



West Midlands
Interchange

Four Ashes Ltd

The West Midlands Rail Freight Interchange Order 201x

Land Contamination / Remediation, Flood Risk & Water Resources - Statement of Common Ground – Environment Agency

Regulation 5(2)(q)

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Ramboll

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1. GLOSSARY

1.1.1 The terms used in this document are as follows:

DCLG	Department for Communities and Local Government
DCO	Development Consent Order
EA	Environment Agency
ExA	Examining Authority
SoCG	Statement of Common Ground
SRFI	Strategic Rail Freight Interchange
WMI	West Midlands Interchange

2. INTRODUCTION

2.1.1 This Statement of Common Ground (SoCG) has been prepared by Ramboll Environment and Health UK Ltd (Ramboll) on behalf of Four Ashes Limited (FAL, the Applicant) and the Environment Agency (EA). It sets out common ground between the two parties in respect of the West Midlands Interchange (WMI) application (the Application).

2.1.2 This statement sets out the matters of interest to the EA on which there is full agreement between the Applicant and the EA. It also sets out the matters which, at the time of writing, there is not full agreement between the EA and the Applicant.

2.1.3 The purpose of this statement is to assist the Examining Authority (ExA) in making its recommendation on the Application. It has been prepared in accordance with DCLG Guidance¹.

2.1.4 The Applicant and the EA have corresponded though the consultation period of the Application. This has shaped the technical inputs to the Application as submitted. The Consultation Report (Document 7.10), as prepared by Copper, catalogues the dialogue between the two parties

¹ Planning Act 2008: Guidance for the examination of applications for development consent, DCLG, March 2015

leading up to the submission of the Application. Ramboll has undertaken liaison with EA representatives by telephone and also attended meetings with the EA on 4th October 2016, 21st December 2017 and 17th April 2018.

2.1.5 This SoCG covers the following matters:

- Land Contamination;
- Remediation;
- Flood Risk; and
- Water Resources (including Water Framework Directive and foul drainage Issues).

3. BACKGROUND

3.1.1 The Application is for a Development Consent Order (DCO) under the Planning Act 2008, for a proposed strategic rail freight interchange (SRFI) in South Staffordshire District (the Site).

3.1.2 The Site comprises approximately 297 hectares (ha) of land.

3.1.3 The Site, located at Four Ashes, Staffordshire, is approximately 10km north of Wolverhampton and lies immediately west of Junction 12 of the M6.

3.1.4 The Site is broadly bounded by the A5 trunk road to the north (from Junction 12 to the Gailey Roundabout); Calf Heath reservoir, the M6, Stable Lane and Woodlands Lane to the east; Station Drive, 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.

3.1.5 The Site is currently characterised by a mix of uses including a large area of sand and gravel mineral extraction within the east known as Calf Heath Quarry and a patchwork of agricultural fields with hedgerows and trees to the west and south of this, with an area of mixed woodland known as Calf Heath Wood in the centre of the Site. The current use of the Site is mainly arable farming and the mineral extraction area covers approximately 40ha, with almost the entirety of this area currently open-cast.

- 3.1.6 There are no international or national designated sites for nature conservation located within or directly adjacent to the Site. There is a Site of Special Scientific Interest ('SSSI') located approximately 140 m south of the Site (Four Ashes Pit). The SSSI is designated for its geological value.
- 3.1.7 There are no Special Protection Areas (SPAs) or Ramsar sites within 10km of the Site. The following Special Areas of Conservation (SACs) are located within 10 km of the Site: Cannock Chase SAC (7.4 km north-east); Motte Meadows SAC (7.5 km west, north-west); and Cannock Extension Canal SAC (10 km east).
- 3.1.8 The majority of the Site (approximately 95% of the total Site area: encompassing all but the north-west tip) is situated within a Zone 3 EA designated groundwater Source Protection Zone.
- 3.1.9 Within the south-west area of the Site there is a parcel of land which is currently subject to on-going groundwater remediation works in accordance with an Environmental Permit.
- 3.1.10 In summary, the development proposals include the following:

- 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 of existing structures and earthworks to create development plots and landscape zones;
- Reconfiguring and burying of electricity pylons and cables; 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.

3.1.11 The EA are a Consultee for the Application.

4. GENERAL MATTERS AGREED

4.1.1 The Applicant and the EA agree on the following areas of interest to the EA (specifically in relation to Land Contamination, Remediation, Flood Risk and Water Resource issues):

- The nature and extent of the development.
- The general mitigation methods to be applied during construction of the development.

4.1.2 The Applicant and the EA have worked positively to ensure the above level of agreement.

5. DETAILED MATTERS AGREED

Land Contamination

5.1.1 FAL and EA agree that in terms of potential land contamination issues the EA's considerations are solely in respect of potential Controlled Waters effects. Consideration of potential impacts upon human health from land contamination will be undertaken by South Staffordshire District Council.

5.1.2 FAL and the EA agree that the scope of the land contamination assessment (as submitted to the EA by separate emails on 14th September 2015 and 10th October 2016) comprises an appropriate methodology for the assessment.

5.1.3 Other than potential effects upon on-going remediation works (discussed in more detail in the section below), FAL and the EA agree that land contamination assessment as included in the final environmental statement (ES) (ES Technical Appendices 11.3 and 11.4) does not indicate any significant effects with respect to Controlled Waters receptors.

Remediation

- 5.1.4 FAL and the EA agree that the ongoing groundwater remediation works in the south-west of the Site do not in principle preclude the proposed WMI development, providing that suitable safeguarding measures are in place comprising relocation of borehole/s and phasing of proposed warehouse development to accommodate the required remediation works
- 5.1.5 FAL and the EA agree that, as evidenced by meetings on 4th October 2016, 21st December 2017 and 17th April 2018, FAL has been working with the holder of the Environmental Permit (SI Group UK Ltd) relating to the ongoing groundwater remediation works.
- 5.1.6 FAL and the EA agree that the Remediation Safeguarding Report issued to the EA (ref: R-UK15-22306_5-Remediation Safeguarding Report, dated 19th July 2018 – ES Technical Appendix 11.5) comprises suitable and sufficient mitigation measures to ensure that the WMI development doesn't significantly alter, constrain or jeopardise on-going remediation works in the south-west of the Site. Furthermore, it is agreed that the Remediation Safeguarding Report addresses previous EA concerns raised in correspondence dated 22nd September 2017 (ref: UT/2017/116412/01-L01).
- 5.1.7 FAL and the EA agree that the Environmental Permit relating to the ongoing groundwater remediation works will require variation in some form (relating to re-location of remediation abstraction wells and associated pipework). Because to facilitate the WMI development requires a variation of an existing Environmental Permit rather than the granting of a new Environmental Permit this is considered a lesser potential constraint in terms of Permitting requirements. The EA agree that in principle a proposed variation to the Environment Permit is not a significant impediment to the WMI development providing that the variation is in compliance with the Environmental Permitting regulations. Therefore, considering the timescales proposed for the WMI development and providing that the agreed outline remediation safeguarding measures are implemented as proposed, FAL and the EA agree that a variation of the Environmental Permit can be applied for post granting of the DCO (noting standard requirements and consultation required for a variation to any Environmental Permit). Given that groundwater remediation works are on-going and dynamic (with ever improving groundwater quality) detailed remediation safeguarding proposals are more appropriate prior to proposed construction

works as these proposals can be based on the very latest understanding of groundwater quality.

Flood Risk

- 5.1.8 FAL and the EA agree that Staffordshire County Council (SCC) are the lead local flood authority (LLFA) in relation to the proposed scheme and as such are responsible for any pluvial flood risk and related surface water drainage issues.
- 5.1.9 FAL have been liaising with SCC in relation to the project, however from reviewing the flood risk assessment submitted with the Application the EA has no significant concerns regarding fluvial flood risk in relation to the proposed development as the Site lies within low risk Flood Zone 1.

Water Framework Directive

- 5.1.10 FAL and the EA agree that the Water Framework Directive (WFD) assessment (ES Technical Appendix 16.2) issued to the EA comprises an appropriate assessment and suitably addresses potential effects to underlying groundwater aquifers and the surface water catchment (with no significant effects identified based on mitigation measures proposed).

Foul Drainage

- 5.1.11 FAL and the EA agree there are no fundamental concerns with the foul drainage proposals for the Proposed Development.
- 5.1.12 The Applicant and the EA have been in liaison regarding foul drainage during the construction phase. FAL understand that treatment of foul drainage during the construction phase by a 'package treatment plant' (or similar) with discharge to surface water or groundwater is the preferred option and is unlikely to require a permit due to the estimated volumes involved. However, it is not possible to confirm specific requirements until the detailed design phase when the specific nature of construction works are known. In the event that foul drainage during the construction phase were to require a permit, the EA consider there is no major constraint to suggest that such a permit wouldn't be granted. However, if a permit was required there are other options available which could be implemented without needing a permit. As such, although the method of treating/disposing of foul drainage during the construction phase is not yet

finalised, there are a number of options that could be pursued to resolve this which will be explored further at detailed design stage.

- 5.1.13 FAL and the EA agree that a requirement such as that specified under Requirement 28 of the draft DCO submitted with the Application (Water and flood risk – foul water drainage) is an appropriate mechanism to ensure foul drainage aspects are approved prior to commencement.

Surface Drainage

- 5.1.14 FAL and the EA agree that Site Wide Surface Water Drainage Strategy (ES Technical Appendix 16.3) should pose no risk to meeting WFD objectives within the relevant catchments.

6. MATTERS NOT AGREED

- 6.1.1 There are no matters not agreed.

7. CONCLUSION

- 7.1.1 This statement sets out a record of the Land Contamination, Remediation, Flood Risk and Water Resource issues of interest to the Environment Agency and the extent to which these are agreed with Four Ashes Limited.
- 7.1.2 It sets out the general circumstances surrounding each issue and the position reached at the time of writing.



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