

ExQ1 Ref	Question	Answer
<b>General and Cross-topic Questions</b>		
1.0.3	<p>Paragraph 2.9 of the ODCEMP [APP-060] states that the existing public right of way linking Croft Lane to the A449 via a bridge over the WCML is to “<i>be stopped up during construction of that phase and an appropriate safe and alternative route provided in consultation with SSDC.</i>” Elsewhere in the application documents it is suggested that this will be a permanent stopping up and that there is no intention to replace the right of way with an alternative route.</p> <p>(i) Can the Applicant confirm what is intended with regard to this existing right of way?</p> <p>(ii) If it is not intended to provide an alternative please set out the reasons why this is not considered necessary and provide evidence that this has been agreed with SCC as the local authority with responsibility for public rights of way.</p>	Please refer to paragraphs 9.2 & 9.3 of our Local Impact Report.
<b>Policy Context</b>		
1.1.3	<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>The proposals are contrary to policy 3 of the MLP in that insufficient evidence has been submitted to demonstrate the existence; the quantity; the quality; and the value of the underlying or adjacent mineral resource (refer to policy 3.2 of the MLP). This evidence (in the form of a minerals safeguarding statement) is necessary to make an assessment as to whether the material planning benefits of the non-mineral development would outweigh the material planning benefits of the underlying or adjacent mineral (refer to policy 3.3 b) of the MLP). A mineral safeguarding statement would also assist in identifying whether there are opportunities for prior extraction of mineral as part of the development.</p> <p>Paragraph 7.2.13 of the Planning Statement indicates that cut and fill volumes across the application site have been balanced but it is recommended by the Council that further information is provided on proposed earthworks to understand the extent to which the underlying sand and gravel resource would be affected and whether any</p>

recovered mineral is to be effectively used within proposed construction works or alternatively, can be sold as construction aggregate.

The proposal would result in the loss of a quarry which contributes to the provision of sand and gravel in the county and other parts of the West Midlands. Details provided with inset map 7 found in the appendices to the Minerals Local Plan for Staffordshire indicate that the quarry produces 100,000 tonnes per annum and that the cessation date for extraction of permitted reserves is 31 July 2021. More recent information provided by the quarry operator suggests that permitted reserves will be fully recovered by the end of this year which would suggest that output from the quarry has been greater than the figure previously stated. Reserves within the allocation would enable production at the quarry to be maintained for an additional 6 to 8 years. The loss of the quarry's production capacity would be an issue for review of the Minerals Local Plan to assess how that production capacity could be replaced if that is deemed necessary. Referring to the latest Local Aggregate Assessment (LAA) for Staffordshire, sales of sand and gravel in 2017 were 4.743 million tonnes from 16 operational quarries compared with provision made in the MLP for 5 million tonnes per annum. Figure 1 in that LAA indicates that there were 4 operational quarries in South Staffordshire District during 2017 including Calf Heath Quarry.

Another issue relates to the impact of the proposal on the progress of restoration of Calf Heath Quarry. The relevant mineral permission requires that excavations are progressively backfilled with waste to reclaim land for mainly agricultural use. This method of restoring the quarry has not progressed and the quarry operator has sought to amend the restoration requirements with a section 73 application to facilitate a low-level restoration not requiring any backfill with imported waste materials. This application was withdrawn on 27 February 2019 although a revised application is anticipated. Any restoration proposals for the quarry should accord with policy 6 of the MLP and

		demonstrate that the proposals are sufficiently comprehensive, detailed, practicable and achievable within the proposed timescales. National policy requires that mineral sites should be restored at the earliest opportunity to high standards. It is recommended that proposals for the WMI confirm an appropriate programme for reinstating land disturbed by quarrying.
<b>Need for the Proposed Development and Alternative Options</b> <b><i>Paragraph references are to the Planning Statement [APP-252] unless otherwise specified</i></b>		
1.2.2	<p>Paragraph 5.1.11 refers to the Strategic Rail Authority's Strategic Rail Freight Interchange Policy (March 2004).</p> <p>(i) Given the subsequent designation of the NPS what is the current status of that policy?</p> <p>(ii) Given the date of the document, what if any weight can now be put on its findings as to the need for SRFI capacity in the West Midlands (WM)?</p> <p>(iii) Have any significant SFRI facilities been opened or approved since the publication of that report that would help to meet the need identified in the Policy?</p>	<p>(i) Following announcement of the abolition of the Strategic Rail Authority the Department for Transport confirmed in 2005 that elements of the policy document were out of date, but it was being retained for advice and guidance. The NPS is the policy framework.</p> <p>(ii) It is suggested that the age of the study needs to be factored in to assigning what weight can be attributed. This needs to also reflect the findings of the URS Study (2013)</p> <p>(iii) Other than Birch Coppice the majority of SRFI development proposals have come through the NSIP process</p>
1.2.3	<p>Reference is made to the Stoke-on-Trent and Staffordshire Local Enterprise Partnership (LEP).</p> <p>Is the need for a SRFI in South Staffordshire and for a warehousing/logistics development of the type and scale proposed identified in any strategy or programme approved and adopted by the LEP?</p>	No SSLEP strategy includes reference to WMI or to any logistics facility of the scale of the WMI proposal.
1.2.4	<p>An assertion is made in the RRs that the Black Country and Southern Staffordshire Regional Logistics Study (which the ExA understands to be the URS Study (2013) referred to in the Planning Statement) found that there was no need for a SRFI in South Staffordshire and recommended that possible locations over a wider area should be considered.</p> <p>The parties are requested to comment and respond to this assertion.</p>	The URS study concluded that the need for a rail-based logistics site to serve the West Midlands did not need to be located in the District South Staffordshire to meet the demand and that the area of the site search be widened more broadly to 'southern Staffordshire'.

1.2.5	<p>Paragraph 5.2.27 indicates that the URS Study concluded that the requirement for “<i>at least 200-250ha</i>” of land to be used for Regional Logistics Sites (RLS) in the sub-region still held good (at 2013).</p> <p>Is this a realistic assessment of the current scale of the unmet need for RLS in the sub-region as a whole?</p>	<p>In absence of more up to date evidence on regional logistics sites and a lack of delivery of any significant developments since the study was published it is reasonable to assume the findings remain realistic.</p>
1.2.8	<p><b>Alternative Sites Assessment [APP-255]</b></p> <p>(i) Although there appears to have been some engagement at consultation stage, what consultation or engagement was carried out with relevant bodies and authorities when setting out the methodology and area of search adopted in the Alternative Sites Assessment (ASA)?</p> <p>(ii) Was consultation carried out in respect of sites included in the long list of potential sites and the subsequent filtering of this list to produce the short list of sites at paragraph 8.4.1 of the ASA?</p> <p>(iii) To what extent are the findings of the ASA agreed by the local authorities within the sub-region, particularly in relation to those included in the short list of sites considered?</p>	<p>Please refer to SoCG</p>
1.2.9	<p>Are there any potential sites which might meet the need for a SRFI in the North West Quadrant of the WM Region which have not been considered in the ASA?</p>	<p>There are no other sites to our knowledge outside those considered in the ASA.</p>
1.2.11	<p>Paragraph 5.5.31 states that, to achieve a suitably sized site at Dunston through CA, would require it to be demonstrated that there are no alternative sites available but, unlike the Four Ashes Site, the potential site at Dunston does not include Green Belt land.</p> <p>Has sufficient work been undertaken in the ASA to rule out the potential Dunston site as a suitable alternative for a SRFI development?</p>	<p>Please refer to SOCG.</p>
1.2.27	<p>Could and should the commitment to the building and making available for use of the Rail Terminal be dealt with as a Requirement within Schedule 2 of the DCO rather than by means of the DCOB?</p>	<p>Discussion is ongoing with FAL as to the mechanism for securing the commitment and the trigger points.</p>

		FAL have stated that it is their intention to deliver the terminal as soon as possible within the scheme but have noted that there are matters outside of their control within the Network Rail consenting processes and other permitting legislation that could affect the timeframes. Effectively, the commitment is a backstop or break on warehouse occupations until the terminal is operational. The Local Authorities wish to ensure that the Terminal is provided as swiftly as possible and seek to commit FAL to undertaking the preparatory works (e.g. surveys, design etc) within their control from the point of consent and all further matters within their control thereafter are dealt with promptly. If the commitment is little more than a limit on floor space occupation, then there is a danger that delivery of warehousing could take priority and the terminal be delivered at the end of the backstop.
<b>Green Belt</b>		
1.3.3	Can the Councils please set out their views as to what specific role(s) they consider that the Green Belt in the vicinity of the application site performs having regard to the guidance at paragraph 134 of the NPPF?	Please refer to answer provided by SSDC.
1.3.4	The parties are invited to comment on statements made in some of the RRs that the Green Belt in the vicinity of the site: (i) forms an important buffer between the historic settlements of Penkridge and Cannock; (ii) forms an important buffer between Wolverhampton and the nearby villages and between the villages themselves; and (iii) forms a 'lung' for the urban area of Wolverhampton and is important to the health and wellbeing of Wolverhampton's communities and other local communities.	Please refer to answer provided by SSDC.
<b>Employment and Socio-Economic and Human Health</b> <i>All paragraph, figure and table references are to ES Chapter 14 [APP-052] unless specified</i>		
1.4.6	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. Was the extent of the TTWA also discussed with the local authorities and/ or LEPs and to what extent is this agreed to	The TTWA was discussed with the County Council and was agreed as reasonable assumption for assessing the transport impact of employee travel to work. See SOCG.

	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?	
1.4.18	<p>Figure 14.5 indicates that less than 500 of the direct jobs expected to be created by the Proposed Development would be in the sales and customer services category and that the large majority of direct jobs would be in operations. This would suggest that most jobs created would not be in the sales and service category in which most of those currently seeking work in the Study Area are looking for employment (paragraph 14.278).</p> <p>(i) How does this data relate to the assertion in paragraph 14.268 that half of the jobs created would be in sales and customer services?</p> <p>(ii) What, if any, strategies and mechanisms does the Applicant propose to adopt to target unemployed people with background and experience in the main sectors that match the majority of the newly created positions?</p>	<p>(i) It is assumed that FAL have added up the 'sales &amp; customer service' and 'operatives' jobs or something similar, though FAL will need to confirm. However, we're not concerned about this as the main point is 19% of jobs will be higher skilled and the others less skilled; this feels about right and wouldn't be too worried about the more detailed breakdown.</p> <p>(ii) The measures are proposed in the Employment, Skills and Training Plan (ESTP), which has been prepared in discussions with the County Council, SSDC and Wolverhampton City Council. The content of the ESTP has been agreed subject to appropriate DCOB/S106 drafting. The ESTP is an essential part of the proposal and also ties into the Travel Plan; targeting a more local workforce will mean there are greater opportunities to access the site by more sustainable modes than single occupancy car driver.</p>
1.4.19	<p>Chapter 14 paragraphs 14.43 and 14.44 state that "<i>The ability of the proposals to support national and local economic growth regeneration, particularly in the most disadvantaged areas</i>" is scoped out of Chapter 14 and included within [APP-245] Statement 7.1B: Statement of Economic Benefits.</p> <p>Considering that ES Chapter 14 does not appear to identify any significant effects in areas of economic disadvantage and Document 7.1B makes no reference to such areas, how would the Proposed Development provide meaningful support to economic growth and regeneration in the most disadvantaged areas within the sub-region?</p>	<p>The ES Chapter 14 and Statement of Economic Benefits both make reference to disadvantaged areas through consideration of deprivation, unemployment, low skill levels, etc. Subject to being effectively secured, the ESTP will ensure that unemployed residents, the largest number of which can be found in deprived areas, will be supported to take advantage of job opportunities created by WMI and SCC, SSDC, CWC and the developer are working proactively together through the mechanisms set out in the ESTP.</p>
1.4.21	<p><b>Mitigation</b></p> <p>Paragraph 14.281 states that Applicant will submit an Employment Skills and Training Plan. For this to be effective in respect of construction employment and training it would need</p>	<p>(i) The measures are proposed in the Employment, Skills and Training Plan (ESTP), which has been prepared in discussions with the County Council, SSDC and Wolverhampton City Council. The content of the ESTP has been agreed subject to appropriate</p>

	<p>to be submitted and approved some time in advance of the commencement of development.</p> <p>(i) When is the proposed Employment, Skills and Training Plan Framework to be submitted and who will be responsible for approving the document?</p> <p>(ii) How is this to be secured in the dDCO or DCOb?</p>	<p>DCOb/S106 drafting. On that point discussions are still on-going in relation to how the relevant funds are made available; practicalities for day to day operation; and accountability. It is expected that these matters will be resolved via the DCOb but may require minor modification to the text in the ESTP for consistency.</p> <p>(ii) DCOb is currently the preferred method as there are sums of money payable and obligations on the local authorities to carry out certain activities e.g. the brokerage service.</p>
1.4.22	<p><b>Monitoring</b></p> <p>(i) What measures, if any, are proposed for monitoring the long-term effectiveness of the Employment, Skills and Training Plans in securing employment and training opportunities for unemployed people, school leavers and people in other target groups?</p> <p>(ii) How would the output of any monitoring undertaken be used to influence future recruitment and training initiatives?</p>	<p>(i) Monitoring provisions are set out in the ESTP that FAL have subsequently provided to the examination.</p> <p>(ii) This would be undertaken through the brokerage co-ordinator and steering group.</p>
<p><b>Agriculture and Soils</b>  <b>All paragraph and table references are to ES Chapter 6 (APP-026) unless otherwise specified</b></p>		
1.5.4	<p><b>Soil Resources</b></p> <p>NE (RR-1289) expresses concern about the maintenance of soil functionality as part of the proposal's landscaping provisions.</p> <p>i) What mechanisms are proposed to be put into place to ensure that soil functionality is maintained during the processes of soil stripping and removal, storage and reuse?</p> <p>ii) Will these mechanisms be secured through the CEMP/ dDCO/ DCO?</p>	<p>In dealing with this point we would be grateful if cross-reference could be made to comments in our written representation 3.14 and 3.15 with respect to soils and establishment of habitat. There is likely to be a need to invert soils or strip topsoil in areas where meadow and wetland habitat are to be established.</p> <p><i>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 &lt; 1 or extractable P (Olsen Bicarbonate method &lt; 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.</i></p>

		<p>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.</p>
1.5.5	Having regard to the assessments set out in ES Chapters 6 & 11, what evidence can be provided that there would be no significant adverse effect on soils due to the groundworks proposed during the construction of the development?	Please see 1.5.4 above.
<p><b>Transport and Traffic</b>  <b>All paragraph and table references are to the Transport Assessment (ES Technical Appendix 15.1) (APP-114) unless otherwise specified</b></p>		
1.7.1	<p><b>Accessibility to Markets and Sources of Labour</b>  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?</p>	Yes, they have been agreed.
1.7.2	<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.  (i) Is this assumption drawn from the data in Table 3 in that same note or is there other evidence to support the assumption?  (ii) Is this assumption agreed by HE and SCC?</p>	(ii) Yes, it is agreed
1.7.3	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 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>(i) Yes, there will be a full-time travel plan co-ordinator who will promote the benefits of sustainable travel and influence bus times to coincide with shift change patterns. There will also be additional monies at their disposal to achieve these targets via the Contingent Travel Plan Fund.  (ii) Yes, the targets will be annually reviewed and reset if they have been achieved.</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>	
1.7.5	<p><b>Transport Assessment</b></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>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>There was no committed scheme for the M54/M6 when the TA was produced. To give a robust analysis the WMI TA considers a scenario without the M6/M54 link, which was agreed with SCC and HE. Therefore, the TA gives a worst-case scenario as any 'motorway link road' scheme will remove traffic on the local routes (A449, A460 and A5) and so the baseline would be a lot lower.</p>
1.7.6	<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 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>(i) HE to provide.</p> <p>(ii) If there are unplanned closures, then the levels of traffic diverting from these routes would cause an increase in traffic on other routes. The exact extent of impact on local roads would depend on the location of the closure; the time of day; and length of time of closure. It is considered though that these instances do not represent normal network conditions and would be extremely difficult to assess and the impact would only be short term.</p> <p>(iii) If there was significant congestion as a result of a closure then HGV's could remain on site until the motorway has re-opened, this has been written into the HGV traffic management plan.</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?	
1.7.7	(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?	(i) No, the Transport Assessment is based on normal road conditions as per guidance. Large events will have special Traffic Management in place, such as advance notifications and would be difficult to assess. Any impact would be time limited to the duration of the event. If any events do take place this could be picked up by the HGV/Travel Plan coordinator to enable any disruption to be minimised. (ii) No, these events are very infrequent and given the numbers involved would be difficult to assess properly as set out above.
1.7.8	(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? (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? (iii) Are the key relevant consultees satisfied that all significant development commitments have been taken into account?	(i) None that we are aware of. (ii) ES Vol 1, Chapter 17 lists the schemes. (iii) Yes.
1.7.9	(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?	The construction management plan will send vehicles to the trunk via the most direct route which is accepted by SCC
1.7.11	<b>Road Safety Audits</b> 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.	We understand these are still ongoing; there could be an issue for SCC if HE insists on a controlled crossing going on the A5/A449 link road.

	Have these been completed and are they to be submitted to the examination?	
1.7.12	<p><b>Trip Generation</b></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?</p> <p>(ii) Are the relevant consultees satisfied that data collected 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>	Work was undertaken by WSP to validate the DIRFT survey data including a check against other available data on a surrounding highway, the A5. SCC is happy to use the data as it has been scrutinised.
1.7.13	<p><b>Assessment of Effects and Mitigation</b></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>(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?</p>	(i) Yes, they are accepted. It is also worth noting that there a contingency fund in place to tackle any unforeseen impacts/issues on local roads.
1.7.15	<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>	Whilst any road traffic incident is regrettable the analysis undertaken does not show there are any clusters that identify a pattern. It appears most were attributed to driver error. This is also based on traffic from the SRFI on the network without the M54 link road, so these rates are on a worst case scenario.
1.7.16	<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</p>	(i) SCC is not aware of any similar bans however it is not uncommon to agree a routing strategy that prohibit the use of certain routes. The ban should be enforceable because vehicles could be observed travelling along the A449 through Penkridge and then subsequently/previously entering/leaving WMI. The primary

	<p>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>difference here is that the enforcement measure i.e. fine has been set out from the outset whereas other routing agreements are reliant on enforcement of the terms of the agreement.</p> <p>(ii) The fines would be collected via the monitoring process set out in the HGVMF and paid into the contingency traffic management fund.</p> <p>(iii) As above the fines would be paid into the Contingent Traffic Management Fund. The precise details will be set out in the DCOB.</p>
1.7.17	<p>Have the mitigation measures proposed in paragraph 9.13.22 (relating to the volume of floorspace to be occupied prior to the opening of the proposed A449/A5 Link Road) been agreed by the relevant consultees?</p>	<p>These have been agreed in relation to a material effect on the highway network. It must be recognised though that until the A5/A449 link is complete there will be a deterioration in network performance.</p>
<p><b>Air Quality and AQMA</b>  <b><i>All paragraph and table references are to ES Chapter 7 [APP-027] unless otherwise specified</i></b></p>		
1.8.2	<p><b>Assessment of Effects</b></p> <p>The ES Scoping Report, submitted in September 2016 (APP-058), indicated that potential operational AQ impacts on sensitive habitats within Local Wildlife Sites (LWS) would be assessed. However, Chapter 7 only considers the potential effect of construction dust on 2 of the 13 LWS which lie within 1 km of the site – Gailey Reservoir LWS, and Calf Heath Bridge LWS (paragraphs 7.156 -7.157).</p> <p>(i) Given the proximity of the other 11 LWS can the Applicant explain why have these designations not been considered as part of the baseline environment in assessing potential effects in both the construction and operational phases?</p> <p>(ii) Can the Applicant clarify why the Gailey Reservoir LWS is not considered to be a sensitive receptor in relation to dust effects (paragraph 7.157) and why no dust impacts that would affect the integrity or function of the Calf Heath Bridge LWS are predicted?</p> <p>(iii) Are these conclusions accepted by SCC?</p>	<p>(iii) We will provide an answer to this by Deadline 3 once we have seen the Applicant’s response to elements (i) and (ii).</p>

<p>1.8.5</p>	<p>ES Table 11.10 states that potential significant effects may arise from construction dust and identifies proposed mitigation measures but the Chapter 11 assessment does not cross refer to Chapter 7.</p> <p>Can evidence be provided that the relevant stakeholders are content that the effects of construction dust on the Four Ashes Pit SSSI, off-site businesses and commercial users, residents and other receptors are capable of being mitigated such that no significant residual effects are likely as asserted in paragraph 7.215?</p>	<p>As regards Four Ashes Pit, it is probably for Natural England to give the decisive opinion, but we are of the view is that mitigation is possible.</p> <p>ES table 11.10 raises another issue regarding use of topsoil to avoid contamination:</p> <table border="1" data-bbox="1146 454 2139 641"> <tr> <th colspan="2" data-bbox="1146 454 2139 491">Completed Development</th> </tr> <tr> <td data-bbox="1146 491 1641 641">Site workers and visitors may come into contact with residual contaminants in area of soft landscaping.</td> <td data-bbox="1641 491 2139 641">A clean layer of topsoil would be provided in areas of soft landscaping as required.</td> </tr> </table> <p>Points raised in 3.14 and 3.15 of our WR refer to the need to use subsoils instead of topsoil on habitat creation areas. Can the applicant confirm that this will not be compromised because of possible contamination issues?</p>	Completed Development		Site workers and visitors may come into contact with residual contaminants in area of soft landscaping.	A clean layer of topsoil would be provided in areas of soft landscaping as required.
Completed Development						
Site workers and visitors may come into contact with residual contaminants in area of soft landscaping.	A clean layer of topsoil would be provided in areas of soft landscaping as required.					
<p>1.8.7</p>	<p>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 NO2 concentrations at the identified roadside receptors in all the assessment years.</p> <p>(i) Are these findings accepted by the local authorities?  (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>Staffordshire County Council (and Highways England) have accepted the validity of the VISSIM transport model that was developed in support of this planning application.</p> <p>Although the SATURN model developed by consultants for Highways England has not yet been scrutinised by Staffordshire County Council, we believe it to be WebTAG compliant and therefore should validate on the local highway network.</p> <p>We understand that forecast traffic flows were extracted and factored to daily traffic flows for input into other technical software operated by air quality specialists. The County Council does not employ air quality specialists nor possess air quality software and is therefore reliant on the applicants' calculations based upon the traffic flows derived from the accepted traffic models to determine the transport impacts of this development proposal on air quality.</p>				

**Ecology and Nature Conservation**

***All paragraph and table references are to ES Chapter 10 [APP-030] unless otherwise specified***

1.10.2	<p>[APP-027] ES Chapter 7 paragraphs 7.188 &amp; 7.190 conclude that the impact of the Proposed Development in terms of NOx concentrations would exceed the 1% critical level for 10m across the assessed transect at Belvide Reservoir SSSI. In considering the effect of this on the SSSI, paragraph 10.306 concludes that the resultant changes to the water chemistry of the reservoir are unlikely to affect the ecological structure or function of the SSSI and that a significant adverse effect at a National Scale is unlikely.</p> <p>Are these findings and conclusions accepted and agreed by NE and SCC?</p>	Yes, in relation to SCC.
1.10.4	<p>Paragraph 10.202 states that noise from construction activities near to Calf Heath Reservoir (which is part of Gailey Reservoirs LWS) is <i>“likely to cause a degree of temporary disturbance for the duration of the construction”</i>. As noted in Q1.9.1 above it is unclear as to what time period is meant by the term “temporary” as used in Chapter 10.</p> <p>In light of importance of the reservoir and LWS for breeding and wintering birds has the ES conclusion that conservation status of birds using the LWS would not be affected (paragraph 10.204) been accepted and agreed by NE and/ or SSC?</p>	Question asks for opinion of NE and SSC rather than SCC, however our view is that it is extremely difficult to predict. Probably the construction activities nearest the reservoir will have an effect, but the area is already subject to considerable noise disturbance from the A5, M6 and the quarry. On balance we would agree with the ES conclusion.
1.10.5	<p>Paragraph 10.205 states that the provisions within the ODCEMP would reduce the risk of pollution of Gailey Reservoirs LWS but the ODCEMP and Framework Ecological Mitigation and Management Plan (FEMMP) do not appear to include any specific measures to prevent noise, AQ or other pollution for birds or other ecological receptors.</p> <p>(i) Can the Applicant clarify which measures included in the ODCEMP/ FEMMP would operate to reduce the potential impact of construction activities on ecologically sensitive receptors including (but not limited to) Gailey Reservoirs LWS within the Zone of Influence?</p>	We will provide an answer to part (ii) for Deadline 3 following review of FAL’s answer to part (i).

	(ii) Does NE/ SCC agree that measures within the ODCEMP would provide adequate mitigation for the potential effects on such receptors?	
1.10.6	<p>Paragraph 10.222 states that the loss of semi-natural and managed farmland across the site would have an adverse effect and result in the loss of ecosystem integrity, but paragraph 10.390 states that the “retention of habitat, creation of new habitat and enhancement of existing habitat will offset the habitat lost with respect to woodlands, hedgerows, woodland, semi-improved grassland and open water” but omits reference to semi-natural and managed farmland.</p> <p>(i) Can the Applicant provide evidence that the new habitats created, as stated in paragraph 10.390, will appropriately mitigate for the adverse effect of the loss of semi-natural and managed farmland?</p> <p>(ii) Can the Applicant provide evidence that NE and SCC are in agreement that the new habitats will appropriately mitigate for the loss of semi-natural and managed farmland?</p>	<p>Referring to the written representation, 3.11, <i>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 scoping opinion the Inspector asked for consideration of contributions to wider mitigation such as enhancing Local Wildlife Sites. This should still be considered a desirable outcome. Contributions in this area could meet the priority in for connecting marshy grassland along the Saredon Brook / canal corridor.</i></p> <p>Early discussions with FAL agreed measures to mitigate semi-natural habitats and off-site mitigation for farmland birds. However, more recent practice includes consideration of all habitat when determining whether adverse effects will occur. This includes arable land (most of the application site). Use of a biodiversity metric (such as the one produced by DEFRA) would enable a comparison to be made between on and off-site mitigation and compensation.</p>
1.10.8	Does SCC agree that the loss of 6 existing ponds within the Site would not amount to a significant adverse effect in light of the provision of additional water bodies proposed with the GI strategy?	Yes
1.10.12	<p>Paragraphs 10.428–10.437 identify potential cumulative construction and operational effects with other committed development in the locality of the site. Paragraphs 10.432 and 10.438 conclude that these other development proposals would have limited residual effects because of the mitigation and controls built into their relevant consents and that the significance of the effects of the Proposed Development as identified in the Chapter 10 assessment would not be affected by these other development schemes.</p> <p>Are these conclusions accepted and agreed by NE and SCC</p>	Yes

1.10.19	<p>Although Section 3.3 of the FEMMP expressly identifies the 'Important' hedgerows to be retained it does not similarly identify veteran and future veteran trees or specify the additional protection measures that are recommended in Appendix 12.7. Neither does the FEMMP refer to the need for continued appraisal of long-term management operations in relation to these retained trees in order to ensure their long term survival as recommended at paragraph 5.31 of Appendix 12.7.</p> <p>Can the Applicant explain why these measures have not been included within the FEEMP, and can the Applicant state whether these measures will be included within the EMMP when completed?</p>	<p>We share these concerns regarding veteran and future veteran trees. This should also include continuity of deadwood habitat, by retention of stumps and large pieces of timber. Para 3.7.15 states: <i>In addition to nest boxes, deadwood (stumps) will be provided to create standing deadwood or a proportion of existing mature retained trees will ring barked to provide nesting habitat for species such as woodpeckers, marsh tit and willow tit.</i></p> <p>We would wish to ensure that retaining deadwood is a priority over ring-barking good mature trees as these are the veterans of the future and there will be relatively few trees on site.</p>
1.10.20	<p>Paragraph 5.64 of the Arboriculture Assessment recommends that all vegetation and, particularly, woody vegetation proposed for clearance should be removed outside of the bird-breeding season.</p> <p>Is an additional requirement needed to set out this stipulation or would it be adequately covered in R11 relating to the FEMMP?</p>	<p>This can be covered by R11 with a suitable update to the FEMMP.</p>
1.10.21	<p>NE and SCC are requested to comment on the scope and content of the FEMMP and to give their views as to whether this provides a robust basis for agreeing Phase specific EMMPs which would be capable of securing all the necessary mitigation measures.</p>	<p>In principle we believe it does, except for points raised herein and our written representation that will necessitate revision to the submitted FEMMP.</p>
1.10.24	<p>Paragraph 10.365 lists a number of parameters which have been used within the assessment of operational lighting effects on foraging bats. There is a cross reference to the Lighting Strategy [APP-106] but Section 5.3 of that document does not list the parameters set out in the bullet points within paragraph 10.365. Neither do these appear to be shown on the Parameter Plans.</p> <p>(i) As these appear to be a critical component of the mitigation of potential effects how are these secured through the dDCO?</p>	<p>(i) There has been considerable discussion between FAL and SCC on the proposed mitigation for bats in relation to lighting. Whilst the measures are agreed it is noted that detail is spread across a number of documents. There is a requirement for lighting design to be agreed in the DCO Schedule 2 but the mitigation scheme cuts across landscape design and highway design as well as lighting design. It should be noted therefore that highway design, including road lighting, are governed by the Protective Provisions. While landscape proposals are covered by a separate</p>



	<p>(ii) Are there other specific details of constraints/ parameters for the on-site lighting that need to be specified in a Requirement within Schedule 2 of the DCO or by other means?</p> <p>(iii) Do NE and SCC agree with the proposed bat mitigation measures and consider these to be adequate?</p>	<p>requirement. There may therefore need to be further cross referencing to ensure clarity for discharging Requirements.</p> <p>(ii) Consideration of bats is the only 'specific' issue for lighting. Obviously measures to prevent unnecessary light spillage will need to form part of the detailed design. In our written representation we have also made comment about the effect of lighting in relation to landscape impact where columns protrude above the adjacent mitigation bunds and planting.</p> <p>(iii) The measures are appropriate for bat mitigation.</p>
1.10.25	<p>Are the relevant consultees satisfied that dark corridors can be maintained in the locations shown on Figure A1.1 of the FEMMP, given that the Illustrative Masterplan [APP-206A-D] shows that these are likely to be immediately adjacent to buildings, car parks and service areas?</p>	<p>Yes, however this will depend on use of the best modern designed LED units. Footnote 11 on page 30 of Lighting Strategy quotes the Bat Conservation Trust/ILE (May 2009) Bats and Lighting in the UK, which should be replaced by the 2018 publication with Bat Conservation Trust / Institution of Lighting Professionals <i>Guidance Note 08/18 Bats and artificial lighting in the UK</i>.</p>
1.10.26	<p><b>Badgers</b></p> <p>(i) Can NE and SCC confirm that they have received and reviewed the Confidential Badger Report?</p> <p>(ii) Based on the information in that report, are NE and SCC satisfied with the assessment of construction and operational effects on badgers and their habitats as set out in ES Chapter 10?</p> <p>(iii) Is the mitigation proposed in relation to badgers adequate to offset any significant harm to this species and their habitats?</p>	<p>(i) Yes</p> <p>(ii) Yes</p> <p>(iii) Yes</p>
<p><b>Cultural Heritage and Archaeology</b></p> <p><b><i>All paragraph and table references are to ES Chapter 9 [APP-029] unless otherwise specified</i></b></p>		
1.11.1	<p><b>Assessment of Effects</b></p> <p>In Table 9.2 the 'Receptor Value' grading for the S&amp;WC Conservation Area is graded as Low. This grading, which is a key input into the assessment of effects, seems to be based on Table 9.3 which grades all conservation areas and their settings as of low value irrespective of their size, character, content and the degree to which their special character and appearance remains intact.</p>	<p>(i) As this relates to a conservation area we would defer to any response to this to the LPA's conservation advisor and Historic England. However, as a designated heritage asset there is certainly a case to be made that a conservation area could be considered as being more than of low value, particularly if it contains significant historic buildings or views, granted that attributing value to what is in effect a small section of a linear conservation area is potentially difficult to do. It is suggested that</p>

	<p>(i) Is this a reasonable approach given that there is no national system of grading of conservation areas as there is for listed buildings?</p> <p>(ii) Has this grading been informed by any on-site survey and assessment of the character and appearance of the Conservation Area?</p> <p>(iii) What is the basis of the value grading for all the other identified heritage receptors?</p> <p>(iv) Does Historic England agree with the methodology set out within Table 9.2 and 9.3?</p>	<p>the applicant provides more information to justify this attribution of low value.</p> <p>(ii) To be confirmed by the applicant.</p> <p>(iii) To be confirmed by the applicant</p> <p>(iv) To be answered by Historic England</p>
1.11.17	<p><b>Archaeology (ES Chapter 8) [APP-028]</b></p> <p>Figure 7 of the LiDAR data assessment [APP-077] appears to indicate an extensive area of ridge and furrow within that part of the site to the west of the WCML and a second concentration of this feature within Proposed Development Zones A5a and A7a whereas the Gradiometer survey [APP-078] only identified clear evidence of ridge and furrow in Survey Areas D and I.</p> <p>(i) Is this evidence sufficient to support the conclusion in the Statement of Potential in paragraph 8.73 that only “<i>traces of ridge and furrow</i>”?</p> <p>(ii) Please clarify the extent of remaining evidence of this historic feature within the site.</p>	<p>(i) The use of the word ‘traces’ reflects the terminology utilised in the LiDAR data assessment. Perhaps substituting this for ‘<i>remains of ridge and furrow</i>’ (perhaps with an approximate figure for the area covered by the ridge and furrow) would be more appropriate in paragraph 8.73?</p> <p>(ii) To be confirmed by the applicant- a map combining the extents of the known/potential ridge and furrow as identified in the LIDAR assessment and the Gradiometer survey would be helpful.</p>
1.11.18	<p>Paragraphs 8.78-8.88, concerning archaeological features references WA 88, 89, 21 and 29, note the likelihood of damage to or destruction of these features and, in each case, state that the loss of the feature would be of moderate to minor significance. However, in the summary table of residual effects the removal of or damage to each of these assets is classified as “<i>moderate</i>”.</p> <p>(i) When, as seems to be the case in respect of all of these assets, the heritage significance is at present uncertain, is it reasonable to assume that the fact of recording its presence is sufficient to reduce the significance of its total loss as this assessment seems to suggest?</p>	<p>Agreed, the table should be updated to reflect the conclusions regarding significance in the text</p> <p>(i) As outlined in paragraph 13.3 of the Statement of Common Ground with SCC and paragraph 8.95 of the ES preservation in situ is to be considered as an option where remains of particularly high importance and sensitivity are identified and/ or where the development affords the opportunity in provision of areas of green infrastructure. Perhaps this should be more explicit with regards to WA 88, 89, 21 and 29.</p> <p>(ii) As noted above, preservation in situ for remains deemed to be of high importance and significance will be considered based on the outcome evaluation trenching and any subsequent mitigation that</p>

	(ii) Would such an approach be consistent with the statement, in paragraph 199 of the NPPF, that “ <i>the ability to record evidence of our past should not be a factor in deciding whether such loss (of the heritage asset) should be permitted</i> ” and with the High Court judgment in the Hayes case <sup>1</sup> as to how this policy (as previously set out in paragraph 141 of the 2012 NPPF) should be interpreted?	may be required to characterise the nature, scale, and significance of encountered heritage assets. Decisions on significance and subsequent requirements for preservation in situ will be made in consultation with the Staffordshire County Archaeologist and Historic England.
1.11.19	(i) Has the Outline Scheme of Investigation [APP-079] been agreed with the relevant consultees? (ii) What prospect is there that the Scheme of Investigation within the High Priority Areas might confirm the presence of an archaeological asset of major significance that should be left undisturbed? (iii) What flexibility is provided within the DCO to enable a reduction in or amendment to any of the development zones if the presence of such an asset was confirmed?	(i) SCC County Archaeologist- Yes (ii) The Outline Scheme of Investigation will be further refined by detailed schemes of investigation which will outline the proposed approach to the different archaeological elements to be employed. These will need to be approved by the LPA’s archaeological advisor (i.e. the Staffordshire County Archaeologist) in advance of these archaeological works commencing. The evaluation trenching, which will include geoenvironmental sampling, and will sample an appropriate percentage of the site (including previously identified sites and ‘blank areas’) in order to characterise and better understand the archaeological potential of the site (in addition to any further mitigation required arising out of this work) will provide an evidence base to enable the confirmation of the presence or absence of an archaeological asset of major significance that should be left disturbed. (iii) This is one for the applicant to answer, however, as noted above, the SOCG with SCC require that preservation in situ is to be considered as an option where remains of particularly high importance and sensitivity are identified and/ or where the development affords the opportunity in provision of areas of green infrastructure.
1.12.2	Paragraphs 12.87 and 12.88, dealing with Historic Landscape Character, make no reference to the role of hedgerows, and particularly the important hedgerows, in defining that historic character.	The hedgerows on the site certainly make some contribution to the historic landscape character of the area (as outlined in Chapter 9 of the ES (9.187- 9.198) and it is agreed that an assessment of their contribution to the historic landscape should be made in Chapter 12

	What contribution do these features make to the Historic Landscape Character having regard to the assessment set out in ES Chapter 9?	of the ES (utilising the descriptions and assessment of their value included in Chapter 9 of the ES).
1.12.7	<p>Paragraph 12.334 concludes that, when completed, the Proposed Development would have a minor adverse effect on the landscape character of the Cannock Chase AONB but a number of RRs express concerns about the effect on the AONB, particularly in views from Shoal Hill.</p> <p>(i) What do IPs consider to be likely effect on views from Shoal Hill, on the landscape character of the Heathlands Landscape Character Area within the AONB, and on the landscape character of the AONB as a whole?</p> <p>(ii) Would the Proposed Development add to the existing urban and industrial uses present in the view from the AONB (as suggested in paragraph 12.332) or would it form a new and separate element in that view?</p>	Please refer to our Local Impact Report paragraphs 8.21 and 8.22.
<p><b>Drainage and Flood Risk</b>  <b>All paragraph and figure references are to ES Chapter 16 [APP-055] unless otherwise specified.</b></p>		
1.13.2	<p>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> <p>(i) Can evidence be provided of agreement with the relevant bodies as to the following key elements of that strategy:</p> <p>(a) dividing the site into 4 catchment area and the identification of the most suitable and appropriate outfalls;</p> <p>(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;</p> <p>(c) the 'Allowable discharge rates' (Table 7.4) and Drainage Outfall Capacities (Table 7.5) set out in the Drainage Strategy;</p> <p>(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;</p>	<p>The key elements of the overall Surface Water Drainage Strategy are acceptable. Review of the detailed design of each phase will be required.</p> <p>(a) The Surface Water Drainage Strategy assesses the natural catchments within the site (paragraph 4.4.7) and identifies the suitable outfalls for the proposed drainage based on capacity and relative levels (paragraph 7.5.2).</p> <p>(b) The overall volume of surface water discharged will increase due to the increased impermeable area and reduced evapotranspiration. However, the proposed attenuation to the greenfield QBAR rate means that during extreme rainfall, runoff from the site will be discharged at a lower rate over a longer period of time to reduce the flood risk downstream.</p> <p>(c) The allowable discharge rates (Table 7.4) are based on the greenfield QBAR rate for the natural catchment draining to each outfall and are within the existing channel capacities (Table 7.5).</p>

	(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.	(d) The Surface Water Drainage Strategy demonstrates the required volumes of attenuation for each catchment based on the allowable rate of discharge at each outfall and the contributing impermeable area. (e) It is understood that the special provisions have been developed with regard to the requirements of the Canal and Rivers Trust and West Coast Mainline.
1.13.4	Some of the RRs comment that the water table in the surrounding area is high and that the undeveloped land within the site is important for absorbing rainwater and reducing the risk of flooding. There is accordingly a concern about the effect of the development in increasing the risk of flooding elsewhere. Is there any evidence for this concern and what implications, if any, does this have for the efficacy of the proposed drainage strategy?	The proposed Surface Water Drainage Strategy is based on attenuated discharge of surface water runoff from the site, rather than infiltration to groundwater. By attenuating discharge to the greenfield QBAR rate for all rainfall events up to 1 in 100 years (with climate change allowance) the system is designed to reduce the risk of flooding downstream.
1.13.5	A concern is raised in some of the RRs that there is an existing problem of flooding in Brewood and that the Proposed Development could exacerbate both that risk and the frequency of flooding in that area. What evidence is there of this existing problem and what implications, if any, does this have for the efficacy and acceptability of the proposed drainage strategy?	The proposed development is not expected to exacerbate the risk of flooding in Brewood due to the distance from the site, location in relation to the River Penk, and attenuated discharge proposed in the Surface Water Drainage Strategy.
1.13.7	Are the relevant bodies content that the mitigation proposals to secure the attenuation of surface water discharge into the identified water courses would be adequate so as not to increase the risk of flooding off-site?	The Surface Water Drainage Strategy sets out allowable discharge rates (Table 7.4), based on the greenfield QBAR rate for the natural catchment draining to each outfall, and the existing channel capacities at each outfall have been assessed (Table 7.5) in order to demonstrate that the flood risk off-site will not be increased. The detailed design at each stage will need to comply with these criteria.
1.13.8	Are the relevant bodies content that the drainage strategy and associated mitigation proposals would be adequate to remove the risk of any significant adverse effects in terms of the	The Surface Water Drainage Strategy is based on a SuDS Management Train approach. The SuDS Management Train for each catchment has been assessed using the Simple Index Approach (CIRIA SuDS Manual) to

	<p>pollution or contamination of any water course, water bodies or groundwater resources?</p>	<p>demonstrate that runoff will receive adequate treatment in relation to each pollution hazard index. The detailed design at each stage will need to comply with these criteria.</p>
<p><b>Draft Development Consent Order</b></p>		
<p>1.17.2</p>	<p>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 Requirements, and/or to the draft DCOB in order to address the following matters:</p> <ul style="list-style-type: none"> <li>(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;</li> <li>(ii) whether there is a need for a commitment within the DCO or DCOB to the delivery of the Expanded Rail Terminal;</li> <li>(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;</li> <li>(iv) The parameters that are said to have been applied in assessing the effects of site lighting on bats and other areas of ecological sensitivity;</li> <li>(v) The suggested requirement that buildings in Zone 7 to be single aspect to provide screening to potential noise sensitive receptors;</li> <li>(vi) The suggested requirement for noise barriers in parts of the Proposed Development;</li> <li>(vii) 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;</li> </ul>	<p>Yes, there is a need to make further revision to both the dDCO and DCOB. We have committed to work with FAL on these documents to allow a further iteration to be provided by Deadline 3.</p>

- |  |  |
|--|--|
| <p>(viii) The suggested requirement that all buildings on the site should provide changing facilities, showers and secure cycle parking to encourages cycle use;</p> <p>(ix) A restriction on the use of piling except in connection with the construction of the bridge piers for the proposed Link Road Bridge;</p> <p>(x) the monitoring and report of noise and vibration levels at sensitive receptors during construction; and</p> <p>(xi) the requirement that no felling or cutting back of vegetation be carried out during the bird breeding season.</p> |  |
|--|--|