

**From:** SM-Defra-Plan Cons Area Team (West Midlands) (NE)  
**Sent:** 04 February 2019 14:39  
**To:** Matthew Royall <MRoyall@ramboll.com>  
**Cc:** Muller, Antony <Antony.Muller@naturalengland.org.uk>  
**Subject:** RE: West Midlands Interchange - Feedback re soil resources

Dear Matt

Further to our phone conversation on Thursday 24.1.19 we have considered your comments regarding soils resources, which I summarise as follows:

- DCO provides for Soil resource mgmt. plan per phase – this will confirm final volumes taking account of building orientation.
- Soils engineer has worked through earthworks scenarios and is confident that sufficient soil volumes exist. They also point to the use of the soils for creation of the landscaping bunds. These provide some flexibility in terms of the volumes used in their construction if needed.

Natural England welcomes FAL's acknowledgement that the soils resources data must come from the ALC survey data and that, as stated above, a soil resource management plan will be used.

We look forward to receiving your updated Statement of Common Ground in due course.

Kind regards

Antony

Antony Muller

Lead Adviser

Planning for a Better Environment – West Midlands Area Team  
Direct dial – 0208 026 0939

<http://www.naturalengland.org.uk/>

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In an effort to reduce Natural England's carbon footprint, I will, wherever possible, avoid travelling to meetings and attend via audio, video or web conferencing.

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**From:** Matthew Royall [<mailto:MRoyall@ramboll.com>]  
**Sent:** 14 January 2019 14:53  
**To:** Muller, Antony (NE) <[Antony.Muller@naturalengland.org.uk](mailto:Antony.Muller@naturalengland.org.uk)>  
**Subject:** RE: West Midlands Interchange - Feedback re soil resources

Antony

Many thanks for your comments in relation to Soil Resources below. Many apologies but I think I may have misunderstood some of the previous comments made by Natural England regarding soil resources and may not have responded accordingly. I have now liaised in more detail with the project engineer and soils / agricultural specialist.

Therefore please find below in green comments in response to comments from Natural England.

If you'd like to discuss further please don't hesitate to contact me. If our responses (or some of our responses) are accepted then I'll update the Statement of Common Ground accordingly.

Regards

Matt

Yours sincerely  
**Matt Royall**

CEnv, SiLC, MIEMA  
Principal

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**From:** Muller, Antony (NE) <[Antony.Muller@naturalengland.org.uk](mailto:Antony.Muller@naturalengland.org.uk)>  
**Sent:** 19 December 2018 14:38  
**To:** Matthew Royall <[mroyall@ramboll.com](mailto:mroyall@ramboll.com)>  
**Subject:** RE: West Midlands Interchange - Feedback re soil resources

Dear Matt

**West Midlands Interchange - Material to inform updated Statement of Common Ground – Update re Soil resources  
Our reference 267854**

Further to my email earlier today Natural England offers the following feedback on the 'soil resources' theme:

We note Ramboll Environ UK's (REUK) comments regarding the varied depth of 'topsoil' across the site. We also note REUK's definition of terms whereby 'topsoil' includes the 'entire soil complex' but excluding strata 'relatively lacking in organic material'. Natural England has the following advice in order to ensure that a robust narrative supports the Final ES conclusions on this theme:

We have checked back through various emails and believe that your team has used a geotechnical survey to conclude the depths of soils information (Reference your email 22 Oct 18 – 'borehole and trial pit logs' – attached for ease of reference). Page 15 of the Defra Construction Code [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/716510/pb13298-code-of-practice-090910.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/716510/pb13298-code-of-practice-090910.pdf) cautions against using such surveys.

Comments noted. Apologies for any confusion, however I referenced issued borehole and trial pit logs to demonstrate the variability of ground conditions across the Site, including the presence of 'made ground' within 'landfilled' areas of the Site. We feel the borehole and trial pit logs are useful although accept the precautionary note of solely relying on this geotechnical survey data. Therefore, we can confirm that the basis of the Soil Resource Plan (which is confirmed as committed mitigation as per Table 6.10 of the ES and will form part of the Demolition and Construction Environmental Management Plan which will be prepared in advance of commencement of site works and is secured as a DCO Requirement, as per Requirement 4 (1) (k) of the draft DCO submitted with the application) will primarily be the soil profile logs (Appendix C) included in the agricultural land classification (ALC) report (ES Technical Appendix 6.1 – attached) which comprises an extensive survey of the soil profile for the whole Site (excluding the existing quarry where soils have already been excavated – refer to Figure 1 in the ALC report). The soil profile logs include detailed logging of topsoils and subsoils to a depth of 1.2 m below ground level. The logs show different types of soil by horizon and will form an inventory to be used for segregating and using similar types of soils for proposed earthworks.

We advise that FAL need to produce a soil resources inventory from the soil/ALC survey results, to inform the Materials Management Plan. It would appear that the ALC survey has been used to provide loss of Best and Most Versatile land (BMV) data and that the soils data may have been ignored subsequently. The ALC survey records soil to 120cm at virtually every sample point. Therefore we would expect to see a soil resources inventory reflecting this. FAL may decide that they do not need to use all of the soil resource available in the proposed scheme, either by leaving the 'surplus' in situ or by exporting. The final soil profiles used across the site need to be suitable for the end purposes, (e.g. use of guidance referred to in Defra Construction code page 10-11 and guidance at para 9 page 36 of the Code).

Please see comments above. We confirm that some soils will be left in-situ, the final details can only be confirmed once final layouts for development plots are 'fixed'. The data in the ALC report will be used as the basis for a soils inventory and incorporated into the proposed Soil Resource

Plan (which will include proposals for topsoil cultivation in accordance with the Defra Construction CoP). As per the draft DCO Requirement the Soil Resource Plan will be approved the local planning authority prior to commencement of works.

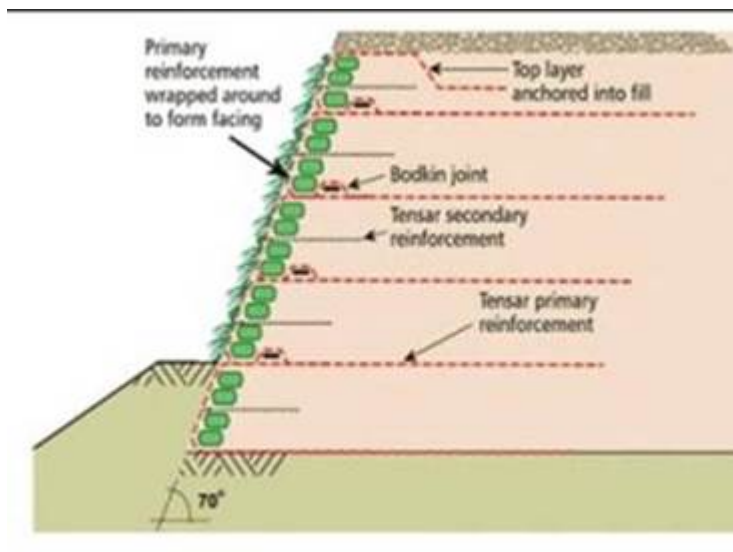
Natural England advocates the proper use of the terms topsoil, subsoil and geological parent material, to avoid confusion. The Defra code has useful definitions if required.

Comment noted. As outlined previously, different soil materials are logged in the ALC report and will be used to differentiate these materials and avoid confusion.

With regard to the use of engineered clay for the steep inner faces of the proposed landscaping bunds we acknowledge that FAL do not expect to import suitable soils to achieve this. Natural England would emphasise that REUK need to ascertain that suitable clay material is present in sufficient volumes. This is because the information earlier on in your email describing the types of soils present on site does not specifically mention clays, though these could form part of the alluvium.

To confirm the 'steep' inner faces of the landscaped bunds will comprise use of an engineering solution to ensure the slope can meet the required 'steepness' (which assists in noise mitigation purposes) and won't be reliant on importing clay materials. The proposed asymmetrical shape of the bund will enable substantial landscaping on the 'shallow' outer slopes. It is proposed that a proprietary system is employed to 'reinforce' site won material to achieve the required angle. The facing material does not necessarily need to comprise clay (could be granular), however clay material can be engineered to work in this situation if required.

By way of indicative illustration please find a diagram showing the nature of the 'steep' inner slopes below (further details to be submitted as part of proposed DCO Requirements).



Please contact me if you have any questions on the above feedback.

Kind regards

Antony

Antony Muller

Lead Adviser

Planning for a Better Environment – West Midlands Area Team  
Direct dial – 0208 026 0939

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**From:** Matthew Royall [<mailto:MRoyall@ramboll.com>]  
**Sent:** 14 December 2018 16:19  
**To:** Muller, Antony (NE) <[Antony.Muller@naturalengland.org.uk](mailto:Antony.Muller@naturalengland.org.uk)>  
**Subject:** West Midlands Interchange

Antony

Thank you for your time on the phone on 11<sup>th</sup> December 2018. As discussed, the following comprises responses to comments made by Natural England (as per your emails dated 23<sup>rd</sup> and 26<sup>th</sup> November 2018) regarding the following:

1. Soil Resources; and
2. Air Quality.

For ease we've included Natural England's original comments in italics below and our corresponding response in green.

#### **Soil Resources**

- *Ramboll Environ UK's (REUK) response appears to focus on topsoil. We consider that our response does relate to the entire soil complex. As is included in Environmental Statement (ES) Technical Appendices 11.3 and 11.4, geotechnical logging across the Site has been*

undertaken. These logs describe 'top soil' which is actually considered to represent a wider term for the entire soil complex. As stated previously, the average depth of 'top soil' across the Site is 0.35m, whereas in certain locations the depth is up to 0.75m. Across the Site directly underlying the logged 'top soil' the strata comprises either sand and gravel, alluvium or made ground (landfilled – backfill material). These strata are relatively lacking in organic material and not what would be considered to comprise a soil resource and hence wouldn't be subject to the Defra Code of Practice for soil management.

- *Please clarify whether your approach to calculating the volumes of soil to be handled has allowed for the total soil profile (characterised as the soil complex up to 1.2m below ground level - BGL). As per the comment above, and reference to ES Technical Appendices 11.3 and 11.4, we don't concur that the soil profile on-site is to a depth of 1.2 m bgl. Reference to 1.2m bgl is from a MAFF document, however this relates to restoration of agricultural land which isn't applicable in this instance. All soils (as identified in geotechnical logs) will be managed as a soil resource as per the commitments in the ES. The depth of soil varies across the Site, including up to depths of 0.75m in places.*
- *If the depth of soil profile allowed for in REUK's calculations is less than 1.2m BGL then please can you indicate what proportion of the chosen depth of profile will be put to suitable use(s). Please refer to comment above.*
- *Regarding the construction of the landscaping bunds using 'suitable Site won fill, clay spoil and topsoil' and the use of engineered clay for the steep 70degree inner faces of the landscaping bunds – is this engineered clay sourced from within the soils resource moved from within the site? Or is any anticipated to need importing? There are no proposals to import this material, sufficient materials are considered to be on-site.*
- *Surplus soils – we note the management approach whereby soils from each phase of the works will be taken account of in planning for subsequent phases so as to minimise surplus soils. Please can you clarify from the calculations so far (and allowing for our questions above regarding the need to consider the total soil profile) whether surplus (redundant) soils will ultimately accumulate (i.e. that have no 'end use' as part of the scheme at Four Ashes). At present, indications are that there will be no surplus soils. In the event that surplus was to occur, these soils would be managed in accordance with the Defra Code of Practice and re-used at other sites as a soil resource.*

## **Air Quality**

- ***In combination effects***  
*15.311 "The traffic data used in the assessment of effects has been obtained from traffic models which include all committed and consented development and infrastructure schemes as agreed with the relevant authorities"*  
  
*We acknowledge the schemes listed at 15.80. Noted.*
- ***Compliance with the Guidance***  
*Natural England notes you have concluded that the dialogue and decisions made with Highways England and Staffordshire County Council conform with the guidance set out in NEA001 (Natural England's approach to advising competent authorities on the assessment of road traffic emissions under the Habitats Regulations) . For the avoidance of doubt you may wish to check the following paragraphs in NEA001 – Paras 4.36-4.39, and 4.44-4.49 in recognition of the potential scope for a request during the examination regarding the thought process and any associated narrative leading to the selection of the schemes at para 15.80 of the final ES. To confirm the approach to considering in combination effects (other developments) is in accordance with PINS advice note 17 (cumulative effects assessment).*
- ***Belvide Reservoir***  
*We acknowledge the extent of emissions relative to the water body and the likely imperceptible levels of change in the reservoir's water chemistry arising from the modelled emissions. We accept that this would not damage the notified wild bird interest of this SSSI. Noted.*

- **Doxey & Tillington Marshes**

We note that the modelling shows increases in emissions below the 1% level of significance. **Noted.**

- **SSSI enhancement**

In recognition of the high levels of background pollution in the vicinity of the 2 SSSIs we have asked that consideration be given to what positive measures might be taken to offset the additional traffic generated by the project.

We note FAL's response regarding limitations on the delivery of protective measures for land within or immediately adjoining the 2 SSSIs. Nevertheless Natural England would welcome further dialogue on this point as we believe straightforward, positive measures could be identified and discussed. The recent publication of the revised NPPF (2018) with its coverage of the environmental and biodiversity net gain themes emphasises the relevance of further dialogue on this subject.

FAL have further considered this point. It is still considered relevant that there are practical limitations for enhancing these SSSIs. Also FAL would like to note that the assessment, which has been accepted, identifies that the Proposed Development does not generate significant effects at either SSSI. Ecological enhancement measures are already incorporated into the scheme which include development of two community parks delivering biodiversity benefits. Furthermore, enhancement of nearby, off-site agricultural land is proposed to off-set effects on farmland birds.

- **Future trends**

The summary of our request as seeking 'some general comment as to the likely future trends regarding road traffic emissions associated with these 2 SSSIs' does not adequately reflect the contextual point we wish to make. The project represents a strategic multi-modal transport interchange and seeks to deliver transport benefits across the West Midlands and further afield accordingly during its lifetime. It is likely to be built during a time of significant transport technology improvements. By the time it is complete in 2036 it would seem reasonable to expect vehicle power train technology and supporting aspects of freight transport such as information technology to have changed appreciably compared to today. We would therefore welcome a description of the project and its relationship with the natural environment in terms of:

- *International/ National - Expected shifts in transport choices and improvements in power train technology over the construction period plus XX years. This could reference national expectations around relevant trends in terms of technological advances and their effects on the environment.*

The case for a modal shift in transport choices in general are outlined in the National Networks National Policy Statement (NPS). A specific case for the Proposed Development in terms of national benefit is included in the Planning Statement (Document 7.1A) in particular section 5.1. Also the carbon benefits are outlined in Section 11 of this document.

In general terms there is evidence that the negative publicity surrounding diesel vehicles has reduced the proportion of new vehicle purchases that are diesel. Furthermore in terms of emissions from Heavy Duty Vehicles (HDVs), the evidence suggests that NO<sub>x</sub> emissions from the latest diesel vehicles corresponding to Euro 6 engines are much lower than those corresponding to earlier Euro standards. Therefore it is much more likely that the emissions factors used in air quality modelling are more representative of the emissions from the future vehicle fleet than was the case in the past. The assessments undertaken (Tables 7.10 and 7.11 of the ES) do indicate modelled improvements in NO<sub>x</sub> and nitrogen deposition at the two SSSIs referenced.

- *Regional - Reference to the approaches to management of the train and HGV fleet serving the SRFI i.e. in terms of the fleet's vehicles (fuel/power usage/IT specification, as well as practical day to day environmental aspects of their use (maintenance programmes and relevant codes of practice).*

Bodies such as the Rail Freight Group are looking at how improvements to rail freight journeys can be made in terms of lessening air quality effects (appropriate maintenance

and choice of new stock). With specific respect to West Midlands Interchange, a sustainable transport strategy has been prepared which will look at opportunities for minimising journeys associated with the development.

- o *Local – maintenance of the facility's green and blue infrastructure and, subject to further dialogue as indicated above, the scope where practical for site specific measures at the named designated sites above to demonstrate a positive approach to tackling additional emissions.*

The blue / green infrastructure associated with the Site will be maintained in accordance with management plans to ensure that enhancement measures are managed in the long term.

We hope the above comprise useful comments by way of response. Should have any queries please don't hesitate to contact me.

Regards

Matt

Yours sincerely  
**Matt Royall**

CEnv, SiLC, MIEMA  
Principal

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**From:** Muller, Antony  
**Sent:** 26 November 2018 11:38  
**To:** Matthew Royall <MRoyall@ramboll.com>  
**Cc:** Fleming, Hayley <Hayley.Fleming@naturalengland.org.uk>  
**Subject:** RE: WMI - FAL/Natural England SoCG update - air quality

Dear Matt

**West Midlands Interchange NSIP - Statement of Common Ground - Air quality  
Our reference 264287**

Thank you for your email response dated 24.10.18. Natural England has the following comments and would welcome further dialogue to agree changes to the wording of the statement of common ground.



### **In combination effects**

15.311 *“The traffic data used in the assessment of effects has been obtained from traffic models which include all committed and consented development and infrastructure schemes as agreed with the relevant authorities”*

We acknowledge the schemes listed at 15.80.

### **Compliance with the Guidance**

Natural England notes you have concluded that the dialogue and decisions made with Highways England and Staffordshire County Council conform with the guidance set out in NEA001 (Natural England’s approach to advising competent authorities on the assessment of road traffic emissions under the Habitats Regulations’). For the avoidance of doubt you may wish to check the following paragraphs in NEA001 – Paras 4.36-4.39, and 4.44-4.49 in recognition of the potential scope for a request during the examination regarding the thought process and any associated narrative leading to the selection of the schemes at para 15.80 of the final ES.

### **Belvide Reservoir**

We acknowledge the extent of emissions relative to the water body and the likely imperceptible levels of change in the reservoir’s water chemistry arising from the modelled emissions. We accept that this would not damage the notified wild bird interest of this SSSI.

### **Doxey & Tillington Marshes**

We note that the modelling shows increases in emissions below the 1% level of significance.

### **SSSI enhancement**

In recognition of the high levels of background pollution in the vicinity of the 2 SSSIs we have asked that consideration be given to what positive measures might be taken to offset the additional traffic generated by the project.

We note FAL’s response regarding limitations on the delivery of protective measures for land within or immediately adjoining the 2 SSSIs. Nevertheless Natural England would welcome further dialogue on this point as we believe straightforward, positive measures could be identified and discussed. The recent publication of the revised NPPF (2018) with its coverage of the environmental and biodiversity net gain themes emphasises the relevance of further dialogue on this subject.

### **Future trends**

The summary of our request as seeking ‘some general comment as to the likely future trends regarding road traffic emissions associated with these 2 SSSIs’ does not adequately reflect the contextual point we wish to make. The project represents a strategic multi-modal transport interchange and seeks to deliver transport benefits across the West Midlands and further afield accordingly during its lifetime. It is likely to be built during a time of significant transport technology improvements. By the time it is complete in 2036 it would seem reasonable to expect vehicle power train technology and supporting aspects of freight transport such as information technology to have changed appreciably compared to today. We would therefore welcome a description of the project and its relationship with the natural environment in terms of:

- International/ National - Expected shifts in transport choices and improvements in power train technology over the construction period plus XX years. This could reference national expectations around relevant trends in terms of technological advances and their effects on the environment.

- Regional - Reference to the approaches to management of the train and HGV fleet serving the SRFI i.e. in terms of the fleet's vehicles (fuel/power usage/IT specification, as well as practical day to day environmental aspects of their use (maintenance programmes and relevant codes of practice).
- Local – maintenance of the facility's green and blue infrastructure and, subject to further dialogue as indicated above, the scope where practical for site specific measures at the named designated sites above to demonstrate a positive approach to tackling additional emissions.

We look forward to hearing from you to progress the statement of common ground.

Kind regards

Antony

Antony Muller

Lead Adviser

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Direct dial – 0208 026 0939

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**From:** Matthew Royall [<mailto:MRoyall@ramboll.com>]  
**Sent:** 24 October 2018 14:34  
**To:** Muller, Antony (NE) <[Antony.Muller@naturalengland.org.uk](mailto:Antony.Muller@naturalengland.org.uk)>  
**Cc:** Fleming, Hayley (NE) <[Hayley.Fleming@naturalengland.org.uk](mailto:Hayley.Fleming@naturalengland.org.uk)>  
**Subject:** RE: WMI - FAL/Natural England SoCG update

Antony

Thank you for your email of 18<sup>th</sup> October 2018 and our telephone conversation on 19<sup>th</sup> October 2018. We acknowledge your comments below (and what was discussed on the phone) and provide a response below. We understand that Natural England's queries comprise the following:

- The ecology and air quality chapters of the Environmental Statement (ES) have appropriately identified 2 SSSIs which required further assessment in terms of air quality effects resulting from the Proposed Development. Natural England (NE) concur with how the two SSSIs requiring further consideration were selected (as per Table 10.4 of the ES) and no further SSSIs require consideration in terms of potential air quality effects.
- NE in July 2018 produced guidance (Natural England's approach to advising competent authorities on the assessment of road traffic emissions under the Habitats Regulations, June 2018 (the 'Guidance')) which given publishing timescales was not considered in the ES (which we consider is reasonable given the submission dates). However, NE would like consideration of how the ES complies with this new guidance.
- The Guidance primarily relates to European Sites and Habitats Regulations, however NE confirm that the Guidance has no effect on the findings (and doesn't pose any further queries) regarding the No Significant Effects Report (ES Technical Appendix 10.3). However the Guidance specifically outlines (para 1.16) that the general principles for air quality assessment for European sites are likely to be equally relevant for nationally significant sites.
- NE note that the ES identifies effects from road traffic emissions upon one of these SSSIs (Belvide Reservoir) drops off within 20m (ES paragraph 10.305), however NE would like consideration of potential effects within the 20m closest to the road.
- NE would like confirmation of how in-combination effects have been considered in the assessment of the 2 SSSIs (Belvide Reservoir and Doxey and Tillington Marshes).
- NE would like recognition that the existing background concentrations at these 2 SSSIs are already high and have asked whether the applicant can provide any mitigation to help improve the condition of these locations.
- NE would like some general comment as to the likely future trends regarding road traffic emissions associated with these 2 SSSIs.

We would appreciate if our response to these issues is acknowledged in NE's 'relevant reps'; obviously noting that NE are yet to consider these comments.

### **In combination effects**

From the outset it should be stated that in combination effects are inherent in the ES findings. As previously stated to NE (email correspondence dated 4<sup>th</sup> April 2018) and as outlined in the ES (paragraphs 15.74, 15.80-15.82, 15.311 and 15.312) traffic data used for assessments includes committed developments assessed as part of the ES.

The list of committed developments includes schemes and projects agreed with Staffordshire County Council and Highways England.

### **Compliance with the Guidance**

We've reviewed the Guidance and consider that whilst this guidance was not available at the time of finalising ecology and air quality assessments that the ES does comply with the Guidance and appropriate screening tools have been used (further details below).

### ***Belvide Reservoir***

Looking at the Guidance the need to further consider Belvide Reservoir is screened out at Step 2; as the habitat sensitivity based on the SSSI designation is not sensitive to road traffic emissions (as Belvide Reservoir is primarily designated for its bird interest).

Ramboll undertook a site visit of Belvide Reservoir to check habitats present adjacent to the road and within 200m. As stated in the ES (paragraph 10.304) habitats within 10m comprise a hedgerow and a semi-improved grass bund which were not considered to be sensitive to air quality effects (see Google Street View image below). In line with the Guidance these are considered to constitute 'site-fabric' (paragraph 4.18 of the Guidance), being of no special nature conservation interest.



Image Capture: Jul 2018 © 2018 Google

As stated in the ES (paragraph 10.306) a small area of open water is within 20m of the road and Belvide Reservoir. The mixing and dilution across the large waterbody that is already exposed to traffic emissions means any small incremental additional air quality effects are unlikely to significantly affect the ecological structure or function of the SSSI. The contribution from traffic is considered to be less significant than changes due other factors such as management regime, fertilizer runoff and rainfall. The SSSI is designated for its bird interest which is not sensitive to air quality effects.

As such no significant effects from traffic emissions are identified with respect to Belvide Reservoir.

### ***Doxey and Tillington Marshes***

Looking at the Guidance the Doxey and Tillington Marshes site is screened out at Step 5, this is because the contribution is less than 1% of the Critical Level and Load. Even though the site exceeds the 1000 AADT threshold most importantly the modelled concentrations are less than the critical level / load threshold. As noted on page 17 of the Guidance '*If there is already detailed, locally-based modelling available about the plan or project that shows the 1% of the environmental benchmark is not exceeded, even if 1000 AADT is, then this level of precision is sufficient to override the use of the very generic 1000 AADT guideline threshold above.*'

As outlined above, in-combination effects are inherent in the traffic data and so a separate in combination effects assessment isn't required.

As such no significant effects from traffic emissions are identified with respect to Doxey and Tillington Marshes.

### **Existing background conditions**

The ES (paragraphs 7.139 and 7.140) does recognise the existing conditions of the sites:

*"At both ecological sites [Doxey Tillington Marshes & Belvide Reservoir] NOx concentrations currently meet the annual mean objective."*

*"At both the designated sites N-deposition rates already exceed the relevant Critical Loads (CL) for N-deposition and Acid deposition."*

### **Mitigation for the SSSIs**

NE have asked the applicant, even if the 2 SSSIs are screened out, to consider potential mitigation measures to protect the sites. For example NE suggested the planting of a hedge to provide additional screening. For the reasons outlined above it is not considered that a hedge is necessary for Belvide Reservoir given presence of the existing hedge / bund. In terms of Doxey Tillington Marshes, as outlined above the effects are screened out, however it is acknowledged that there are existing high background concentrations associated with this location. The site is located adjacent to the M6 motorway. NE's request has been considered and I have liaised with project colleagues, however the applicant doesn't control or have access to land associated this SSSI so there is limited opportunity to enable measures to further protect this site.

### **Future trends**

NE asked for some additional commentary on future trends regarding road traffic emissions. The UK government predicts that NOx concentrations will reduce over time as engine technology improves and older vehicles are 'phased out'. Also Tables 7.10 and 7.11 of the ES illustrates how NOx concentrations and N-deposition / acid (N) deposition will reduce over the different modelled scenarios (2021, 2028 and 2036).

As outlined above, assessment of Belvide Reservoir ceases at Step 2 as the qualifying features aren't considered sensitive to road traffic emissions. With regards to Doxey and Tillington Marshes it is noted that the majority of the SSSI is unfavourable, however the citation notes it is 'recovering'.

I hope the above addresses comments in your email below and as outlined in the telephone conversation on 19<sup>th</sup> October 2018. Should you have any further queries or require any further information please don't hesitate to contact me.

Regards

Matt

Yours sincerely

**Matt Royall**

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**From:** Muller, Antony (NE) <[Antony.Muller@naturalengland.org.uk](mailto:Antony.Muller@naturalengland.org.uk)>  
**Sent:** 18 October 2018 11:17  
**To:** Matthew Royall <[mroyall@ramboll.com](mailto:mroyall@ramboll.com)>  
**Cc:** Fleming, Hayley (NE) <[Hayley.Fleming@naturalengland.org.uk](mailto:Hayley.Fleming@naturalengland.org.uk)>  
**Subject:** WMI - FAL/Natural England SoCG update

Dear Matt

**Statement of common ground between Four Ashes Limited and Natural England  
Our reference 259242**

Further to my voicemail this morning I attach a revised statement of common ground for your consideration.

With regard to the matters we need to discuss further with you we set out further information below. Natural England is committed to working with you to resolve these issues ahead of the examination. In view of the timescales for submission of 'relevant representations' in respect of the DCO we expect to refer to the subject areas below within those representations with a view to resolution before the 'written representations' stage of the process.

**Air quality**

I attach here a link to 'Natural England's approach to advising competent authorities on the assessment of road traffic emissions under the Habitats Regulations':

<http://publications.naturalengland.org.uk/publication/4720542048845824>

In essence the approach to assessing such emissions on nationally designated sites should follow the principles in this document. Please see:

*1.16 This guidance does not specifically cover nationally significant sites such as Sites of Special Scientific Interest (SSSIs), which are covered by a different regulatory framework. However, the general principles for air quality assessment outlined here for European Sites are likely to be equally relevant for this and other designations.*

Natural England acknowledges the conclusions reached in the final ES in respect of Belvide Reservoir and Doxey & Tillington Marshes SSSIs but proposes that consideration of the steps set out in the above guidance is required to evidence those conclusions in the light of recent case law and subsequent publication of the guidance above. In a similar vein we would welcome clarification on the extent to which the ES and resulting DCO (and its requirements) address scope for opportunities to conserve and enhance the biodiversity interests associated with these SSSIs, consistent with the NPS on infrastructure - para 5.23.

In terms of those steps in the guidance requiring consideration we propose the principles laid out within 'Appropriate assessment' (Stage 5) of the guidance are relevant. With regard to 'site conservation objectives' we refer you to condition assessment information and 'favourable condition tables' document, which can be viewed via the following links:

Belvide Reservoir -

<https://designatedsites.naturalengland.org.uk/SiteDetail.aspx?SiteCode=S1003826>

Doxey & Tillington Marshes -

<https://designatedsites.naturalengland.org.uk/SiteDetail.aspx?SiteCode=S1001006>

### **Soils**

Our email dated 12.10.18 refers. I attach it here for ease of reference:

Kind regards

Antony

Antony Muller

Lead Adviser

Planning for a Better Environment – West Midlands Area Team

Direct dial – 0208 026 0939

<http://www.naturalengland.org.uk/>

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**Natural England offers two chargeable services – The Discretionary Advice Service ([DAS](#)) provides pre-application, pre-determination and post-consent advice on proposals to developers and consultants as well as pre-licensing species advice and pre-assent and consent advice. The Pre-submission Screening Service ([PSS](#)) provides advice for protected species mitigation licence applications.**

**These services help applicants take appropriate account of environmental considerations at an early stage of project development, reduce uncertainty, reduce the risk of delay and added cost at a later stage, whilst securing good results for the natural environment.**

In an effort to reduce Natural England's carbon footprint, I will, wherever possible, avoid travelling to meetings and attend via audio, video or web conferencing.

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