close the existing right turn lane from the A449 into Station Drive, as shown in Figure 22. Vehicles requiring direct access would need to utilise the new A449 roundabout to turn around (located further north at the junction with Gravelly Way). This would reduce the total number of vehicles using Station Drive and Station Road, significantly reducing the peak time queuing.

[177] [**Appendix 11**] HE response to Stage 2 Consultation

10.3.15 Vehicles currently using Station Drive as a means of avoiding the Gailey roundabout travel to / from the M6 would be able to use the new link road instead.

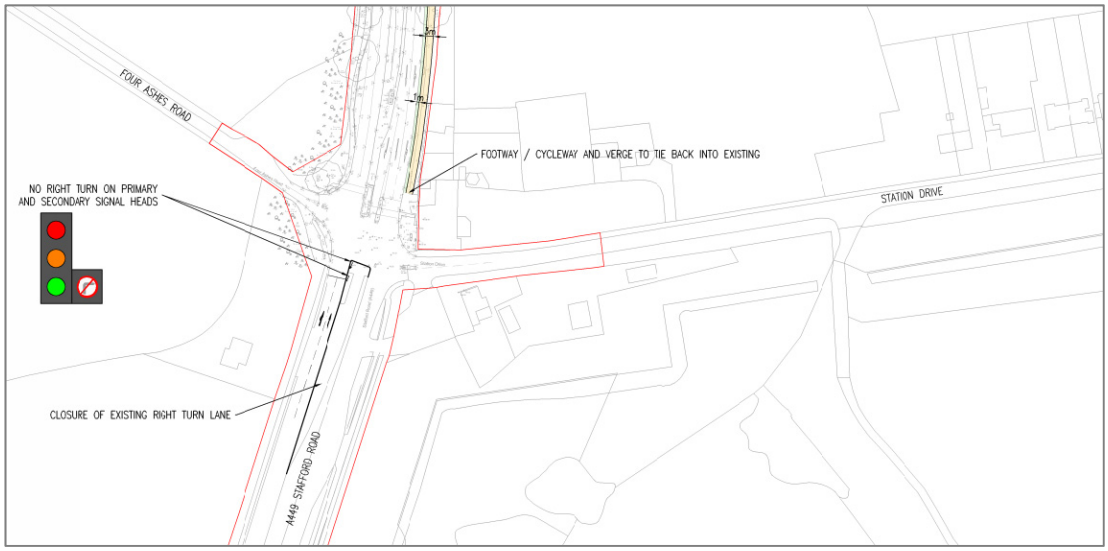

Figure 22: General Arrangement Plan 101 [Document 2.9A]

Turning head on Station Drive

10.3.16 HGVs and other high vehicles inadvertently attempting to travel east between Station Drive and Station Road (where a low railway bridge (12ft 3in) exists) are currently unable to turn around without blocking the road or undertaking a dangerous manoeuvre (e.g. reversing backwards to the A449 or using private driveways). This has led to bridge collisions at the low railway bridge and inevitable disruption.

10.3.17 While the closure of the existing right turn lane (shown in Figure 22) would reduce unnecessary movements between Station Drive and Station Road, the Proposed Development would also provide a turning area on the west side of the low railway bridge on Station Drive, as shown in Figure 23. This would allow vehicles unable to pass under the bridge to manoeuvre out of Station Drive without negatively impacting on other road users and local residents.

Figure 23: General Arrangement Plan 101 [Document 2.9A]

One way stopping up of Crateford Lane

10.3.18 Many residents during Stage 1 Consultation raised the issue of 'rat running' west via Crateford Lane to local villages. There were concerns that the issue may become worse should the Scheme come forward.

10.3.19 As a result, the Proposed Development was amended, with the layout of Crateford Lane being altered to make it one way travelling east, as shown in Figure 24. This would ensure that egress would be maintained for local residents whilst preventing the potential for 'rat running'.

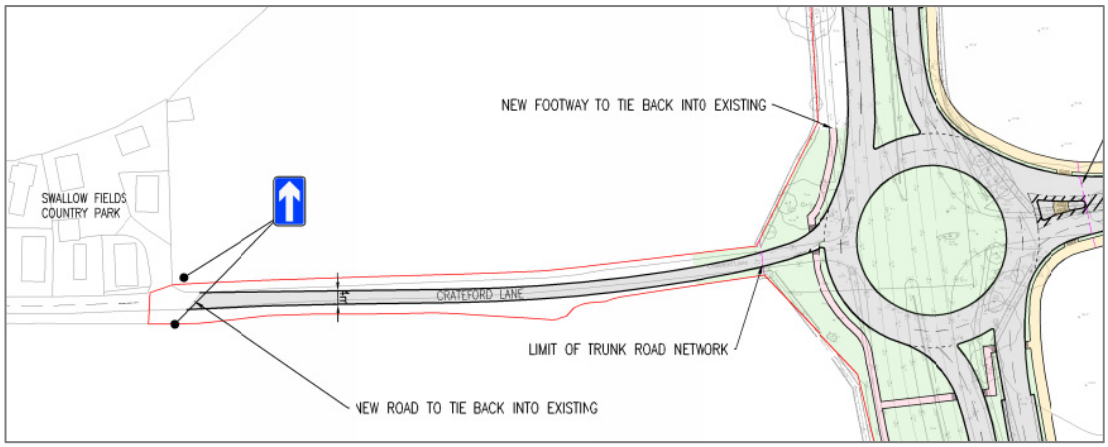

Figure 24: General Arrangement Plan 103 [Document 2.9C]

HGV Management on the A449 through Penkridge

10.3.20 The current issue of HGVs sometimes using the A449 to run through Penkridge is recognised. In order to prevent WMI HGVs from using this route they would be 'banned' from using this road through a **Site Wide HGV Management Plan** (Appendix I the **TA** [Technical Appendix 15.05 of the **ES**]), apart from for local deliveries.

10.3.21 A HGV monitoring system would be used to identify any WMI HGVs using this road, with a system of fines to be managed by the Transport Steering Group[178].

Mitigation

10.3.22 The Application includes a **Demolition and Construction Traffic Management Plan** (Appendix N the **TA** [Technical Appendix 15.05 of the **ES**]), a **Sustainable Transport Strategy** (Appendix G the **TA** [Technical Appendix 15.05 of the **ES**]), a **Site Wide Travel Plan** (Appendix H the **TA** [Technical Appendix 15.05 of the **ES**]) and a **Site Wide HGV Management Plan**.

10.3.23 The **Site Wide Travel Plan** sets out a range of measures to deliver improved pedestrian and cycle access, including new infrastructure and addressing existing issues with crossings, footways and cycle ways, as well as improvements to the Canal towpath.

10.3.24 The **Sustainable Transport Strategy** also outlines possible enhanced bus provision which could include a mix of additional public services and dedicated WMI buses. These measures have been taken into account in the assessment.

10.3.25 The highway impact and mitigation has been based on the assessment process identified in the Transport Assessment and from identifying local concerns and areas of stress on the existing highway. Notably these include the Gailey Roundabout at the junction of the A5 and A449 and Station Road / Station Drive. This has resulted in a number of specific mitigation measures[179], which are detailed below.

[178] The Transport Steering Group would likely consist of FAL, SCC, Highways England and the Site Wide Travel Plan Coordinator. SSDC and Wolverhampton City Council would also be members of the group, but would not be expected to have voting rights.
[179] In accordance with [Paragraph 5.213] National Policy Statement for National Networks, DfT (2014)

Area Wide Mitigation

10.3.26 On an area wide level, it is proposed to provide a Contingent Traffic Management Fund, should there be evidence that traffic associated with WMI is using local routes inappropriately and 'rat running'. The fund is proposed to be managed by the Transport Steering Group and that the group would agree what the funds can be spent on (e.g. Traffic Regulation Orders, speed limit changes and / or traffic calming measures).

10.3.27 The fund would be administered by the Transport Steering Group on implementing mitigation designed to prevent WMI traffic from using inappropriate routes and would be secured via a Section 106 obligation.

Public Transport Enhancement

10.3.28 Due to the number of anticipated employees at the Proposed Development, an increased frequency (from hourly to half hourly) of the 54 bus service between Wolverhampton and the Site has been identified as viable and would be promoted closer to the date of occupation. This increased frequency would be available for all residents on the route between Wolverhampton and Four Ashes to utilise.

Conclusion

10.3.29 Overall, the proposed package of transport measures would minimise the impacts of the Proposed Development (both during construction and when complete). These measures would deliver an overall improvement to the local road network, providing greater resilience on the strategic road network around the Site, with proposals to manage traffic on local roads and improved facilities for pedestrians and cyclists. Some measures, such as the new link road through the Site will deliver more obvious benefits through an improvement to the operation of the Gailey Roundabout.

10.3.30 Due consideration has been given to the relevant and regional policies, as required by paragraph 5.208 of the NPS and a **Sustainable Transport Strategy** is proposed which will provide all employees with a choice of high quality travel alternatives. The highway mitigation measures have been

designed to provide direct benefits for local road users as required by NPS paragraph 5.213.

10.3.31 The applicant has prepared a **Site Wide Travel Plan** with management measures to mitigate the impacts of the development, in accordance with NPS paragraph 5.208.

10.3.32 The **draft DCO** and **draft Section 106 planning obligations** mitigate transport impacts and, in accordance with NPS paragraph 5.214, development consent should not be withheld.

10.3.33 It should also be noted that in preparing the **Transport Assessment** and identifying the highway impact, no specific account has been taken of the transport benefits arising from HGV miles which will be saved on the national network by the provision of the SRFI. This is addressed in Section 11 of this Statement.

10.3.34 For the reasons set out above the application is therefore compliant, in highways terms, with government policy set out in the NPS and the DfT policy for the Strategic Road Network, as well as local policy.

11. CARBON

11.1 Introduction

11.1.1 The UK Government has a commitment to cut greenhouse gas emissions by at least 80% by 2050[180], with planning policy at all levels providing strong support for development which helps the transition to a low carbon future and to limit climate change. The NPS recognises that rail transport and SRFIs have a particular role to play in delivering significant reductions in pollution, including CO_2, at a national level[181].

11.1.2 The nature and scale of WMI means that it will contribute significantly to this policy initiative of national importance. The Proposed Development would plug a very significant gap in the national network of SRFI (see Figure 20) and do so at an important location in the centre of the country close to a major urban population[182]. The West Midlands region is particularly poorly served for freight travelling by rail and, consequently its freight movements (and strategic road network) are dominated by HGV traffic. The network of SRFI will only be fully effective when such gaps are filled so that rail becomes an increasingly attractive mode for distribution, providing a genuine choice for business – with each new rail freight facility reinforcing the quality and effectiveness of the network.

11.1.3 The purpose of this section is to consider the broad carbon saving potential of the Proposed Development, in the context of the NPS and in HGV kilometres saved as a result of the Proposed Development. The consideration of the Scheme's impact on local and regional air quality is considered separately at Section 12 of this Statement.

11.2 Legislation and Planning Policy

11.2.1 The Climate Change Act 2008 establishes a target to reduce the UK's greenhouse gas emissions by at least 80% in 2050 from 1990 levels. To drive progress and set the UK on a pathway towards this target, the Act introduced a system of carbon budgets, including a target that the annual equivalent of

[180] [Section 1] 2008 Climate Change Act
[181] [Paragraph 2.35] National Policy Statement for National Networks, DfT (2014)
[182] In accordance with [Paragraph 4.84] National Policy Statement for National Networks, DfT (2014)

the carbon budget by 2020 is at least 34% lower than 1990. In 2016 the Government adopted further targets that require a 57% reduction from 1990 levels by 2030[183].

11.2.2 In June 2017, the Committee on Climate Change reported to Parliament on the progress in reducing emissions and meeting carbon budgets[184]. The report found that:

- UK greenhouse gas emissions are about 42% lower than in 1990[185], around half way to the 2050 commitment to reduce emissions by at least 80% on 1990 levels;
- although good progress has been made to date, that progress is stalling. Since 2012, emissions reductions have been largely confined to the power sector, whilst emissions from transport are actually rising[186];
- effective policy to meet future legislated carbon budgets must cover freight efficiency improvements through a shift from road to rail[187]; and
- effective new strategies and policies are urgently needed to ensure emissions continue to fall in line with the commitments agreed by Parliament[188].

11.2.3 The NPS recognises that rail transport has a crucial role to play in delivering significant reductions in pollution and congestion:

> ***"Tonne for tonne, rail freight produces 70% less CO_2 than road freight, up to fifteen times lower NOx emissions and nearly 90% lower PM10 emissions. It also has decongestion benefits – depending on its loads, each freight train can remove between 43 and 77 HGVs from the road."***[189]

[183] The Carbon Budget Order 2016
[184] Meeting Carbon Budgets: Closing the policy gap 2017 Report to Parliament, Committee on Climate Change (2017)
[185] [Page 9] Meeting Carbon Budgets: Closing the policy gap 2017 Report to Parliament, Committee on Climate Change (2017)
[186] [Page 8] Meeting Carbon Budgets: Closing the policy gap 2017 Report to Parliament, Committee on Climate Change (2017)
[187] [Page 124] Meeting Carbon Budgets: Closing the policy gap 2017 Report to Parliament, Committee on Climate Change (2017)
[188] [Page 8] Meeting Carbon Budgets: Closing the policy gap 2017 Report to Parliament, Committee on Climate Change (2017)
[189] [Paragraph 2.35] National Policy Statement for National Networks, DfT (2014)

11.2.4 The development of a network of SRFIs is encouraged by the NPS at paragraph 2.40, in order to maximise mode shift from HGV to rail and reduce carbon emissions:

> ***"Modal shift from road and aviation to rail can help reduce transport's carbon emissions, as well as providing wider transport and economic benefits. For these reasons, the Government seeks to accommodate an increase in rail travel and rail freight where it is practical and affordable by providing for extra capacity."***

11.2.5 The transfer of freight from road to rail is specifically recognised as an important means for reducing carbon, at NPS paragraph 2.53:

> ***"The Government's vision for transport is for a low carbon sustainable transport system that is an engine for economic growth, but is also safer and improves the quality of life in our communities. The Government therefore believes it is important to facilitate the development of the intermodal rail freight industry. The transfer of freight from road to rail has an important part to play in a low carbon economy and in helping to address climate change."***

11.2.6 These objectives to reduce carbon in the NPS cannot be achieved without a fully functioning network of SRFIs.

11.3 Freight Carbon Review and Rail Freight Strategy

11.3.1 The Department for Transport ('DfT') published its Freight Carbon Review in 2017. This was supported by its Rail Freight Strategy, published in 2016.

11.3.2 It should be noted that the Freight Carbon Review (2017) did "***not attempt to set out comprehensively all of the steps that will be needed to deliver the necessary emissions reductions from road freight***", but instead sought to explore the options "***in order for freight to contribute towards [the UK's] long term climate change targets***"[190].

[190] [Paragraph 7] Carbon Freight Review, DfT (2017)

11.3.3 The Rail Freight Strategy (2016), however, assessed the potential future impact of rail freight in more detail, identifying issues and actions as part of the Strategy. It noted that "***the full economic and carbon benefits of rail freight will only be realised if the industry is able to grow in key sectors and achieve its potential***"[191]. One of the "***priority issues***" listed in the Strategy to unlock the future potential of rail freight is to address infrastructure capacity by "***supporting the development of high capacity rail freight interchanges***"[192], i.e. SRFIs.

11.3.4 Arup and AECOM produced a study[193], on behalf of the DfT, supporting the Strategy, which provided a high-level assessment of the likely scale of carbon emissions that could be saved by 2030 through greater modal shift from road to rail. The Study concluded that, with the right policy interventions and investment, rail freight could make a significant contribution to reducing UK emissions. The Arup study identified ten illustrative intervention measures which combined could theoretically lead to emissions savings of around 2.3 million tonnes per annum of CO_2 equivalent in 2030[194].

11.3.5 One of these interventions is a "***focus on increasing the number of Strategic Rail Freight Interchanges (SRFIs) as well as smaller terminals, to support future growth in intermodal traffic***"[195]. The indicative emissions savings as a result of this 'intervention' (building new rail terminals) is 216,530 tonnes of CO_2 per annum by 2030.

11.3.6 The Freight Carbon Review acknowledged the findings of the Rail Freight Strategy, stating:

> ***"The Arup study notes that modal shift reduces carbon emissions by an estimated 76% as each freight train removes the equivalent of 25-76 HGVs from the British road network. The Government recognises the environmental benefits provided by rail freight, and remains keen to***

[191] [Paragraph 4] Rail Freight Strategy, DfT (2016)
[192] [Paragraph 64] Rail Freight Strategy, DfT (2016)
[193] Future Potential for Modal Shift in the UK Rail Freight Market, Arup / AECOM (2016)
[194] [Annex D] Rail Freight Strategy, DfT (2016)
[195] [Paragraph 42] Carbon Freight Review, DfT (2017)

encourage modal shift from road to rail, in a cost-effective way."[196]

11.3.7 It was also recognised that there may be the opportunity to further de-carbonise rail freight, with only 5% of rail freight currently powered by electric traction, however, "***as further electrification of the rail network is undertaken, it will be important to recognise the opportunities this may present***"[197]. WMI has been designed to accommodate for both diesel and electric trains, with the terminal design allowing for the handling electrically-hauled freight trains in the future, through two additional reception sidings with passive provision for overhead electrification[198].

11.3.8 In terms of decarbonising rail freight movements, Direct Rail Services ('DRS') has brought the UK's first ten dual electric and diesel locomotives (the Class 88), which can go anywhere on the rail network. The electric engine produces around half the carbon emissions of a diesel freight train locomotive which itself produces 76% less carbon dioxide than the equivalent lorry journey[199]. These trains are capable of bridging gaps in the UK electrified network in a seamless way which minimises delays and are ideal for the freight market as they can use a diesel engine to go into freight terminals. DRS anticipate using the new trains on its intermodal supermarket services on the WCML, especially the Daventry to Mossend flow via the steep gradients at Shap and Beattock.

11.3.9 DfT also committed, as part of its actions and next steps in the Rail Freight Strategy, to ensuring that "***rail freight is considered as part of work on options for the wider deployment of biofuels to decarbonise the freight sector***"[200].

11.4 Operational Rail-Based Examples

11.4.1 In addition to the Government's agenda to encourage a modal shift from rail to road, there is an increasing awareness of the environmental benefits of rail

[196] [Paragraph 170] Carbon Freight Review, DfT (2017)
[197] [Paragraph 44] Rail Freight Strategy, DfT (2016)
[198] Electrically-hauled trains could access the outer two reception sidings, from where on-site diesel shunter locomotives would then shunt the train into the intermodal terminal. The latest electric freight locomotives being introduced onto the network (Class 88) (see Paragraph 14.4.13) have built-in diesel engines that could undertake such shunting manoeuvres without requiring a separate diesel shunter
[199] Campaign for Better Transport [http://www.bettertransport.org.uk/blog/better-transport/new-dual-electric-and-diesel-locomotive-shows-rail-freight-moving-times]
[200] [Paragraph 89] Rail Freight Strategy, DfT (2016)

freight by retailers and warehouse occupiers. Across the country rail is already playing a vital role in reducing the carbon emissions of freight with occupiers relying on rail freight to help meet their own carbon reduction targets.

11.4.2 Kilbride (who form part of FAL) have worked to deliver rail terminals across the country, including two now operated by JLR at Castle Bromwich (West Midlands) and Halewood (Merseyside). Together these two terminals are estimated to have saved over 140 million HGV kilometres over the 10-year forecast period since opening the terminals.

11.4.3 JLR and Kilbride were part of the group that was named the National Champion in the Green Apple Awards in 2003 in recognition of improvements to its rail infrastructure having added a new railhead at its Castle Bromwich plant. This enabled JLR to vastly reduce the number of car deliveries made by HGV, significantly benefiting the environment and reducing their carbon footprint.

Figure 25: JLR cars being loaded onto a freight train at Halewood

11.4.4 JLR, who have a plant based at i54, just south of the proposed WMI Site support the WMI Scheme, noting that the Proposed Development would

support JLR and their supply chain, with the potential to improve their efficiency (see **Appendix 7**).

11.4.5 JLR and other car manufacturers utilise the rail network to export their produce from UK ports, with Southampton receiving up to 21 freight trains a day, of which up to an estimated 3-6 per day are trains carrying new cars, ready for export around the world. Freight trains provide the most reliable and environmentally efficient method of delivering cars from factory to port.

11.4.6 'On Track!'[201] was a document produced in 2012, following meetings between the Department for Transport ('DfT') and the Freight Transport Association ('FTA') to explore the potential to increase rail freight traffic from UK retailers and to document what was already being achieved. This notes a number of examples of companies who are already utilising rail freight to reduce their carbon emissions, with the carbon saving benefits of rail freight increasingly apparent to businesses, including manufacturers, logistics providers and retailers.

11.4.7 Tesco have long been one of the leading retailers utilising rail freight across the UK and internationally. For example, one of the rail services being used by the company brings fresh produce by train from Valencia into the UK. Tesco estimated in 2012 that their rail movements took up to 66 million HGV kilometres off the UK road network each year, cutting CO_2 emissions by 39,000 tonnes[202].

[201] On track! Retails using rail freight to make cost and carbon savings, Freight Transport Association Limited (2012)
[202] On track! Retails using rail freight to make cost and carbon savings, Freight Transport Association Limited (2012)

Figure 26: Tesco at DIRFT

11.4.8 Tesco are committed to rail freight as a sustainable way in which to transport goods, with Nigel Jones, Tesco's UK Logistics Director stating:

> ***"Rail freight is part of our ongoing commitment to be a zero carbon business by 2050. It is the most sustainable way of transporting goods across the country."***[203]

11.4.9 B&Q is another company that is increasingly looking to utilise rail as part of its distribution network. B&Q's imported product has three points of entry into the UK (Felixstowe, Southampton and Thamesport). All three points of entry have rail links and B&Q now puts 30% of their containers on freight trains, totalling approximately 100 containers a week and it is looking to increase the proportion of containers travelling by train, principally for environmental reasons[204]. B&Q estimated in 2012 that their rail movements took around 5 million HGV kilometres off the UK road network per year, cutting CO_2 emissions by up to 4,200 tonnes.

11.4.10 At Felixstowe Port, the current 33 freight train movements in and out of the port translate to around 2,500 fewer HGVs per day on the A14 corridor[205]. Furthermore, rail freight is well placed to increase its role at Felixstowe. The recent decision to increase Felixstowe's freight train movements to up to 47 a

[203] On track! Retails using rail freight to make cost and carbon savings, Freight Transport Association Limited (2012)
[204] On track! Retails using rail freight to make cost and carbon savings, Freight Transport Association Limited (2012)
[205] [Page 4] Air Quality and Rail Freight Scoping Paper, Rail Freight Group (October 2017)

day in each direction[206] illustrates the confidence of the sector and will further reduce the carbon impact of freight movements in and out of the Port.

11.4.11 To be fully effective ports need inland rail connected destinations, with high quality facilities, such as SRFIs, close to major centres of population.

11.4.12 The further integration of rail and road freight movements, through the development of SRFIs in the right locations has the potential to both significantly reduce national carbon emissions and also to reduce national road congestion.

11.5 Carbon Saving Benefits of WMI

11.5.1 It is not possible to calculate with a high degree of accuracy the amount of carbon which will be saved when the Proposed Development is fully operational. The carbon saved will depend in part on the identity of the on-site occupiers and will vary over time as rail connectivity becomes more established around the country. Based on the NPS and the examples of operating rail freight logistics set out above, there is no doubt that a fully operational SRFI at the Site would deliver substantial savings in carbon emissions.

11.5.2 However, using conservative assumptions it is estimated that the Proposed Development would save in the region of 50 million HGV kilometres each year[207] at maturity. This would be the equivalent of over three times the annual HGV kilometre savings of both the Castle Bromwich and Halewood terminals put together (14 million HGV kilometres saved each year).

11.5.3 The HGV kilometre savings take account of operational HGV traffic anticipated to be associated with the Proposed Development and comprise the estimated kilometres saved as a result of that part of the freight distribution comprising rail, instead of road-based HGV journeys.

11.5.4 The calculated HGV kilometre savings for the Proposed Development illustrate how WMI would be able to significantly and positively contribute to the

[206] Port of Felixstowe Rail Improvements Receive Go-Ahead (16 October 2017) [https://www.portoffelixstowe.co.uk/press/news-archive/port-of-felixstowe-rail-improvements-receive-go-ahead/]
[207] See [**Appendix 13**] for further details on how the HGV km saved were calculated.

Government's UK wide carbon reduction strategy, given the significant reductions in pollution (and congestion) that rail freight delivers over road freight[208].

11.5.5 It should be noted the HGV kilometres saved is a conservative estimate, calculated without knowledge of the potential occupiers at the Proposed Development and the exact freight routes / distribution patterns these occupiers would utilise. It is therefore entirely likely that, once occupiers are known, the actual carbon savings of the Proposed Development could be much greater, when considering the Proposed Development against operational examples of similar developments.

11.5.6 The Proposed Development would accommodate both rail and road based operations from the outset. It is therefore likely that some road based operators who would otherwise use alternative distribution sites may find operational efficiencies in delivering by road to WMI, with carbon saving benefits arising as a result.

11.6 Conclusions

11.6.1 Government policy, at a national level, is to encourage the transfer of freight from road to rail to reduce carbon and greenhouse gas emissions. The provision of SRFIs within areas of need and close to the markets they will serve, will help to increase the efficiency of the rail freight network as a whole delivering carbon and greenhouse saving effects.

11.6.2 Recent studies commissioned by the Government[209] have confirmed the important role rail freight, and in particular SRFIs have, in meeting the Government's UK greenhouse emissions targets and reducing the impact of freight on carbon emissions. Not only is reducing carbon important to the Government, it is also becoming increasingly important to many businesses, who are seeking to improve their sustainability credentials through more sustainable solutions, generally through their own sustainability agendas.

11.6.3 WMI would make a direct and significant contribution towards national efforts to reduce greenhouse emissions from transport, both through reducing the

[208] [Paragraph 2.35] National Policy Statement for National Networks, DfT (2014)
[209] Carbon Freight Review, DfT (2017) and Rail Freight Strategy, DfT (2016)

carbon impact of freight movements and providing congestion benefits on the national road network.

12. AIR QUALITY

12.1 Introduction

12.1.1 The effect of the Proposed Development on air quality has been the subject of comprehensive analysis. Policy at all levels provides strong support for development which has the potential to improve air quality.

12.1.2 Policy relating to air quality is set out at paragraphs 5.3 – 5.15 of the NPS.

12.1.3 The **ES** assesses the likely environmental effects and the associated likely effects of the Proposed Development in respect of air quality at Chapter 7.

12.2 Policy

12.2.1 Where impacts of the project are likely to have significant air quality effects, the applicant should undertake an assessment of these impacts as part of the ES, as noted at NPS paragraph 5.7:

> ***"The environmental statement should describe:***
>
> - ***existing air quality levels;***
> - ***forecasts of air quality at the time of opening, assuming that the scheme is not built (the future baseline) and taking account of the impact of the scheme; and***
> - ***any significant air quality effects, their mitigation and any residual effects, distinguishing between the construction and operation stages and taking account of the impact of road traffic generated by the project."***

12.2.2 The air quality impacts in the wider area should also be considered by the SoS in decision making:

> ***"The Secretary of State should consider air quality impacts over the wider area likely to be affected, as well as in the near vicinity of the scheme. In all cases the Secretary of State must take account of relevant statutory air quality thresholds set out in domestic and European legislation. Where a project is likely to lead to a breach of the air quality thresholds, the applicant should work with the relevant authorities to secure appropriate mitigation measures with a view to ensuring so far as possible that those thresholds are not breached."*** (NPS paragraph 5.10)

12.2.3 Whilst in regards to impacts on air quality management areas ('AQMAs'), the NPS notes that:

> ***"Air quality considerations are likely to be particularly relevant where schemes are proposed:***
>
> - ***within or adjacent to Air Quality Management Areas (AQMA); roads identified as being above Limit Values or nature conservation sites (including Natura 2000 sites and SSSIs, including those outside England); and***
>
> - ***where changes are sufficient to bring about the need for a new AQMAs or change the size of an existing AQMA; or bring about changes to exceedances of the Limit Values, or where they may have the potential to impact on nature conservation sites***." (NPS paragraph 5.11)

12.2.4 Air quality assessments should further consider any impacts on air quality zones or agglomerations:

> ***"The Secretary of State must give air quality considerations substantial weight where, after taking into account mitigation, a project would lead to a significant air quality impact in relation to EIA and / or where they lead to a***

deterioration in air quality in a zone / agglomeration." (NPS paragraph 5.12)

12.2.5 Schemes should not result in zones becoming non-compliant or affect the ability of an already non-compliant zones to achieve compliance, in air quality terms:

> ***"The Secretary of State should refuse consent where, after taking into account mitigation, the air quality impacts of the scheme will:***
>
> - ***result in a zone/agglomeration which is currently reported as being compliant with the Air Quality Directive becoming non-compliant; or***
>
> - ***affect the ability of a non-compliant area to achieve compliance within the most recent timescales reported to the European Commission at the time of the decision***." (NPS paragraph 5.13)

12.3 Assessment

12.3.1 As noted in the NPS, "***Rail transport has a crucial role to play in delivering significant reductions in pollution and congestion. Tonne for tonne, rail freight produces 70% less CO2 than road freight, up to fifteen times lower NOx emissions and nearly 90% lower PM10 emissions. It also has de-congestion benefits – depending on its load, each freight train can remove between 43 and 77 HGVs from the road***."[210]

12.3.2 The Site does not lie within an air quality management area ('AQMA'). The nearest AQMA is located approximately 2km east of the Site at New Hollies Truck Stop on the A5.

12.3.3 In order to establish the baseline air quality in the vicinity of the Site, relevant monitoring data was reviewed and assessed (including data from South Staffordshire District Council, Cannock Chase Council, Wolverhampton City Council, Stafford Borough Council, Telford and Wrekin Council and Walsall

[210] [Paragraph 2.35] National Policy Statement for National Networks, DfT (2014)

District Council). In addition, DEFRA air quality background maps were used to obtain current and future background concentrations for the air quality study area (as outlined in Chapter 7 of the **ES**).

12.3.4 The air quality study area has been determined by the likelihood of impacts on the existing road network, and which roads would have a direct impact on local sensitive receptors. The road network considered has been based upon the Design Manual for Roads and Bridges ('DMRB') (2017) criteria; which are defined by changes in traffic volumes / average speeds. Designated ecological sites close to the Proposed Development or close to roads that will experience a significant change in traffic due to the Proposed Development have also been considered in the air quality assessment.

12.3.5 The air quality assessment has considered the construction phase effects (dust and construction traffic) and operational effects (operational traffic including potential emissions from additional rail and road movements).

12.3.6 Based on the findings of the construction dust assessment, according to guidance[211], the overall risk of dust impacts in the absence of mitigation have been assessed as being High (however, it should be noted that this risk is related to "***dust soiling***" [212], rather than to human health).

12.3.7 On the wider rail network, the additional train movements (of up to 10 a day, at maturity) generated by the Proposed Development will be so small as to be considered insignificant, therefore impacts on local air quality as a result of the operational development are deemed to be Negligible.

12.3.8 Overall, the Proposed Development would result in a Negligible to Slight Adverse impact across the study area with regards to NO_2, $PM_{2.5}$ and annual mean PM_{10}.

12.3.9 The assessment has predicted an increase in the number of days exceeding the 24-hour PM_{10} objective at a number of locations. The impact has been assessed as between moderate and substantial adverse at one receptor[213] but not significant at all other locations. The objective is already being exceeded at this receptor without the Proposed Development in operation therefore the

[211] Institute of Air Quality Management. Guidance on the Assessment of dust from demolition and construction. 2016. v1.1
[212] Dust soiling is the dust fallout to a nominally horizontal surface.
[213] Darlaston Road, Walsall

significant impact is as a result of the existing high baseline concentrations. The impact is limited to 3-4 residential properties immediately adjacent to the M6. Impacts at other receptors immediately adjacent to the M6 to the west have been assessed as being negligible. The Proposed Development does not therefore result in an exceedance of this objective at any location and overall impacts on human health are not considered to be significant.

12.3.10 Overall, the impacts on air quality as a result of the Proposed Development are not considered to give rise to a significant effect on human health.

12.3.11 In accordance with paragraph 5.13 of the NPS, the Proposed Development would not result in the need to designate a new AQMA, or require a change in the size of an existing AQMA. The Proposed Development would not therefore change the compliance status of the West Midlands or West Midlands Urban Zones (with the zones described further in Chapter 7 of the **ES**).

12.3.12 The proposals are anticipated to reduce overall HGV movements across the wider road network resulting in significant reductions in regional NO_X, PM_{10} and $PM_{2.5}$ emissions, however, whilst there would be some localised adverse impacts, the increase in movements of goods via rail freight would result in a significant beneficial impact on regional air quality.

12.3.13 The Proposed Development is expected to result in a positive impact on regional air quality as it is anticipated to reduce overall HGV movements across the wider road network, resulting in significant reductions in regional NO_x, PM_{10} and $PM_{2.5}$ emissions.

12.3.14 The change of HGV movements along the arterial roads leading into Wolverhampton as a result of the Proposed Development has been assessed. It is anticipated that the number of HGV movements would increase significantly along the A449 leading into Wolverhampton as a result of the Scheme, however the number of HGV using the other arterial roads would decline. This is due to a greater proportion of freight entering Wolverhampton originating from WMI rather than entering from other locations. No change in the overall number of HGV entering Wolverhampton is therefore anticipated as a result of the Proposed Development. This is set out in more detail in Technical Appendix 7.9 of the **ES**.

12.3.15 The assessment has indicated that at only one of the two identified ecological receptors (Belvide Reservoir, as described in Table 7.6 of the **ES**), is the traffic generated by the operational Scheme predicated to result in changes to NO_X concentrations, nutrient nitrogen and acid deposition rates at the identified ecological receptors at a rate of more than 1%. Further consideration of the predicted impacts at this site has been included as part of the ecology assessment and the significance of effects set out in the **ES** (Chapter 10 Ecology). This further assessment concludes that the habitats at this Site, within 10m of the road, are unlikely to be sensitive to changes in air quality (comprising hedgerows and a semi improved grassed bund). As such, despite a change greater than the Critical Level[214], this is still considered to be classed as Insignificant.

12.4 Mitigation

12.4.1 A Dust Management Plan would be prepared in advance of the commencement of any construction works. This would follow the principles outlined in the **ODCEMP**.

12.4.2 The Dust Management Plan would be included as part of the **DCEMP**, and agreed with SSDC, and would ensure best practice dust management techniques are employed. This would result in potential impacts being significantly reduced, ensuring that no significant residual effects arise.

12.4.3 On As outlined in Section 10.2 of this Statement, a **Sustainable Travel Strategy** has been prepared, which comprises mitigation measures to reduce the number of vehicle movements associated with the Proposed Development.

12.5 Conclusion

12.5.1 The **ES** at Chapter 7 has assessed air quality against the requirements of the NPS, as set out in NPS paragraphs 5.6 – 5.9.

[214] Critical levels are the ambient concentrations and deposition fluxes below which significant harmful effects to sensitive ecosystems are unlikely to occur.

12.5.2 The Proposed Development aims to reduce the overall number of HGVs using the road network by using rail freight to transport goods. This is expected to result in a positive impact on regional air quality.

12.5.3 The Proposed Development would not give rise to a significant effect on air quality, with a Negligible to Slight Adverse impact across the study area with regards to NO_2, $PM_{2.5}$ and PM_{10}.

12.5.4 It is noted that air quality modelling has identified negligible to slight impacts for fine particulates (PM_{10} and $PM_{2.5}$) at all locations, apart from one exception, where the impact has been determined as between moderate and substantial. This location is limited to 3-4 residential properties lying immediately to the east of the M6, with the daily particulate criteria already being exceeded without the Proposed Development in operation. The Proposed Development increases the number of days exceeding the particulate criteria by less than 2% and when considering the Scheme overall, the impacts on air quality are not considered to be significant.

12.5.5 The Proposed Development would not result in the need to designate a new AQMA, or require a change in the size of an existing AQMA. The Proposed Development would not therefore change the compliance status of the West Midlands or West Midlands Urban Zones.

12.5.6 For the reasons set out above the application is therefore compliant, in air quality terms, with government policy set out in the NPS.

13. NOISE AND VIBRATION

13.1 Introduction

13.1.1 Chapter 13 of the **ES** provides a comprehensive assessment of the likely significant noise and vibration effects of the WMI development. This chapter of the Planning Statement does not repeat that assessment but considers the consequences of the assessment within the context of the noise and vibration related planning policy requirements, which are set out at paragraphs 5.186 – 5.200 of the NPS.

13.1.2 Chapter 13 of the **ES** also contains a review of national noise related policy, not least because paragraph 5.193 of the NPS provides that due regard must be given to relevant sections of other policy documents including the Noise Policy Statement for England (the 'NPSE'), the NPPF and the Government's associated Planning Practice Guidance ('PPG') on Noise. This section of the Planning Statement, therefore, also sets out the planning policy context, drawing out the principal implications of policy from the review contained within the Environmental Statement.

13.2 Policy

13.2.1 Central to any consideration of noise policy are the three aims of the NPSE, which are also contained in the NPPF and which are repeated at paragraph 5.195 of the NPS as the principal policy tests in this case. The NPS sets them out as follows:

> ***"The Secretary of State should not grant development consent unless satisfied that the proposals will meet, the following aims, within the context of Government policy on sustainable development:***
>
> - ***avoid significant adverse impacts on health and quality of life from noise as a result of the new development;***

- ***mitigate and minimise other adverse impacts on health and quality of life from noise from the new development; and***

- ***contribute to improvements to health and quality of life through the effective management and control of noise, where possible."*** (NPS paragraph 5.195)

13.2.2 The NPSE contains a heading "***What do the aims of the NPSE mean?***" which is clearly helpful in interpreting and applying the policies of the NPS. To apply the aims, the NPSE explains three important concepts as follows:

- NOEL – No Observed Effect Level;

  This is the level below which no effect can be detected. In simple terms, below this level, there is no detectable effect on health and quality of life due to noise;

- LOAEL – Lowest Observed Adverse Effect Level

  This is the level above which adverse effects on health and quality of life can be detected;

- SOAEL – Significant Observed Adverse Effect Level

  This is the level above which significant adverse effects on health and quality of life occur.[215]

13.2.3 The first aim of the NPS / NPSE set out above, therefore, is to "***avoid***" noise levels exceeding SOAEL. To apply this in practice, it is necessary to understand what noise level may represent SOAEL in this case and what the policy means where it states that this level must be "***avoided***".

13.2.4 The PPG provides the definition of a further level of noise exposure above SOAEL as the UAEL or Unacceptable Adverse Effect Level. When this level is reached, the guidance provides that the appropriate response is to "***prevent***", i.e. the appropriate action then would be to refuse consent.

13.2.5 As Chapter 13 of the **ES** explains, it is also important to recognise that the concept of SOAEL is different from the declaration of significant adverse effects in the ES. Depending upon the classifications of impact adopted for the

[215] [Paragraphs 2.20 - 2.21] NPSE, Department for Environment, Food & Rural Affairs (2015)

ES, it is possible that significant adverse effects may be declared, whilst noise levels remain below SOAEL. This much is clear from an understanding of the terms but has also been debated and established, for instance, through the examination of other infrastructure projects.[216] Through those decisions it has been confirmed that the first aim of the NPSE / NPS can be met even if significant adverse effects are identified in the Environmental Statement, as long as SOAEL is avoided. Paragraph 1064 of the decision letter on the Cranford Agreement Appeal at Heathrow confirmed:

> ***"I do not equate the "significant adverse effects" identified in the ES with those that the NPSE seeks to avoid."***[217]

13.2.6 The NPSE confirms that there is not a single level which can be pre-determined as SOAEL in each case and that the SOAEL is likely to be different for different noise sources, for different receptors and different times.[218] This issue is discussed in Chapter 13 of the Environmental Statement having regard to the definition of SOAEL provided in the PPG, namely that SOAEL represents "***a level of noise which causes a material change in behaviour and/or attitude, e.g. avoiding certain activities during periods of intrusion; where there is no alternative ventilation, having to keep windows closed most of the time***." Chapter 13 in the Environmental Statement explains that SOAEL in this case can be aligned with the point at which Noise Insulation Regulations for road and rail advise that noise insulation should be provided. This is explained to represent levels of 63 dB – 66 dB LAeq, 16hrs during the daytime and 59 dB LAeq 16hrs at night.

13.2.7 The PPG is helpful in explaining what is meant by "***avoid***" in relation to the aims of the NPSE/NPS, as follows:

> ***"If the exposure is above this level (SOAEL) the planning process should be used to avoid this effect occurring, by use of appropriate mitigation such as by altering the design and layout".***

13.2.8 "***Appropriate mitigation"*** is then defined to include mitigation by way of engineering to reduce the noise generated at source, mitigation achieved

[216] See Chapter 13 of the **ES** [Paragraphs 13.90-99] which review the conclusions of the Secretary of State in the Decision Letter on the Thames Tideway Tunnel DCO and the Appeal at Heathrow Airport in relation to the "*Cranford Agreement*".
[217] [Paragraph 1064], DCLG/DEFRA Decision Letter (2 February 2017)
[218] [Paragraph 2.22] NPSE, Department for Environment, Food & Rural Affairs (2015)

through layout, the use of planning conditions / obligations to restrict activities or "***mitigating the impact on areas likely to be affected by noise including through noise insulation where the impact is on a building***".

13.2.9 Where mitigation is necessary and its effect is to reduce noise levels to less than SOAEL the first aim of the NPSE / NPS is met.

13.2.10 It is also appropriate to identify that noise policy suggests that noise issues should not be taken in isolation. The NPSE sets out a Noise Policy Vision to promote good health and good quality of life through the effective management of noise ***"within the context of Government Policy on sustainable development"***. The meaning of this is explained at paragraph 2.18 of the NPSE as follows:

> ***"There is a need to integrate consideration of the economic and social benefit of the activity or policy under examination with proper consideration of the adverse environmental effects, including the impact of noise on health and quality of life. This should avoid noise being treated in isolation in any particular situation, i.e. not focusing solely on the noise impact without taking into account other relevant factors."***

13.2.11 This theme is continued in the PPG which provides that noise levels which cause significant adverse effects on health and quality of life are undesirable but that "***such decisions must be made taking into account the economic and social benefit of the activity causing the noise***."

13.2.12 These themes also find their place in the NPS itself which recognises that some nationally significant infrastructure projects will have some adverse local impacts on noise and that, whilst projects should be delivered in an environmentally sensitive way, "***some adverse local effects of development may remain***"[219]. Similar guidance is provided at para 5.83 of the NPS, which is concerned with residential amenity and which states that "***some impact on amenity for local communities is likely to be unavoidable. Impacts should be kept to a minimum and should be at a level that is acceptable***."

[219] [Paragraph 3.4] National Policy Statement for National Networks, DfT (2014)

13.2.13 Against this background, the specific requirements of the NPS are examined.

13.3 Assessment

13.3.1 The NPS advises the nature of the assessment required from the application:

> ***"Operational noise, with respect to human receptors, should be assessed using the principles of the relevant British Standards and other guidance. The prediction of road traffic noise should be based on the method described in Calculation of Road Traffic Noise. The prediction of noise from new railways should be based on the method described in Calculation of Railway Noise. For the prediction, assessment and management of construction noise, reference should be made to any relevant British Standards and other guidance which also give examples of mitigation strategies."*** (NPS paragraph 5.191)

> ***"Developments must be undertaken in accordance with statutory requirements for noise. Due regard must have been given to the relevant sections of the Noise Policy Statement for England, National Planning Policy Framework and the Government's associated planning guidance on noise."*** (NPS paragraph 5.193)

13.3.2 The NPS provides that the Proposed Development should minimise noise emissions through good design and also that consideration should be given to the mitigation of impacts elsewhere on the road and rail network:

> ***"The project should demonstrate good design through optimisation of scheme layout to minimise noise emissions and, where possible, the use of landscaping, bunds or noise barriers to reduce noise transmission. The project should also consider the need for the mitigation of impacts elsewhere on the road and rail networks that have been identified as arising from the development, according to Government policy."*** (NPS paragraph 5.194)

13.3.3 The assessment of noise and vibration is based on the **Parameters Plans**, which represent the limits of development.

13.4 Embedded Mitigation

13.4.1 The requirements of the NPS are fully addressed in Chapter 13 of the **ES**. The requirement for projects to limit their impacts through good design is also addressed in Section 4 of this Planning Statement which explains the careful approach taken to scheme selection and then scheme development.

13.4.2 As the **ASA** demonstrates, reducing impacts on residential environments was considered in the selection of the Site.

13.4.3 The Proposed Development contains a number of embedded mitigation measures to limit noise and vibration impacts including:

- the orientation and location of noise generating activity such as the operation of service yards away from residential receptors, with the use of the buildings themselves used as noise screens;
- the location of the rail terminal adjacent to the existing WCML away from immediate residential receptors and the incorporation within the scheme itself of additional land for noise and visual mitigation – for instance, to achieve separation between properties in Station Drive and the rail interchange[220];
- a commitment to a high quality building specification and to operating procedures to limit noise effects;
- a commitment to prepare detailed Demolition and Construction Environmental Management Plans ('DCEMP') to limit and manage the effects of the construction phase (including vibration); and
- the development of an extensive GI network which includes, in particular, the use of landscaped bunds and fencing to screen residential receptors from noise generating activities.

13.4.4 The Proposed Development's acoustic consultants have worked closely with the landscape and masterplan team to optimise the scheme layout in these respects, with the Scheme evolving throughout the consultation process (see Section 3 of this Statement and Section 5 of the **DAS**).

[220] Distances between the built development and residential properties would be secured via the DCO (see the **draft DCO** and the **Development Zones Parameter Plans** [Document 2.5])

13.4.5 The nature of the mitigation complies directly with that encouraged by the PPG and in the NPS at paragraphs 5.194 and 5.198.

13.4.6 The assessment in the **ES** calculates that, under the relevant Noise Insulation Regulations, only one property would be eligible (The Villa, which is located almost opposite the proposed access on the A5).

13.5 Additional Voluntary Bespoke Noise Insulation Scheme

13.5.1 In addition, consistent with its vision for the WMI project, FAL has proposed to commit to a bespoke noise insulation scheme[221] in which an entitlement to noise insulation would be triggered at levels lower than levels that would normally give rise to an entitlement to a claim under the Noise Insulation Regulations.

13.5.2 That scheme is proposed to offer noise insulation and ventilation (so that windows can be kept closed) where the rating level from the Proposed Development exceeds the background sound level by 10 dB or more, or where the noise increase is less, but existing noise conditions mean that a satisfactory internal noise environment would not be achieved.

13.5.3 The bespoke scheme also proposes to bring forward an entitlement to noise insulation during the construction period. That entitlement is likely to arise in respect of largely the same properties that may subsequently be entitled to operational noise mitigation, but would have the effect of bringing that mitigation forward.

13.5.4 Both Chapter 13 of the **ES** and the draft Section 106 obligations map out the sequence of events that would be followed to ensure that the relevant assessments are undertaken closer to the appropriate time with the benefit of up to date information to ensure that all qualifying properties are identified early enough to ensure that any necessary mitigation is in place before the noise arises.

13.5.5 For reasons explained in Chapter 13 of the **ES**, fresh noise measurements will be undertaken in the local area soon after the submission of the DCO

[221] The bespoke noise insulation scheme would be secured via the S106 agreement.

application. Pending those measurements, the **ES** adopts a series of worst case assumptions to provide a robust assessment.

13.6 Decision Making

13.6.1 The forecast noise and vibration effects of the development are set out in Chapter 13 of the **ES**. In relation to construction vibration effects, no significant adverse effects are identified and localised issues are proposed to be addressed through the **ODCEMP**.

13.6.2 Short term significant adverse noise effects are forecast to arise from construction activities in relation to residential receptors which lie on or close to the site boundary. Characteristically, these effects are forecast to arise principally during the first and last phases of development when works are being done to first establish perimeter noise bunds close to residential properties and then to complete the final landscaping of those bunds. To some extent, noise impacts from construction activity are unavoidable but the construction process in this case would be subject to detailed mitigation measures set out in the **ODCEMP** and in the subsequent DCEMP.

13.6.3 Operational noise effects are set out in Tables 13.27 and 13.30 of Chapter 13, which demonstrate that, when allowance is made for the character of the noise, the differences in "***rating level***" between the background noise levels and forecast activity range significantly across the site. For a number of locations, background noise levels would not be exceeded, particularly for those locations which are already subject to background noise from the M6 motorway around the eastern boundaries of the site. Elsewhere, however, some significant changes in rating levels are shown – in the case of a number of receptors, the rating levels show a difference of more than +10 dB (the threshold used for the definition of *"**high***" impacts) without mitigation.

13.6.4 In considering the acceptability of these impacts, Table 13.27 forecasts specific sound levels from the WMI development at the residential receptors to understand what the noise climate would be like. Forecast sound levels that would form on-site operating activities generally range between 33 and 47 dB LAeq, which are identified as falling well below noise levels which would trigger the requirement for noise insulation under the Noise Insulation Regulations

(equivalent to 63 dB LAeq during the day time and 59 dB LAeq at night) – levels which can be aligned with SOAEL in this case.

13.6.5 The noise assessment in Chapter 13 then reviews the acceptability of the residential environments for receptors close to the Site. Whilst the standard methodology for noise assessment of this type of development (BS 4142) does not contain standards for residential amenity, other guidance is available (BS 8233 and the World Health Organisation (WHO) Guidelines) to provide guidance in respect of the appropriate standard of amenity for new residential or existing residential properties, but BS 4142 can be used as a guide to judge the acceptability of existing environments. Care is necessary in applying these standards as they generally consider steady sources of noise, rather than the more varied nature of the noise that may be generated by activities at WMI. Nevertheless, by making the tonal adjustments to the characteristics of the noise, a reasonable approximation can be achieved.

13.6.6 The NPS does aspire to an aim for development to improve health and quality of life through the effective management and control of noise "***where possible***"[222] but this is not a requirement of the policy and not something which the provision of substantial development such as a SRFI is likely to be able to achieve.

13.7 Conclusion

13.7.1 The Applicant has followed a careful process from site selection through detailed scheme development to ensure that potential noise effects of the Proposed Development are fully taken into account and can be limited and mitigated where practical. Acoustic consultants have been closely involved as part of the design team in developing the scheme layout and the location of noise bunds, landscaping and the orientation and specification of buildings.

13.7.2 The levels of noise forecast generally fall well short of those which would normally trigger a requirement for noise insulation. Nevertheless, the Applicant is committed to offering a bespoke scheme of noise insulation and ventilation during both the construction and operational phases, in order to ensure that

[222] [Paragraph 5.195] National Policy Statement for National Networks, DfT (2014)

satisfactory living conditions are achieved for all nearby properties, to be secured through the Section 106.

13.7.3 With the benefit of the embedded mitigation and the additional voluntary bespoke noise insulation scheme it is considered that the policy requirements of the NPS are fully met. In particular:

i. significant adverse effects on health and quality of life from noise are avoided in line with the NPSE;

ii. careful layout of the Proposed Development, including significant bunding as part of the GI, which encloses the Scheme, has minimised and mitigated any other adverse effects on health and quality of life; and

iii. additional mitigation measures are proposed in the form of a noise insulation scheme and detailed management plans (the DCEMPs) to ensure that satisfactory residential environments continue to be provided for the properties in closest proximity to the development.

13.7.4 For all the reasons set out above and in Chapter 13 of the **ES**, the noise and vibration policy requirements of the NPS are met.

14. HISTORIC ENVIRONMENT

14.1 Introduction

14.1.1 A comprehensive assessment of the effect of the WMI development on built heritage receptors is contained within the **ES** at Chapter 9. That assessment considers the setting impact of the proposed development on built (above ground) heritage receptors and on historic landscape. There are three main direct impacts of the proposals, which include works in the Staffordshire and Worcestershire Canal Conservation Area ('CA'), and the demolition of two non-designated heritage receptors.

14.1.2 Policy relating to the historic environment and archaeology is set out at paragraphs 5.120 – 5.142 of the NPS.

14.1.3 The archaeological impacts of the WMI development are assessed separately in the **ES** at Chapter 8. That assessment considers the known and potential heritage resource within the Site and the surrounding area and assesses the likely impacts of the development proposals on this resource.

Historic Environment Policy

14.1.4 The NPS recognises that the construction and operation of national networks infrastructure has the potential to result in adverse impacts on the historic environment[223]. It outlines the importance of the historic environment as a resource; how that resource should be assessed during the EIA process; and how decisions in determining the significance of heritage assets and the potential impact of the development upon those assets are determined.

14.1.5 Paragraph 5.124 of the NPS states:

> ***"Non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to Scheduled Monuments, should be considered subject to the policies for designated heritage assets. The absence of***

[223] [Paragraph 5.120] National Policy Statement for National Networks, DfT (2014)

designation for such heritage assets does not indicate lower significance."

14.1.6 Locally listed buildings are considered non-designated heritage receptors in accordance with the definition in the NPS:

> ***"The Secretary of State should also consider the impacts on other non-designated heritage assets (as identified either through the development plan process by local authorities, including 'local listing', or through the national significant infrastructure project examination and decision making process) on the basis of clear evidence that the assets have a significance that merit consideration in that process, even though those assets are of lesser value than designated heritage assets"*** (NPS paragraph 5.125)

14.1.7 The NPS notes the requirements of the applicant's assessment of the historic environment:

> ***"The applicant should describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the asset's importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant Historic Environment Record[224] should have been consulted and the heritage assets assessed using appropriate expertise. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, the applicant should include an appropriate desk-based assessment and, where necessary, a field evaluation."*** (NPS paragraph 5.127)

14.1.8 In determining applications, the SoS should seek to:

> ***"Identify and assess the particular significant of any heritage assets that may be affected by the proposed***

[224] Historic Environment Records ('HERs') are information services maintained by local authorities and National Park Authorities with a view to providing access to comprehensive and dynamic resources relating to the historic environment of an area for public benefit and use. Details of HERs in England are available from the Heritage Gateway website. English Heritage should also be consulted, where relevant.

development (including by development affecting the setting of a heritage asset), taking into account the available evidence and any necessary expertise…" (NPS paragraph 5.128)

14.1.9 The NPS further notes that:

"In considering the impact of a proposed development on any heritage assets, the Secretary of State should take into account the particular nature of the significance of the heritage asset and the value that they hold for this and future generations. This understanding should be used to avoid or minimise conflict between their conservation and any aspect of the proposal." (NPS paragraph 5.129)

"The Secretary of State should take into account the desirability of sustaining and, where appropriate, enhancing the significance of heritage assets, the contribution of their settings and the positive contribution that their conservation can make to sustainable communities – including their economic vitality. The Secretary of State should also take into account the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment. The consideration of design should include scale, height, massing, alignment, materials, use and landscaping (for example, screen planting)." (NPS paragraph 5.130)

"Any harmful impact on the significance of a designated heritage asset should be weighed against the public benefit of development, recognising that the greater the harm to the significance of the heritage asset, the greater the justification that will be needed for any loss." (NPS paragraph 5.132)

14.1.10 Regarding the harm or total loss of a designated heritage asset, the NPS states that:

"Where the proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, the Secretary of State should refuse consent unless

it can be demonstrated that the substantial harm or loss of significance is necessary in order to deliver substantial public benefits that outweigh that loss or harm, or alternatively that all of the following apply:

• the nature of the heritage asset prevents all reasonable uses of the site; and

• no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and

• conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and

• the harm or loss is outweighed by the benefit of bringing the site back into use." (NPS paragraph 5.133)

14.1.11 While where there would be less than substantial harm, the NPS states that:

"Where the proposed development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use." (NPS paragraph 5.134)

14.1.12 Paragraph 5.140 states:

"Where the loss of the whole or part of a heritage asset's significance is justified, the Secretary of State should require the applicant to record and advance understanding of the significance of the heritage asset before it is lost (wholly or in part). The extent of the requirement should be proportionate to the importance and the impact. Applicants should be required to deposit copies of the reports with the relevant Historic Environment Record. They should also be required to deposit the archive generated in a local museum or other public depository willing to receive it."

14.2 Heritage

Assessment

14.2.1 Within the site boundary there is one designated heritage receptor and four non-designated heritage receptors. The designated heritage receptor is one segment of the much larger Staffordshire and Worcestershire Canal Conservation Area, and the non-designated heritage receptors comprise the 18th century canal bridge at Gravelly Way, and 19th century farmhouses: Heath Farm, Woodside Farm and Straight Mile Farm. The assessment considers the direct and indirect effects of the development on these receptors, which includes the effect on their setting.

14.2.2 A study area of a 3km radius from the application site boundary was established[225] in which to identify built heritage receptors that may experience significant effects arising from the development. This study area was informed on the basis of the Zone of Theoretical Visibility ('ZTV')[226], desk-based research, site visits and professional judgement. The scope was extended beyond the original scoping and consequently includes additional assets in the interest of completeness.

14.2.3 In accordance with the proportionate approach set out in paragraph 5.127 of the NPS, the study area was further refined to reflect that the lesser heritage value of some receptors would mean that the likelihood of effects on setting will diminish with distance. It is for this reason that all designated and non-designated heritage receptors were identified within the site boundary and up to 1km away. In the area between 1km-3km from the site, only highly designated receptors were included in the assessment (comprising Scheduled Ancient Monuments, Grade I and II* listed buildings and Grade I and II* Registered Parks and Gardens).

14.2.4 For the purposes of setting assessment the **ES** follows the best practice guidance (Historic England GPA 3: The Setting of Heritage Assets) which states that setting is only significant for its contribution to the significance of an asset or the ability to appreciate that significance. In other words, setting has no intrinsic value except in cases where it is designated (that is not the case

[225] Agreed with Historic England
[226] A Zone of Theoretical Visibility ('ZTV') is a computer-generated tool to identify the likely (or theoretical) extent of visibility of a development. The elevation (or a set of elevations) of the development is tested against a 3D terrain model.

here). Therefore, even a major impact on setting does not equate to major impact on the significance of a heritage asset.

14.2.5 Additionally, the GPA 3 guidance sets out a staged approach to setting assessment, and identifies the opportunity to mitigate harm and maximise benefit of development proposals, which has been followed in this case.

14.2.6 Within 1km of the application site, nine designated heritage assets, and seven non-designated heritage receptors have been identified. The assessment considers the indirect effect of the development on the setting of the heritage receptors, and the extent to which a change to the setting affects the heritage value of a receptor.

14.2.7 Within 1km-3km of the site boundary, ten highly graded designated heritage receptors have been identified. The assessment considers the indirect effect of the development on their settings.

14.2.8 As noted, the built heritage assessment also includes an assessment of the historic landscape character of the site and historic hedgerows.

14.2.9 For the majority of heritage receptors that have been identified, there will be a nil or negligible effect arising on the heritage value of the receptor as a result of the Proposed Development. There will, however, be direct and indirect effects on the heritage receptors within the Site boundary which are summarised below.

14.2.10 There will be direct and indirect effects on the Canal CA which runs through the Site. The direct effect includes the removal of redundant pipe bridges which traverse the Canal in the central part of the Site. The removal of pipe and access bridges which cross the Canal between the SI and Bericote sites[227] will enhance the character and appearance of the CA. There will also be a new road bridge which crosses the Canal at Gravelly Way. The design of the bridge is sympathetic to the historic character of the Canal, and has been developed in consultation with the Canal and River Trust. The bridge is located at a point at which the Canal meanders to the east, which means that it will not

[227] Mitigation measures relating to the removal of pipe and access bridges would be secured via a requirement in the DCO (see the **draft** DCO)

undermine the linear quality of the Canal by affecting any long view of the waterway.

14.2.11 There will be a change to the setting of the CA which will cause some, but less than substantial harm, to the receptor though loss of the original agricultural setting. That setting has lost some of its intrinsic character. Additionally, it is relevant to note that the Canal traverses both agricultural urban and industrial land. The change in character in itself is not, therefore, alien to the Canal's setting. This harm is considered to be low and will not materially undermine an appreciation of the heritage value of the receptor as a whole. The historic interest of the Canal is not affected, and its inherent character is maintained overall through landscape mitigation and the positioning of the development, set back from the Canal corridor. There are countervailing benefits as noted.

14.2.12 It is proposed to demolish two non-designated heritage receptors, Heath Farm and Woodside Farm. The loss of these two non-designated heritage receptors will have a minor adverse effect on the local historic environment overall as a result of their low level of heritage value. It is acknowledged, however, the total loss of the non-designated heritage receptors will cause harm.

14.2.13 Unlike harm to a designated heritage asset, which is of national significance and would trigger paragraphs 5.133 or 5.134 of the NPS, this harm is local in scale. In this instance, the approach to the assessment of harm to non-designated heritage receptors is set out in paragraph 135 of the NPPF. The weight of that harm is clearly below that which would arise from the loss of a designated asset, and no special consideration needs to be given to the non-designated heritage receptor, as defined in the relevant case law (Barnwell, Mordue or Forge Field[228]). The harm to the non-designated receptor is, however, a material planning consideration, albeit of limited weight.

14.2.14 It is material that permission to demolish Heath Farm has already been achieved at Appeal[229].

[228] Barnwell Manor Wind Energy Ltd v East Northamptonshire DC & Others (2014)
Jane Mordue v Secretary of State for Communities and Local Government and others (2015)
R (on the application of) Forge Field Society & Others v Sevenoaks DC & Interested Parties (2014)
[229] Appeal Reference: APP/C3430/W/17/3169548 (PINS)

Mitigation

14.2.15 The consultant team has mitigated and minimised the impacts of the Proposed Development, maximising the benefit to the historic environment. The proposals have also been the subject of consultation on built heritage with SSDC, SCC, Historic England and the Canal and River Trust.

14.2.16 The direct heritage impacts from the Proposed Development on the Canal are beneficial, which includes works to reinstate and improve the Canal towpaths, and the removal of pipe and access bridges which cross the Canal between the SI and Bericote sites. The improvements to the towpath in particular will improve connectivity and the opportunity to experience the whole Canal as a heritage receptor and would be secured via the DCO.

14.2.17 Measures have been incorporated into the WMI development to ensure that heritage receptors are protected and, where possible, enhanced in accordance with the NPS. Mitigation strategies are proposed at both the construction and operational stage of the development.

14.2.18 The construction period is short to medium term. The mitigation of likely effects on built heritage receptors would include the use of appropriate hoarding, and following industry best practice construction standards[230]. It would be impractical, however, to fully mitigate the visibility of large plant and equipment.

14.2.19 The development requires the demolition of two non-designated heritage receptors within the study area: Heath Farm and Woodside Farm. A mitigation strategy for the loss of these heritage receptors is proposed through historic building recording, the results of which could be stored in a local archive or other suitable location. This would ensure that a record of the earlier history in the area was available for any future study and would be secured via a DCO requirement.

14.2.20 Public use of the Canal CA is likely to be its highest at weekends. The construction of the development may increase the levels of noise and alien activity in the context of the Canal CA and other built heritage receptors, such as Gailey Wharf. These effects will be mitigated by limiting construction hours

[230] Mitigation measures relating to hoarding and construction standards would be secured via a requirement in the DCO relating to the 'Demolition and Construction Environmental Management Plan' (see the **draft DCO**)

to weekdays and Saturday mornings only. A DCEMP will be prepared to control and monitor progress.

14.2.21 During the construction phase of the new road bridge at Gravelly Way, it is proposed to minimise and mitigate any effect on the locally listed 18th century footbridge to the south through the **ODCEMP**.

14.2.22 At the operational phase, mitigation measures include the design / colouration of the warehouse elevations to blend with the surrounding landscape. The use of high quality finishes to the buildings and sensitive landscaping is an important part of achieving a high quality design, which may be considered a mitigation in itself, along with landscaping which comprises both bunding and structural landscaping.

14.3 Archaeology

Assessment

14.3.1 In accordance with paragraph 5.127 of the NPS, the archaeological assessment utilised desk based assessment, utilising study data from publicly available sources, information obtained through consultation with key stakeholders and information from three separate walkover surveys of the Site. LiDAR data has also been assessed for the Site, with geophysical surveys conducted for identified priority areas of the Site.

14.3.2 The baseline environment at the Site is characterised as follows:

- there are no Scheduled Monuments, nationally listed buildings or other nationally designated heritage features located on-site;

- the history within the wider archaeological study area is characterised primarily by Romano-British occupation, including features such as Watling Street, along with settlements and camps, some of which are designated as Scheduled Monuments and other Roman roads. Following the Romano-British period, land use is largely agricultural within the area characterised by minor settlements and evidence of Anglo-Saxon / Medieval agriculture, until the advent of the industrial revolution; and

- the majority of the Site has remained in agricultural use throughout the 19th century and modern period, with a 19th century farmstead represented at Woodside Farm.

14.3.3 The following potential sensitive receptors were identified:

- Two possible ring ditches, identified from aerial photographs, possibly Neolithic and Bronze Age;
- Likelihood of encountering Romano-British remains at the Site, based on proximity to known features from this period, including four Scheduled Monuments as well as settlements to the north and the Watling Street / Roman Road network within the study area;
- Buried remains associated with the Anglo-Saxon and Medieval settlement at Gailey and neighbouring settlements;
- Features associated with Anglo-Saxon agricultural practices at the Site, such as former field boundaries, including potential for buried archaeological remains;
- Potential buried remains associated with the route of the Staffordshire and Worcestershire Canal and the Grand Junction Railway (now the WCML); and
- Other as-yet unidentified buried archaeological remains.

14.3.4 The above receptors have been assessed in combination with the magnitude of potential effects, based on the **Parameters Plans**. No significant effects are predicted for all potential receptors.

14.3.5 Significant residual effects are only anticipated on the possible Neolithic ring ditch, the possible Bronze age ring ditch and on any remains of Saxon date, should they exist within the Site (and if their identification in terms of form and date are confirmed).

Mitigation

14.3.6 An outline **Written Scheme of Investigation** ('**WSI**') setting out indicative proposals for further works in response to detailed building layout plans has been prepared and accompanies the **ES** [Technical Appendix 8.4]. The outline **WSI** has been agreed with SCC.

14.3.7 Mitigation in the form of preservation, by record, will reduce the anticipated effects. Should it be possible to preserve these assets in situ (for example within areas of GI), then no significant effect would occur. The presence and value / sensitivity of currently unknown archaeological receptors, which could be impacted upon by the Proposed Development, particularly in areas where built development is proposed, will be further clarified by the results of the indicative fieldwork, as laid out in the outline **WSI** for additional evaluation.

14.3.8 The outline **WSI** includes details for consultation with relevant archaeological bodies and provision for archive storage from proposed evaluation and watching brief works.

14.4 Conclusions

14.4.1 The Proposed Development has evolved to minimise the impacts on the historic environment, which has been appropriately assessed against the requirements of the NPS in Chapters 8 and 9 of the **ES**.

14.4.2 For the reasons set out above the Application is therefore compliant, in historic environment terms, with government policy set out in the NPS.

15. ADDRESSING COMMUNITY IMPACTS

15.1 Introduction

15.1.1 The Site has been chosen in part due to the limited number of residential properties it has the potential to impact, whilst being close to the conurbation it would principally serve[231].

15.1.2 The preceding sections of this Planning Statement have set out how the Proposed Development would minimise and mitigate its potential impacts and effects on the local area adopting the assessment topics listed in the NPS. This section focuses on the potential impact on the existing community living in the vicinity of the Proposed Development.

15.1.3 It is noted at paragraph 4.79 of the NPS that:

> ***"National road and rail networks and strategic rail freight interchanges have the potential to affect the health, well-being and quality of life of the population. They can have direct impacts on health because of traffic, noise, vibration, air quality and emissions, light pollution, community severance, dust, odour, polluting water, hazardous waste and pests."***

15.1.4 The refinement of the Proposed Development has sought to minimise the potential impacts of the Proposed Development on the local community. However, as acknowledged by NPS paragraph 5.83, "***some impact on amenity for local communities is likely to be unavoidable***", but that any "***impacts should be kept to a minimum and at a level that is acceptable***".

15.1.5 The location and exceptional relationship of the Site with existing major road and rail routes make it the only site suitable to meet the identified need for a SRFI.

15.1.6 FAL do acknowledge that the Proposed Development nevertheless has the potential to impact those closest to the Site and has sought to address and

[231] In accordance with [Paragraph 2.45 and Paragraphs 2.84 – 2.86] National Policy Statement for National Networks, DfT (2014)

minimise these potential impacts through appropriate mitigation measures, in accordance with NPS paragraph 4.86 and consistent with its own adopted vision for how the WMI development should be undertaken – see earlier at paragraph 1.2.2 of this Planning Statement.

15.2 Response to Potential Impacts

15.2.1 Having undertaken a thorough **ASA** and establishing that this is the only site able to meet the pressing need for a SRFI in the region, FAL has sought to minimise and mitigate the impacts of the Proposed Development on the local community. FAL consulted extensively with communities and affected stakeholders through formal engagement (e.g. Stage 1, 2 and 2a Consultation) but also through numerous one to one meetings held at people's homes to discuss specific issues raised. This has resulted in a number of significant and positive alterations to the layout of the Proposed Development as a result of consultation, as noted in Section 3.6 of this Planning Statement.

15.2.2 The mitigation measures proposed are summarised below. A number of mitigation measures are generally applicable to much of the surrounding area, whilst some elements are more focused on more localised potential impacts.

15.3 Site Wide Highways Mitigation

15.3.1 A new (to be adopted) public road would run through the Site, from the A5 to the A449, with roundabout connections on each road. The new road would help to relieve the existing congestion at Gailey roundabout along the A5 and A449, by creating an alternative route for traffic through the Site.

15.3.2 Feedback from residents has indicated that they are concerned about the misuse of the A449 running through Penkridge. WMI HGVs will be 'banned' from using this road through a HGV Management Plan, apart from for local deliveries. A HGV monitoring system would be used to identify any WMI HGVs using this road, with a system of fines to be managed by the Transport Steering Group[232].

[232] See Section 10.2 of this Statement

15.3.3 It is also proposed to provide a Contingent Traffic Management Fund, should there be evidence that traffic associated with WMI is using local routes inappropriately and 'rat running'. The fund would be spent on implementing mitigation designed to prevent WMI traffic from using inappropriate routes (e.g. through Traffic Regulation Orders, speed limit changes and / or traffic calming measures)[233].

15.3.4 Further detailed information about the consultation and responses received can be found in the **Consultation Report** [Document 5.1].

15.4 Summary of the Embedded and Operational Mitigation Measures by Local Area

15.4.1 The area around the Site where local communities may be impacted can be divided into five principal clusters. These are defined below, clockwise around the Site, and are shown in Figures 27 to 32:

- Gailey, Croft Lane and the surrounding area;
- Calf Heath and the surrounding area;
- the employment area;
- Station Drive and the surrounding area; and
- Crateford Lane, the A449 and the surrounding area.

15.4.2 Many of the mitigation measures proposed are relevant to more than one of the above defined areas.

15.4.3 A number of **Illustrative Landscape Cross Sections** (see Figure 12.12 of the **ES**) have been prepared to show how different areas might come forward according to the **Illustrative Masterplan**.

[233] See Section 10.2 of this Statement

Gailey, Croft Lane and the surrounding area

15.4.4 The area covered within this section is shown in Figure 27 below. The area is principally characterised by the A5, the Gailey roundabout, Croft Lane, agricultural fields, minerals workings and the Canal. The Gailey Highways Depot, the Watling Street Police Station, the Gailey Service Station, the Spread Eagle pub (which has recently been extended[234]), Pipers Plant Centre, Gailey Marina and the Corner Shop Gailey add to the more built-up and urban appearance of the area. There are nearby residential properties principally located in a small community off Croft Lane.

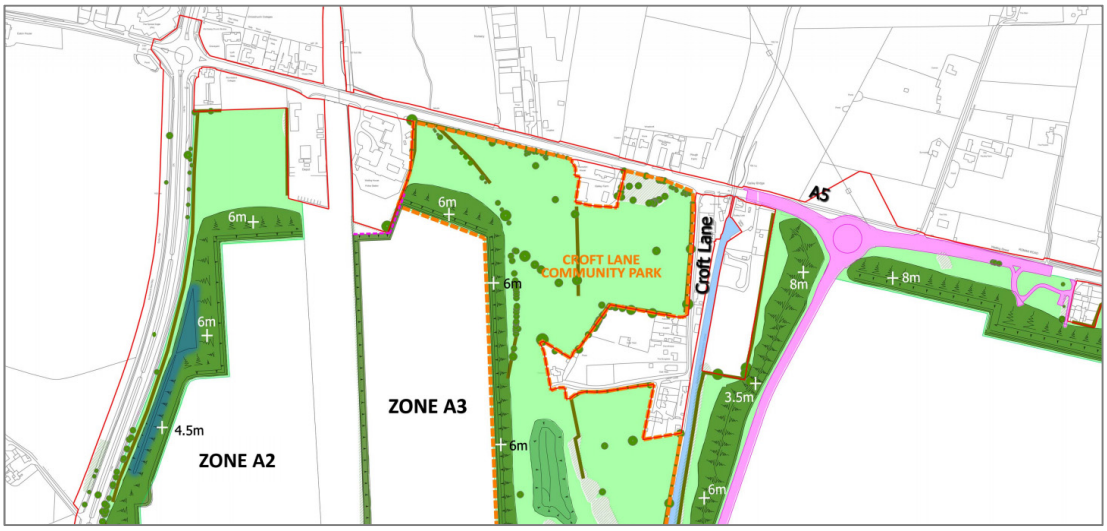

Figure 27: Gailey, Croft Lane and surrounding area [Document 2.7]

15.4.5 The principal mitigation measures proposed are illustrated on the **Green Infrastructure Plan** [Document 2.7], with the Gailey, Croft Lane and surrounding area shown in Figure 27 above. The principal mitigation measures are summarised below.

[234] Application Reference: 16/00594/FUL (South Staffordshire District Council)

Croft Lane Community Park

15.4.6 The Proposed Development would provide a substantial new community park, which would serve the local community as well as acting as a strong buffer between the existing community and the Proposed Development.

15.4.7 Croft Lane Community Park ('CLCP') would broadly be bound by the A5, Croft Lane, the new internal road and Development Zone A3[235]. CLCP would be approximately 21 ha in area and would include a small car park in the north for visitors.

15.4.8 CLCP is one of many GI Strategy mitigation measures across the site. CLCP would introduce a buffer to the Gailey and Croft Lane area and provide an area for habitat creation and the enhancement of retained woodlands.

15.4.9 There is currently very limited public access to any green open space in the area and the community park would provide a high quality new recreation area for the community, with strong linkages to the Canal.

15.4.10 Sensitive drainage design and water attenuation will be incorporated into the park, with a large area of water attenuation included to the south of CLCP. This will enhance opportunities for habitat creation as well as reducing the chances of flooding around the park and in the local area[236].

Bunding and Planting

15.4.11 As part of the GI Strategy, bunding and a planting strategy are proposed to create a screen to enhance the immediate environment and to limit the potential effects of the development.

15.4.12 The bunds have been designed as landscaped, naturalistic features and will effectively screen the development areas.

[235] See **Development Zone Parameter Plans** [Document 2.5]
[236] Mitigation measures relating to drainage would be secured via requirements in the DCO relating to the 'Flood Risk and Surface Water Drainage' and 'Foul Water Drainage' (see the **draft DCO**)

15.4.13 Bunds of 4.5m – 6m are proposed along the western and northern boundaries of Development Zone A2 and bunds of between 4.5m – 6m along the northern, eastern and southern boundaries of Development Zone A3.

15.4.14 The alignment for the new internal road linking the A449 and A5 was moved 30m to the east following Stage 1 Consultation. This has enabled bunding of 3.5m in the centre of the Site, rising up to 8m by the A5, to be proposed along the boundary between the Canal and the road, providing a substantial buffer for Development Zone A4. This Development Zone is also mitigated to the north by a 7m – 8m bund running along the A5 and to the south of Calf Heath Reservoir.

Highways Improvements

15.4.15 A new (to be adopted) public road would run through the Site, from the A5 to the A449, with roundabout connections on each road. The new road would help to relieve the existing congestion at Gailey roundabout along the A5 and A449, by creating an alternative route for traffic through the Site.

15.4.16 The existing footway along the north side of the A5 between Gailey Roundabout and the Site Access would be upgraded to a 3m footway / cycleway where feasible. This would be secured via the DCO as part of the highways works.

15.4.17 A new footway from the A5 access roundabout towards the Gailey Marina would also be provided

15.4.18 A new footway on the south side of the A5 between the Site access and Avenue Cottages is proposed.

15.4.19 It is also proposed that the Canal side environment would be enhanced, particularly through upgrading the Canal towpath and removing the pipe and access bridges which cross the Canal between the SI and Bericote sites.

Noise

15.4.20 Care has been taken to screen residential properties from noise impacts from the Proposed Development, particularly through bunding, noise barriers and

the orientation of buildings. For a number of surrounding properties, the changes in noise would trigger the bespoke noise insulation scheme proposed by FAL to ensure that internal noise levels are consistent with the standards for good quality residential environments. See Chapter 13 of the **ES** and Section 13 of this Statement**.**

Calf Heath and the surrounding area

15.4.21 The area covered within this section is shown in Figure 28 below. The area is principally characterised by Calf Heath village to the south of the Site and other surrounding residential properties, minerals workings and agricultural fields. To the west, the Bericote Site / Gestamp factory, the Four Ashes Industrial Estate, the ERF and the Sludge Disposal Centre create a more industrial character, although the existing residential properties are generally well screened from these uses.

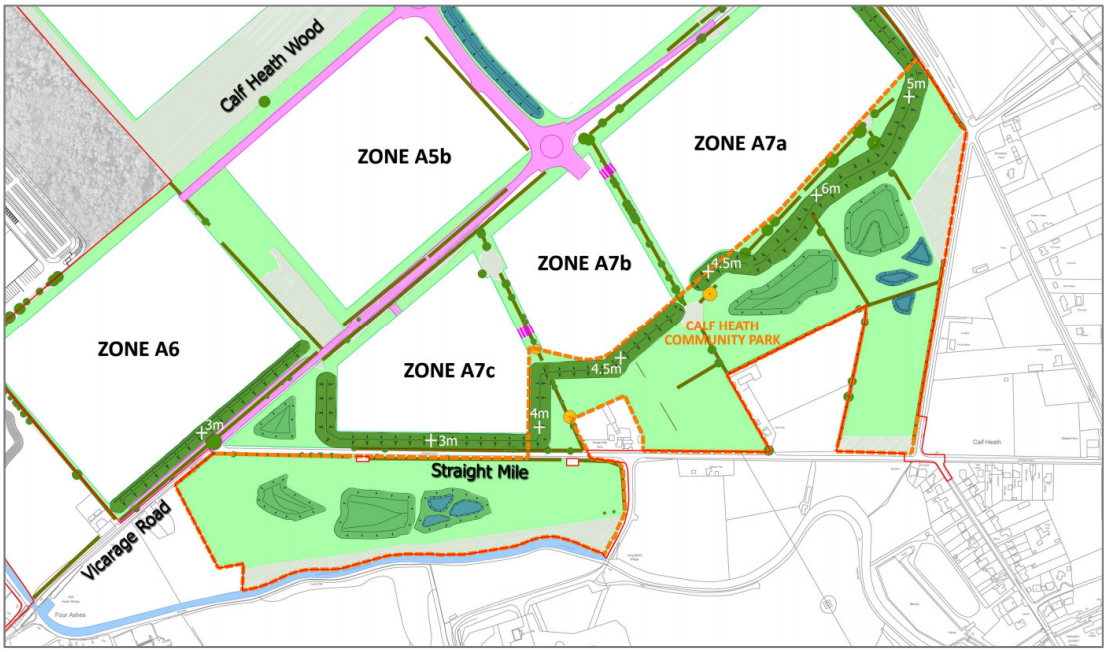

Figure 28: Calf Heath and the surrounding area [Document 2.7]

15.4.22 The principal mitigation measures proposed are illustrated on the **Green Infrastructure Plan** [Document 2.7], with the Calf Heath and surrounding area shown in Figure 28 above. The principal mitigation measures are summarised below.

Calf Heath Community Park

15.4.23 The Proposed Development would provide a substantial new community park, which would serve the local community as well as acting as a strong buffer between the existing community and the Proposed Development.

15.4.24 Calf Heath Community Park ('CHCP') would be approximately 23 ha in area and would include a small car park for visitors south of Straight Mile.

15.4.25 CHCP would broadly be bound by Development Zone A7 to the north, Woodlands Lane and Deepmore Lane to the east and by Straight Mile and the Canal to the south.

15.4.26 CHCP is part of a connected network of GI Strategy mitigation measures across the site. CHCP would introduce a buffer between Development Zone A7 and Calf Heath and the surrounding area. It would also act to provide an area for habitat creation and enhancement of retained woodlands.

15.4.27 Sensitive drainage design and water attenuation will be incorporated into the park, with a number of water attenuation areas included across the two sections of CHCP. This will enhance opportunities for habitat creation as well as reducing the chances of flooding around the park and in the local area

15.4.28 There is currently very limited public access to any green open space in the area and the community park would provide a high quality new recreation area for the community, with strong linkages to the Canal.

Bunding, Planting and Screening

15.4.29 As part of the GI Strategy, bunding and planting are proposed to create a landscaped screen to limit the potential visual and noise impact of the Proposed Development from viewpoints and sensitive receptors outside the Site.

15.4.30 The bunds have been designed as landscaped, naturalistic features and will effectively screen the development areas.

15.4.31 A bund 3m in height is proposed along Vicarage Road to reduce the impact of Development Zone A6.

15.4.32 A bund is proposed along the western, southern and eastern boundaries of Development Zone A7. The bund is lowest in height at the western end at 3m, rising up to 5 – 6m in the middle and down to 3m at its eastern end.

15.4.33 The layout of the Proposed Development was altered following the first round of consultation. In particular, the proposed buildings were revised in order to retain more hedgerows and mature trees south of Vicarage Road, whilst the requirements in the **draft DCO** will be written ensure that all warehouses in Development Zone A7 would be single sided. This would enable the warehouses and bunding to act as a screen from servicing and other activity, limiting noise and visual effects for Calf Heath Village.

15.4.34 CHCP was further expanded following Stage 2 Consultation to improve the connectivity through CHCP, whilst also strengthening the southern boundary of the Site.

Vicarage Road

15.4.35 A new roundabout would be introduced to Vicarage Road. This would provide an alternative access into the Proposed Development (with the A5 roundabout providing primary access to the Site), but would also allow oversized HGVs travelling west the opportunity to turnaround prior to reaching the low railway bridge (12ft 3in) between Station Drive and Station Road, potentially reducing collisions.

15.4.36 The provision of a new cycleway adjacent to Vicarage Road, within the Site.

15.4.37 A new at grade pedestrian crossing facility is proposed in order to facilitate the crossing of Straight Mile aligned with the permissive paths within the proposed Calf Heath Community Park. It is also proposed to provide new footways at the junction of Straight Mile / Kings Road / Woodlands Lane together with crossing facilities.

15.4.38 The right turn ban going north at the A449 junction with Station Drive (together with other mitigation measures) would reduce the total number of vehicles using Vicarage Road[237].

Noise

15.4.39 For Calf Heath Village and receptors in the east of the area forecast noise levels from the Proposed Development are below current noise levels and there would be no perceptible noise impact. Further west along Straight Mile there would be some minor noise effects but only in the furthest west sector of this area at Wood View would the change in rating level trigger FAL's bespoke noise insulation scheme. At all properties, internal noise environments would be consistent with good residential environments. See Chapter 13 of the **ES** and Section 13 of this Statement**.**

Station Drive and the surrounding area

15.4.40 The area covered within this section is shown in Figure 29. The area is characterised by the Four Ashes Public House at the Station Drive / A449 junction, the recreation ground behind the public house and the residential properties along Station Drive. The low railway bridge between Station Road and Station Drive forms a clear boundary for this area, separating it from the Four Ashes Industrial Estate.

[237] Taking account of cumulative developments and anticipated traffic growth to 2021.

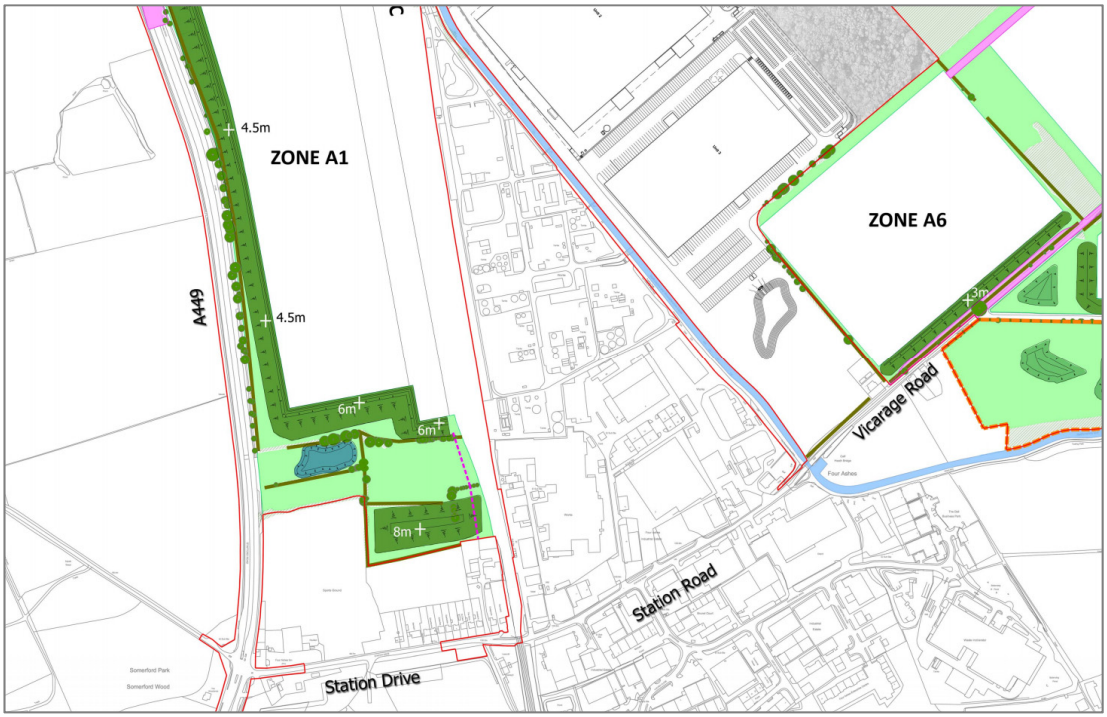

Figure 29: Station Drive and the surrounding area [Document 2.7]

15.4.41 The principal mitigation measures proposed are illustrated on the **Green Infrastructure Plan** [Document 2.7], with Station Drive and surrounding area shown in Figure 29 above. The principal mitigation measures are summarised below.

Bunding and Planting

15.4.42 As part of the GI Strategy, bunding and a planting strategy are proposed to create a screen to limit the potential visual and noise impact of the Proposed Development from viewpoints and sensitive receptors outside the Site.

15.4.43 The bunds have been designed as landscaped, naturalistic features and will effectively screen the development areas. Additional land has been brought into the Proposed Development, south of the proposed rail terminal to provide additional planting and screening.

15.4.44 A bund varying in height from 4.5 – 6m is proposed along the western and southern boundaries of Development Zone A1 to reduce the impact of the warehousing in this zone and to minimise the impact of Development Zones A (warehousing) and B (the rail terminal).

15.4.45 To further minimise the impact of Zone B, an additional 8m high bund is proposed closer to the residential units along Station Drive. This will ensure that any impacts on residents in this area is at an acceptable level.

Rail terminal location

15.4.46 At Stage 1 Consultation the rail terminal was located 200m from the properties on Station Drive.

15.4.47 The location and configuration of the western rail terminal was improved following the consideration of feedback from Stage 1 Consultation, with the rail terminal now located approximately 300m away from the residential properties on Station Drive. The amended layout also moved most of the terminal activity further away from the residential properties.

Highways improvements

15.4.48 A new HGV turning point would be introduced on Station Drive, just before the low railway bridge (12ft 3in).

15.4.49 The A449 / Station Drive junction would have no right turn going north to discourage 'rat running', with any vehicles seeking to use this route from the south being required to turn at the proposed roundabout on the A449. This will result in a reduction in traffic and queueing at the A449 junction with Station Road and along Station Drive.

15.4.50 Both of these highways improvements seek to reduce the chance of congestion and vehicle collisions with the low railway bridge between Station Drive and Station Road.

Noise

15.4.51 Properties in Station Drive may experience increases in noise rating levels that qualify for FAL's bespoke noise insulation scheme. Forecast noise identify that the actual noise environment with the proposed development would experience noise levels which fall well below those which would normally trigger a requirement for sound insulation. All properties would continue to

benefit from satisfactory internal noise levels. See Chapter 13 of the **ES** and Section 13 of this Statement**.**

Crateford Lane, the A449 and the surrounding area

15.4.52 The area covered within this section is shown in Figure 30 below. The area is currently characterised by the A449 and its junction with Crateford Lane and Gravelly Way. The appearance of the area is generally open, with a large proportion of agricultural land and some residential properties off the A449 and on Crateford Lane.

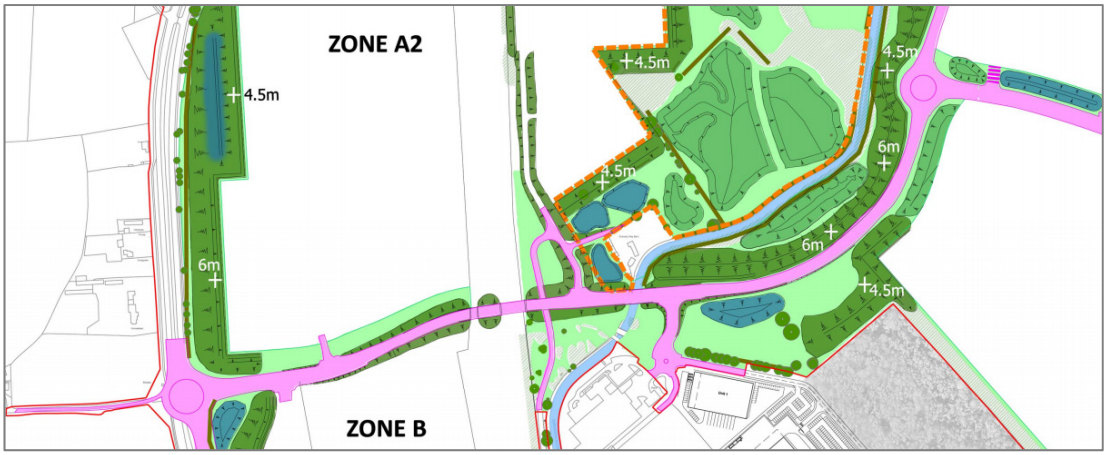

Figure 30: Crateford Lane, the A449 and the surrounding area [Document 2.7]

15.4.53 The principal mitigation measures proposed are illustrated on the **Green Infrastructure Plan** [Document 2.7], with Crateford Lane, the A449 and surrounding area shown in Figure 30 above. The principal mitigation measures are summarised below.

Bunding and Planting

15.4.54 As part of the GI Strategy, bunding and a planting strategy are proposed to create a screen to limit the potential visual and noise impact of the Proposed Development from viewpoints and sensitive receptors outside the Site.

15.4.55 The bunds have been designed as landscaped, naturalistic features and will effectively screen the development areas.

15.4.56 A bund of 4.5m in height, rising to 6m in height is proposed along the A449 boundary of Development Zone A2 to minimise the impact of the warehousing.

Highways improvements

15.4.57 A new link road would run through the Site, from the A4 to the A449, via two new roundabouts. The new link road would help to relieve the existing congestion at Gailey roundabout along the A5 and A449 thereby removing the incentive for traffic to use village routes as a means of accessing Gailey roundabout.

15.4.58 In addition, Crateford Lane would be made one-way (west to east), to reduce the opportunity for 'rat running' off the new proposed A449 roundabout. This would represent an improvement over the current position where traffic does rat run west from the A449 due to current congestion at the Gailey roundabout.

Noise

15.4.59 Properties west of the A449 would not experience a magnitude of change in the rating level of noise compared to background noise levels which would trigger even the bespoke noise insulation scheme offered by FAL. Nevertheless the current noise assessment suggests that, for some properties, the effect of the scheme in combination with the existing noise environment along the A449 noise insulation would mean that FAL would offer the bespoke noise insulation scheme on a discretionary basis in order to ensure that all properties could achieve a satisfactory internal residential noise environment. See Chapter 13 of the **ES** and Section 13 of this Statement**.**

The employment area

15.4.60 The area covered within this section is shown in Figure 32 below. This area is characterised by the existing employment uses, which give the area a very industrial appearance. These employment uses include the Four Ashes Industrial Estate, the SI Group Chemical Plant, the ERF and the Bericote Site / Gestamp factory.

Figure 31: Aerial photograph of the employment area (October 2017)

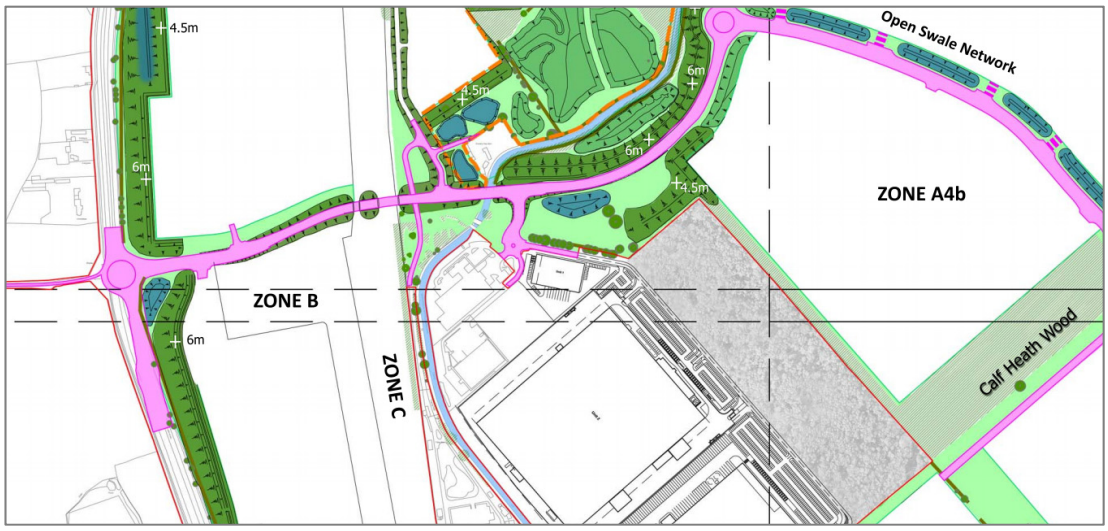

Figure 32: The employment area [Document 2.7]

15.4.61 The principal mitigation measures proposed are illustrated on the **Green Infrastructure Plan** [Document 2.7], with the employment area shown in Figure 32 above. The principal mitigation measures are summarised below.

Highways improvements

15.4.62 A new roundabout would be provided for the existing employment sites in close proximity to the Proposed Development, with direct access onto the new link road being provided through the Site.

15.4.63 Access to the new link road represents a major benefit to these employment sites, which currently only have access to the A449. The Proposed Development will considerably enhance the accessibility of these employment sites, with improved access to the M6 and the strategic road network.

15.4.64 There will also be enhanced bus services, which include improvements to existing services, would improve accessibility for the industrial businesses in the area.

15.5 Summary

15.5.1 Whilst the Proposed Development will result in some unavoidable impacts upon the local community, it seeks to limit and mitigate these effects through a series of carefully designed measures as identified above and described in more detail within the **ES**.

15.5.2 These mitigation measures would ensure that the Proposed Development would have a number of positive longer-term effects and that any potential impacts as a result of the Proposed Development are minimised and at a level that is acceptable, in accordance with NPS paragraph 5.83. These mitigation measures include:

- improvements to highways resilience, through the provision of a new link road and other works to the local highways network, improving the permeability of the local area;
- provision of a Contingent Traffic Management Fund, to address any issues that might arise through traffic associated with WMI using local routes inappropriately;
- the 'banning' of WMI HGVs travelling north on the A449, to avoid the misuse of the A449 by HGVs running through Penkridge;
- provision of publicly accessible local space throughout the Site through two new Community Parks, in an area that currently lacks such space;
- creation of a GI strategy (including bunding and planting) to limit the potential visual and noise impacts from viewpoints and sensitive receptors outside the Site;
- the reconfiguration and reorientation of warehouses and the rail terminal to minimise disturbance to nearby residential properties; and

- provision of a bespoke noise insulation scheme for properties that may be affected by noise (in which an entitlement to noise insulation would be triggered at levels lower than levels that would normally give rise to an entitlement to a claim under the Noise Insulation Regulations).

15.5.3 The proposed mitigation package has been the subject of consultation with consultees and the public and ensures there would be no long-term unacceptable impacts on the local community as a result of the Proposed Development.

16. BENEFITS ARISING FROM WMI

16.1 Introduction

16.1.1 Government policy as set out in the NPS establishes the need to ensure that SRFI proposals are brought forward to both support sustainable economic growth and also to meet targets for the expansion of rail freight within the UK over the coming years.

16.1.2 The Proposed Development has the potential to provide a wide range of benefits on a local, regional and national scale. The benefits of the Proposed Development would be direct, indirect, induced and would be long lasting, due to:

- the exceptional location;
- the unique characteristics of the Site; and
- the design of the Proposed Development.

16.1.3 FAL is committed to bringing significant sustainable social and economic benefits to South Staffordshire, the Black Country, the West Midlands and the wider region.

16.2 Exceptional Location

16.2.1 SRFIs in the right locations maximise opportunities for businesses to use rail freight now or in the future and are key features in encouraging the modal shift of freight from road to rail[238].

[238] In accordance with [paragraphs 2.37 and 2.44] National Policy Statement for National Networks, DfT (2014)

16.2.2 A SRFI in this location (the northern / western quadrant of the West Midlands Region) would:

- deliver rail served warehousing in an area of urgent need[239];
- be close to the markets it needs to serve[240];
- increase investor confidence in the region[241]; and
- deliver significant environmental benefits[242].

Need in this location

16.2.3 The NPS states that "***the aim of a strategic rail freight interchange (SRFI) is to optimise the use of rail in the freight journey by maximising rail trunk haul and minimising some elements of the secondary distribution leg by road***"[243]. The fact that the West Midlands Region occupies a unique location at the centre of the country and the national transport system was reflected in the work undertaken for the WM RSS. Chapter 9 of the RSS recognised that the efficient movement of freight is a key component of a successful regional economy and that "***sustainable freight is critical for our economic well-being and supporting our quality of life***"[244].

16.2.4 It is acknowledged that there is an identified unmet need for a SRFI in the northern / western quadrant of the West Midlands Region to serve southern Staffordshire and the Black Country and West Midlands conurbations, with this need identified as long ago as 2004 (see Sections 4 and 5 of this Statement).

16.2.5 There is a critical shortage of land for distribution uses in this location and WMI would make a vital contribution to the supply of sites currently available and into the medium-term[245]. The **Market Assessment Report** [Document 7.4]

[239] The "***compelling need for an expanded network of SRFIs***" is set out in [paragraph 2.56] National Policy Statement for National Networks, DfT (2014)
[240] In accordance with [paragraph 2.56] National Policy Statement for National Networks, DfT (2014)
[241] [Table 4] National Policy Statement for National Networks, DfT (2014) notes that reliance on the existing rail freight interchanges would "***constitute a constraint on economic growth, private sector investment and job creation"***.
[242] As noted in [paragraph 2.40] National Policy Statement for National Networks, DfT (2014)
[243] [Paragraph 2.44] National Policy Statement for National Networks, DfT (2014)
[244] [Paragraph 9.90] WM RSS Phase Two Revision (2007)
[245] See Section 1.4 of the **Market Assessment Report** [Document 7.4]

confirms that the WMI proposals would meet a clear need for high quality, well-located and rail-served sites, capable of accommodating large distribution occupier requirements[246].

Close to the markets it needs to serve

16.2.6 The movement of freight is recognised as being of particular importance to the region and with a large logistics sector within the wider region resulting in distribution accounting for around 9% of all jobs across the West Midlands. The NPS recognises the importance of the employment that the logistics industry and SRFIs can provide, noting that rail freight "***has become an important driver for economic growth***"[247].

16.2.7 The RSS recognised that keeping the cost of freight movement under control is important for regional competitiveness [248]. Consequently, RSS policy T10 set out that: "***The reliable movement of goods and services is the life blood of the West Midlands economy***" and the policy set out the particular importance of encouraging the use of rail for the movement of freight. These transport policies, of course, are directly consistent with the RSS proposals for the development of a network of SRFI, including to serve southern Staffordshire and the Black Country and West Midlands conurbations – see Chapter 5 of this Planning Statement.

16.2.8 The NPS adds to this, making clear that "***SRFIs are a key element in reducing the cost to users of moving freight from road to rail, thereby reducing trip mileage of freight movements on both the national and local road networks***".[249] To ensure that this is done as efficiently as possible, SRFIs must be developed "***alongside the major rail routes, close to major trunk roads as well as near to the conurbations that consume the goods***"[250]. Due to these locational requirements, the NPS recognises that "***the number of locations suitable for SRFIs will be limited, which will restrict the scope for developers to identify alternative sites***"[251].

[246] See Section 1.6 of the **Market Assessment Report** [Document 7.4]
[247] [Paragraph 2.42] National Policy Statement for National Networks, DfT (2014)
[248] [Paragraphs 9.91 - 9.92] WM RSS Phase Two Revision (2007)
[249] [Paragraph 2.44] National Policy Statement for National Networks, DfT (2014)
[250] [Paragraph 2.45] National Policy Statement for National Networks, DfT (2014)
[251] [Paragraph 2.56] National Policy Statement for National Networks, DfT (2014)

16.2.9 A SRFI in South Staffordshire would be close to the West Midlands and Black Country conurbations, and within southern Staffordshire, the markets it principally needs to serve.

Figure 33: The extent of the UK which could be reach in 4.5 hours by a HGV from WMI

16.2.10 South Staffordshire provides an exceptional location for freight distribution. Figure 33 identifies the location of WMI as virtually the UK's most accessible

distribution location, with 88% of the UK population within a 4.5 hour[252] HGV drive time of the Site.

16.2.11 These characteristics explain the significance of the area for distribution and the reason why the **Market Assessment Report** identifies this as an area of very high demand. The characteristics also emphasise the importance of ensuring that the area secures the economic benefits of its market potential, which are being held back by the lack of available supply of suitable sites.

Investor Confidence

16.2.12 The West Midlands remains the heartland of UK manufacturing, still accounting for almost 25% of the UK's manufacturing output[253]. The region generally brings in low value raw materials and creates high value outputs. Businesses are particularly reliant on good logistics support – and cost and time savings brought by a modern SRFI will help to ensure the area is competitive in national and international markets.

16.2.13 Notably, Gestamp now occupy a large distribution building on the Bericote Site, adjacent to the Site and in close proximity to the proposed rail terminal. Gestamp import materials from Germany to serve the JLR plant at i54. The potential for Gestamp and other supply chain operators to serve JLR and the wider area with good transport by rail to WMI is obvious. In addition, First Panattoni[254] have recently announced their intention to speculatively build a further unit at the same site.

16.2.14 A SRFI in this location would help maintain and enhance the efficient, competitive and sustainable logistics and distribution network the area needs to maintain and enhance its inherent economic strengths. A SRFI would also support the growth of other sectors such as manufacturing and higher technology activities. It would also build on the competitive advantages of the manufacturing and distribution sector in the region, providing a significant contribution to establishing a critical mass of such activities through the provision of a rail freight terminal and encouraging further investment. It is important to note that the Proposed Development provides for an open rail

[252] EU rules on drivers' hours and working time guidance require a daily limit on driving of 9 hours between daily / weekly rest periods. The 4.5 hour drive time allows for a return journey from WMI in one working day.
[253] [Page 3] Midlands Engine Investment Portfolio, Midlands Engine (March 2017)
[254] The UK development arm of Panattoni Europe, the largest developer of logistics facilities in Europe.

terminal. This would help to ensure that the area remains competitive against other regions, both nationally and internationally, which already have similar facilities already in place.

Environmental Benefits

16.2.15 The purpose of a SRFI is to transfer freight movements which are currently made by road to rail. Due to the economics of rail freight the benefits of this transfer are greater for longer distance trips. The consequence is that there is a significant reduction in HGV kilometres on the national road network[255]. With the West Midlands being in the centre of the country it can be seen that the roads in this region would benefit greatly from this transfer to rail.

16.2.16 A SRFI in this location would reduce HGV kilometres on the national road network, and has the potential to make a direct and significant contribution towards national efforts to reduce greenhouse emissions from transport, both through reducing the carbon impact of freight movements by encouraging a modal shift from road to rail and through providing congestion benefits on the national road network[256].

16.3 Unique Characteristics of the Site

16.3.1 Following the identification of the location for a SRFI, the right site must be chosen to ensure that the most effective and efficient scheme can be delivered. A SRFI at this Site would:

- be intersected by a major rail route[257];
- be located alongside major trunk roads[258];
- be accessible to the conurbations that consume the goods[259]; and

[255] [Paragraph 2.35] National Policy Statement for National Networks, DfT (2014) notes that "***depending on its local, each freight train can remove between 43 and 77 HGVs from the road***"
[256] In accordance with [paragraph 2.40] National Policy Statement for National Networks, DfT (2014)
[257] In accordance with [paragraph 2.45] National Policy Statement for National Networks, DfT (2014)
[258] In accordance with [paragraph 2.45] National Policy Statement for National Networks, DfT (2014)
[259] In accordance with [paragraph 2.45] National Policy Statement for National Networks, DfT (2014)

- optimise the use of rail in the freight journey[260].

16.3.2 The Site benefits from unique strategic location, with exceptional connectivity to both the national rail and road networks, with the potential for excellent permeability that is not often possible at SRFIs.

Major rail route

16.3.3 The WMI Site is intersected by the WCML, which runs north to south through the western portion of the Site. The Site has over 2 kilometres of frontage to the WCML, at W10 gauge[261], and is able to accommodate main line access in both directions of travel.

16.3.4 The topography of the Site is relatively level, with some localised topographical features, such as the railway cutting, with this topography allowing for efficient connections to the railway.

Major trunk roads

16.3.5 The WMI Site is capable of providing direct connections to the national trunk road network, via the A5 and A449 which border the Site. The A5 also provides direct connectivity to Junction 12 of the M6, which is adjacent to the Site.

16.3.6 The key road links in proximity to the Site include:

- the M6 – located adjacent to the east of the Site and providing access to Birmingham, the West Midlands and the wider UK;

- the A5 – forms the northern boundary of the Site and provides access to Junction 12 of the M6, Cannock to the east and Telford and Shrewsbury to the west;

[260] In accordance with [paragraph 2.44] National Policy Statement for National Networks, DfT (2014)
[261] [Paragraph 4.85] National Policy Statement for National Networks, DfT (2014) required a gauge of W8 or more.

- the A449 – forms the western boundary to the Site and provides access to Junction 2 of the M54 and Wolverhampton to the south and Stafford and Penkridge to the north; and

- Vicarage Road – in the southern part of to the Site and provides local access to Four Ashes village and a secondary route to the A5 and Junction 12 of the M6.

Accessible to conurbations

16.3.7 The Site is located near to the conurbations that would consume the goods, being in southern Staffordshire and located within close proximity of the West Midlands and Black Country conurbations.

16.3.8 These area also form the local labour market. Workers will be drawn from a travel to work area ('TTWA') which is based on travel time. This TTWA includes some neighbourhoods in Wolverhampton, Stoke and Stafford that have high levels of income and employment deprivation and who currently have limited economic opportunities.

16.3.9 The scale of range of job opportunities at WMI means the development will provide substantial regional employment benefits. There is a good match of skills between the jobs that would be created at WMI and the occupational characteristics of the labour force in the TTWA[262], which is noted in further detail in the **Economic Benefits Statement** [Document 7.1B]**.**

Optimising the use of rail freight

16.3.10 The Site's unique, strategic location, on both the national rail and road networks allows the co-location of rail and road distribution activities, enabling the maximisation of the rail trunk haul and minimising the secondary distribution leg by road, through the accessibility and proximity of the Site to local conurbations that would consume the goods[263]. This not only has decongestion benefits, but also environmental benefits through the reduction of HGV kilometres on the road.

[262] In accordance with [Paragraph 4.87] National Policy Statement for National Networks, DfT (2014)
[263] In accordance with [paragraphs 2.43 and 2.44] National Policy Statement for National Networks, DfT (2014)

16.4 Benefits of the Proposed Development

16.4.1 Policy at all levels provides support for development which promotes economic growth and delivers environmental benefits. The benefits of the Proposed Development include:

- investment in national infrastructure;
- investment in transport infrastructure;
- nationally significant environmental benefits;
- provision and management of open space;
- job opportunities and training for local people;
- benefits to local industry; and
- benefits to the local and regional economy.

16.4.2 The result of the work undertaken since the inception of the Proposed Development is that a SRFI of exceptional operational quality has been designed within a framework that taken full account of community consultation, environmental considerations and occupier needs. This is set out in more detail in the **DAS**.

16.4.3 The **Statement of Economic Benefits** provides further details of the considerable economic benefits the Proposed Development would bring to the local and regional economies.

Investment in national infrastructure

16.4.4 The Proposed Development would provide in excess of a hundred million pounds worth of private sector investment into national infrastructure. This investment is of a scale which can contribute towards continued economic growth, both in the region and nationally.

16.4.5 The Scheme would offer intermodal freight facilities located near to junctions of the M6 and the M54 motorway, in accordance with the requirements of the NPS[264]. The Site is located in southern Staffordshire and near to the Black Country conurbation[265], which has a long-established, unmet need for such a facility. The Site's location in South Staffordshire, to the north west of the Black Country conurbation would also allow WMI to serve the wider area.

Investment in strategic rail and road infrastructure

16.4.6 The Proposed Development would provide an open-access rail terminal which would be operated by an independent service provider. This means the terminal would be available not only to occupiers of units at the Site, but also to businesses across the West Midlands region (and beyond). The terminal would be capable of handling up to 10 full length trains (775 m) per day, without the need to 'split' the trains into sections for handling. The handling of freight trains would be done via dedicated freight line connections, with sufficient loading gauge (W10) to link the Site to all major UK ports.

16.4.7 The Proposed Development seeks to improve the levels of permeability through the Site and the surrounding area, in accordance with NPS paragraph 3.22, with three access points to the Scheme along with a number of permissive paths through the Site and improvements to the local highway network, footpaths and cycle ways surrounding the Site.

Link road

16.4.8 Currently the A5 / A449 Gailey roundabout is subject to queuing, which is often related to traffic conditions on the M6. At Gailey the predominant movement is between the two trunk roads, namely the A5 east and A449 south approaches. The location of the Site and the proposed infrastructure allows for the Scheme to provide a new route for all vehicles to travel from the A5 east to the A449 south and vice versa via a new link road through the Site. This route would provide all vehicles with a choice of options when travelling between the A5 and A449, giving the local road network greater resilience and permeability in addition to reducing the demand on the Gailey Roundabout.

[264] [Paragraph 4.85] National Policy Statement for National Networks, DfT (2014)
[265] In accordance with [Paragraph 2.56] National Policy Statement for National Networks, DfT (2014)

16.4.9 The A5 to A449 link road is a major benefit of the Proposed Development to the local area and has been recognised as such by HE and SCC.

Local highway measures

16.4.10 The junction of Station Drive and the A449 is currently subject to peak period queuing both from local employees and road users, and also due to 'rat running', with some motorists using this junction to avoid the Gailey roundabout when travelling to / from the M6. Station Drive and Station Road also have a number of properties with direct frontage, with a low railway bridge (12ft 3in) between the two roads which frequently gives rise to problems of over height vehicles being unable to pass under. The Proposed Development would ban the right turn from the A449 into Station Drive. Vehicles requiring direct access would need to utilise the new A449 roundabout to turn around (located further north at the junction with Gravelly Way). This would reduce the total number of vehicles using Station Drive and Station Road, significantly reducing the peak time queuing.

16.4.11 The Proposed Development would also provide a turning area on the west side of the low railway bridge on Station Drive. This would allow vehicles unable to pass under the bridge to turn without negatively impacting on other road users and local residents. It is also proposed to provide improved low bridge warning signs on the approaches to the area.

16.4.12 Many residents during Stage 1 Consultation raised the issue of 'rat running' via Crateford Lane to local villages, of which many were concerned that the issue would become worse should the Scheme come forward. Crateford Lane would be made one way travelling east. This would ensure that egress would be maintained for local residents whilst preventing the 'rat running' issue.

16.4.13 There would be improved pedestrian and cyclist access around and through WMI. These include upgraded routes along the A449 and A5, a new provision adjacent to Vicarage Road and a series of permissive paths through the site.

16.4.14 Due to the anticipated number of employees at the Proposed Development, an increased frequency (from hourly to half hourly) of the 54 bus service between Wolverhampton and the Site has been identified as viable and would be promoted closer to the date of occupation. This increased frequency would

be available for all residents on the route between Wolverhampton and Four Ashes to utilise.

16.4.15 The mitigation strategy will provide a net benefit for the local road network by providing greater resilience on the strategic road network around the site, measures to manage traffic on local roads and improved facilities for pedestrians and cyclists, as well as improved bus frequencies.

Nationally significant environmental benefits

16.4.16 The UK Government has a commitment to cut greenhouse gas emissions by at least 80% by 2050[266], with planning policy at all levels providing strong support for development which helps the transition to a low carbon future and to limit climate change. The NPS recognises that rail transport and SRFIs have a particular role to play in delivering significant reductions in pollution, including CO_2, at a national level[267].

16.4.17 The nature and scale of WMI means that it will contribute significantly to this policy initiative of national importance. The Proposed Development is forecast to receive 10 trains per day at maturity which will result in real carbon savings. This conservatively estimated to amount to 50 million HGV kilometres saved per annum.

16.4.18 The estimated HGV kilometre savings for the Proposed Development illustrate how WMI would be able to significantly and positively contribute to the Government's UK wide carbon reduction strategy, given the significant reductions in pollution (and congestion) that rail freight delivers over road freight[268].

16.4.19 The Proposed Development would accommodate both rail and road based operations from the outset. It is therefore likely that some road based operators who would otherwise use alternative distribution sites may find operational efficiencies in delivering by road to WMI, with carbon saving benefits arising as a result.

[266] [Section 1] 2008 Climate Change Act
[267] [Paragraph 2.35] National Policy Statement for National Networks, DfT (2014)
[268] [Paragraph 2.35] National Policy Statement for National Networks, DfT (2014)

The provision and management of open space

16.4.20 The provision of two community parks is a positive inclusion providing publically accessible open space for recreation and wildlife.

16.4.21 FAL have proposed to create an Estate Management Plan to secure the long term management and maintenance of the Community Parks by the Estate Management Company. The long term upkeep of the parks will also be funded by FAL.

16.4.22 Areas of the parks would be managed with wildlife aims, such as the provision of wildflower meadows. The community parks would provide biodiversity gains through ecological enhancement to these areas and target benefits to specific species / habitats of interest. Furthermore off-site land managed for the benefit of farmland birds would also be provided as part of the proposals.

16.4.23 The direct heritage impacts from the Proposed Development on the Canal are beneficial, and include works to reinstate and improve the Canal towpaths, and the removal of pipe and access bridges which cross the Canal between the SI and Bericote sites. The improvements to the towpath in particular will improve connectivity and the opportunity to experience the whole Canal as a heritage receptor.

Job opportunities

Construction jobs

16.4.24 The construction workforce required for the proposed development would be the equivalent of up to 4,500 person years of employment, which could equate to around 230 construction jobs at any one time over the construction period.

16.4.25 More construction related employment would be created indirectly, through the creation of trade linkages between the construction of WMI and local businesses.

Job opportunities at WMI

16.4.26 Longer term, and once the development is fully constructed and operational, the Proposed Development would support up to 8,550 jobs. Full details of the employment proposals at WMI can be found in Chapter 14 the **ES**.

16.4.27 The jobs available will provide a range of skill and salary levels; part time and full time; shift and non-shift. These would be high quality jobs with opportunities for career development and training – and salaries well above the regional average for skilled and experienced roles. It is estimated that 20% of jobs would have salaries above the median for the area.

16.4.28 Industry benchmarks suggest that 40% of jobs will be higher skilled managerial, engineering and administrative positions. Jobs required on-site will include managers, engineering, technical professionals (especially data analysis and IT) and skilled trades. Operative jobs will be particularly suitable for school leavers, people without formal qualifications or experience and those coming back to work from unemployment.

16.4.29 There are 47,000 unemployed residents within the TTWA[269] who are currently seeking work and receiving unemployment benefits. Of these unemployed residents, the majority are seeking elementary and sales/customer service positions. Approximately half of the jobs supported by the Proposed Development would be at this occupational level. In addition, there are an estimated 35,000 residents who are not receiving unemployment benefits but are out of work. A further 83,000 people live within the TTWA who are economically inactive but say they want a job i.e. would return to the labour force if there were suitable opportunities available. The Stoke-on-Trent and Staffordshire LEP highlights that concentrations of unemployment - and youth unemployment in particular – is an identified weakness of the LEP area.

16.4.30 The LEP Strategic Economic Plan goes on to state that, "***ensuring that these people have the functional skills required to access employment opportunities will be important in developing a more dynamic local workforce"***[270]. FAL will prepare for approval an Employment, Skills and Training Plan in advance of commencement. This would define working

[269] Correct as of December 2017
[270] [Page 7] Strategic Economic Plan, Stoke-on-Trent and Staffordshire Local Enterprise Partnership, (2014)

partnerships between FAL, tenants and public and education sector stakeholders and will help to secure the maximum local benefit from these new jobs (during both construction and operation). Consultation with these partners is already underway.

16.4.31 Given the nature of the proposed development (large floorplate, rail served warehouses) and the type of occupants likely to be attracted, the job displacement from the surrounding area is anticipated to be minimal. At a local level, displacement of other economic activity or employment is likely to be negligible – WMI would provide a relatively unique offer in the local context and would not result in a reduction in other local jobs. The same is likely to be true of South Staffordshire. 'Low' levels of displacement (approximately 25%) are expected to occur at a TTWA and Stoke-on-Trent and Staffordshire LEP level. Some existing activity may be displaced but the majority of the increase in activity will be net additional to the area.

16.4.32 The Proposed Development would also assist in retaining employers who wish to stay within the TTWA area, but are currently limited in terms of available expansion land.

16.4.33 Principally, the delivery of WMI is responding to a growth in demand for logistics floorspace, so will be absorbing new market demand rather than displacing existing demand or existing jobs.

16.4.34 The scarcity of land and the resultant pent up demand suggests that WMI represents a major opportunity to provide a net addition to the economy.

Employment, Skills and Training Plan

16.4.35 FAL are developing an Employment, Skills and Training Plan in partnership with SSDC, SCC and WCC. The Plan will define working relationships between FAL, tenants and public / education sector stakeholders and will assist in securing the maximum local benefits from new jobs to be provided at WMI, both during construction and operation.

Creating Indirect and Induced Jobs

16.4.36 Further jobs would be created through the spending on goods, supplies and services by companies based at the Proposed Development, and by the spending of wages by WMI employees and by local firms supplying goods to the development. As employees' wages and occupiers' supply chain spending filter through the economy, this will support indirect and induced jobs. Jobs would be created in associated and support industries – such as mechanics, machinery, business services and IT.

16.4.37 Jobs would be supported in the shops and services where WMI staff spend their wages. This spending would support an estimated 8,100 indirect and induced jobs in the UK economy, thereby nearly doubling to total employment effect.

Benefits to local industry and logistics

16.4.38 During the construction and operational phases the presence of a SRFI can create opportunities for local contractors and suppliers to service the development.

16.4.39 Once operational, the evolving community of occupiers on site, in combination with local companies in the hinterland (typically within 10km of site based on analysis of DIRFT data) will together create the critical mass needed to sustain an expanding network and frequency of trainload freight services to and from the site.

16.4.40 Alongside dedicated block trains for single "***anchor***" customers (e.g. shipping lines, logistics companies, retailers and manufacturers), multi-user trains allow customers to move loads from as small as a single length (6m) shipping container. This unlocks access to the rail network for companies which would otherwise be unable to generate trainload volumes on a weekly or daily basis, to destinations ranging from deep-sea ports and an expanding network of other regional (S)RFI, to mainland Europe, and increasingly directly to / from China.

16.4.41 The use of rail then benefits local business by providing an additional means of transport to complement existing road haulage arrangements, offering

improved supply chain resilience and flexibility whilst significantly reducing the level of emissions.

Benefits to the local and regional economy

16.4.42 Over the period of construction, the total Gross Value Added (GVA) generated from building WMI is expected to be **£169m**.

16.4.43 Construction activity would also result in indirect and induced GVA effects via the supply chain and labour market. It would boost jobs and businesses in the wider economy, generating a further **£155m** of GVA.

16.4.44 WMI would result in a permanent increase in locally generated GVA of **£912m** per year. This would be made up of both activity on-site, which would generate an additional **£427m** in GVA and indirect / induced GVA effects via the supply chain, which would total an estimated **£485m**.

16.4.45 To set this in context, the total Stoke-on-Trent and Staffordshire LEP annual GVA is £20,197m - so WMI would result in an estimated **2.1%** increase in annual GVA generated within the LEP. This is a significant increase to be generated by a single project.

16.4.46 On full occupation, WMI tenants would pay an estimated **£16.2m** in business rates every year, which could be apportioned between local, county and national governments. South Staffordshire has put in a bid to DCLG to pilot the new business rates retention policy[271]. Business Rates are a key component in funding Council's planning and service delivery priorities. Business Rates retention means that growth in locally generated business rates is more important than ever in supporting Council's activities.

[271] Business Rates Pilot and Pooling Arrangements: Report of Councillor Brian Edwards MBE, Leader of SSDC (17 October 2017)

17. NPS COMPLIANCE AND CONCLUSIONS

17.1 Introduction

17.1.1 The preceding sections of this Statement demonstrate that the Proposed Development, WMI, is fully aligned with the objectives of the NPS – which sets out the need for and the Government's policies to deliver development of NSIPs on the national road and rail networks in England.

17.1.2 This Planning Statement brings together the necessary information to demonstrate how the Proposed Development has been refined to respond to a clear and established national need for new SRFIs at this unique location. This has been done through working carefully to minimise and mitigate as far as practical all adverse impacts of the Scheme. This Statement and the accompanying documentation has examined the effects of the Proposed Development against the tests set by national policy.

17.1.3 Against those tests, the Planning Statement and accompanying documentation identifies limited adverse effects as a result of the proposed development, all of which can be acceptably mitigated, consistent with the terms of the NPS.

17.2 NPS Compliance

17.2.1 The NPS establishes a "***compelling need for an expanded network of SRFIs***"[272].

17.2.2 Subject to the detailed policies and protections of the NPS, and the legal constraints set out in the Planning Act 2008, there is a presumption in favour of granting development consent for national networks NSIPs that fall within the need for infrastructure established in this NPS[273]. However, the Site's

[272] [Paragraph 2.56] National Policy Statement for National Networks, DfT (2014)
[273] [Paragraph 4.2] National Policy Statement for National Networks, DfT (2014)

location in the South Staffordshire Green Belt means that the Secretary of State must determine whether very special circumstances exist.

17.2.3 The result of the work undertaken since the inception of the Proposed Development is that a SRFI of exceptional operational quality has been designed within a framework that has been heavily influenced by community consultation, environmental considerations and occupier needs.

17.2.4 The Applicant has demonstrated both in this Statement and in the **Market Assessment** [Document 7.4], that there has been a long outstanding need and demand for a SRFI in this area and that the urgency of this need is likely to continue to grow in the future. National rail freight forecasting, which underpins the NPS, will not be satisfied unless the need is met. Meeting this need and securing the multiple benefits of a SRFI development is long overdue and directly consistent with national policy.

Rail Freight Interchange Function

17.2.5 From the outset, the Proposed Development will be in a form that can accommodate both rail and non-rail activities, with the first phase capable of providing warehousing, an operational rail network connection, areas for intermodal handling and container storage through the Initial Rail Terminal. The Proposed Development is therefore compliant with the requirement at NPS paragraph 4.83 relating to functionality.

Locational Requirements

17.2.6 The Proposed Development meets the NPS requirements of NPS paragraphs 2.56, 4.84 and 4.85 for the location of SRFIs, with the proposed SRFI adjacent the M6, in a location readily accessible to the Black Country and the West Midlands (the markets it would serve) and with the WCML running through the Site, providing direct access to the rail freight network and key deep sea ports.

17.2.7 The Proposed Development would fill a recognised gap in the network of existing SRFIs between Hams Hall / Birch Coppice through to Widnes / Port Salford, in accordance with NPS paragraph 2.58.

17.2.8 The Site has been chosen, in part, due to the limited number of residential properties it has the potential to impact, with appropriate mitigation embedded into the Proposed Development to limit the impacts, in accordance with NPS paragraph 4.86.

17.2.9 The **ASA**[274] demonstrates that the Site is the only realistic option to develop a SRFI within the area of need[275] whilst meeting the locational requirements of the NPS, with the NPS recognising at paragraphs 4.84 and 5.172 that these requirements may mean that countryside and Green Belt locations are required.

17.2.10 The Proposed Development would also provide significant benefits to the local economy, with the scale of range of job opportunities at WMI meaning the development will provide substantial regional employment benefits. The existence of an available and economic local workforce was considered and there is a good match of skills between the jobs that would be created at WMI and the occupational characteristics of the labour force in the TTWA, in accordance with NPS paragraph 4.87.

Scale and Design

17.2.11 The Proposed Development will provide an operational rail network connection and areas for intermodal handling and container storage in the first phase of the development via the Initial Rail Terminal, while allowing for more extensive rail connections within the Site in the longer term, through the Expanded Rail Terminal, in accordance with the functionality requirements of the NPS at paragraph 4.88.

17.2.12 The Proposed Development also complies with the requirements of NPS paragraph 4.88 regarding rail connected buildings. A significant element of the Site (c. 20%) will be capable of being rail-linked / rail connected from the outset (see the Indicative Phasing Plan [Drawing 04.05 in the **ES**]), whilst the entirety of the Site would be rail served, with the parameters plans ensuring that all warehousing units will be in close proximity to the rail terminal.

[274] Undertaken in accordance with [Paragraphs 4.26 and 4.27] National Policy Statement for National Networks, DfT (2014)
[275] See [Paragraph 2.56] National Policy Statement for National Networks, DfT (2014)

17.2.13 The application of NPS paragraph 4.88 was considered in the decision of the Secretary of State of January 2016, to grant development consent for the proposed East Midlands Gateway SRFI ('EMG'). In that case, none of the warehouse units were proposed to be directly rail-linked (or rail connected) and 47% of the proposed floorspace (260,000sq m) was anticipated to be occupied before the opening of the rail freight interchange. The Secretary of State was satisfied, however, that the proposals met the requirements of the NPS (see Section 10.2 of this Statement)[276].

17.2.14 The Proposed Development is also compliant with the requirement at NPS paragraph 4.89 which relates to the scale of proposed SRFIs. The Proposed Development is in an ideal location on the WCML branch line (the Bushbury to Staffordshire / Birmingham Loop line), which offers the rare characteristic of not only the train path capacity, but also the topography and geometry required to achieve high quality north and south facing connections to the WCML for full length (775m) freight trains in accordance with paragraph 4.89 of the NPS. The terminal would also be capable of handling up to 10 freight trains per day at maturity, with capacity on the WCML for the anticipated level of trains.

17.2.15 The scale of the Proposed Development, at 297 ha, is similar in size to other SRFIs that have been consented and are coming forward, whilst offering the opportunity to achieve the critical mass required to facilitate significant modal shift from road to rail in accordance with the objectives of NPS paragraph 2.37.

17.2.16 On this basis, and when compared directly to other similar SRFI DCO decisions (see Section 10.2), it is clear that the proposals directly conform to the established interpretation of the NPS.

Impacts on Transport Networks

17.2.17 The package of highway proposals would provide an overall net-benefit in the longer-term, therefore more than mitigating the impact of the SRFI and satisfying the requirements of NPS paragraph 5.208.

[276] [Paragraphs 14 – 26] East Midlands Gateway Rail Freight Interchange – Decision Letter, Secretary of State (12 January 2016)

Air Quality

17.2.18 Overall, the impacts on air quality as a result of the Proposed Development are not considered to give rise to a significant effect on human health. In accordance with paragraph 5.13 of the NPS, the Proposed Development would not result in the need to designate a new AQMA, or require a change in the size of an existing AQMA.

Noise and Vibration

17.2.19 The Proposed Development is complaint with the NPS requirement at paragraph 5.199 relating to noise and vibration. The NPS provides that noise insulation may be a statutory requirement where the trigger levels in the relevant British Standards are met. In the case of the Proposed Development, the noise levels would be significantly below those trigger levels but a bespoke noise insulation scheme is nevertheless to be offered to those properties most affected by the Scheme. With the benefit of that commitment, the policy requirements of the NPS are fully met.

Biodiversity and Ecological Conservation

17.2.20 The Proposed Development will have a broadly neutral impact on biodiversity, ecology and nature conservation, with the exception of the loss of 4 veteran trees, which is unavoidable. It is therefore considered that the Proposed Development meets the requirements of NPS paragraphs 5.23 – 38.

Generic Impacts

17.2.21 Detailed chapters of the **ES** are summarised in this Planning Statement and they work progressively through the topic headings of the NPS to identify that the assessments undertaken accord with the NPS and that the effects assessed for the WMI proposals meet with the policy requirements to limit and mitigate their impacts as far as practical. Particular attention has been paid to community impacts, as explained more fully in Section 15 of this Planning Statement.

Green Belt

17.2.22 Harm to the Green Belt is significant due to the loss of openness currently provided by the Site. However, the Site's existing openness is limited by a number of urbanising factors and is contained within clearly identified boundaries.

17.2.23 Development of the scale proposed is required and the compelling need for the development can only be satisfied in this unique location, on Green Belt land, with very special circumstances having been demonstrated in this Statement for the Proposed Development.

17.2.24 The GI Strategy provides a strong buffer through community parks, landscape corridors, mounding and woodland planting, allowing the proposed built development to be significantly set back from the residential areas and the Canal, providing a strong and defined edge to the Green Belt surrounding the Site.

17.2.25 The principle of Green Belt release to meet development needs locally is established in local policy and the need for a large-scale SRFI should have been identified by now if the development plan process had accepted its responsibility. The NPS recognises that Green Belt land may provide the only opportunity to fulfil the identified need for a network of SRFI[277].

17.3 Conclusions

17.3.1 The Site is uniquely situated to meet the long-outstanding need for a large-scale SRFI in this area. The provision of the major infrastructure that would be provided by the Proposed Development has the ability to make a significant contribution towards the area and the wider region realising its economic potential.

17.3.2 The Proposed Development will generate substantial economic benefits through the creation of up to 8,550 jobs. Given the relatively high number of unemployed residents in the TTWA and the close fit between the jobs to be offered and the skill profile of these people, the development is not anticipated

[277] [Paragraph 5.172] National Policy Statement for National Networks, DfT (2014)

to displace a significant number of jobs, nor lead to any substantial increase in housing demand in the locality.

17.3.3 The Site contains the ideal characteristics to achieve a high quality SRFI development, with immediate connectivity to the M6 and high quality connections to the WCML, which have already been approved in principle by Network Rail. The Proposed Development is capable of supporting up to 10 trains per day and a rail-served development of up to 743,200 sq m of modern warehousing buildings, generating substantial economic and sustainability benefits, which would be achieved through the transfer of freight from road to rail.

17.3.4 The WMI Site offers the best opportunity to create a SRFI development in the identified area of need, with the ASA demonstrating that no other sites within the market areas that can be regarded as genuine alternatives.

17.3.5 The Proposed Development complies with the NPS and the careful design and assessment of the Scheme has ensured that it has evolved to respond sensitively to the characteristics of the surrounding area and, in particular, to limit and mitigate its effects, as required by the NPS.

17.3.6 The acknowledged national need and the policy presumption in favour of SRFIs in the NPS forms an important element of the very special circumstances which do exist to justify the granting of development consent for WMI. When considered with the benefits of the Proposed Development, which substantially outweigh the residual adverse effects, very special circumstances are considered to exist, which in this case exist to justify the granting of development consent.

17.3.7 The harm to the Green Belt, together with any other harm is significantly outweighed by the compelling need for and the benefits of the Proposed Development, with very special circumstances having been demonstrated.

17.3.8 Subject to the detailed terms of the DCO itself, therefore, it would be appropriate for consent to be granted, in accordance with and in order to satisfy government policy.