

Planning Act 2008 – Section 88

and

The Infrastructure Planning (Examination Procedure) Rules 2010 – Rule 6

Application by Four Ashes Limited for the West Midlands Interchange Strategic Rail Freight Interchange.

Written Representations following the Preliminary Meeting by

Deadline 2

Subject of this Submission:

Response to questions raised by the ExA requiring receipt by the second deadline

Campaign to Protect Rural England (Staffordshire Branch)

Inspectorate reference for this representee: 20015574

Question references as used by the ExA		CPRE(Staffs) Response
1.3.4.	<p>The parties are invited to comment on statements made in some of the RRs that the Green Belt in the vicinity of the site:</p> <p>(i) forms an important buffer between the historic settlements of Penkridge and Cannock;</p> <p>(ii) forms an important buffer between Wolverhampton and the nearby villages and between the villages themselves; and</p> <p>(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.</p>	<p>The function of Green Belts as "green lungs" has been well-documented and championed. But they also have a number of other functions, which together contribute to the well-being of those who within them and elsewhere. CPRE's draft national strategic aims for 2020-26 specifically include promoting the health, social and environmental benefits of the countryside near where people live, and encouraging greater access to, and enhancing and protecting the Green Belt.</p> <p>Moreover, national planning rules require councils to show "exceptional circumstances" when they remove land from the Green Belt, and undertake a sequential test which requires local authorities "fully" to examine alternative options to Green Belt release.</p> <p>We believe that insufficient evidence has been provided to allow the Examining Authority to conclude that this has taken place.</p>
1.4.17.	<p>Chapter 14 appears not to consider the possibility of any adverse effect on the revenue generated by existing businesses (including, for example, tourist and leisure-based businesses) as a result of the Proposed Development although such concerns are raised in many of the RRs.</p> <p>Can the Applicant set out its views as to:</p> <p>(i) whether or not such adverse effects are likely in either the construction or operational phases</p>	<p>The promotion of a thriving, sustainable countryside is another strategic aim of CPRE. As the attractiveness of the area diminishes, both in the construction and operational phases of the project, the potential immediate and long-term loss of jobs, particularly as noted in the tourism and leisure industries, contradicts the objective of stimulating the rural economy in the area.</p> <p>This is compounded when evidence suggests that the nature of the jobs to be provided by the proposal are not of the type</p>

	<p>of development and, if so, what the scale and significance of such effects might be? (ii) whether such effects might potentially result in the displacement of any local businesses or loss of employment in such businesses?</p>	<p>required by the local community. The Applicant's distinction between the jobs provided in the construction and operational phases serves only to blur the overall impact of the scheme on local employment.</p>
<p>1.5.1. /1.5.4.</p>	<p>Title: Loss of BMV Land Chapter 6 identifies that a permanent, major adverse effect at a national scale would result from the loss to development of approximately 173ha of BMV agricultural land (around 58% of the total site area). To what extent would the loss of this area of BMV land meet the requirement, in paragraph 5.168 of the NPS, that Applicants should take into account the economic and other benefits of the best and most versatile agricultural land?</p> <p>Soil Resources 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>Over half of the total site area comprises best and most versatile agricultural land. Soils are the foundation of the English landscape. The proposal will result not only in the loss of this precious resource, but will also seal off the soil with impermeable surfaces.</p> <p>The full impact of the loss of BMV land does not appear to have been taken into account in the assessment of the economic and other benefits of the proposal.</p>

<p>1.6.6./1.6.11.</p>	<p>Although Table 11.11 sets out the expected residual effects Chapter 11 does not appear to include an assessment of significant effects prior to the implementation of mitigation measures. What evidence can be provided that the EA and other relevant stakeholders are satisfied that all potentially significant effects have properly been assessed and mitigated such that no significant residual effects are likely?</p> <p>Mitigation and Monitoring</p> <p>(i) How would the mitigation measures described in Chapter 11 and the ODCEMP (APP-060) be secured?</p> <p>(ii) Are the EA and other relevant stakeholders satisfied as to the adequacy of the proposed mitigation measures?</p>	<p>To date, we have received no evidence that would allow us to reach the conclusion that all the significant effects have been properly addressed and mitigated (in both the construction and operational phases of the project). We believe that it remains to be demonstrated that no significant residual effects will result.</p>
<p>1.7.16.</p>	<p>A number of IPs have questioned the practicability of enforcing a ban on HGVs using the A449 through Penkrudge as a route between WMI and Junction 13 of the M6.</p> <p>(i) Are similar bans in place in relation to other SRFIs and are any case studies available to demonstrate what measures have been used to enforce the ban on using specified routes and the effectiveness of those measures?</p> <p>(ii) How would a system of fines for those breaching such a ban be operated and what would revenue from those fines be used for?</p>	<p>CPRE nationally, through its Branches, has been monitoring the development of SRFIs in a number of locations. A common factor has been the issue of the intrusion of HGVs on local minor roads. We are not aware of any studies assessing the effectiveness of bans in relation to the respective SRFIs. As such, the practicability of enforcing the ban on HGVs using the A449 (apparently technology based) remains questionable.</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?	
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. What contribution do these features make to the Historic Landscape Character having regard to the assessment set out in ES Chapter 9?	Hedgerows are a well-loved feature that stitches together the patchwork of our countryside. It is our view that the contribution these features make to the Historic Landscape Character has been significantly under-estimated. This is particularly serious coming at a time when, nationally, there are growing calls for stronger legal protection for hedgerows, and to see them restored and well-managed.
1.12.7.	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. (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? (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?	One of the attractions of Cannock Chase AONB is that it provides “the countryside next door” and is a welcome and valued contrast to the urbanised area that surrounds it. The AONB offers opportunities for outdoor recreation and tranquillity for members of the public, many of whom (local surveys have shown) live close to the protected landscape. Part of the experience of Cannock Chase is the ability to look across swathes of what can be regarded as typically “Middle England” countryside, currently devoid of overly intrusive developments. The proposal would be a dominant and alien intrusion into that landscape when viewed not only from Shoal Hill but also other vantage points in the AONB. We note that a recent High Court case found that the National Planning Policy Framework Green Belt policy requires decision-

		makers to consider and assess whether the openness of the Green Belt is impacted or harmed by a proposal to a greater extent than the area has already been impacted. Where openness of the Green Belt is an issue (as in this case) visual impact, as well as spatial impact requires consideration.
1.13.4.	<p>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.</p> <p>Is there any evidence for this concern and what implications, if any, does this have for the efficacy of the proposed drainage strategy?</p>	<p>Green Belts play a vital role in absorbing floodwater and reducing the “heat island” effect of urban areas. Looking towards a future where the impact of climate change is likely to be significant, we believe that the proposed loss of countryside in such a location with such a large site area should be resisted. The proposal, on the basis of unproven economic and employment evidence, would deliver an outcome that is directly opposed to the policy objectives of CPRE, which surveys undertaken as part of the organisation’s strategic review, command widespread support.</p>