

Appendix 16

Additional Canal Photomontages (and the existing view)

In Response to: ExQ1 Number 1.11.16

Four Ashes Limited

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Viewpoint Location

Grid Reference: 391929.37, 310003.698
Ground Level AOD: 104.395
Camera Height 1.6m
Lens Focal Length: 50mm
Weather: Clear with some cloud
Viewing Distance: 400mm (@ A3 height and A1 width i.e. paper size is 297mm x 841mm)
Date of Photograph: March 2019



client
Four Ashes Ltd.

masterplanning
environmental assessment
landscape design
urban design
ecology
architecture
arboriculture

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project
West Midlands Interchange

drawing title
ADDITIONAL VIEWPOINT I (NORTH EAST)
EXISTING

drawing / figure number
Canal Photomontages

scale
NTS @ A1

drawn / checked
HT/TMJ

rev
A

issue date
03.04.2019

J:\710017121\LANDS\Montages\7121 - Canal Photomontages - REV A.indd

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Note: The proposed buildings and rail gantry cranes are based upon the maximum finished floor levels and maximum heights as detailed on the Parameter Plans.
 The design and colours of the proposed building elevations are illustrative only at this stage.



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drawing title
 ADDITIONAL VIEWPOINT I (NORTH EAST)
 MONTAGE UPON FULL COMPLETION (PLANTING AT YEAR 0)

drawing / figure number
Canal Photomontages

scale
 NTS @ A1

drawn / checked
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ADDITIONAL VIEWPOINT I (NORTH EAST)
MONTAGE UPON FULL COMPLETION (PLANTING AT YEAR 15)

drawing / figure number
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 Lens Focal Length: 50mm
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ADDITIONAL VIEWPOINT I (SOUTH EAST)
 EXISTING

drawing / figure number
Canal Photomontages

scale
 NTS @ A1

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**ADDITIONAL VIEWPOINT I (SOUTH EAST)
 MONTAGE UPON FULL COMPLETION (PLANTING AT YEAR 0)**

drawing / figure number
Canal Photomontages

scale
 NTS @ A1

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MONTAGE UPON FULL COMPLETION (PLANTING AT YEAR 15)

drawing / figure number
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Viewpoint Location
Grid Reference: 391826, 309736
Ground Level AOD: 103.774
Camera Height 1.6m
Lens Focal Length: 50mm
Weather: Clear with some cloud
Viewing Distance: 400mm (@ A3 height and A1 width i.e. paper size is 297mm x 841mm)
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**ADDITIONAL VIEWPOINT J
 MONTAGE UPON FULL COMPLETION (PLANTING AT YEAR 0)**

drawing / figure number
Canal Photomontages

scale
 NTS @ A1

drawn / checked
 HT/TMJ

rev **A**
 issue date
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**ADDITIONAL VIEWPOINT J
 MONTAGE UPON FULL COMPLETION (PLANTING AT YEAR 15)**

drawing / figure number
Canal Photomontages

scale
 NTS @ A1

drawn / checked
 HT/TMJ

rev **A**
 issue date
 03.04.2019

Appendix 17






Additional Canal Viewpoints and Locations

In Response to: ExQ1 Number 1.11.9 & 1.12.12

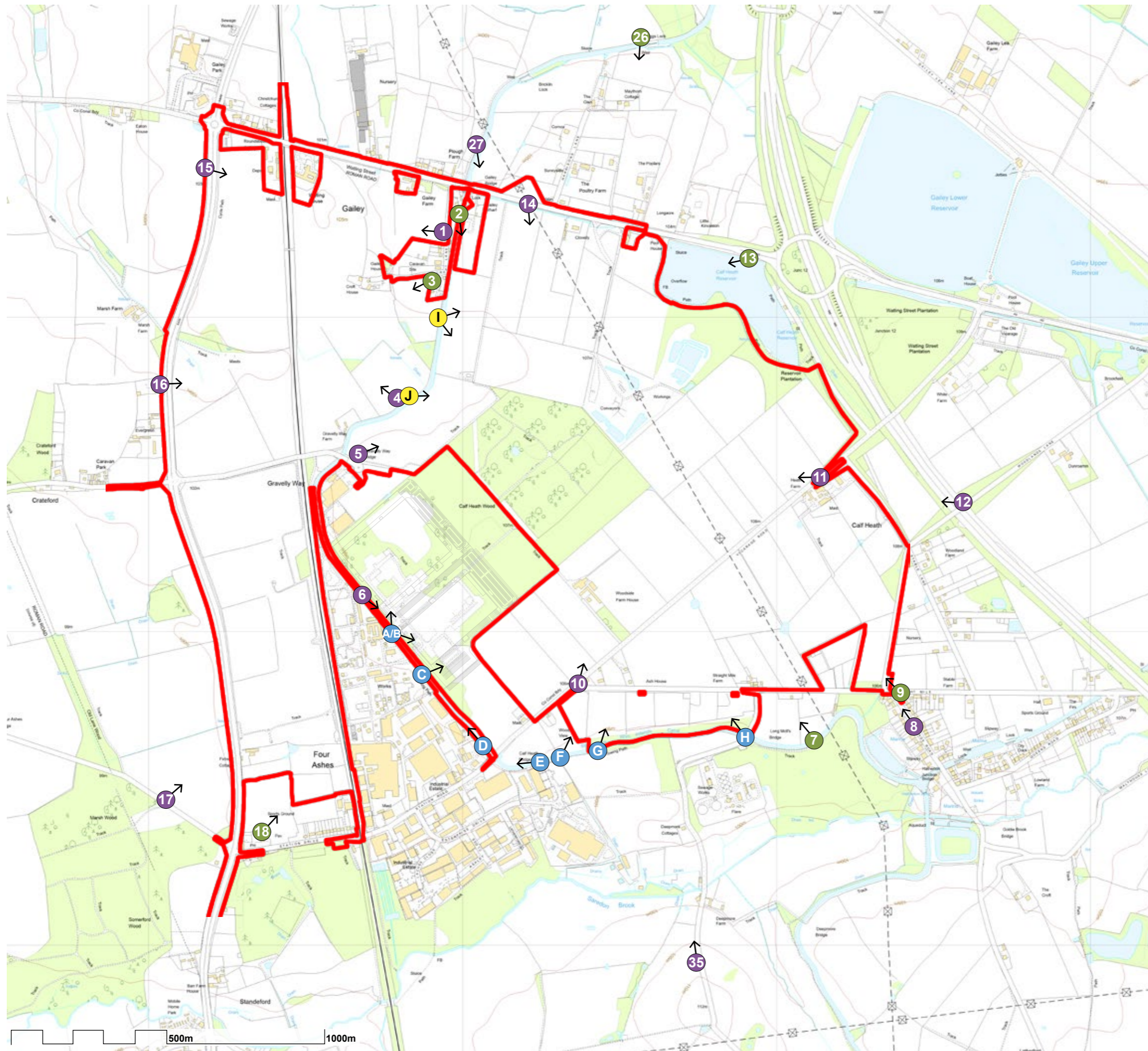
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-  Site Boundary
-  Photo Viewpoint Location
-  Photo Viewpoint and Photomontage Location
-  Additional Photo Viewpoint Location
-  Additional Photomontage Location

Note:
This inset plan illustrates the location of photo viewpoints and photomontages 1-18, 26-27 and 35, and 2 additional photomontages from the canal.



client
Four Ashes Ltd

project
West Midlands Interchange

drawing title
PHOTO VIEWPOINT AND PHOTOMONTAGE LOCATIONS - INSET PLAN

scale
Approx 1:12,500 @ A3 MST

drawn
drawing / figure number

issue date
03 April 2019

rev
A

Viewpoints




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PHOTO VIEWPOINT A



PHOTO VIEWPOINT B

client
Four Ashes Ltd

project
West Midlands Interchange

drawing title
PHOTO VIEWPOINTS A & B

scale
NTS @ A3

drawn
HT/TRJ

issue date
28 March 2019

drawing / figure number
rev

Canal Viewpoints-

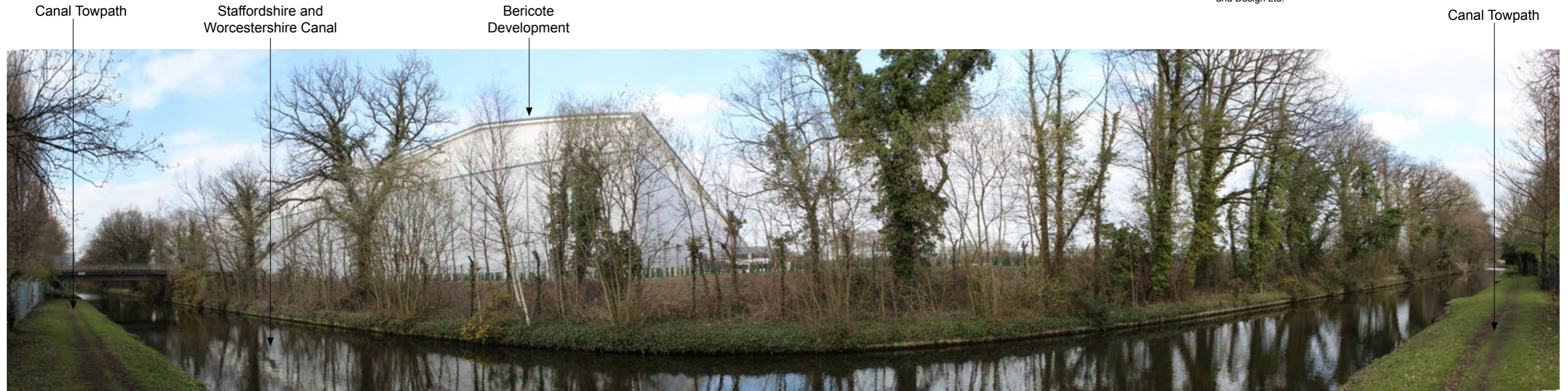


PHOTO VIEWPOINT C



PHOTO VIEWPOINT D

client
Four Ashes Ltd

project
West Midlands Interchange

drawing title
PHOTO VIEWPOINTS C & D

scale
NTS @ A3

drawn
HT/TRJ

issue date
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drawing / figure number
rev

Canal Viewpoints-

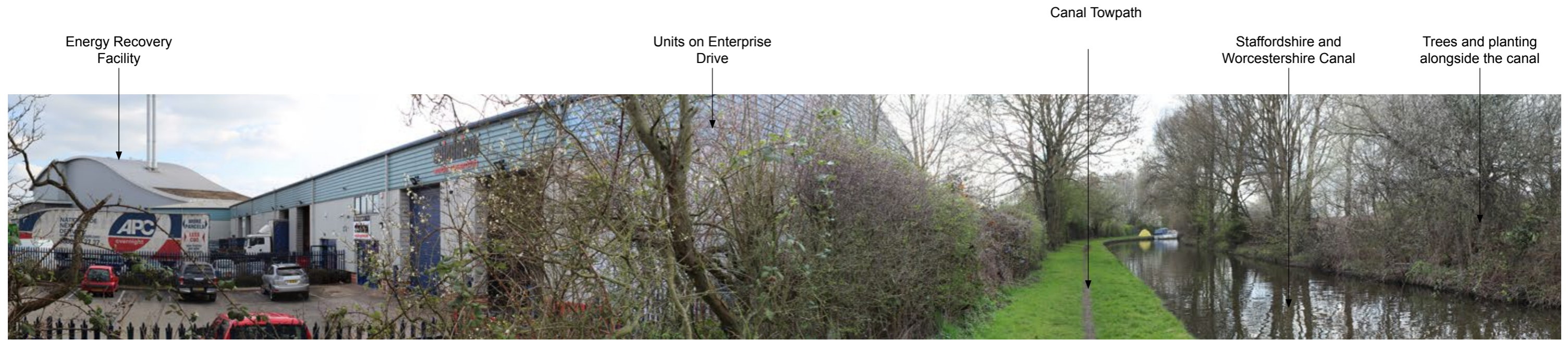


PHOTO VIEWPOINT E



PHOTO VIEWPOINT F

client
Four Ashes Ltd

project
West Midlands Interchange

drawing title
PHOTO VIEWPOINTS E & F

scale
NTS @ A3

drawn
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drawing / figure number
rev

Canal Viewpoints-

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Staffordshire and
Worcestershire Canal

Trees and planting
alongside the canal



PHOTO VIEWPOINT G

Staffordshire and
Worcestershire Canal

Long Molls
Bridge

Deepmore
Lane



PHOTO VIEWPOINT H

client
Four Ashes Ltd

project
West Midlands Interchange

drawing title
PHOTO VIEWPOINTS G & H

scale
NTS @ A3

drawn
HT/TRJ

issue date
28 March 2019

drawing / figure number
rev

Canal Viewpoints-

Appendix 18

Note in response to ExAQ1.12.3

In Response to: ExQ1 Number 1.12.3

Four Ashes Limited

West Midlands Interchange

Note in response to ExAQ1.12.3

1.0 INTRODUCTION

- 1.1 This Note has been prepared in response to Examining Authority's First Written Questions (ExQ1); Question 1.12.3. This states;

“Landscape Effects

Table 4 of the Arboriculture Assessment sets out detailed data as to the numbers of individual trees, tree groups, lengths of hedgerows and areas of woodland to be retained within the Proposed Development and to be either fully removed or partially lost to facilitate the development. However, there appear to be a number of discrepancies (in all categories) between this data and that set out ES Appendix 12.9 [APP-107] which purports to set out the overall effect of the proposal including the proposed new planting.

(i) Please can the Applicant check these two sets of data and confirm which is correct?

(ii) Having done so, can the Applicant provide a short note confirming what the overall effect of the Proposed Development would be and identifying to what extent net gains would be achieved in each of these categories?

- 1.2 This Note addresses both parts (i) and (ii) of the question, concerning relevant data and the overall effects of the Proposed Development on existing woodland, trees and hedgerows.

2.0 DETAILS/ DATA

- 2.1 In response to Question 1.12.3; Table 4 of the Arboriculture Assessment (Doc 6.2; Technical Appendix 12.7 [APP-039]; page 27) has been reviewed alongside the Summary of Landscape Areas and Habitats detailed at Doc 6.2; Technical Appendix 12.9 [APP-107].
- 2.2 The details contained within these respective Tables includes reference to existing woodland, trees and hedgerows. Table 4 within the Arboriculture Assessment provides a summary of the impact of the proposed development on the existing tree stock. The Summary of Landscape Areas and Habitats at Technical Appendix 12.9 provides an approximate overall summary of the existing and new woodland, trees, hedgerows and other habitats across the Site. This latter Table includes other habitats and areas of Green Infrastructure.
- 2.3 There are discrepancies between some of the related quantities in these two documents. This principally arises as the baseline survey for the Arboricultural Assessment includes some existing woodland and trees that lie beyond the Site boundary. For example, Table 4 of the Arboriculture Assessment includes all of Calf Heath Wood, whereas a sizeable proportion of the existing woodland on its western side (circa 7.8 ha as included within Table 4) lies outside the Site. There are also a number of tree groups and individual trees generally located on and around the Site boundary that differ between the two respective Tables.

- 2.4 In relation to the discrepancies between the lengths of hedgerows and tree group numbers, this also arises in part due to differences in the categorisation of these planting types. The Summary of Landscape Areas and Habitats at ES Technical Appendix 12.9 adopts the existing hedgerows as identified in the Ecological Assessment (Doc 6.2; Chapter 10; Appendix 10.1) as the basis for the estimating the total lengths. This includes some differences from those identified in the Arboricultural Assessment, where some hedgerows are instead identified as tree groups. This generally occurs where hedgerows are outgrown and/or unmanaged and can thus also be fairly categorised as a tree group.
- 2.5 The area of woodland and numbers of tree groups and trees is thus based upon the Arboricultural Assessment (now amended to reflect the Site extents), and the lengths of hedgerow are based upon the Ecological Assessment.
- 2.6 To clarify the position and following a review of the data, the Summary of Landscape Areas and Habitats and the accompanying plan (Landscape Features Retained and Removed (Drawing No. 7121-L-11) (both included at Doc 6.2; Technical Appendix 12.9) have been updated. The Summary of Landscape Areas and Habitats is now dated 26 March 2019 and the updated Drawing is 7121-L-11 Rev F.
- 2.7 Both the updated plan and summary schedule are attached to this Note.

3.0 OVERALL EFFECT AND NET GAINS/ LOSSES

- 3.1 The overall effect of the Proposed Development upon the woodland, trees and hedgerows in landscape terms will remain as described in the ES (Doc 6.2) at Chapter 12; paragraphs 12.205-12.217; 12.354-12.361; and stated in Technical Appendix 12.5 (Doc 6.2).
- 3.2 These overall landscape effects upon the woodland, trees and hedgerows will be:
- **Overall Effect at Construction Stage: Moderate/ Major Adverse**
 - **Overall Effect upon Completion: Minor/ Moderate Adverse**
 - **Overall Effect at 15 years Post Completion: Negligible/ Minor Adverse**
- 3.3 This overall level of landscape effect will constitute a likely Significant effect during the Construction Phase, as confirmed at ES (Doc 6.2); Chapter 12; paragraph 12.487. This arises due to the loss of areas of woodland, tree groups, trees and hedgerows during the construction period.
- 3.4 The overall effect of the Proposed Development upon the woodland, trees and hedgerows in arboricultural and ecological terms also remains as described respectively in ES (Doc 6.2) Technical Appendix 12.7 and ES (Doc 6.2) Ecology Chapter 10.
- 3.5 Upon completion of the Proposed Development, the extent of net gains or losses for the different planting categories are confirmed in the updated and attached Summary of Landscape Areas and Habitats (dated 26 March 2019).

Appendix 19
Statement in relation to Paragraph 19 of
Planning Act 2008 – Guidance related to
procedures for the compulsory acquisition of land

In Response to: ExQ1 Number 1.16.9

Four Ashes Limited

The West Midlands Interchange Rail Freight Order 201X

Applicant's Response to ExQ1 - Appendix 19

ExQ1.16.9 - Statement in relation to Paragraph 19 of "Planning Act 2008 – Guidance related to procedures for the compulsory acquisition of land" September 2013

1. Paragraph 19 of the above Guidance is contained within a section headed "Justification for seeking authorisation for compulsory acquisition".
2. That section deals with:
 - General considerations;
 - The purpose for which compulsory acquisition is sought;
 - Compelling case in the public interest;
 - Balancing public interest against private loss; and
 - Resource implications of the proposed scheme.
3. In addition, the section refers, in paragraph 19 to "Other matters" and states:

"The high profile and potentially controversial nature of major infrastructure projects means that they can potentially generate significant opposition and may be subject to legal challenge. It would be helpful for applicants to be able to demonstrate that their application is firmly rooted in any relevant national policy statement. In addition, applicants will need to be able to demonstrate that:

- any potential risk or impediments to implementation of the scheme have been properly managed; and

- they have taken account of other physical and legal matters pertaining to the application including the programming of any necessary infrastructure accommodation works and the need to obtain any operational and other consents which may apply to the type of development for which they seek development consent."
4. The two bullet points referred to in paragraph 19 are addressed below.

Any potential risk or impediments to implementation of the scheme have been properly managed
5. The Applicant comprises a joint venture company which has extensive experience in development including managing the inherent risks involved in any development.
6. The Applicant has not identified any specific risks to this development over and above the usual risks associated with any commercial development. The structure of the dDCO is such that the Applicant will not be required to embark upon the development unless it is satisfied that the commercial environment remains appropriate.
7. There are no known impediments to the implementation of the scheme other than those that are addressed through the dDCO and the powers contained therein. One clear impediment is the need to obtain sufficient control over the land to deliver the scheme. The Applicant has, through voluntary agreement, acquired the necessary interests in the majority of the site and agreement has now been reached with the owners of a substantial proportion of the remainder. The compulsory acquisition

powers sought in the dDCO will ensure that there is no impediment to delivery in relation to control of the necessary land.

They have taken account of other physical and legal matters pertaining to the application including the programming of any necessary infrastructure accommodation works and the need to obtain any operational and other consents which may apply to the type of development for which they seek development consent

8. As, it is hoped, is apparent from the Application, the Applicant has taken account of the physical and legal matters pertaining to the Application including all infrastructure works.
9. The dDCO identifies all the infrastructure required and contains the appropriate powers required to deliver the infrastructure subject only to the additional permits and consents referred to in paragraph 5.1.7 and 5.1.8 of Section 5 (Consenting Strategy) the Guide to the Application (Document 1.2, APP-002).
10. The Applicant has no reason to believe that there will be any difficulties with the Consenting Strategy proposed.
11. The Applicant is also content that the dDCO contains, as far as it can, provisions to ensure that the necessary infrastructure is brought forward at the appropriate time. For example, protective provisions are included in Parts 2 and 3 of Schedule 13 of the dDCO in relation to the highway infrastructure at this stage rather than leaving the highway infrastructure to be dealt with by way of agreements under s.278 of the Highways Act 1980.
12. In some instances, the detail of the protective provisions within the dDCO has yet to be agreed, however, in those cases discussions are at advanced stage and the Applicant is not aware of any impediment to agreement of those provisions being secured.
13. In terms of any legal impediments, the Applicant can confirm that there is no land which is open space land within the scope of s.131 or 132 of the 2008 Act nor is there any Crown Land and therefore s.135 of the 2008 Act is not engaged.