

ExQ 2	General and Cross-topic Questions	Questions
-------	-----------------------------------	-----------

2.2.12. Stop WMI Group  
The applicant  
NR

In its Wrong Location Report [REP2-167], Stop WMI Community Group states that “nowhere in the Ten-T Regulations is an intermodal hub mentioned or recommended for our area.

(i) Can Stop WMI Group provide any examples of existing or proposed road/rail intermodal SRFI that are mentioned in those Regulations?

**Groups Response:**

Yes, UK Road-Rail Terminals are shown as Birmingham (BIFT), Liverpool and Glasgow Mossend plus the Key Ports with those facilities.

Details:

The Ten-T regulations refers to Nodes; they comprise key Rail-Road Terminals, Ports and Airports which in turn are broken down into regional corridors. UK is in the North Sea – Mediterranean Corridor.

[https://ec.europa.eu/transport/themes/infrastructure/ten-t-guidelines/transport-policy\\_en](https://ec.europa.eu/transport/themes/infrastructure/ten-t-guidelines/transport-policy_en)

There is then prioritised networks for rail freight.

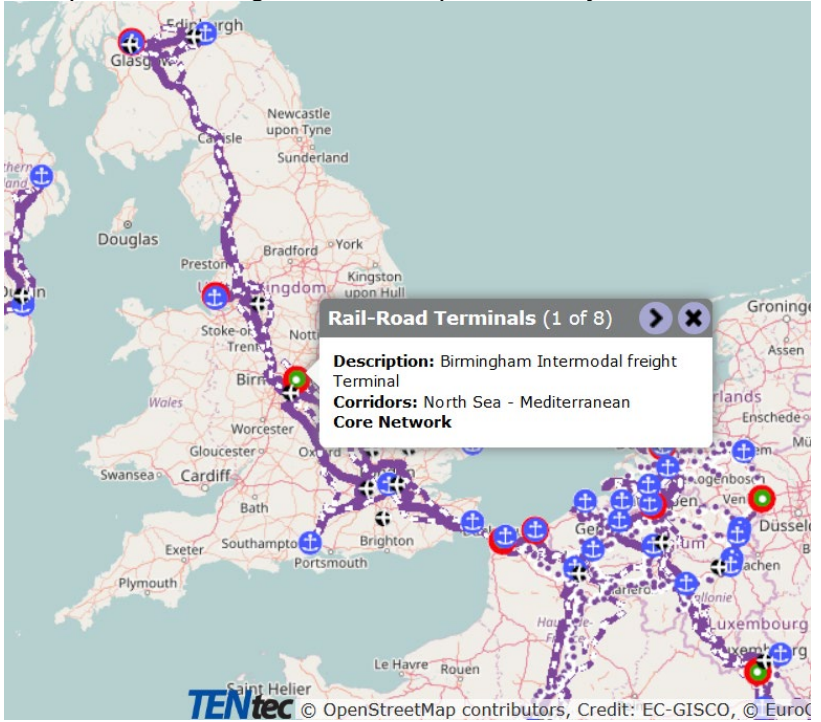
The documents refer to the TENtec Interactive Map Viewer for details.


<http://ec.europa.eu/transport/infrastructure/tentec/tentec-portal/map/maps.html>

UK is in the North Sea – Mediterranean Corridor.

Key Road & Rail Paths, Rail-Road Terminals, Ports and Airports are shown

UK Road-Rail Terminals are shown as Birmingham (BIFT), Liverpool and Glasgow Mossend plus the Key Ports.



2.6.8.	Stop WMI Community Group	<p>The Planning Policy section of the Technical Note prepared by Milestone Transport Planning on behalf of the Group [REP2-161] refers only to the NPPF and not to the NPS which is the primary policy document for the consideration of DCO applications for SRFI proposals.</p> <p>Can the Group review the NPS and specifically consider those sections concerned with the need for and locational requirements of SRFI (paragraphs 2.42-2.58) and the impacts on transport networks (5.201 – 5.218) and advise on”</p> <ul style="list-style-type: none"> <li>i) whether it considers that the guidance under the “Decision making” heading at paragraphs 5.213 &amp; 5.214 of the NPS 2.114 is satisfied in respect of the WMI transport assessment and proposed mitigation and</li> <li>ii) what the principal reasons are for the view that the Group takes on this question?</li> </ul> <p><b>Groups Response:</b> See separate Milestone Response Document. “ Response to Request for Information Relating to Highway Matters from the Examining Authority. Project Ref 19-053-N June 2019.</p>
2.13.6	Stop WMI Community Group	<p>In its Tourism &amp; Leisure Report (REP-164) Stop WMI Group refers to “a popular tourer caravan site” at Wharf Lane. Which it says is within the development area.</p> <p>As the ExA has not seen any other reference to this can the group provide location plan and further information as to the nature of the use and terms of the site licence (number of caravans, length of operating, season etc)?</p> <p>Groups response: It would appear that there is a typo in our heading and Wharf lane should read Croft Lane.</p> <div data-bbox="678 1444 1348 1747" style="border: 1px solid #ccc; border-radius: 10px; padding: 10px; margin: 10px 0;"> <p> www2.sstaffs.gov.uk › propertyDetails</p> <p><a href="#">0002ANOXBU000   The Bungalow Croft Lane Gailey Stafford South Staffordshire ...</a></p> <p>100031801083   The Bungalow Croft Lane Gailey Stafford South Staffordshire ST19 ... Use Of Land As A Touring Caravan And Camping Site.</p> </div> <p>Since writing our reports the new landowner has advised that the licence was not renewed but was then used as a CL (certified location) site.</p>

		<p>A certificated location (or 'CL') is an informal privately owned <b>caravan site</b> for up to 5 caravans in the United Kingdom. Visitors with caravans pay a small fee to the <b>CL</b> owner in order to pitch overnight. This is usually cheaper than larger commercial <b>caravan</b> sites.</p> <p>We are unsure of the new landowners intentions for the site therefore, although it was a well used caravan tourer site, we can no longer confirm that it is. However there are still certified locations within the Gailey area:  <a href="https://www.caravanclub.co.uk/certificated-locations/england/staffordshire/gailey/">https://www.caravanclub.co.uk/certificated-locations/england/staffordshire/gailey/</a></p> <p>“Lying close to the towns of Cannock and Penkridge, Gailey makes a perfect base for exploring the beautiful woodlands of Cannock Chase. It also lies just north of the West Midlands metropolitan area, with Birmingham easily in reach.</p> <p>Local features include dining at the village's Spread Eagle Pub, while Gailey Wharf on the Staffordshire and Worcestershire Canal offers a chance to enjoy a walk along the towpath or ride on a barge.</p> <p>Just north of the village lies Rodbaston Animal Zone, offering a great family day out. With everything from meerkats to monkeys, it is home to more than 750 animals and has extensive family picnic areas, plus a tea room. “</p> <p>The impact of this development would make this a less attractive area to visit given the description above and could have an impact on all of these local businesses.</p>
2.9.1	NE SCC Other IPs	<p>A revised version of the Framework Ecological Mitigation and Management Plan (FEMMP) has been submitted [AS-036]. Do NE/SCC and other IPs who have made representations on ecological mitigation and management issues have any comments that they wish to make on the amendments/additions made in the revised FEMMP?</p> <p><b>Groups Response:</b> <i>'FEMMP 3.3.3 Ecologically 'Important' hedgerows identified under the Hedgerow Regulations will, where possible be retained (Hedgerows 26,45,72) and protected. Where retention is not possible it will be the responsibility of the Contractor (with support from the ecologist as required) to translocate the 'important' hedgerows into areas of green infrastructure (Hedgerows 56, 57, 58, 5, 9, 92, 83 &amp; 86). These hedgerows are shown on Figure A1.2, Appendix 1. Guidance for hedgerow translocation is provided in Appendix 2 of this document. A detailed translocation</i></p>

*management plan will be prepared and appended to the relevant EMMPs.”*

A recent study reported by the BBC (27<sup>th</sup> June 2019) by Dr Jeremy Froidevaux from the University of Bristol states that leaving hedgerows untouched can offer an important lifeline for night-time biodiversity, such as bats. A study says schemes designed to make farming more wildlife-friendly often failed to offer any real benefits. Populations of insect-eating bats crashed throughout Western Europe during the late 20th Century.

<https://www.bbc.co.uk/news/science-environment-48747587>

This strongly suggests that hedgerow disturbance, dismantling, removal and translocation (and, furthermore, the time taken for it to become re-established) will still be detrimental to many populations of wildlife (particularly bats) so should not be implemented.

*“FEMMP 3.3.5 Following felling part of Calf Heath Wood (in accordance with the parameter plans, which comprises the less biodiverse part of the wood) a screen of native shrubs will be planted along the new boundary of the wood exposed by site clearance, in order that this can screen the retained woodland adjacent as it grows.”*

Removal of such a significant proportion of the wood results in habitat fragmentation in the area, resulting in isolating populations of the less mobile species such as invertebrates and amphibians.

Furthermore, targeting the “less biodiverse part of the wood” reduces the habitat mosaic of the wood, resulting in a homogenised area of woodland with little variety in the range of niches and available for the species there.

*“FEMMP 3.5.1 The created habitat areas will be designed with connectivity in mind and will form ecological corridors (including a 100m wide ecological corridor between the retained part of Calf Heath Wood and Calf Heath Reservoir) in combination with the existing retained vegetation features across the Site.”*

The wildlife corridor is a useful feature, but are Calf Heath Wood and Calf Heath Reservoir also linked by wildlife corridors to other nearby important habitats? Absence of other such corridors creates an “island effect” where less-mobile species inside the development area cannot access important habitat in surrounding areas.

Provision of corridors to facilitate the movement of wildlife from the development area to surrounding areas is important because the existing major roads and motorway in the area already provide significant access restrictions.

**FEMMP 3.7.20** A European Protected Species Mitigation Licence (EPSML) from Natural England (NE) is required to fell T97 (Oak) which supports a soprano pipistrelle roost, to disturb two off-site Daubenton's roosts in Calf Heath Wood (Figure A1.3, Appendix 1) and demolish the following buildings:

- Gailey Magazine – Common and soprano pipistrelle;
- Woodside Barn – Common pipistrelle, soprano pipistrelle, Myotis, brown long-eared;
- Croft House – Common pipistrelle;
- Mile End Cottage – Common pipistrelle; and Heath Farm – Main Farmhouse – Brown long-eared

***FEMMP 3.7.22** A draft EPSML was submitted to Natural England. A 'Letter of No Impediment' has been issued stating that Natural England see no impediment to a licence being issued should the DCO be granted. This letter is included at Appendix 4. The measures detailed below provide details of the current mitigation strategy as submitted to Natural England. The approach and strategy may be updated in consultation with Natural England in the preparation of any future licence application(s). The relevant EPSML would be appended to the EMMP for any given phase.*

**3.7.23** A comprehensive range of bat boxes will be provided on retained suitably mature trees and in woodland. A minimum of 80 bat boxes will be provided across the Site. The distribution of the bat boxes will be detailed within the EPSML. The following Schwegler (or similar subject to availability) would be appropriate: General Purpose Bat Box 2F, Bat Box 1FF, Bat Box 1FW and Bat Box 1FD. Schwegler 1FW will be provided to offer hibernation habitat for bats. The boxes would be fixed at a minimum height of 3m to help prevent predation and disturbance from contractors during demolition and construction and each bat box will be sited based on its proximity to suitable foraging habitat and its connectivity to the surrounding area. The boxes would be placed in clusters at the same height around the tree providing a variety of aspects, ideally facing south-east, south-west and south. Clusters of three bat boxes to a tree is targeted where appropriate. Hibernation boxes will be north facing. The boxes will be

*affixed clear of obstacles (e.g. overhanging branches) so the bats have easy access and exit, though not in an overly exposed position.*

*Boxes will be attached to the tree using an aluminium nail or tied in position using wire/leather.*

**3.7.24** *Roosting enhancements will be provided on/in retained buildings within Croft Lane Community Park e.g. Buildings at Gravelly Way adjacent the canal within 5 years of development commencement. The Farmhouse is the only one of these buildings which includes a roof void, which would be cleared of any stored materials to allow use by bats. Access for bats will be provided to the roof void, for example via purpose built roof tiles, holes made in the wall or by access points made under ridge tiles or soffits where present. Aspects of the buildings will be clad, for example with tile hung or feather boarded elevations. Traditional bitumen lining would be used within the roofs. Enhancements would be suitable for crevice and roof-void dwellers. Serotine roost provision will be provided. This will be provided through suitable access points into the Gravelly Way buildings and augmented with provision of suitable bat boxes such as the Schwegler 1WQ Summer & Winter Bat Roost or equivalent. The relevant EMMP will include measures for appropriate management of these buildings that considers legal implications of roosting bats. The potential presence of roosting bats will require consideration for on-going building maintenance. A precautionary method of working is detailed in Appendix 5.*

**3.7.25** *The draft EPSML includes detail on:*

- comprehensive monitoring and resurvey requirements to ensure the baseline is up to date and to inform mitigation measures and ensure legal compliance;*
- precautionary method of working with respect to works affecting known bat roosts including: emergence or re-entry surveys to be undertaken of each building with a confirmed roost the evening/morning prior to demolition, an internal inspection will be undertaken immediately prior to works commencing, a tool box talk provided to all operatives by the Ecologist, buildings demolition to be supervised by a licensed bat ecologist, features suitable for use by roosting bats will be inspected and removed by hand by the licensed ecologist. Any bats captured by hand will be transferred to a bat box on site or taken into care and released in the same location at*

*dusk. Building specific measures are defined in detail within the EPSML.”*

A significant number of bat roosts are being completely removed from the area, only to be replaced by bat boxes.

Research strongly indicates that provision of bat boxes as a replacement for natural and/or established roosts tends to lead to disturbance-tolerant species becoming more prevalent, with less tolerant species becoming rarer (or disappearing altogether).

Indeed, more research needs to be carried out on the insulating properties of bat boxes compared to established building roosts and tree roosts. Personal experience suggests that, in certain scenarios, bat boxes are not a suitable replacement for established building roosts.

**“FEMMP 3.7.26** *Construction activity that creates noise, vibration or emits light within 30m of known roosts, hedgerows and woodland will cease at sunset between the period March to September inclusive when bats are active, if not before, to avoid delaying the emergence of locally roosting bats. Construction activity will not commence again until after sunrise to ensure that impacts to bats returning to local roosts does not occur.”*

A suitable mitigation plan, but could it also be said that any sort of potentially-disruptive work will also be refrained from during the same time windows if the WMI becomes operational?

**“FEMMP 3.7.27** *Bat ‘hop-over’ habitat features will be provided where key bat corridors are bisected by roads. The locations of the bat hop-overs and how these link with the dark corridors are shown in Figure A1.1, Appendix 1. Table 3.1 below details the bat hopovers to be provided.*

*.....Provision of a soil reinforced / bio engineered retaining wall plus a willow screen for the new ecological corridor in combination with use of sporadic standard trees to assist functionality of the hop-over from the outset and deter bats that fly at low level in clutter from entering the potential collision zone.”*

Bat hopovers are a potentially-beneficial feature under the circumstances, but in deterring certain species of bats from flying across roads, does it not effectively create habitat fragmentation – a measure that bat hopovers have been introduced to at least partially

		<p>prevent?</p> <p><b>“FEMMP 3.7.42 Suitable avoidance measures will be employed to minimise the risk of accidental death or injury to hedgehog, which may utilise the hedgerows, woodland and scrub on the Site. The potential presence of hedgehogs would be covered in the tool box talks. Measures would involve a hand search of suitable vegetation as determined by the ecologist prior to construction by an ECoW. If present, individuals would be transferred to suitable habitat outside the construction footprint, such as an area of retained woodland.”</b></p> <p><b>“FEMMP 3.7.43 Works would where possible avoid the hibernation period. If works cannot occur during this period and hibernating hedgehogs are discovered by the ECoW, translocated individuals would be placed into a hibernation box located around the base of a retained tree within the woodland.”</b></p> <p>Hedgehogs are particularly susceptible to roadkill by traffic on the proposed roads around the site, particularly as a result of the increased volume and size of vehicles involved.</p> <p>It would surely be prudent to introduce a more complex network of tunnels under the development site to allow safe transit of hedgehogs (as well as certain amphibian species*), as with the larger mammals, mentioned earlier on in the report.</p> <ul style="list-style-type: none"> <li>• *Toads, particularly, will migrate several kilometres to breed, and as a result of this are very susceptible to roadkill during their migration to breed.</li> </ul> <p><a href="https://ptes.org/grants/uk-mammal-projects/road-tunnels-wildlife/">https://ptes.org/grants/uk-mammal-projects/road-tunnels-wildlife/</a></p> <p>Further to the above, the magnitude of the proposed construction still presents a serious barrier in an important wildlife transition area that is already heavily restricted by existing major roads. Surely no development at all would be far more beneficial for the health and well-being of ALL species which reside in the area, rather than just considering a minority of the humans that are present.</p>
2.2.23	The Applicant & NR	In its response to Stop WMI Community Group’s Rail Report (REP 2-159) the applicant appears not to deal with the points



raised in paragraph 2.9 and 2.10 about capacity constraints on the WCML and the forecast, within the Rail Use Strategy document, that the WCML will be at capacity by 2024 and the only option to improve capacity is through the construction of HS2.

**Stop WMI Community Groups Response:**

It certainly will not be Network Rail employees contributing to the lack of capacity on WCML and they certainly won't need or use HS2 if ever developed. How ironic.

The Sunday Times June 23, 2019

**Rail bosses let the plane take the strain as trains are too expensive for business travel**

Railway bosses and their staff are being ordered to fly around Britain for some journeys — because it is cheaper than taking the train.

Network Rail says it has an expenses policy stipulating that staff should take the plane not the train when it saves money. The policy has emerged after rail fares rose 3.1% this year, despite the worst punctuality figures for more than a decade. Network Rail staff took 9,212 flights in the UK over a two-year period.

---

## West Midlands Interchange

### Response to a Request for Information Relating to Highway Matters from the Examining Authority

Technical Note: Prepared on behalf of Stop the WMI

Project Ref: 19-053-N, June 2019

---

#### Introduction

Milestone Transport Planning (MTP) produced a Technical Note in April 2019 (ref: TN1), critically examining the proposed West Midlands Interchange (WMI) application documents submitted by Four Ashes Ltd with respect to highway and transportation matters.

TN1 provided a critical commentary on the submitted documents for the proposed strategic rail freight interchange (SRFI), focussing on the following key matters:

- Sustainability of the WMI for 'travel to work' journeys; and
- Matters arising from the submitted Transport Assessment, in particular where the information provided is considered insufficient to support the findings in relation to baseline traffic conditions (particularly existing queues), future traffic impacts, parking and the proposed mitigation strategy, including the identified sustainable travel improvements and travel plan.

TN1 concluded that the proposed WMI site is situated in a fundamentally unsustainable location in the context of travel to work journeys and the proposed sustainable infrastructure associated with the application is insufficient to mitigate the impacts of the scheme in this respect. Furthermore, it was identified that inconsistencies, lack of evidence and fundamental flaws in the assumptions used within the traffic modelling section of the TA result in conclusions that cannot be relied upon.

In June 2019, the Examining Authority requested further responses from the 'Stop the WMI' group in the context of the National Policy Statement for National Networks (NPS).

An extract from the Examining Authority questions relating to highway matters is displayed in Figure 1.

**Figure 1** Extract from Examining Authority Questions June 2019

*Can the Group review the NPS and specifically consider those sections concerned with:*

- *the need for and locational requirements of SRFI (paragraphs 2.42-2.58); and*
- *the impacts on transport networks (5.201-5.218).*

*And advise on:*

- whether it considers that the guidance under the 'Decision making' heading at paragraphs 5.213 & 5.214 of the NPS 2.114 is satisfied in respect of the WMI transport assessment and proposed mitigation; and*
- what the principal reasons are for the view that the Group takes on this question?*

---

## National Policy Statement for National Network (NPS)

The NPS sets out the need and government policies for nationally significant infrastructure rail and road projects for England. The Examining Authority and the Secretary of State should give due consideration to policies stated within the NPS, which also refers to relevant local planning policy and Department for Transport policies for the Strategic Road Network (SRN) set out in Circular 02/2013, 'The Strategic Road Network and the Delivery Of Sustainable Development'.

TN1 initially referenced the National Planning Policy Framework (NPPF), which was considered the most relevant policy document for consideration of the merits of the development as a major employment site in terms of sustainable transport. However, it is recognised that the NPS is the primary policy document for the consideration of Development Consent Order (DCO) applications for national infrastructure proposals. The response to the Examining Authority Questions, taking account of the specific policies of the NPS, is set out below.

## The Need for and Locational Requirements of SRFIs

The question from the Examining Authority relates to need and locational requirements set out in paragraphs 2.42-2.58 of the NPS. However, no evidence or arguments were presented in TN1 regarding the need and locational requirements of SRFI in the context of these paragraphs.

The evidence and arguments in TN1 were concerning the related fundamental locational issue of a major employment site being sustainable in terms of travel to work, which is a key thread through the NPS, local planning policy and Department for Transport policy for the SRN.

Clear policy advice on the issue of sustainable travel, which relates directly to the location of development, forms a thread through the NPS and the local and SRN policies referenced therein. Key considerations are as follows:

### NPS (2014)

- **Para 1.20** regarding consistency between the NPS and NPPF states that *'both documents seek to achieve sustainable development'*.
- **Para 3.15** states *"The Government is committed to providing people with options to choose sustainable modes and making door-to-door journeys by sustainable means an attractive and convenient option."*
- **Para 3.19** states *"The Government is committed to creating a more accessible and inclusive transport network that provides a range of opportunities and choices for people to connect with jobs, services and friends and family."*
- **Para 3.20** states *"The Government's strategy for improving accessibility for disabled people is set out in 'Transport for Everyone: an action plan to improve accessibility for all'. In particular.....".* This paragraph goes on to describe expectations related to accessibility for disabled people.
- **Para 4.32** states *"..... The Secretary of State needs to be satisfied that national networks infrastructure projects are sustainable....."*

- **Para. 5.202** states *"Development of national networks can have a variety of impacts on the surrounding transport infrastructure including connecting transport networks. Impacts may include economic, social and environmental effects. The consideration and mitigation of transport impacts is an essential part of Government's wider policy objectives for sustainable development."*
- **Para. 5.203** states *"Applicants should have regard to the policies set out in local plans, for example, policies on demand management being undertaken at the local level."* Relevant sections of the South Staffordshire Council Core Strategy in this respect are set out below.
- **Para. 5.208** states *"Where appropriate, the applicant should prepare a travel plan including management measures to mitigate transport impacts. The applicant should also provide details of proposed measures to improve access by public transport and sustainable modes where relevant, to reduce the need for any parking associated with the proposal and to mitigate transport impacts."*
- **Para. 5.209** states *"For schemes impacting on the Strategic Road Network, applicants should have regard to DfT Circular 02/2013 The Strategic Road Network and the Delivery of Sustainable Development (or prevailing policy)....."* Relevant sections of Circular 02/2013 in this respect are set out below.
- **Para. 5.215** states *"Mitigation measures for schemes should be proportionate and reasonable, focussed on promoting sustainable development."*
- **Para. 5.216** states *"Where development would worsen accessibility such impacts should be mitigated so far as reasonably possible. There is a very strong expectation that impacts on accessibility for non-motorised users should be mitigated."*
- **Para. 5.218** states *"For strategic rail freight interchanges, travel planning should be undertaken for all major developments which generate significant amounts of transport movement. There may be circumstances where the implementation of travel plan measures alone would not be sufficient to reduce the traffic demand of a project to acceptable levels. In such instances, the applicant should work with the relevant local planning and highway authorities to determine whether the implementation of traffic management measures is appropriate, and if so how those might best be delivered."*

South Staffordshire Council Core Strategy (adopted in Dec 2012) – as referenced in NPS Para 5.203

- **Core Policy 5: Infrastructure Delivery Policy (EQ13)**
  - *"The Council will seek to protect, and where appropriate improve, existing facilities and services that are essential to the function, operation and sustainability of existing communities."*
  - *"New facilities and infrastructure, of an appropriate scale, must be located and designed so that they are integrated, accessible and compatible with the character, local distinctiveness and needs of the local community."*
  - *"New development will be required to provide the necessary infrastructure at a timely stage to meet the community needs arising from the proposal. Development will also be expected to contribute, as appropriate, to projects that support sustainable development and the wider community."*

- **Core Policy 11: Sustainable Transport Policy (EV11):**
  - *“Development proposals will, either individually or collectively, have to make appropriate provisions for:*
    - *Reducing the need to travel;*
    - *Widening travel choices and making travel by sustainable means of transport more attractive than the private car;*
    - *Improving road safety; and*
    - *Improving air quality and reducing the impact of travel upon the environment, in particular reducing carbon emissions that contribute to climate change.”*
- **Strategic Objective 6:**
  - *“To ensure that all new development is sustainable, enabling people to satisfy their basic needs and enjoy a better quality of life, without compromising the quality of life of future generations.”*
- **Strategic Objective 13:**
  - *“To reduce the need to travel, to secure improvements to public transport infrastructure and services and make it safer and easier for the community to travel to jobs and key services by sustainable forms of transport, such as public transport, walking and cycling.”*

DfT Circular 02/2013 ‘The Strategic Road Network and the Delivery of Sustainable Development’

- **Para 16 states** *“Through the production of Local Plans, development should be promoted at locations that are or can be made sustainable, that allow for uptake of sustainable transport modes and support wider social and health objectives, and which support existing business sectors as well as enabling new growth.”*
- **Para 17 states** *“The Highways Agency will work with local authorities and developers to identify opportunities to introduce travel plan and demand management measures through the Local Plan. These will be based on existing and proposed patterns of development in a manner that will support sustainable transport choice and retain capacity within the transport network so as to provide for further development in future Plan periods.”*

The relevant extracts from the DfT Circular 02/2013 relating to travel plans are as follows:

- **Para 28 states** *“The preparation and implementation of a robust travel plan that promotes use of sustainable transport modes such as walking, cycling and public transport is an effective means of managing the impact of development on the road network, and reducing the need for major transport infrastructure.”*
- **Para 29 states** *“The Highways Agency will work with local authorities and developers to identify opportunities to introduce travel plan measures for individual developments and groups of development that will support sustainable transport choice. Such measures contribute to the ongoing effectiveness of the strategic road network in ensuring efficient national and regional connectivity, whilst retaining capacity within the strategic road network so facilitating provision for further development in future Plan periods.”*

---

In summary, the NPS sets out a clear policy thread that identifies the requirement for development to be sited at locations that are, or can be made, satisfactory in terms of accessibility for employees by sustainable modes of transport.

The findings of TN1 in terms of the location of the development for staff demonstrated that:

- The development site is at a location that is not currently sustainable in terms of travel to work;
- The mitigation measures proposed, including those set out in the travel plan, would be entirely insufficient to make the development sustainable in terms of satisfying the policy requirements;
- The assumed 10% reduction in 'car driver' trips, within the overall mode share, resulting from proposed travel plan measures appears flawed and overly optimistic; and
- Any subsequent reliance on the 10% reduction in 'car driver' trips, and consequent increase in sustainable trips as part of the assessment process or mitigation strategy is flawed.

Overall, TN1 clearly demonstrated that the development would not meet sustainability requirements in terms of travel to work for the substantial workforce, predicted to be approximately 8,550 people, many of whom would work shifts.

Having considered the evidence set out in TN1 in the context of the policies of the NPS it is clear that all of the issues raised in relation to the location of the proposed development remain valid in terms of travel to work.

In conclusion, for the reasons set out above, it is considered that the guidance under the 'Decision making' heading at paragraphs 5.213 & 5.214 of the NPS 2014 is not satisfied in respect of the WMI transport assessment and proposed mitigation.

## Impacts on Transport Networks

The question from the Examining Authority relates to the impacts of the proposed development on transport networks, as set out in paragraphs 5.201-5.218 of the NPS. The response is set out below on a paragraph by paragraph basis. Paragraphs not addressed are not considered relevant in terms of discussion of the issues identified in TN1.

### **Para. 5.202**

This paragraph deals with the consideration and mitigation of transport impacts. The full wording is set out within the previous response.

The TA for the WMI application provides consideration of vehicular transport impacts, via a single VISSIM model for 7 separate junctions within the local highway network. However, as noted within TN1, the information provided in support of the modelling is considered insufficient to support the findings of the TA in relation to baseline traffic conditions (particularly existing queues), future traffic impacts, sustainable transport assumptions and the proposed mitigation strategy.

For example, the base models used in the traffic modelling methodology in the WMI application appear to be under reporting the queue lengths currently experienced on the highway network. If this is that case, then the model results are incorrect and cannot be relied upon. A further example would be the flawed sustainable transport strategy discussed previously, which is not considered to mitigate the unsustainable location of the site or offer the claimed benefit in reducing vehicle trips in favour of sustainable modes.

In summary, as the submitted TA does not accurately consider transport impacts then it follows that appropriate mitigation cannot be identified. Consequently, it is considered that the application does not reliably satisfy para. 5.202 of the NPS as the consideration and mitigation of transport impacts are an essential part of the government's wider objectives for sustainable development.

**Para. 5.203**

This paragraph, which is set out in full within the previous response, states that applicants should have regard to the policies set out in local plans.

A key focus of TN1 was the consideration of, and proposed provision for, sustainable transport, which was addressed within the previous response. Relevant core policies and strategic objectives detailed within the South Staffordshire Council Core Strategy (adopted in December 2012) are set out within the previous response and highlight the importance of sustainable transport within new developments, particularly in relation to travel to work. As previously noted, TN1 highlighted a number of issues related to the consideration of sustainable transport, the proposed development travel plan and the proposed sustainable transport mitigation strategy, particularly given that the site is currently very poorly served by sustainable transport. These issues were not adequately addressed within the WMI TA, which is considered not to adequately address issues related to travel to work or to propose an appropriate mitigation strategy to cater for the estimated potential 8,550 staff.

Overall, it is considered that the proposed application is not satisfactory in relation to consideration of local policies for sustainable transport and, therefore, does not meet the requirements of para. 5.203 of the NPS.

**Para. 5.208**

This paragraph, which is set out in full within the previous response, states that applicants should prepare a travel plan including management measures to mitigate transport impacts.

As detailed in TN1, the submitted interim 'Site Wide Travel Plan' proposes a target of a 10% reduction in car driver journeys to work during peak periods at WMI, with the 10% reduction evenly applied onto car passenger (+5%) and bus (+5%). The proposed measures detailed within the travel plan are generic 'soft' measures as listed within the strategy (car sharing, guaranteed lift home etc), without implementing effective, large scale measures that could be expected to be included within development of this scale (8,550 staff), particularly as the site currently has poor sustainable transport links.

Overall, the proposed travel plan measures are not considered to mitigate the travel to work issues that would result from the proposed development and do not, therefore, satisfy the requirements of para. 5.208 of the NPS.

**Para. 5.209**

This paragraph, which is set out in full within the previous response, states that for schemes impacting on the Strategic Road Network, applicants should have regard to DfT Circular 02/2013.

Paragraph 16 of the Circular states that *'development should be promoted at locations that are or can be made sustainable, that allow for uptake of sustainable transport modes and support wider social and health objectives, and which support existing business sectors as well as enabling new growth.'*

As previously discussed, the development proposals are at a location that is not currently sustainable and would not be made sustainable to a satisfactory degree by the development proposals. Consequently, the proposed development does not satisfy the requirements of Para. 5.209.

**Paras. 5.215 – 5.218 - Mitigation**

These paragraphs relate to mitigation measures and identify that a strong focus on sustainable transport measures.

As previously discussed, the development proposals are at a location that is not currently sustainable and would not be made sustainable to a satisfactory degree by the development proposals, which include a travel plan. Consequently, the proposed development does not satisfy the mitigation requirements of Para, 5.215-5.218.

**Paras 5.213 – 5.214 – Decision making**

These paragraphs deal with decision making and focus on mitigation measures being appropriate to address the identified impacts of the development in order for an application to be considered acceptable.

TN1 identifies a number of issues related to both the identification of impacts and the proposed mitigation strategy, which clearly demonstrate that the proposed development does not meet the requirements of paragraphs 5.201-5.218 of the NPS.

In conclusion, for the reasons set out above, it is considered that the guidance under the 'Decision making' heading at paragraphs 5.213 & 5.214 of the NPS is not satisfied in respect of the WMI transport assessment and proposed mitigation.

**Summary**

In summary, from detailed consideration of the proposals in the context of the NPS, it is apparent the development fails to meet the policy requirements of the NPS relating to baseline traffic conditions (particularly existing queues), future traffic impacts, sustainable transport assumptions and the proposed mitigation strategy.