



## **WEST MIDLANDS INTERCHANGE**

### **WRITTEN REPRESENTATION**

Staffordshire County Council has been in consultation with Four Ashes Ltd (FAL) over the proposed scheme for a lengthy period and have provided detailed responses to the statutory Pre-Application consultations available via the link below under the 'documents' tab:

<https://apps2.staffordshire.gov.uk/scc/cpland/Details.aspx?applicationID=137066>

We have maintained throughout the pre-application stage that the impacts of the proposal should be minimised, and any gain maximised for Staffordshire. Whilst FAL have engaged positively throughout we still need to fully understand the mitigation and how it is to be delivered through the DCO in order to confirm its efficacy. Therefore, for this project we want to ensure that the processes of delivering the scheme and mitigation measures are clearly understood and secured without ambiguity. We have had experience of a previous DCO where the wording of the Order led to confusion over its interpretation during construction of the development; a scenario we do not want to repeat.

To assist the Examination presented below are details of areas of concern and/or matters outstanding for the County Council.

#### **1. Highways**

- 1.1. The highways implications of the proposed scheme have been identified from the outset as a significant issue, both in relation to the direct and indirect effects of development traffic in the local area. Whilst it is accepted that a large proportion of the Heavy Goods Vehicle (HGV) traffic associated with the site would have already been on the motorway network the presence of the WMI site brings significant volumes of HGVs and other traffic to the immediate area surrounding the site that otherwise would not have been there.
- 1.2. Across the County we are aware of issues associated with the parking of HGV's in and around logistics sites, which can lead to highway safety issues, environmental damage and instances of anti-social behaviour. These issues occur as a result of drivers needing to take rest breaks to

comply with driving time regulations. We are also aware that Daventry International Rail Freight Terminal (DIRFT) Phase III incorporates a lorry park facility, which in part is a response to issues that have occurred during the operation of Phases I and II.

- 1.3. We believe it is essential that West Midlands Interchange (WMI) provides parking and welfare facilities for HGV drivers who are utilising the WMI site. We do not seek provision of a wider lorry parking facility for any HGV travelling through the area as such facilities already exist but will not be able to cope with the additional volume of HGVs. We believe that WMI needs to make available and manage parking provision for those vehicles/drivers that have an origin/destination at WMI to avoid detrimental impact on the wider area either directly or indirectly. An updated HGV management plan is currently under discussion between FAL and SCC; it will be essential for agreement to be reached on this strategy as part of the overall mitigation package. FAL has agreed to provide parking for HGV's over three categories, being Early Arrival bays, Extended stay bays and Operational Parking. The Extended Parking provision should allow drivers to take their designated 'sleep' break. In order to be effective, the spaces should therefore be available to drivers for up to 12 hours before and/or after their allocated docking/arrival time at WMI.
- 1.4. The amended DCO uploaded to the Inspectorate website on 9<sup>th</sup> January 2019 includes a change to Requirement 23, which now includes at part (3) parking standards for HGV parking. In relation to early arrival bays there is concern that the wording will not deliver the provision agreed. Discussion have focused on providing spaces based on the size of the warehouse with 1 per 7,000 square metres deemed appropriate. It was also suggested the 3 spaces should be the minimum regardless of size to cover smaller units less than 21,000 square metres. As currently drafted the Requirement could be construed as being to deliver 3 spaces per unit with an option to provide more up to a maximum of 1 per 7,000 square meters. This needs to be changed to *'1 space per 7,000 square meters with a minimum of 3 per development plot'* and has been provisionally agreed by the developer.
- 1.5. FAL are proposing a HGV ban on HGV movements on the A449 through Penkridge. The assessment of impacts has focused on HGVs using the motorway network to get to/from WMI. It is critical that the HGV ban is secured robustly and enforceable to prevent HGV journeys routing through Penkridge when the motorway is open but running slowly.
- 1.6. There has not yet been a full discussion on the engineering details for the county highway works. Whilst the details are to be approved at a later date and will be governed by the DCO protective provisions there is a need to agree certain principles in relation to the bridge structure/s along the A449/A5 link road. Without such principles being in place it is not possible for the County Council as highway authority to suggest it will

be willing to accept the bridge structure itself as maintainable at public expense. Of particular note are the lengths of bridge that cross the railway. We would not want a situation whereby possession of the railway is required to undertake maintenance. Further clarity is also required on the role of Network Rail, and possibly the Canals and Rivers Trust, in the approval process for the bridge structures carrying the link road.

- 1.7 It is unclear when highway works will be delivered due to inconsistencies with the DCO triggers and phasing plans. The indicative phasing plan for the development suggests that work commence via access from the A5, providing an early section of what will become the A449/A5 link road. However, the DCO Requirement 25 provides an exception that allows for 47,000 square meters of warehouse floor space to be accessed off the Vicarage Road Access Roundabout before the A5 access is required. The phasing plans indicate that the development zones to be accessed off Vicarage Road are located in Phases 4 and 5.

## **2. Landscape**

- 2.1. The Environmental Statement (ES) describes the local landscape and site landscape. The supporting information provided from *Planning for Landscape Change*, the Staffordshire Landscape Character Assessment (2000), is only the Introduction and Users Guide (Vol 1).
- 2.2. The ES Landscape and Visual Impact (LVIA) chapter refers to published Landscape Character Assessments as part of its evidence base. This includes reference to the Landscape Sensitivity Assessment for Employment Site Allocations (2015) prepared for South Staffordshire District Council. The LVIA does not report that the Landscape Sensitivity Assessment describes the Methodology for Assessment and defines the Assessed Development Type as:

*2.7. Employment development is taken to mean medium scale business, commercial or hotel development or specialised housing accommodation on a larger block format. The depth of office buildings would typically be expected to be around 15-20m and industrial/warehouse uses a maximum of around 35m. In some locations larger units may be accommodated where existing precedents have been set nearby. Heights may exceed 8m with office blocks up to 3 storeys high and industrial units up to 12m to ridge. The use classes included are B1, B2, B8 and C1.'*

- 2.3. In view of the different scale of development this application proposes (with the majority of building heights typically between 20m – 30m, with gantry heights of 30m height), the Council is concerned that this difference in development type should be made clear. The Council is concerned at the inclusion of statements from the South Staffordshire Study such as in 12.82 *'None of the LCP's within the Site are assessed*

*as being of High Landscape Sensitivity. All of the High Sensitivity LCP's within the Four Ashes area lie to the south of Station Drive and the existing Four Ashes industrial area. The three LCP's that lie within the Site include one assessed as High/ Medium Landscape Sensitivity (FAE01) (to the west of the rail line in the west of the Site) and two of Medium Landscape Sensitivity (FAE02 and FAE03), stretching across the vast majority of the Site to the east of the rail line.'* These could be misinterpreted and should not be considered as directly applicable to this application as these relate to the Study's defined Assessed Development Type.

- 2.4. The provision of higher warehouses to the centre of the site and smaller scale development closer to residential development and the canal is welcomed to reduce landscape and visual impacts. The Council has engaged in discussion with the developer with the aim of minimising visual impact of the buildings, including requesting incorporating green roofs (as at Veolia at Four Ashes) and reducing the perceived bulk of building mass through sensitive use of cladding. The current proposals, whilst seeking in principle to soften the appearance and break up the visual proportions of larger building elevations through use of mottled elevations and co-ordinated colour pallets as indicated on the Illustrative Landscape Sections and Photomontages, appears to be a 'one style fits all' approach. The Council agrees that when viewed from low level at close quarters, paler treatments on the upper elevations of buildings will tend to reduce their visual impact, and it would be beneficial for buildings to have a darker pallet of colours to reduce visual impact from more distant elevated viewpoints. There may be elevations where there is a conflict in potential solutions at the junction between differing treatments which would be visually intrusive. For later phases there may be a need for a co-ordinated approach
- 2.5. At paragraph 4.68 the ES states '*Further consideration of the design treatment for the building elevations and roof treatments will be undertaken at the subsequent detailed design stage*'. This is reinforced by the Design and Access Statement (DAS) and Requirements. However, the DAS provides a generic design approach to be applied across the site and therefore does not cover the more nuanced points raised above. Consequently, there is perhaps a lack of coverage for decision making post consent. For example, should roofs on certain plots be non-reflective materials? It is suggested that further consideration is given to reinforcing key design principles to aid future approval processes. It is suggested this matter could be resolved by provision of an enhanced DAS or a Requirement for a design code for each phase to be approved prior to submission of any detailed plans.
- 2.6. With respect to minimising impacts on Cannock Chase Area of Outstanding Natural Beauty, the commitment in ES section 4.69, that '*Relevant best design practice will be drawn upon, such as 'Guidance on the Selection and Use of Colour in Development' by Malvern Hills AONB*

*Partnership*, is welcomed. The Council seeks commitment to refer to any guidance documents that might emerge in the intervening period specific to Cannock Chase AONB.

- 2.7. The County Council seeks clarity on the relationship of Finished Floor Levels (FFL) and bund heights relative to levels at the site boundary and surrounding landscape. During consultations with the developer, the Council has argued that the principle of reducing heights of development platforms and finished floor levels (FFL) would help to minimise landscape and visual impacts. Across the site FFL are consistently indicated considerably above existing ground levels and adjacent road levels. This is confirmed on the Illustrative Landscape Cross Sections. As the mounding height would be controlled by FFL it follows that relatively higher FFLs will increase building and mounding heights relative to the surrounding receptors. The County Council seeks clarity on the heights of mitigation bunds relative to adjacent levels outside of but in the immediate vicinity of the site. The Council believes there is further scope to enhance visual mitigation by limiting and reducing FFL heights; we seek a commitment from the developer to explore options to reduce the level of development platforms and FFL in order to minimise landscape and visual impacts.
- 2.8. The application states in 4.60 of the ES that 'HGVs arriving at the intermodal terminal would park ahead of the gatehouse as required, the parking area provided with driver amenity facilities and provision for overhead inspection gantries.' The area does not appear to be well mitigated in terms of levels, screen bunding and planting. The County Council seeks further clarity on the proposals for limiting visual impacts of HGV parking and gantries in this area and how this will be addressed at detailed design.
- 2.9. Phasing is particularly critical to limiting visual effects. Assessment is hampered by the fact that the visual receptors bear little relation to the Photo viewpoints, and in the assessment of impacts Construction Impacts is not included in the Visual Effects Table. Further, the effects of lighting are not included in the Table and Description Notes. The LVIA acknowledges that for some receptors there will be the potential for some construction activity and warehouse units to be more visible due to the later sequencing of the proposed mounding and planting, and it is understood that the earthworks strategy limits mounding being brought forward. Key receptors that will be subject to greater detrimental effects due to sequencing are highlighted in the ES (SS12.237 to ss12.256). Although some effects may be partially filtered by intervening vegetation (which will subsequently be removed as phasing progresses). From some locations there may be periods of open views of partially complete and/or complete development without the benefit of screen bunds or much intervening vegetation; and it will take time for new planting to establish sufficiently to deliver mitigation. The Council considers that for

some receptors the significance of visual effects during construction may be greater than described. The Council therefore seeks greater consideration, controls and mitigation of visual effects on these receptors, particularly in relation to mitigating for the scale of the buildings, vehicle activity, service yards and lighting. In particular Phase 1 extends over a large part of the site and further clarity on phasing of operations would be highly desirable to secure early mitigation. This should include in Phase 1a mitigation bunding and planting along the A449 in advance of construction of the rail terminal to maximise mitigation, and early implementation of planting in Croft Lane Community Park.

2.10. Volume 1 Chapter 1 Table 4.1 Indicative Phasing Strategy indicates that *'Landscaping, earthworks and works to Calf Heath Community Park, to minimise the impact of the warehousing, would be undertaken in Phase 2'*. This is welcomed in principle and essential to mitigate for views to Phase 1, Phase 2 and Phase 4 construction. However, the Illustrative Phasing Plan indicates the part of Calf Heath Community Park to be implemented in Phase 2 as having little actual influence on delivering visual mitigation from receptors to the south. Implementation of parts of Calf Heath Park to the north of Straight Mile would however have the potential to deliver enhanced mitigation during Phases 1 - 4 for properties on the fringes of Calf Heath. The Council seeks to bring forward delivery of a greater proportion of Calf Heath Park in order to secure enhanced visual mitigation.

2.11. In view of the statement in ES 12.144 .... *'perimeter mounding proposals will generally be formed using soils from the adjoining or other nearby development plots (on Site). Where this occurs it will not be possible to form the mounding and undertake any planting significantly in advance of the built development works'*, clarity is sought on the statement in 12.4.69: *'The early implementation of some of the outer and perimeter landscape and associated earthworks proposals will assist in minimising some of the indirect influences over the immediately surrounding landscape.'*

2.12. Advance planting, and where possible early bund construction would assist with visual mitigation. The Council seeks clarity on areas where advance works would be feasible and clear timescales for implementation to ensure sufficient time for implementation to deliver effective mitigation. There may also be benefit in making changes to management of roadside hedges allowing these to grow taller and thereby filter views of development. This could be combined with advance planting to 'gap up' hedges on the site boundary and plant additional hedge trees (either in or behind the hedge).

2.13. The proposed Green Infrastructure should create new landscapes that would assist in mitigating landscape and visual impacts, once proposed

planting establishes. A robust programme of maintenance during establishment and ongoing management will be critical to ensure mitigation is effective.

- 2.14. A 'Design Brief' that sets out expectations for on-plot landscaping, in order that this builds on and compliments the Green Infrastructure proposals would also be desirable.
- 2.15. The County Council is concerned that the Lighting Assessment does not fully address impact on landscape. The proposed screen bunds vary between 3 and 8 metres high, whereas 18m high columns are proposed in service yards and up to 15 metres height in lorry parks and car parks. The lighting sources would therefore be will be visible above screen bunds, at least in the short to medium term while planting matures. This will cause visual intrusion on the landscape and to surrounding receptors. The County Council seeks a reduction to the height of lighting columns in areas visible from outside the site boundary, to reduce visual impact. This could be addressed via appropriate wording in the Requirements and dealt with at detailed design stage.

### **3. Ecology**

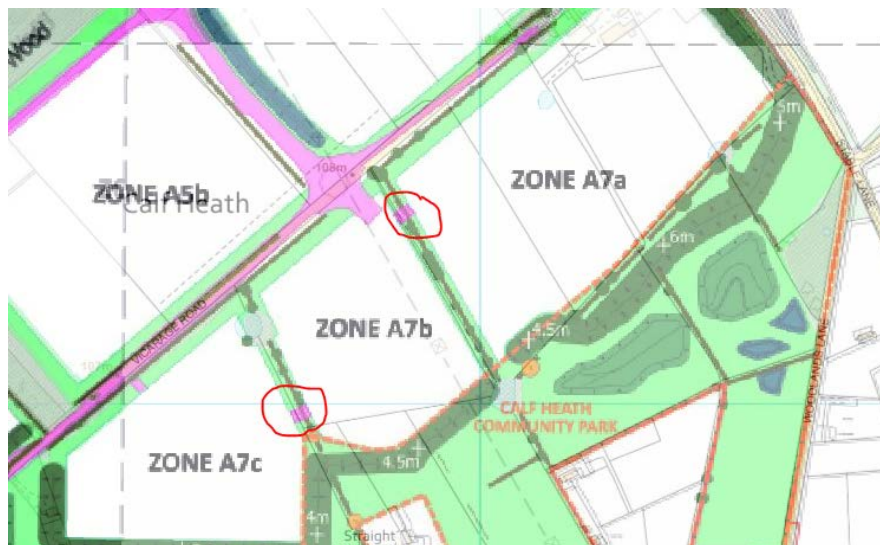
#### Green Infrastructure (GI)

- 3.1. Uncertainties remain regarding the delivery and timing of the proposed bat hop-overs. The key mitigation measures of the bat hop-overs and the 100m wide wildlife corridor linking the retained portion of Calf Heath Wood to Calf Heath Reservoir will need to be in place and providing effective mitigation in advance of occupation of any plots. This is not secured by the suggestion in the FEMMP and/or Requirement 17 that the wildlife corridor will be completed within 5 years of the commencement of the authorised development, or prior to commencement of development at Development Zones A4a or A4b. In the case of bat hop-overs over lit roads planting must be established prior to roads coming in to use in order to be effective. The example provided is for Calf Heath Wood / wildlife corridor appears to offer a solution in principle. However, the relationship of the bat hop-overs to the design of the site landscape, how these would work in other proposed locations, and relate to other earthworks remains to be resolved.
- 3.2. The DCO refers to changes to width of carriageway '*increase the width of the carriageway of the street by reducing the width of any kerb, footpath, footway, cycle track or verge within the street;*' this implies that GI could be decreased in order to widen carriageways, GI should be specifically excluded from the definition of verge etc. as at present GI is not defined in the DCO.

3.3. On GI / landscape plans the access into several of the zones is shown as very narrow gaps without splays etc. (e.g. Zone A7 below, circled green). This clearly does not reflect the final plan when presumably GI will be further reduced to allow access. Biodiversity loss calculations should take this into account



3.4. Of greater concern are the internal linkages/accesses between zones A7b and A7c; and A7a and A7b (circled red, below). The proposed accesses highlighted pink on the GI parameters plans cut across areas of conserved hedgerow that are proposed to be retained. It also appears that the width of these access points is far too narrow to enable HGVs to turn and pass in opposite directions.





- 3.5. Further consideration is needed on how zones A7a and A7c are to be accessed and how impacts on the hedgerow can be negated or minimised if unavoidable.
- 3.6. The ES refers to protection of GI with fencing during the operational phase. Does this mean 'all GI not intended for public access'? The concern is about encroachment into narrow GI strips between zones and along roads. These belts all need substantial protection during operation or they will quickly become damaged.
- 3.7. A further concern is the effect of potential impacts on GI of shade/shadow from the units – this needs to be assessed and will very much depend on the design of buildings within Zones. It is accepted that it is difficult to consider shade at this stage. It may be that operational space around units negates any impact however there is no guarantee. It is therefore suggested that consideration of shade/shadow paths from development forms part of the detailed design consideration, which should seek to avoid impacts unless it can be demonstrated that it is not possible. Where 'new' GI is intended, rather than protected or translocated existing features, it should be possible to design in shade tolerance.

#### Off-site effects from lorry parking

- 3.8. At Daventry, lorry parking along the A5 has caused damage to hedge's and verge's. In places where verges are narrow this quite often occupies most of the root protection zone of that side of the hedge, making the hedge vulnerable to further damage / disease. Adequate parking with welfare needs to be provided at WMI, as we have raised elsewhere, to ensure indiscriminate parking does not lead to damage to the natural environment.

#### Overall habitat loss

- 3.9. The Environmental Statement table 10.11 shows net gains to most habitats following planting etc. However, this approach does not consider greater importance of established habitat, possibility of failure of created habitats, or timescale to establish new habitat. While it is appreciated that the development of this project considerably predates the now widespread use of metrics such as the one developed by DEFRA they do provide the means to make a reasoned comparison.
- 3.10. Assessment of hedges to the north of vicarage road is by Hedgerow Regulations, concluding that 11 out of 97 qualified as important. South of Vicarage Road was assessed first using Hedgerow Regulations (none of hedges important) and then using HEGS method, when 15 of the 31 hedgerows assessed were evaluated as Moderately high to High value. This implies that hedges to the north, if assessed using HEGS could also have a relatively high proportion of high biodiversity value hedges. In

Staffordshire situations HEGS methodology is considered to provide a better assessment of biodiversity merit of hedges and has been adapted for use in Local Wildlife Site criteria. The metric enables value of hedges needs to be assessed, rather than just overall length of hedge to be lost / retained.

- 3.11. Calculation using a metric would be likely to indicate that there is an overall net loss. Additional off-site mitigation has been negotiated for farmland birds, which is welcomed. In the Secretary of State Scoping Opinion (ES table 10.2) it was stated the 'Applicant should also consider the potential to deliver mitigation through improvement of existing but degraded sites within the local area.' Consideration of contributions to wider mitigation such as enhancing Local Wildlife Sites would still be considered a desirable outcome. In this area could meet the priority would be connecting marshy grassland along the Saredon Brook / canal corridor.

### Mitigation

- 3.12. Successful ecological and landscape mitigation needs to adopt an integrated approach, embracing habitat creation, landscape character enhancement and visual mitigation. The Council has been engaged in discussions with the developer regarding the GI Parameters Plan, and the Framework Ecological Mitigation and Management Plan (FEMMP), in order to ensure that the Green Infrastructure offers a connected network for biodiversity and landscape mitigation and enhancement. The parameter dimensions of the green infrastructure features given in Volume 1 Chapter 4, 4.18, along with the GI Parameter Plan, FEMMP and the Landscape Features Retained and Removed, and Landscape Features Proposed (Appendix 12.9) are welcomed. However, the FEMMP is primarily concerned with protected species and ecological mitigation and does not provide any detail of the habitats proposed within areas of Green Infrastructure.
- 3.13. The Council seeks certainty that the proposed habitats would be appropriate and deliverable, and therefore seeks an Addendum to the FEMMP that sets out the principles for habitat creation and management. This should include details of soil management to ensure suitable soil conditions for creation of different habitat types; principles of preparation for planting / habitat creation; species mixes (accepting that there may be a variety of species mixes to suit differing conditions), potential effects of shade from buildings, and principles for how the habitats will be managed into the future. This would need to include dealing with issues relating to SUDS management, and the planting and management of reinforced earth slopes. The Addendum would then be expanded in the LEMPs.
- 3.14. The ES refers to existing soils, and despite soil sampling and testing, no data appears to have been obtained on pH, P, N and K which would

have been helpful for habitat creation purposes. Assurance is required that soil management will achieve a phosphate index of less than 1 (P index < 1 or extractable P (Olsen Bicarbonate method < 10mg / l) for areas of meadow and wetland. Assurance is also required that soils will be tested prior to seeding etc., using sampling as per BS 3882(2015) *Specification for topsoil* prior to habitat creation and remediated if not acceptable. This is vital to the success of meadow creation and therefore the mitigation.

- 3.15. The ES 6.83 refers to production of a soil resource plan for future approval. ES vol 6 generally refers to maintaining the soil resource; this may contradict the need to achieve low Phosphate status by removal or inversion of topsoil. It is suggested that the Framework Ecological Mitigation and Management Plan should include a specification for soils to be provided in the meadow and wetland area.
- 3.16. A 'Design Brief' that sets out expectations for on-plot landscaping, in order that this builds on and complements the Green Infrastructure proposals would also be desirable. This should include at least 25% nectar, seed or berry producing species and should avoid hybrid or double-flowered cultivars to maximise the biodiversity benefit of formal planting.
- 3.17. 2.14 above refers to the need for advance planting to help mitigate landscape effects, and 3.1 refers to timing of bat hopovers. This is also applicable to the timing of wider ecological mitigation. If wildlife corridors are only completed towards the end of the five-year period after commencement (as suggested by the FEMPP) then there is likely to be a large depression in populations of species that currently use the area, which will take many years to overcome. The phasing plans and FEMPP need to ensure a substantial proportion of habitat is available at all times to ensure continuity.

#### Monitoring of habitat creation

- 3.18. The FEMMP (Section 4) Contains details of hedge and species monitoring, which are welcomed. It makes no mention of habitat monitoring which will be needed to check that habitat creation is proceeding satisfactorily during the establishment phase and that management is adequate. It is expected that this detail will be provided in phase specific EMMPs, but an overview would be welcome in the FEMMP. It is also unclear how long any of the monitoring is intended to continue after construction ends; monitoring should cover an aftercare period of at least ten years for each phase of habitat / GI creation.
- 3.19. It is expected that grassland and wetland habitat creation monitoring will include details of target species composition, example below:

### Basic monitoring plan

Measure	2 <sup>nd</sup> – 3 <sup>rd</sup> year	5 <sup>th</sup> - 6 <sup>th</sup> year	8 <sup>th</sup> – 9 <sup>th</sup> year
Cover of bare ground (including localised areas, for example, rabbit warrens)	Less than 50%	Less than 25%	less than 10%
Cover of undesirable species (for example creeping thistle, spear thistle, curled dock, broad-leaved dock, common ragwort, common nettle and false oat-grass)	Less than 30%	Less than 20%	less than 10%
Cover of wildflowers and sedges throughout the sward (excluding the undesirable species listed above and creeping buttercup and white clover)	More than 10%	More than 15%	more than 20%
Indicator species (a species list should be appended of suitable lowland Staffordshire species for each habitat)	At least two species occasional	At least three species occasional	At least one species is frequent and three are occasional

**NB Highlighted text should be changed to suit site / habitat / timescale**

### Hedge translocation method

3.20. FEMMP Appendix 2 refers to hedge translocation – the receptor trench must be dug out, and the section of hedge excavated and placed all on the same day. This is to preserve soil moisture around the root ball and in the trench.

## 4. Flood Risk & Drainage

- 4.1. In relation to sustainable urban drainage system (SuDS) design and approval the general principles are agreed. However, there is no provision in the Requirements for the maintenance of the SuDS scheme/s, which is essential to success over the longer term. We therefore request that provision for maintenance is included as part of the Requirements.
- 4.2. We suggest that the following text, or similar, is added to the end of the final sentence in Requirement 27 (1) “, and must include a schedule of required maintenance activities, including frequency and details of who will undertake the maintenance to ensure the continued performance of the system for the lifetime of the development.”

- 4.3. In addition, it is requested that Requirement 27(2) is amended as follows:  
*'Any surface water drainage scheme approved under sub-paragraph (1) must be implemented and thereafter maintained in accordance with...'*

## **5. Economy**

- 5.1. The application sets out that the scheme will provide circa 743,200 square metres of rail served warehousing. It is anticipated that this will be for aimed at logistics operators and would therefore fall into a typical B8 use class. However, the DCO is silent on any particular planning use class. We believe that this could create uncertainty that may have the potential to adversely affect inward investment.
- 5.2. We are aware that there are operators that would fall under a B2 use class that perhaps would seek to access to rail to distribute the product they manufacture. Also, there potentially would be little difference, in terms of external appearance, between a warehouse unit used for B8 purposes to some B2 uses, such as advanced manufacturing. Therefore, should a potential occupier seek to utilise the rail terminal to either bring in materials and/or distribute their end product then this largely achieves the same end goal of removing road-based freight.
- 5.3. It is suggested that the DCO could provide sufficient flexibility for certain B2 uses that commit to rail or could readily use rail in the future to be considered via the Order without needing to go through a full TCPA planning application process.

## **6. Minerals**

- 6.1. With regard to assessing the impact of the proposal on mineral resources, it is considered that there is insufficient information in the application to meet the requirements of Policy 3 of the Minerals Local Plan. Notwithstanding the requirement of the National Planning Statement to safeguard mineral resources as far as possible, should the benefits of the proposal be accepted, consideration should be given as to whether there is scope for sand and gravel to be recovered as development progresses to be used in construction works, thereby reducing the need to import aggregate from other sources. A Requirement could be imposed that, at each phase of development, locations should be identified for the extraction of sand and gravel for use in the development. Details and quantities would need to be approved by the local planning authority in consultation with the Mineral Planning Authority for each phase of development. It would also be appropriate to make reference to the total quantity of material that is expected to be extracted during the whole development.

## **7. Phasing & Timing of Mitigation**

- 7.1. As alluded to above there is uncertainty and a lack of clarity on the phasing at which works will be undertaken and mitigation delivered. The development zones fronting Vicarage Lane are proposed on the Indicative Phasing Plan as being delivered in phases 4 and 5. However, the trigger points for phasing of highway works implies that the Vicarage Road access, and by inference the land abutting the access, well in advance of phase 4 or 5.
- 7.2. In relation to the phasing of the Rail Terminal FAL have suggested they will seek to bring this forward as swiftly as possible and for surety are proposing a back-stop arrangement in the S106 agreement to potentially halt development until such time as the terminal is operational. Whilst we accept that some warehouse floorspace could come forward ahead of the terminal, as per the Secretary of State's decision on East Midlands Gateway, it is considered that the floorspace and timing triggers have not been fully justified and could yield a situation where the development has been occupied for many years before the terminal becomes operational. This is set against the backdrop of the current Northampton Gateway proposal where the developer is stating they will have the terminal operational prior to occupation of any warehousing.

## **8. Development Consent Order and Obligations**

- 8.1. The WMI proposal is a significant development that will be delivered over a number of years. There is a substantial volume of evidence, assessment, development proposals and mitigation etc contained within the application. In addition, the County Council has been liaising with the applicant in detail from the initial inception of the scheme through to the submission. The proposals are complex, and a number of elements cut across one another, for example the approval of highway lighting details requires specific consideration of bat mitigation measures at specific locations within the site.
- 8.2. Given the volume of detail contained within the application and the fragmented nature of where detail exists on impacts that cut across multiple themes e.g. impact on bats cuts across lighting and highways it is complicated to follow how all the various works and mitigation packages will come forward and when. Whilst the applicant has provided a mitigation route map the DCO needs to be clear, concise and succinct in order to provide clarity for implementation. Further work is required in this respect. Discussions are ongoing with the applicant and we are looking to provide initial comments to FAL to incorporate in the revised Draft DCO for Deadline 3.
- 8.3. Similarly, further work is required, and discussions are on-going in relation to the S106.