

Highways England's Response to the Examiner's Questions

1.0	General and Cross-topic Questions		Highways England Comment
1.0.2	The Applicant and CRT	<p>ES Appendix 12.7 [APP-105] describes Calf Heath Reservoir as "<i>one of two such features to either side of the junction with the M6 motorway serving as balancing ponds from the original construction of the road.</i>" In many other places in the submission documents both Calf Heath and Gailey Reservoirs are described as feeder reservoirs for the Staffordshire & Worcestershire Canal (S&WC).</p> <p>Please confirm the main use of these reservoirs and whether this use continues to comprise their main purpose.</p>	<p>We have no comment on the specific question posed by the ExA.</p> <p>The matter of the existing CRT feeder channel connection between reservoir and canal is of interest to Highways England as this will become located within the Highway Boundary on completion and adoption of the A5 trunk road works. The location of connection is of concern to Highways England as the DCO does not make provision for the adoption of the connection by CRT or for its future maintenance. The presence of this feeder channel which would remain un-adopted by any party under the terms of the DCO has the potential to import maintenance liabilities and adverse safety consequences to the SRN.</p> <p>For the avoidance of doubt as a private connection Highways England will not adopt the resulting asset.</p>

1.1.1.	SCC	<p>Part of the north east quadrant of the Site is identified in the Minerals Local Plan (MLP) for Staffordshire as an extension to the existing quarry which is indicated as representing a 0.75 million tonne resource of sand and gravel. The mineral working and processing infrastructure on the Site is also said to be safeguarded under the MLP. If the DCO is granted, the existing minerals infrastructure would be removed and the minerals within the MLP allocation would not be worked.</p> <p>Having regard to what is said by the Applicant in paragraphs 7.2.11– 7.2.26 of the Planning Statement, SCC is asked to set out its views as to the proposal's compliance with the MLP.</p>	<p>Highways England has received from the applicant a transport assessment that makes no consideration of minerals extraction.</p> <p>Whilst the matter of policy is one for the County planning authority we note that the implications of any additional mineral abstraction beyond that currently consented would need to be assessed, therefore we concur with the ExA's proposition that the minerals would not be worked under the DCO as currently worded.</p>
1.1.2.	The Applicant.	<p>Existing Rail Terminals</p> <p>Several the RRs argue that there is no need for a new SRFI because the area is well served by existing facilities. Although exact site locations have not been quoted in most of the representations this list includes: East Midlands Parkway (stated to be operating below its capacity); DIRFT; Telford (stated to be</p>	<p>We note that a well-planned network of SRFI sites has the potential to reduce SRN lorry movements by removal of long distance road trips to rail. The matter of site selection and site promotion is a matter for the private sector to pursue. We look forward to the applicant's note on which we reserve the right to comment.</p>

		<p>underused and receiving only 1 train per week); Dudley Freight Terminal (stated to have closed due to a lack of use); Donnington SRFI; Stoke-on-Trent (stated to be an existing road/rail depot with good road and motorway access); Rail connected warehousing at Penkridge (which is said to have been demolished because there was no demand for it). Some, but by no means all, of these facilities are referred to in the Market Assessment [APP-257] Report.</p> <p>Can the Applicant provide a written note commenting on the availability of all these suggested alternatives and their capacity/suitability to meet some or all of the identified need for SRFI capacity in the North West Quadrant of the WM Region?</p>	
1.1.3.	The Applicant and NR	<p>Capacity of Rail Network</p> <p>The Initial Rail Freight Terminal proposed is expected to attract 4 trains per day and the Expanded Terminal would have capacity for up to 10 trains per day. NR [RR-0990] states that it is broadly supportive of the proposal but does</p>	<p>We have observations that the development's traffic generation is directly connected to the availability of rail but that it is for the applicant to demonstrate the availability of rail transport to the ExA.</p>

		<p>not directly confirm the availability of rail paths for this projected number of trains.</p> <p>(i) What evidence/reassurance can NR provide that sufficient rail paths will be available in the short (Years 1-5 of the proposed construction phasing) and longer term (Years 6-10) to accommodate these anticipated train movements without an adverse effect on passenger and other freight movements on this part of the WCML?</p> <p>(ii) Can these suggested movements satisfactorily be accommodated without a significant effect on the speeds of passenger services using this section of the network?</p>	
1.1.4.	The Applicant	<p>(i) Given that the warehousing proposed in Zones A3 to A7 would be segregated from the new rail infrastructure by the WCML what potential, if any, is there for warehouses in those zones to be directly rail linked in the future?</p> <p>(ii) If no such potential exists, to what extent does this aspect of the proposal satisfy the requirement at paragraph 4.88 of the NPS that "<i>applications should provide for a number of rail</i></p>	<p>We note the satisfactory test of the traffic impacts of 147,000m2 of B8 warehousing without rail connectivity that has been conducted by the applicant as a presumed Phase1 of the development.</p>

		<i>accessible buildings for initial take-up, plus rail infrastructure to allow more extensive rail connection within the site in the longer term"?</i>	
1.1.5.	The Applicant	<p>The Rail Operations Report [APP-256] indicates that movement of containers from the Rail Terminal to and from the rail served warehouses may be undertaken by "tugmaster" vehicles.</p> <p>If this is considered to be a realistic prospect the Applicant is requested to produce a written note providing information on the following matters:</p> <p>(i) the extent to which these vehicles are currently used at existing SRFIs;</p> <p>(ii) the extent to which the layout and form of those SRFIs where they are used is similarly to that proposed at WMI (including the nature and extent of any public highway used to undertake the transfer of containers from the rail terminal to warehouse units and vice versa); and</p> <p>(iii) what restrictions would apply to the use of such vehicles on the public highway having regard to matters such as road fund licence and insurance, weight limits and type of fuel used.</p>	<p>If the applicant offers a firm proposal in response to this question that suggests operation of such vehicles would occur on the SRN we reserve the right to make observations on the safety aspects of such proposals.</p>

1.1.6.	The Applicant	<p>Commitment to Rail</p> <p>(i) What steps/measures are proposed in the marketing and disposal of those units with potential to be directly rail linked to ensure that they are occupied by users with an immediate or future need for direct rail access?</p> <p>(ii) Will any plots or units be reserved for occupation by users with an existing need for direct rail access?</p> <p>(iii) What strategies/measures are proposed in marketing the Proposed Development to ensure that users with an existing or potential need for convenient access to a rail terminal are secured as occupiers?</p> <p>(iv) What level of certainty can be given as to the long term economic and operational success of the rail terminal?</p>	We re-iterate our observation that the assumptions used in traffic analysis should seek to be replicated in the operational phase of the development
1.1.7.	The Applicant.	The draft DCOB [APP-156] includes an obligation to complete the works required for the Initial Rail Terminal by a certain stage in the development of the proposed warehousing and to retain, manage and keep the Initial Rail	Not an issue for Highways England directly but we re-iterate our observation that the assumptions used in traffic analysis should seek to be replicated in the operational phase of the development

		<p>Terminal available unless otherwise agreed by SSDC.</p> <p>Is any commitment to be made in respect of the Expanded Rail Terminal and, if so, how could this be secured?</p>	
1.1.8.	The Applicant and local authorities	<p>Paragraph 14.53 states that the Travel To Work Area (TTWA) was defined by use of a Gravity Model and has been agreed with HE.</p> <p>Was the extent of the TTWA also discussed with the local authorities and/ or LEPs and to what extent is this agreed to represent a realistic assessment of where employees are likely to travel from in order to access the job opportunities that would be generated by the proposed WMI?</p>	<p>The TTWA and the application of such data has the potential to affect SRN.</p> <p>The applicant's gravity model approach to consideration of the TTWA has been agreed with Highways England specifically to ensure that as a new major employment site, trips that would otherwise fall outside a traditional census-based traffic analysis would be captured in terms of impact on the SRN.</p> <p>Initially, Highways England raised concerns with the applicant about the assessment of employment trips within the gravity model following the issue by the applicant's advisors of a technical note in September 2016. The concerns raised included the treatment of TTWA's to the west of the site and consideration of LGV movements within the assessment.</p>

			The applicant's advisors subsequently submitted a further analysis in October 2016 that reconsidered the TTWA assessment in light of our comments. This was reviewed and accepted by us in October 2016.
1.2.	Transport and Traffic <i>All paragraph and table references are to the Transport Assessment (ES Technical Appendix 15.1) (APP-114) unless otherwise specified</i>		
1.2.1.	The Applicant, HE and SCC	Accessibility to Markets and Sources of Labour Have the Light Vehicle Distribution assumptions underpinning the Sustainable Transport Strategy (STS)(APP-136) (Table 4.1) and Transport Assessment (APP-130) (TA) been agreed by HE and SCC?	Overall, on the basis of the evidence supplied by the applicant Highways England is satisfied that the light vehicle distribution has been conducted in an appropriate manner The applicant's technical note of October 2016 set out the approach to vehicle distribution. We agreed that census data based on a local ward would not a true reflection of the WMI catchment area for traffic. Hence an alternative methodology was utilised as summarised below. We confirmed that outcome of a gravity model was acceptable after refinement by the applicant to consider the effect of the Birmingham conurbation and treatment of Shropshire.

			<p>We noted minor journey time issues that would require cross check using Tom Tom traffic data if this became available.</p> <p>We note that the outcomes are reflective of size of the WMI proposal and the background assumptions made by the applicant.</p>
1.2.2.	The Applicant, HE and SCC	<p>Paragraph 3.2 of Technical Note 14.1 (APP-142) asserts that approximately 60% of goods moving to and from WMI would be from the WM Region.</p> <p>(i) Is this assumption drawn from the data in Table 3 in that same note or is there other evidence to support the assumption?</p> <p>(ii) Is this assumption agreed by HE and SCC?</p>	<p>Having reviewed the data presented by the applicant we can confirm our agreement to this outcome.</p> <p>We note that the freight forecasts developed by the applicant use the National Freight dataset made available by the DfT. This represents the most reliable assessment of current freight movements available.</p>
1.2.3.	The Applicant and SCC	<p>Table 4.3 of the STS sets a target of a 10% reduction from the assumed baseline in journeys to work as a car driver but a significant part of this reduction is predicted to be achieved by a large increase in the numbers travelling as a car passenger (an increase from 7.5% to</p>	<p>We have interest in the effect of the 10% reduction.</p> <p>Highways England note that the traffic modelling has been conducted without the 10% reduction in place. As the travel plan measures will be bespoke to each unit on site the delivery of the 10% reduction in car</p>

		<p>12.5). The proportion travelling to work at WMI by bus is predicted to increase from 3% at the assumed baseline to 8% at the full build out position.</p> <p>(i) Is this increase in public transport use achievable through the proposed measures set out in the STS?</p> <p>(ii) Is it sufficiently ambitious in the context of the site's location and its accessibility to the main areas from which future employees of WMI are expected to travel?</p>	<p>driver journeys may not be on a linear basis across the years of the site being delivered and operational.</p> <p>We consider that the applicant's traffic analysis is therefore a worst-case scenario.</p>
1.2.4.	The Applicant, HE and SCC	<p>Transport Assessment</p> <p>It is noted that an assessment of the effects of the Proposed Development with full occupation at 2036 has not been carried out because no decision had been made as to the preferred route of the proposed M54/M6/M6 Toll Link Road. The ExA understands that, although no DCO application has yet been made, a preferred route has now been selected for that proposed Link Road.</p>	<p>The requirements of Circular 02/2013 requires a future year assessment although any mitigation strategy is defined at the opening year with an assumption of full development in place. In this context policy would require a test at the end of the local plan period or 10 year post the DCO being submitted for examination.</p> <p>In this case we confirmed to the applicant that, given the state of development of the M54/M6 link road proposals, no reliable future year assessment was possible. Given this lack of certainty, it was agree to</p>

		<p>If this is the case is it necessary/ desirable for a supplementary TA to be produced which assesses the likely effects with full occupation at 2036 in order to provide the Examination with all the information necessary to fully assess the proposal?</p>	<p>ensure that the general requirements of the DMRB were met that a 15 year post opening test of the SRN schemes (A449 and A5 roundabouts) would be necessary to ensure that continued operation of each junction remained satisfactory. In the case of these tests, the M54/M6 link was <i>not</i> assumed to be place in order to provide a worst case scenario.</p> <p>The outcome of these tests was that without- and with-development traffic the new SRN junctions continued to function satisfactorily in 2036.</p> <p>The current situation is that the M54/M6 link road remains a scheme in development. Its completion remains subject to the conclusion of statutory procedures including independent examination of the proposed scheme and the proposed scheme continuing to represent value for money for taxpayers. Neither of these are certain at this point in time.</p> <p>In terms of traffic analysis, the Preferred Route Announcement makes no reference to the detail of the scheme necessary to conduct a detailed traffic assessment of the WMI proposal in a future year. For example, speed limits, junction details and design standards for the proposal are still being developed in preparation for a DCO application in due course.</p>
--	--	---	---

			<p>Any traffic modelling would necessarily require a substantial level of assumption that may not in due course be correct.</p> <p>We reiterate that a future year assessment of the M54/M6 link road is not possible on the current facts and that the alternative approach taken still satisfies us that a worse-case scenario has been used for assessment of WMI.</p>
1.2.5.	The Applicant, HE and SCC	<p>The RRs indicate a considerable level of concern about the effects of traffic transferring onto alternative routes in the area when there are closures of parts of the M6 between Junctions 11 and 13. Paragraph 3.10.5 provides some figures on the number and frequency of unplanned (i.e. not related to the SMART motorway upgrade or other planned improvements) but this data only extends up to August 2017.</p> <p>(i) Is HE able to provide updated data on the number, frequency, timing and duration of unplanned closures of this section of the motorway, and for the closure of Junction 12</p>	<p>We note that there are occasions when diversion of traffic will occur; the A449 north of the A5/A449 Gailey Roundabout is a standard diversion route for such situations set by the DfT and is known to Staffordshire County Council.</p> <p>In the year 11/2017 to 11/2018 there were 9 full closures of the M6 between junction 12 and 13 for unplanned maintenance work; in each case only one of the two carriageways was affected. These closures equated to circa 1% of the total time for the motorway be normally open to traffic. Each closure occurred overnight for periods of between 3 and 6 hours. As such, we are of the view that the closure of the motorway is not a factor for further assessment.</p>

		<p>itself, over the period January 2015 –December 2018?</p> <p>(ii) Is the impact of such closures on traffic flows on the A449/A5 and other local routes of a sufficient scale to warrant further assessment or sensitivity testing of the likely effects of development generated traffic on these routes at times when an unplanned closure of the M6 occurs?</p> <p>(iii) Are any contingency measures needed to ensure minimal adverse impact on local roads and communities from development generated traffic at times when unplanned closures of the M6 result in the transfer of significant volume of traffic onto major and local roads in the vicinity of the application site? If so, what might those measures reasonably comprise?</p>	<p>Seeking to equate specific non-closure incidents on the M6 with specific increases in traffic flow on local roads is fraught with uncertainty given the dynamic nature of such situations. Attempting to replicate such a dynamic situation in a traffic assessment would necessarily require a wide range of assumptions to be made about the nature of the incident, clear up times, signing of the incident on the wider SRN and matters such as the use of variable speed limits (which affect traffic flow) to control the incident(s) in question.</p> <p>Highways England continues to maintain a force of traffic officers who key role is to ensure the safe and effective operation of the network and speedy resolution of incidents with a priority to managing traffic to reduce incident related congestion. The long term operation of the traffic service is a key commitment of Highways England.</p> <p>The HGV management developed by the applicant only relieves HGV operators of the routing obligations in cases of total closure of the M6. As such, we would expect that during any incidents below a total closure that the HGV management will be rigorously enforced by the applicant as committed too.</p>
--	--	---	--

			<p>The policy requirements of Circular 02/2013 and the web-based PPG indicates that there is no general need to assess potential degraded operation of the road network <i>per se</i> in the context of a planning application.</p>
<p>1.2.6.</p>	<p>The Applicant, HE and SCC</p>	<p>(i) Has any account been taken in the TA of the peak traffic movements generated by major events at Weston Park which are stated in a number of RRs to give rise to significant congestion and delays on the local highway network? (ii) Are the levels and timings of additional traffic movements associated with those major events such as to warrant any further assessment or sensitivity testing of the likely effects of development generated traffic on these routes at times when major events are taken place?</p>	<p>In our view the consideration of 'special event' traffic is outside of the planning application traffic assessment process. We consider that consideration by the applicant is not required as the policy requirements of Circular 02/2013 and the web-based PPG indicates that there is no general need to assess potential degraded operation of the road network <i>per se</i> in the context of a planning application.</p> <p>Should such an assessment be made, in our view any mitigation found necessary would not meet the tests associated with both planning conditions (in the case of DCO requirements) or planning obligations as the (WMI) development traffic would not be seen as the cause.</p> <p>In the case of major events major events at Weston Park (although rarer than previously with the V festival no longer held at Weston Park for example) we work with Staffordshire County Council and the</p>

			<p>emergency services to prepare a bespoke event traffic management in case of major events.</p> <p>This event planning process would necessarily use the level of traffic on the network as a starting point for any special traffic measures determined to be required. This would if WMI were operational include the traffic generated by WMI.</p> <p>In our view any mitigation found necessary would not meet the tests associated with both planning conditions (in the case of DCO requirements) or planning obligations as the (WMI) development traffic would not be seen as the cause.</p>
1.2.7.	The Applicant, HE and local authorities	<p>(i) Are the M54/ M6/M6 Toll Link Saturn and South Staffordshire VISSIM models subject to any limitations or notes of caution that may materially affect the outcome of the TA?</p> <p>(ii) As these models are used to inform both the TA and the AQ assessment, please clarify what committed development schemes been taken into account in the TA either in the base Models or in subsequent adjustments made as part of the assessment?</p>	<p>The Saturn and VISSIM models represent the most up to date information available in terms analysis of WMI.</p> <p>Highways England policy is to require mitigation to be considered at the opening year of the development proposed. The M54/M6 link will not be open by this date, nor is any certainty as to the <i>detailed</i> likely effect of the M54/M6 link on the WMI development traffic in a future year possible. We make further comment on this point in our response to question 1.7.6, above and note that the applicant removed the M54/M6 link road from the relevant</p>

		<p>(iii) Are the key relevant consultees satisfied that all significant development commitments have been taken into account?</p>	<p>future Saturn models prior to assessments being made.</p> <p>Both models were suitably validated for the purposes of assessing the WMI traffic impacts with known changes to the highway network included at the time of validation. We are content that the base traffic models (Saturn and VISSIM) satisfactorily replicated the surveyed network conditions at the time of validation.</p> <p>To produce opening year models (do minimum, with WMI traffic and with WMI traffic + mitigation) an agreed Temprow traffic growth forecast was used.</p> <p>A list of 'committed developments' was collected by the applicant from the relevant local planning authorities who are best placed to confirm this information. Highway England reviewed this list and confirmed our agreement to it.</p> <p>As part of our traffic modelling review exercises we confirmed that the committed development traffic has been applied to the traffic modelling in accordance with the requirements of DfT Circular 02/2013.</p> <p>On the basis of the above, we are content to confirm that both models are suitable for the assessments</p>
--	--	---	--

			<p>conducted by the applicant. We further note that assessment of strategic traffic movements followed by more detailed analysis in a micro-simulation model such as VISSIM is an industry standard technique to assess large developments.</p>
1.2.8.	The Applicant, HE and SCC	<p>(i) Can the Applicant clarify which routes have been used for the modelling of construction road traffic impacts, and provide reasons for selecting these routes? (ii) Has the selection of these routes been agreed with HE/SCC?</p>	<p>The applicant has produced the assessments on the basis agreed with us as part of the traffic analysis scoping discussions, namely that heavy vehicles used for construction purposes should remain on the SRN for the majority of their journey.</p> <p>The SRN is the appropriate for heavy construction traffic rather than local roads. The Construction and Demolition Management Plan and HGV management Plan make reference to this requirement. We have noted to the applicant the need for the DCO to make provision for the provision, maintenance and subsequent removal of satisfactory temporary signage to ensure this is delivered.</p>
1.2.9.	The Applicant	<p>Development Phasing</p> <p>Paragraph 4.3.1 states that, based on the indicative phasing plans, all highway infrastructure will have been introduced by the end of indicative Phase 1. However, it is not</p>	<p>We have noted the applicant's phasing proposal and its treatment in the traffic analysis.</p> <p>We have confirmed the applicant has tested to our satisfaction the provision of 147,000m2 of</p>

		<p>clear that this would be the case from examination of ES Figure 4.5 which appears to show some of this infrastructure in later phases.</p> <p>Can the Applicant produce a plan that clearly indicates the anticipated phasing of the highway infrastructure and site estate roads?</p>	<p>development prior to completion of the A449/A5 link road and opening of the rail terminal. The traffic assessments are based on the full level of infrastructure being available immediately after that point.</p>
1.2.10.	The Applicant, HE and SCC	<p>Road Safety Audits</p> <p>Paragraph 5.3.2 states that safety audits of the proposed works to HE's network were ongoing at the time that the TA was written.</p> <p>Have these been completed and are they to be submitted to the examination?</p>	<p>As recorded in our Deadline 1 submission, the RSA stage 1 process is ongoing.</p> <p>As per the DMRB requirements for such assessments, a Walking, Cycling and Horse Rider Assessment has been satisfactorily completed prior to the RSA-1 commencing.</p> <p>At this stage we raise particular concern with the findings of the RSA 1 in respect of M6 junction 12. Although capacity assessment of the roundabout in scenarios with development traffic is satisfactory, the RSA 1 has identified safety concerns that may escalate with development traffic. Potential options for addressing this concern may involve works at the</p>

			<p>junction but outside the DCO boundary which the applicant will not have the power to undertake</p> <p>In terms of the SRN RSA Stage1 we are working with the applicant to conclude to our satisfaction the assessment, the necessary designer's response and approval of any exceptions that may be necessary. We envisage completion within the Examination timescales. Whilst their subsequent submission to the Examination is a matter for the applicant, we envisage this occurring in due course.</p>
1.2.11.	The Applicant, HE and SCC	<p>Trip Generation</p> <p>TA Appendix K [APP-140] indicates that the surveys at DIRFT were carried out over a 24-hour period in June 2016.</p> <p>(i) Can the Applicant provide justification that use of one 24-hour survey at DIRFT provides a robust basis on which to assess likely HGV and non-HGV trip generation data for the Proposed Development, considering no repeat or longer surveys have been undertaken? (ii) Are the relevant consultees satisfied that data collected</p>	<p>We note the applicant's stated position on the collection of data from DIRFT.</p> <p>We are satisfied that the surveys conducted, the cross referencing to longer term traffic counts in the DIRFT area, and confirmation of the rail movements during the survey period given sufficient confidence that the survey data is reflective of the position at DIRFT and therefore is suitably representative of an SRFI with characteristics similar to the proposed WMI development.</p>

		<p>in one 24-hour survey provides a robust basis on which to assess likely HGV and non-HGV trip generation data for the Proposed Development?</p>	<p>The approach proposed by the applicant was reviewed by us and accepted; DIRFT was identified by the applicant as the only SRFI which offered a traffic level similar to the proposed development and a mature rail offer of a similar type to that proposed at WMI.</p> <p>It is noted that the applicant assessed the DIRFT information against data collected over a longer period to ensure it was reflective of general trends at DIRFT.</p>
<p>1.2.12.</p>	<p>The Applicant, Local Authorities, Parish Councils and other IPs</p>	<p>Assessment of Effects and Mitigation</p> <p>The Applicant's findings and conclusions about the likelihood of development generated traffic using minor roads (including routes through nearby local villages and communities) as an alternative to the signed routes are set out in Section 9.11.</p> <p>(i) Are these accepted by the local authorities, Parish Councils and other IPs?</p>	<p>We reiterate our view that WMI traffic wherever possible should use the SRN. This is reflected in the HGV Management Plan and the supporting signage plan.</p> <p>We note the applicant has committed to enforcement of the HGV routing proposals; we comment on this further in response to matter 1.7.16</p>

		(ii) If they are not accepted, what specific aspects are disputed and what are the reasons for taking a different view on these potential effects?	
1.2.13.	The Applicant, HE and SCC	<p>ES Table 15.24, relating to operational effects of the Proposed Development, shows that annual average accident rates are likely to increase on 14 of the 26 Links assessed.</p> <p>(i) Do such increases give rise to significant concerns over highway safety on these links and does the proposed mitigation represent an appropriate response to any such concerns?</p>	<p>We note the majority of predicted effects are “Minor Adverse” in nature. This is to be expected given the increase in traffic volumes assessed.</p> <p>We have raise particular concern with the findings of the RSA 1 in respect of M6 junction 12. Although capacity assessment of the roundabout in scenarios with development traffic is satisfactory, the RSA 1 has identified safety concerns that may escalate with development traffic. We do, however, note that our review of the RSA data shows that not all personal injury accidents at M6 junction 12 has been recorded. This in our view underestimates the potential for issues to occur in the ‘with development’ scenario. We are awaiting an updated collision assessment to be tabled by the applicant</p> <p>Potential options for addressing this concern may involve works at the junction but outside</p>

			<p>the DCO boundary which the applicant will not have the power to undertake.</p> <p>The applicant's RSA team are aware of this and we are expecting further detail from the applicant in respect of the accident analysis of M6 junction12</p> <p>In terms of the SRN, all works will be subject to detailed road safety audit procedures to ensure that adverse implications can be 'designed out'.</p> <p>We are of the view that the measures proposed are appropriate for the traffic volumes predicted.</p> <p>We further note that the applicant has made funding available for further works to remediate any safety concerns that emerge post opening through the operation of the site wide transport management group. We note that the level of the funding proposed is limited and if substantial works are subsequently required due to adverse impacts caused by the development Highways England will expect the applicant to fund such works.</p> <p>On the basis of the above we are of the view that the question in para 108(c) of the NPPF has been satisfactorily answered by the applicant provided the</p>
--	--	--	--

			applicant is cognisant of the possible need to fund addition works if safety concerns arise.
1.2.14.	The Applicant, HE and SCC	<p>A number of IPs have questioned the practicability of enforcing a ban on HGVs using the A449 through Penkridge as a route between WMI and Junction 13 of the M6.</p> <p>(i) Are similar bans in place in relation to other SRFIs and are any case studies available to demonstrate what measures have been used to enforce the ban on using specified routes and the effectiveness of those measures?</p> <p>(ii) How would a system of fines for those breaching such a ban be operated and what would revenue from those fines be used for?</p> <p>(iii) Reference is made in the TA to an "<i>HGV Enforcement Fund</i>"; how would the establishment of this fund and the management and use of monies in that fund be secured through the DCO?</p>	<p>In our view, the correct place for WMI development traffic is on the SRN as far as practical as we have recorded elsewhere. The matter of A449 operation north of the Gailey Roundabout is a matter for Staffordshire County Council whom we are aware has made detailed comment on the applicant's proposal.</p> <p>The applicant has put forward a detailed proposal that ensures that the above premise is delivered. We have not reason to presume that the proposed system would not be effective.</p> <p>In terms of other SRFI's progressing HGV controls we are aware that Warwickshire County Council have been considering suitable measures at DIRFT but clearly we cannot comment on the detail or effectiveness of this.</p>
1.2.15.	The Applicant,	Have the mitigation measures proposed in paragraph 9.13.22 (relating to the volume of	Yes, the proposition advanced by the applicant in relation to a first phase of development prior to the

	HE, SCC and SSDC	floorspace to be occupied prior to the opening of the proposed A449/A5 Link Road) been agreed by the relevant consultees?	<p>A449/A5 Link Road coming on stream has been subject to traffic assessment on a 'stand-alone' basis, i.e. with no A449/A5 Link Road and the rail terminal <u>not</u> in operation.</p> <p>The assessments show that the 'phase 1' development can be accommodated on the SRN.</p> <p>A bespoke trip rate and traffic distribution analysis was conducted by the applicant to support this assessment.</p>
--	------------------	---	---

1.2.16.	The Applicant and HE	<p>Dedicated Motorway Junction</p> <p>The suggestion has been made by some of those objecting to the proposed development that the traffic impacts would be substantially be reduced if the WMI was served by a new, dedicated junction on the M6.</p> <p>(i) Has this option been considered in the preparation of the development proposals and TA?</p> <p>(ii) If that option has been considered and ruled out please set out the reasons for this.</p>	<p>We examined this possibility in early consultation with the applicant and concluded that due to the inability for a dedicated junction to meet the relevant policy requirements and standards as set out in the Design Manual for Roads and Bridges (DMRB) a new junction is not a feasible proposition.</p> <p>The policy position is clearly set out in DfT Circular 02/2013 "The strategic road network and the delivery of sustainable development", paragraphs 40 and 41 which state; <i>"Where appropriate, proposals for the creation of new junctions or direct means of access may be identified and developed at the Plan-making stage in circumstances where it can be established that such new infrastructure is essential for the delivery of strategic planned growth."</i> Paragraph 42 amplifies paragraphs 39 and 40; <i>"Where the strategic growth test cannot be met there will be no additional junctions with, or direct means of access to, motorways and other routes of near</i></p>
---------	----------------------	--	---

			<p><i>motorway standard other than for the provision of signed roadside facilities for road users, maintenance compounds and, exceptionally, major transport interchanges.</i> In our view the strategic growth test has not been made and would not necessarily be appropriate for a single development of the type proposed by WMI; therefore Circular 02/2013 paragraph 42 is engaged precluding on policy grounds a new junction.</p> <p>The practicable opportunity to deliver a new motorway junction would also appear to be undeliverable in engineering terms. The DMRB sets standards that define the minimum distances between junctions on the Strategic Road Network. Standard TD22/06 paragraph 4.35 requires that for Rural Motorways, the desirable minimum weaving length must be 2 kilometres. At this location the M6 is classified as a Rural Motorway. The distances between M6 junction 11a and 12 are – Northbound 1.81km and southbound</p>
--	--	--	---

			1.48km providing no space for a new motorway junction.
1.3.	Air Quality and AQMA <i>All paragraph and table references are to ES Chapter 7 [APP-027] unless otherwise specified</i>		
1.3.1.	Local authorities	Table 7.15-7.18 and Figures 7.3a-7.5d, dealing with AQ effects of road traffic generated by the Proposed Development, shows only negligible to slight adverse impact in terms of NO ₂ concentrations at the identified roadside receptors in all the assessment years.	<p>We note that the management of Air Quality matters ultimately falls to the Local Authority to manage however we do have statutory responsibilities in terms of AQ on the SRN</p> <p>We have reviewed the AQ assessments.</p>

		<p>(i) Are these findings accepted by the local authorities?</p> <p>(ii) As two of the receptor locations where a slight adverse impact is predicted are within a designated AQMA do the relevant local authorities accept the conclusion set out in paragraph 7.220 that a slight adverse impact in these locations is not considered to be significant?</p>	<p>We note no new exceedances within close proximity of SRN are predicted, however we do note that existing sensitive receptor 7a which is located near to M6 (affected Road) air quality impact in relation to 24 hour PM₁₀ will be worsened as a result of development therefore the applicant should consider mitigation.</p> <p>We note that the management of Air Quality matters ultimately falls to the Local Authority to manage.</p>
1.3.2.	The Applicant and SSDC	<p>Paragraphs 7.180-7.185 conclude that overall impacts on AQ resulting from the development are not considered to give rise to a significant effect on human health, notwithstanding that the assessment has identified a moderate and a major impact in respect of the 24hour PM₁₀ objective at one receptor location which is representative of 3-4 houses adjacent to the M6.</p> <p>(i) Are these findings and conclusions agreed by SSDC?</p>	<p>We note that the management of Air Quality matters ultimately falls to the Local Authority to manage however we do have statutory responsibilities in terms of AQ on the SRN</p> <p>We have reviewed the AQ assessments.</p> <p>We note no new exceedances within close proximity of SRN are predicted, however we do note that existing sensitive receptor 7a which is located near to M6 (affected Road) air quality impact in relation to 24 hour PM₁₀ will be worsened as a result of development therefore the applicant should consider mitigation.</p>

		(ii) What, if any, mitigation is proposed or could be put into place in relation to these predicted impacts?	We note that the management of Air Quality matters ultimately falls to the Local Authority to manage.
1.3.3.	The Applicant and local authorities	<p>Section A13.2.6 of ES Technical Appendix 13.2 [APP-109] states that, for the ease of assessment, rather than assuming that the impact of traffic vibration is lower than that caused by traffic noise, it is assumed that the impact is the same. However, paragraph 13.13.360 states that the <i>"impact categories for off-site road traffic vibration are taken to be one category lower than was the case for off-site road traffic noise"</i>.</p> <p>(i) Please clarify what approach has been taken to this part of the assessment and what level of confidence can be placed on the conclusions in paragraphs 13.361 & 13.362 as to the level of effect on roadside receptors from off-site road traffic vibration?</p> <p>(ii) Are these conclusions accepted by the local authorities?</p>	<p>The assessment of Traffic Noise and Vibration impacts has not been adequately assessed in accordance with DMRB. Therefore the assessments for the most part do not appear to be compliant with the requirements therefore the conclusions would not be acceptable at present due to fundamental concern raised.</p> <p>Assessment should be made based upon baseline surveys which should be undertaken in the year prior to works being undertaken for short term effect assessment (surveys have been undertaken in 2016) and the opening year of works for long term effect assessment (based at 5 years + in ES however DMRB states 15 years) . Following on from this assessment of likely increases based on the modelling that was carried out should categorise significance of impact based on change in noise level e.g. More than 5db change short term is classed as major impact. In this report short term affect has been based on increase above 65db levels and 5db has been classed as adverse only. Vibration should also be measured in</p>

			<p>this way and any increase above 0.3mm/s assessed in a detailed assessment. The approach taken by the applicant as stated in Paragraph 13.13.360 is therefore not compliant with DMRB requirements.</p> <p>Concern over the categorisation of high sensitivity receptors (DMRB states education and workshops with high precision tasks) and assessment of night time effects above 55db which do not appear to have been assessed fully. Particularly as the predictions of most locations will exceed this.</p> <p>More up to date baselines are mentioned and this would be the only way the developer would be able to assess their short and long term (after 15 years of project opening) effects, in particular as they state the baselines currently used were not representative.</p>
1.3.4.	The Applicant, EA, SCC and other IPs	The proposed Surface Water Drainage Strategy [APP-152] divides the site into 4 separate catchment areas with 2 of these eventually discharging surface water flows from the site into the River Penk and two discharging into the canal.	<p>Highways England has not agreed the site drainage strategy to date.</p> <p>The issue of the discharge of water from the catchments identified by the applicant is of concern to Highways England.</p>

		<p>(i) Can evidence be provided of agreement with the relevant bodies as to the following key elements of that strategy:</p> <ul style="list-style-type: none">(a) dividing the site into 4 catchment area and the identification of the most suitable and appropriate outfalls;(b) the 'increased' discharge rates (paragraph 7.5.3.6) due to the unsuitability of the site for surface water to be managed through infiltration;(c) the 'Allowable discharge rates' (Table 7.4) and Drainage Outfall Capacities (Table 7.5) set out in the Drainage Strategy;(d) the required volumes of attenuation which have been used in the outline design of the water detention basin proposed as part of the GI provision;(e) the schedule of 'special provisions' set out in paragraphs 9.3.1-9.3.13 of the Drainage Strategy which are required in order to direct surface water from the proposed catchments to existing outfalls whilst maintaining the existing hydraulic regime for the site.	<p>In particular no connection between the site drainage and the SRN highway drainage system is permitted.</p> <p>Concern has also been raised in regard to the proposed culvert under the A5 Trunk Road mitigation works to accommodate the existing CRT feeder channel in regard to how it will be maintained and who will be responsible for such asset, preference has been stated toward diverting of the CRT feeder channel outside of the SRN as per the existing situation.</p>
--	--	---	---

1.3.5.	The Applicant	<p>(i) In relation to the "<i>special provisions</i>" (section 9.3 of the Drainage Strategy) required to implement the drainage strategy would the construction of new drainage beneath the WCML and the S&WC be authorised by the dDCO as drafted?</p> <p>(ii) If not, is there a need for some additional wording to the 'Works' descriptions to include these?</p>	In our view this question could also pertain to the likely to be proposed site drainage assets under the A449 and A5 roads.
1.4.	The Staffordshire and Worcester Canal		
1.5.	Draft Development Consent Order		
1.5.1.	All to note	<p>The Rule 6 Letter, dated 23 January 2019, included notification of an Issue Specific Hearing (ISH) on the dDCO which was held on 28 February 2018 (ISH1). The agenda for ISH1, published on the project page of the national infrastructure planning website set out a schedule of issues and questions for examination at that hearing.</p> <p>The examination timetable provides that matters raised orally in response to that schedule are to</p>	Noted by Highways England

		<p>be submitted in writing by Deadline 1: 13 March 2019. Comments on any matters set out in those submissions are to be provided by Deadline 2: 5 April 2019, which is the same as the deadline for responses to these questions.</p> <p>IPs who participated in ISH1 and consider that their issues have already been drawn to the ExA's attention in their written submissions made at Deadline 1 do not need to reiterate issues or comments in response to the questions below. IPs are requested to review the Deadline 1 written submissions arising from ISH1 before responding to the question below. Matters set out in Deadline 1 written submissions arising from ISH1 are best responded to in Deadline 2 comments rather than in responses to the following questions, which aim to capture matters that were not raised at ISH1.</p>	
1.5.2.	The Applicant and other IPs	In light of questions asked elsewhere in this schedule the Applicant is requested to consider whether there is a need for further revision of or alteration to the dDCO, including the draft	We await the applicant's revised DCO to be supplied at Deadline No 3.

	<p>Requirements, and/or to the draft DCOB in order to address the following matters:</p> <ul style="list-style-type: none">(i) whether the commitment to the completion and making available for operational use of the Initial Rail Terminal should be included within the DCO rather than solely within the DCOB;(ii) whether there is a need for a commitment within the DCO or DCOB to the delivery of the Expanded Rail Terminal;(iii) Further specification of what details are to be submitted as part of the proposed phasing under draft Requirement 2; particularly in relation to the provision of new and replacement habitats in mitigation for the felling of part of Calf Heath Wood and mitigation for the removal of Native Black Poplar;(iii) The parameters that are said to have been applied in assessing the effects of site lighting on bats and other areas of ecological sensitivity;(iv) The suggested requirement that buildings in Zone 7 to be single aspect to provide screening to potential noise sensitive receptors;	<p>In terms of question 1.5.2 (i) and (ii) we have recorded our concerns as to the effect of the rail terminal not being operational as proposes</p>
--	--	--

		<ul style="list-style-type: none">(v) The suggested requirement for noise barriers in parts of the Proposed Development;(vi) The suggested need for further assessment (including wind tunnel modelling) of the effects of the detailed proposal for buildings in Zone A4a and A5a on sailing conditions on Calf Heath Reservoir;(vii) The suggested requirement that all buildings on the site should provide changing facilities, showers and secure cycle parking to encourages cycle use;(viii) A restriction on the use of piling except in connection with the construction of the bridge piers for the proposed Link Road Bridge;(ix) the monitoring and report of noise and vibration levels at sensitive receptors during construction; and(x) the requirement that no felling or cutting back of vegetation be carried out during the bird breeding season.	
--	--	--	--