

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.**

Post–Hearing Submissions required by Second Deadline

Amplification of original objections and changes as a result of information
provided on behalf of the Applicants on the first day of the Examination

Paul F Windmill
(Inspectorate reference: 20015760)

Introduction

I am a qualified and experienced Town Planner, currently with MRTPI (Ret) status. The views expressed in the original objections and those in this submission are my own.

The original objection is in normal type, supplementary representations are in emboldened and italicised type.

Green Belt Issues

Objection

Implications and balance

There needs to be full consideration of the principles underling Green Belt designation and balancing the apparently conflicting Government principles and policy between the protection of Green Belt and major development of logistics and warehousing, here and at other sites around the West Midlands conurbation.

The list attached as Appendix 1 shows other locations in the West Midlands Green Belt which satisfy similar locational criteria to those found at the application site.

Objection

To the unjustified loss of Green Belt

Although there have been numerous SRFI and warehousing proposals approved and in the pipeline in the East Midlands none appear to be in Green Belt. This is the first SRFI and warehousing proposal in the West Midlands and is in the Green Belt. This scheme, if approved, would set an example both for the West Midlands and for the other 13 areas of Green Belt in the country.

I realise that the ExA appreciates the enormous size of the proposals – virtually three square kilometers of Green Belt land. I accept that the ExA may only consider the current proposal on its individual merits without considering the implication for sites in other Green Belts in England but that this would be a matter which ought to be taken account of by the Secretary of State in making the decision on the application.

Objection

To the planning implications of allowing development

If the scheme is allowed it would be difficult to justify the retention of the site as Green Belt. Development has been accepted in the Green Belt as an exceptional case, the Green Belt has been amended and alternative uses have then been sought on the land which has been removed from Green Belt. If Green Belt designation is retained the argument can be made that as development has been permitted other more viable uses should be allowed if they are less intrusive.

There is a case to the south of Stoke-on-Trent, at Blythe Bridge, where a site was allocated as a vital Strategic Employment Site justifying its

location in Green Belt. Some years on, the site was subsequently considered by the land owner not to be viable for employment. The site was subsequently put forward for housing and is included in the Local Plan¹ as a mixed scheme including 300 houses - on the basis that it then was not in the Green Belt and approval had been given for development. (If the same thing happened at this site it would be large enough provide 3000 -4000 homes plus other facilities associated with a New Garden Settlement.)

If permission is granted I would ask that it be recommended that the site be removed from Green Belt only as it is developed to avoid the Green Belt's 'Exceptional Circumstances' being circumvented.

No justification has been put forward for the scale of this site. DIRFT, at Rugby, the case which is cited as a model for WMI has been permitted only in stages and in the light of the evidence. DIRFT is not, however, in the Green Belt and good rail access to the entire site has been a major factor in the consideration of applications. So far as I can establish the site here is larger than any of the SRFAs being considered or approved (other than DIRFT) under any DCOs. (none of which are in Green Belt)

The SRFI

It appears that the proposal has not been assessed and certified by Network Rail as practical for 20 train movements - 10 full size freight trains per day.

Objection

There appears to be sufficient capacity for the West Midlands needs now and for the foreseeable future at the Hams Hall and Birches Coppice SRFIs or the other existing interchanges such as Bescot to meet SRFI needs of the West Midlands.

(It is unclear whether this scheme is intended to replace one or more of the existing SRFIs and FRIs in the West Midlands Conurbation.)

It is now clear from the applicants representatives at the examination that this site is intended to be on of a network of RFI's rather than replacing one or more of the existing locations in the West Midlands – shown on the plan attached as Appendix 1.

I consider that the proposal, does not comply with Paragraph 4.88 of National Policy Statement for National Networks² either in the initial or later stages.

¹ <https://democracy.highpeak.gov.uk/documents/s8354/Appendix%201%20-%20Local%20Plan%20Submission%20Version.pdf> Local Plan – see page 176 para 9.95 onwards and Policy DSR1 on page 177

²

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/387222/npsnn-print.pdf

4.88 Applications for a proposed SRFI should provide for a number of rail connected or rail accessible buildings for initial take up, plus rail infrastructure to allow more extensive rail connection within the site in the longer term. The initial stages of the development must provide an operational rail network connection and areas for intermodal handling and container storage. It is not essential for all buildings on the site to be rail connected from the outset, but a significant element should be.

Objection

It seems that an appropriately qualified and experienced independent person or Company/Consultancy has not audited the SRFI and found it to be workable in practice for the un-loading and re-loading of 10 full size freight trains per day (20 train movements).

In my view, the Memorandum of Understanding with Network Rail, submitted by the Applicants, is ambiguous and does not answer the key questions raised.

I, and others, have used the Freedom of Information Act to try to get a clear answer from Network Rail on whether the WCML adjacent to the site can provide for 10 trains (20 movements) per day to serve the site. As I understand the situation a clear answer has not been given.

Unless Network Rail agrees to participate in the Examination and answer questions of the ExA voluntarily it would be really helpful for the ExA to consider using its powers to require the attendance of appropriate representative of Network Rail to attend a public session of the Examination and to answer questions put by the ExA.

Objection

It is assumed that this location is primarily to serve the Black Country and part of Staffordshire and that a subsequent scheme or schemes will to serve Birmingham and Warwickshire (at Bickenhill/Hampton in Arden or elsewhere). It is therefore considered that scale of the SRFI element of the proposal is excessive.

The Applicants now appear to acknowledge that the WMI is one of a future network of new SRFIs in the West Midlands – as has been found in the East Midlands (albeit none of the East Midlands sites have been in Green Belt).

Warehousing

Objection

To the scale of the warehousing development
(West Midlands Interchange | Market Assessment Document Ref 7.46.1.2
Page 35 “The site extends to approximately 297 ha (734 acres) gross ...”)

Objection

Such an enormous scheme is inappropriate and unjustifiable in Green Belt rather than a smaller scheme and further applications to extend if the SRFI

and the first part of the proposal is implemented and other more suitable locations fail to come forward.

In the DIRFT case the original site has been extended and continues grow. Residential development³ and a new rail station is now proposed adjacent to the site.

Objection

If the scheme does not proceed as indicated and the SRFI is later considered to be impractical or non-viable, in whole or part, as has happened elsewhere, there appear to be no measures proposed to prevent the whole site from being an entirely road reliant warehouse and open storage park.

This is a fundamental issue.

Despite the efforts of the ExA to probe this possibility nothing has been heard to preclude this becoming a reality – as appears to have happened at the Telford International Railfreight Park⁴ (not in Green Belt) within 20 miles of the application site.

Objection

The height of buildings of more than 20 metres in the West Midlands Green Belt is excessive.

The buildings of 30 metres in height would be as high as a nine/ten storey apartment block. The buildings would be particularly dominant from the M6 adjacent to the site. The lower buildings, at 20 metres would also be intrusive, particularly from the A449

Objection

If the demand for warehousing does not materialise but consent has been granted for the entire site other uses such as offices, leisure, retail or residential uses could not be precluded if these were put forward as being less damaging and therefore preferable.

This has been found to have occurred elsewhere.

Overall objection

If an SRFI and warehouse development is considered acceptable in principle it suggested that the scale of the development, both in site area and building heights, is excessive and unjustified in the Green Belt. It is requested that scale and other implications are considered by the Examining Authority and included as key issues in its report to the Secretary of State responsible for making the decision on the proposal.

³[https://www.google.com/search?q=Sustainable+Urban+Extension+\(SUE\)+to+Rugby&aq=chrome..69i57.4600j0j4&sourceid=chrome&ie=UTF-8](https://www.google.com/search?q=Sustainable+Urban+Extension+(SUE)+to+Rugby&aq=chrome..69i57.4600j0j4&sourceid=chrome&ie=UTF-8)

⁴ https://en.wikipedia.org/wiki/Telford_International_Railfreight_Park
<https://www.shropshirestar.com/news/2011/01/18/50-trains-used-telford-rail-freight-terminal-in-first-365-days/>

Note- because it illustrates scale:-

The total building floorplate of the WMI proposal is in excess of 740,000 square metres. This equates to the floorplate of 14,000 houses.⁵ Most houses would have roof heights of less than 10 metres- half the height of the lowest of the proposed units at WMI and a third of the height of the highest.

The buildings are of such large scale that they would be clearly visible from a distance outside the site and their mass would be visually intrusive in the Green Belt.

No justification has been given for the scale of development/loss of Green Belt proposed in the application. It is accepted that national guidance does not suggest a maximum site size - only a minimum of 60 acres and 4 trains per day to qualify as an SRFI for consideration for a DCO. The application site is virtually six times this size but would only provide for two and a half times the minimum number of trains per day.

For comparison the Planning Inspectorate⁶ for DIRFT III says

The current facility includes the Rail Port ('the intermodal area'), 390,645 sq m of warehousing (known as DIRFT I) ... The site currently employs around 4,000 people with a further 2,000 people anticipated at DIRFT II.

In 2008 Malcolm Rail became the Terminal Operator of the Daventry International Railfreight Terminal - DIRFT. Malcolm Rail partners with ProLogis who have invested jointly in the DIRFT rail operation.

DIRFT currently handles over 100 train services per week, for all major freight operating companies such as DB Cargo, Direct Rail Services, Freightliner, and GB Railfreight.⁷

DIRFT II is currently being built and includes 180,741 sq ft of directly rail-connected buildings. The site currently employs some 4,000 people, with over 2,000 more anticipated once DIRFT II is completed and occupied.

The DIRFT III proposals would include: a rail link from the existing terminal to a replacement rail terminal which includes new transshipment sidings, container storage and an HGV reception area; up to 714,000 sq m of rail served storage and distribution floorspace; operational facilities including rail control building and staff facilities; a

⁵ The average dwelling has a floorspace of less than 85 square metres and a typical floorplate of perhaps 50 square metres for a two/three storey house

https://www.labc.co.uk/news/what-average-house-size-uk?language_content_entity=en

<https://www.bbc.co.uk/news/uk-14916580>

⁶ <https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/projects/TR050001/TR050001-000516-Doc%207.1%20Summary%20of%20Proposals%20Document.pdf>

⁷ <http://www.malcolmgroupp.co.uk/rail/terminal-management/>

lorry park; strategic open space, and; infrastructure to serve including roads and bridges... The proposals are also expected to generate around 9,000 new jobs.

Demand is based on the DIRFT III Need Assessment demand forecast⁸, amounting to some 32 trains per day inbound and 32 trains per day outbound by 2033 (compared to around 12 trains per day in each direction today).

1.4.3 Demand has been interpreted as up to 2 trains arriving per “day time” hour with an allowance for 2 hours in the morning and 2 hours in the evening when no trains would join or leave the WCML in order to accommodate peak passenger services. That would in principle allow for some 40 trains arriving per 24 hours.

1.4.4 The Need Assessment forecasts that DIRFT will be handling the equivalent of 510,000 containers per day by 2033. The Need Assessment goes on to assume that around 10% of this volume would be handled in conventional wagons. The remaining 460,000 units per annum are assumed to be intermodal containers of various types and sizes.

For the floorspace proposed at WMI the directly served building floorspace is virtually absent despite the requirements of national Guidance whereas it is significant at DIRFT.

By comparison with DIRFT, currently and in the future WMI shows a major deficiency in the number of rail services (if this can actually provided) in relation to floorspace – see below.

Employment and traffic generation assumptions

Objection

The figures for employment density appear to be surprisingly low and appear not to be supported by other real world examples such as Amazon sites. (West Midlands Interchange | Statement of Economic Benefits Page 5 Document Ref: 7.1B Paragraph 1.1.11 “8,550 jobs are expected to be created on-site”...)

If the levels of employment prove to be underestimates the estimated traffic generation is much too low.

It is surprising that absolute numbers rather than ranges have been used and the Examining Authority is asked to consider the appropriateness of the absolute numbers approach.

⁸ <https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/projects/TR050001/TR050001-000780-Doc%207.8%20Rail%20Operations%20Report.pdf>

Although they are reported to be based on DIRFT experience employment density seems to be lower than those used for DIRFT – see the quotes above.

Other matters - Sustainability

Public Transport

Objection

Reference is made to diversion of the only bus service near the site (Stafford - Wolverhampton 54/54A bus service) through part of the site and a potential increase of this to a half hourly service. Reference is also made to the proximity of the Cannock Rail Station to the site 7km from the site (West Midlands Interchange Transport Assessment Page Para 3.5.12.) but there is no bus service from Cannock to the site. Similarly there is no bus service from Telford although this is also cited as a labour source.

The promoters should be required in any consent to provide and guarantee continuing, affordable, public transport for employees on the site to travel to and from work at appropriate times. West Midlands Interchange | Statement of Economic Benefits Paragraph 4.1.4 says “In other communities within commuting distance - in places such as Walsall, Wolverhampton and Stoke - unemployment and low skill levels are the greatest local concern.” And if firms are relocating from these areas - 25% of floorspace is expected to be taken from relocating firms – existing workers will have significant issues of commuting

This is largely done in the Travel Plan⁹ and Obligations with an aim of achieving 8% of workers travelling by bus - a target increase of 5% (with additional services provided beyond the existing route).

90% of employees are expected to travel to work by car (Paragraph 9.1.6 Table 5 of APPENDIX H: SITE WIDE TRAVEL PLAN)

Energy

Objection

There is no apparent intention to reduce energy consumption as, for example, it is not proposed that each site should use the roof of each building to generate electricity and that EV charging facilities are not included. *(This has not been found in the documents submitted but it may be that this has been missed in my reading of the application.)*

It is appreciated that EV charging of buses is envisaged (but apparently not for cars, vans, HGVs or other transport).

On-site electricity generation does not appear to be part of BREEAM¹⁰ standards (unless I have missed it!).

⁹ <https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/projects/TR050005/TR050005-000420-ES%20TR%20App%2015.1%20-%20TA%20App%20H%20-%20Site%20Wide%20Travel%20Plan.pdf>

¹⁰ <https://www.breeam.com/>

The attempts to make the site sustainable are seen as very limited with virtually no attempt to reduce carbon usage or air pollution from the site.

Existing and Potential Intermodal Rail sites around the West Midlands conurbation

Existing

Birch Coppice*

Existing site with potential for expansion.
Not in Green Belt
Access to M42 Junction 10

Hams Hall*

Existing site not in Green Belt with potential for expansion
Not in Green Belt
Access to M42 Junction 9

Lawley Street*

Existing site in Birmingham City Centre
Not in Green Belt
No expansion potential
No Motorway access

Telford

Existing site (virtually unused)
Not in Green Belt
Access to M54 Junction 6

DIRFT* (Daventry International Rail Freight Terminal)

Existing site (being expanded)
Not in Green Belt
Access to M1 Junction 18

** Identified by Network Rail*

Potential - inside Green Belt

Bickenhill

New site
Green Belt
Access to M42 Junction 6

Bentley Heath

New site
Green Belt
Access to M42 Junction 4

Wychbold

New site
Green Belt
Access to M5 Junction 5

Potential - outside Green Belt

Quod, for the applicants, put forward alternative sites in Document 7.2¹¹ June 2018 and, from a long list of eight sites then identified and focussed on five sites, including the application site. All of the sites were to the north of Wolverhampton.

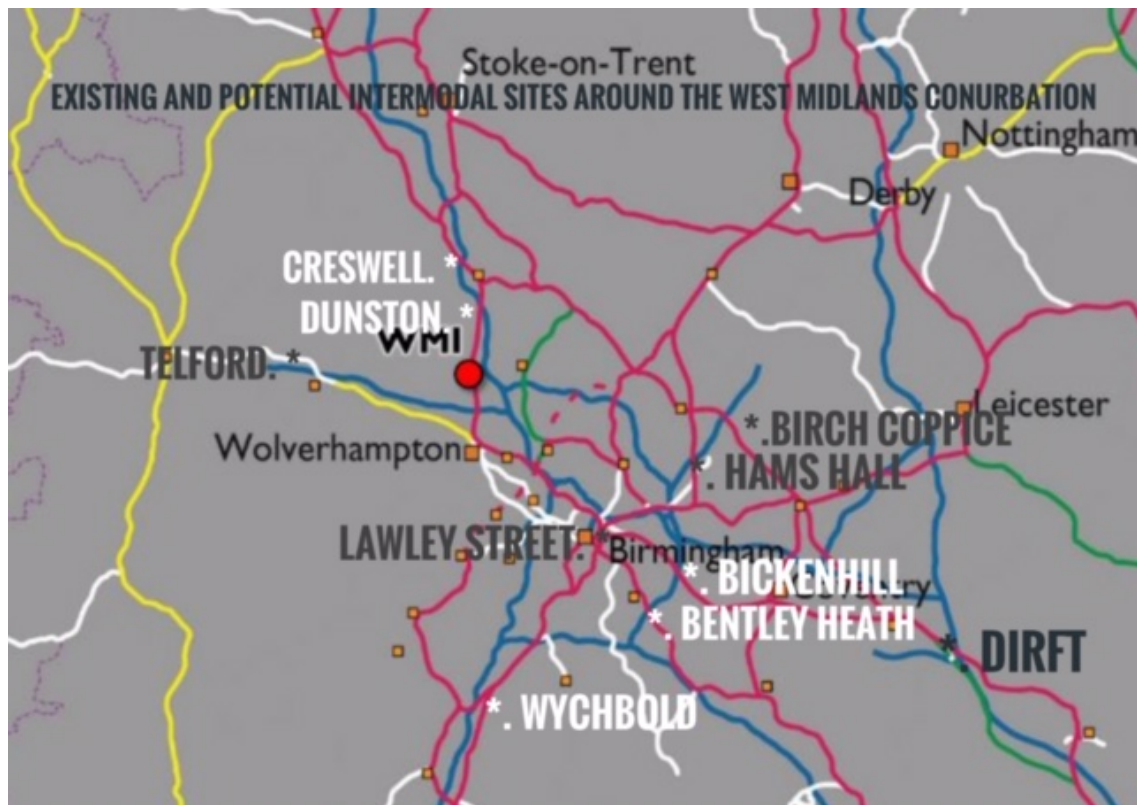
In the Northampton Gateway Rail Freight Interchange DCO, Roxhill Developments Limited, which is currently in the Examination process, different consultants¹² (Turley) for the applicants put forward a larger number of alternative sites in the WMI area of search including the WMI site itself. So far as we have established, WMI is the only Green Belt site.

Dunston, to the south-west, and Creswell to the north-west of Stafford are the closest identified sites to the application site.

Map

All of the locations referred to above are shown in the diagrammatic map below.

The map is taken from the application submission, the locations are my additions.



¹¹ <https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/projects/TR050005/TR050005-000455-Doc%207.2%20-%20Alternative%20Sites%20Assessment.pdf>

¹² http://railcentral.com/site/assets/files/1399/draft_alternative_site_assessment_lr.pdf