

ExQ2	Question	SCC Response
2.1.1	<p>The Minerals Local Plan for Staffordshire 2015-2030 (MLP)</p> <p>In its response to Q1.1.3 [REP2-063], SCC contends that the proposal is contrary to Policy 3 of the MLP and that further evidence is needed to assess whether the material benefits of the proposed non-mineral development would outweigh the material benefit of the underlying resource. Concerns are also raised by other IPs that the proposal does not comply with the MLP.</p> <p>(i) Can SCC please provide an extract from the adopted MLP which sets out both the wording of Policy 3 and its supporting explanatory text/reasoned justification?</p> <p>(ii) Can the applicant please provide a Mineral Resource Statement to address the concerns identified by SCC in relation to compliance with the policy?</p> <p>(iii) What information can be provided in relation to the likely effect of the loss of the existing quarry and allocated reserved in terms of future supply of sand and gravel to meet needs in the Quarry's market area and the likelihood that the reduced supply can be made up from other existing or proposed quarries?</p>	<p>(i) Yes, please see attached document.</p> <p>(iii) <u>Loss of reserves/ production capacity</u> The appellant's Mineral Resources Statement (MRS) indicates that the proposal would result in the loss of 985,000 tonnes of sand and gravel within the area allocated for mineral extraction in the Minerals Local Plan for Staffordshire (refer to inset map 7 for Calf Heath in the appendices).</p> <p>The MRS also assess that an additional 2,730,000 tonnes of sand and gravel would be lost within that part of the DCO site that is situated within a mineral safeguarding area. The total reserves lost amount to nearly 75% of the annual provision for sand and gravel in the county i.e. 5 million tonnes per annum (refer to policy 1 of the MLP).</p> <p>The proposal would also result in the loss of a safeguarded mineral infrastructure site i.e. Calf Heath Quarry, which is capable of producing 100,000 to 150,000 tonnes per annum (refer to delegated report for SS.12/08/681 MW) which amounts to 2 to 3% of the county's planned annual provision for sand and gravel.</p> <p><u>Market area for quarry</u> The site's location provides good access to markets for construction aggregates in Staffordshire, Shropshire and the Black Country.</p> <p><u>Other sites in area that could meet shortfall</u> See attached plan.</p> <p>In 2018, there were 4 operational quarries in the South Staffordshire District including Calf Heath Quarry. One of those quarries (Seisdon to the west Wolverhampton is due to close in 2019 and is to be replaced by another quarry at Shipley in Shropshire). The plan also shows 3 non-operational quarries within South Staffordshire District which have been dormant for a long time and there is no indication as to if and when those quarries might re-commence mineral extraction.</p> <p>Another quarry to the west of Penkridge and located in Shropshire (Woodcote Wood off the A41) has recently commenced mineral extraction.</p> <p>The operator of Calf Heath Quarry operates other quarries in Shropshire (Gonsal to the south of Shrewsbury/ Bridgwalton near Bridgnorth) and a quarry in Worcestershire (Wildmoor Quarry near Bromsgrove) but does not operate any other quarries in Staffordshire.</p> <p>It would be anticipated that the operator seeks to meet the shortfall in supply from its remaining operations but it would be expected that other</p>

		<p>operators would find opportunity to meet that shortfall. In this matter, note that the average aggregates delivery distance by road is 27.0 miles (refer to table 2 of the Mineral Product Association's "2018 Sustainable Development Report").</p> <p><u>Potential implications for the MLP</u></p> <p>Assuming that existing quarries meet the shortfall in production, the loss of Calf Heath Quarry is likely to result in an earlier depletion of remaining reserves near to markets in the West Midlands conurbation and Staffordshire. Depletion of sand and gravel reserves will be monitored as part of preparing the Local Aggregate Assessment (refer to paragraph 207 a of the National Planning Policy Framework) and any shortfall would have to be addressed with an update to the Minerals Local Plan.</p>
2.2.3	<p>The joint statement from Wolverhampton and Walsall Councils refers to the West Midlands Strategic Employment Sites Study of 2015 which identifies southern Staffordshire and the BC as being one of 3 areas of highest demand for employment land and an area where the long-term supply of such land is small and risky (paragraph 6.6).</p> <p>(i) Do the LAs agree that this Study provides the most up-to-date regional wide assessment of the demand for land to meet employment development requirements?</p> <p>(ii) Is the report of Stage 2 of that Study likely to have been received by the relevant authorities and approved for wider release prior to the end of the Examination on 27 August 2019?</p>	<p>(i) Yes, the 2015 Study referenced is the most upto date of its type.</p> <p>(ii) For clarity, a new West Midlands Strategic Employment Sites Study (WMSESS) to be published in 2019 has been commissioned by a separate client group to the 2015 Study. The WMSESS was commissioned by a collaborative partnership of three LEPs (Black Country, Greater Birmingham & Solihull LEP, Coventry and Warwickshire & Coventry LEP) and Staffordshire County Council.</p> <p>The WMSESS takes a similar format to the 2015 version, but goes further to try and highlight some spatial opportunities that might be suitable for 'larger than local' inward investment. Such opportunities are likely to be presented in terms of broad locations around strategic or major road network, broad areas and even specific sites suggested by the development industry (i.e. market led), and possibly areas that the Local Planning Authorities see in terms of changing their economic geography and/or shaping sub-national, sub-regional or local market conditions. The WMSESS will be used by LEPs to help 'Maintaining effective cooperation' as in line with NPPF Guidance, Chapter 3 'Plan-making', para 25. It will inform discussions about plan-making between LPAs and LEPs. Similar, the NPPF 2019 Chapter 6 'Building a strong, competitive economy', para 81 indicates planning policies should ...'having regard to Local Industrial Strategies and other local policies for economic development and regeneration'.</p> <p>The main intention of the WMSESS is for the LEPs to shape and influence strategic and local</p>

		<p>plan making and galvanise support for plan led allocations of 'larger than local' sites. It is a piece of work to that will comprise technical evidence base material rather than act as standalone policy or a strategy in itself.</p> <p>In terms of the WMI proposal, clearly it has already come forward as a market led scheme and will be tested through the DCO process in terms of its site specific suitability. The key issues around alternative sites, greenbelt policy and phasing of the rail based element of the scheme have already been explored through the DCO public hearings and detailed evidence. The WMSESS is likely to be published by the client group before 27 August 2019, but for clarity it is a high level technical piece of work that does not need to be 'approved, endorsed or rebutted' per se by "relevant authorities" as part of the publication process.</p> <p>A copy of the WMSESS will be provided to the Inspector as soon as it is published.</p>
2.6.1	<p>In its Written Representation [REP2-034] HE states that a stand-alone assessment of the traffic implications of the Phase 1 development of 147,000 sq. m of building floorspace has been conducted and accepted by HE. However, beyond the development quantum set for Phase 1, the rail terminal forms an integral element of the transport equation for the assessment of traffic impacts.</p> <p>(i) Can HE confirm whether this this reference should be to a figure of 187,000 sq. m comprising 47,000 sq. m to be accessed from Vicarage Road and 140,000 sq. m to be accessed via the new roundabout on the A5 (see draft Requirement 24)?</p> <p>(ii) Do the applicant and SCC agree with HE's view that the stand-alone implications of a further phase of non-rail connected development have not been assessed in the transport assessment?</p>	<p>(ii) This is agreed, the TA does not consider a further phase of non-rail connected development.</p>
2.6.3	<p>A number of IPs, including Stop WMI Community Group in its Road Infrastructure Report [REP2-160]and Supporting Information [REP2-166], have expressed concerns about the potential increase in traffic, particularly HGV traffic, using the A5 to the west of Gailey roundabout towards Telford. They argue that this route is ill suited to increased use</p>	<p>First it should be noted that the A5 strategy considers the stretch of the A5 from Gailey to Milton Keynes only, it does not cover the section West of Gailey heading to Telford.</p> <p>The findings of the TA and ES transport chapter have been accepted in relation to impacts on the A5. However, it should also be recognised that the HGVMP seeks to promote access to/from WMI via</p>

	<p>by HGVs and that such use would conflict with the published Strategy for the A5 2011-2026 (section 6 of the Road Infrastructure Report). Although this road link is included in Table 32 of ES Appendix 15.1 [APP-114] which shows a predicted increase in 2-way flows in both the AM and PM peak the ensuing paragraphs do not provide any commentary on the significance or effect of those increases.</p>	<p>the M6 and M54, which should cover any HGV trips to/from the Telford area.</p>
2.6.4	<p>A number of IPs have expressed concern about the potential delays to emergency vehicles answering emergency calls because of increased traffic congestion on the local highway network, with a resultant risk to life and limb. Particular mention has been made of the time taken for such vehicles to get to the nearby villages.</p> <p>(i) Has this potential effect been considered in the TA? (ii) Do SCC or HE have any concerns that there could be a significant adverse impact of this nature? (iii) If there are concerns what, if any additional mitigation could be provided?</p>	<p>(i) No, this effect has not been considered. (ii) No, emergency vehicles would be under a 'blue light' scenario so would be given priority by other vehicles. We are not aware of any concerns being raised by any of the emergency services.</p>
2.6.7	<p>The submissions from Anita Anderson [AS-041] set out various information and concerns about recent closures of the M54 and resultant congestion on A5 and other roads.</p> <p>(i) Can HE, SCC comment as to the accuracy of this information and advise as to frequency of recent planned closures of the M54 and of the likely duration of any ongoing works that might required future planned closures of that motorway? (ii) Can the applicant comment as to what implications, if any, this reported congestion on the local network has for the TA and its conclusions?</p>	<p>(i) This question refers to the trunk road network where Highways England are the Highway Authority and are better placed to provide the details. In situations where the motorway is closed there are significant knock-on effects on the local road network.</p>
2.6.9	<p>Phasing of Highway Infrastructure Appendix 14 to the applicant's response to FWQs [REP2-012] comprises a plan of the proposed phasing of the main highway infrastructure works.</p> <p>(i) the numbering on the plan and key is not sequential; is this intended? (ii) Has the phasing been agreed with SCC and HE?</p>	<p>(i) Applicant. (ii) The phasing of the Highway Works has been the subject of discussion and is agreed.</p>

	The subsequent questions in Section 2.6 also relate to specific aspects of the phasing proposals.	
2.6.11	<p>A5 Roundabout and Link Road</p> <p>Draft requirement 24 stipulates that the new access and roundabout are to be completed prior to occupation of the first warehouse served from the A5 and that the link road must be completed prior to occupation of more than 140,000 sq. m served via the A5. The phasing plan at Appendix 14 shows the link road and the A449 roundabout as two distinct elements of the proposed infrastructure.</p> <p>(i) Does the highway authority require that the A449 roundabout is fully completed before the link road can be opened or is an interim situation in which the link road would have a priority junction with the A449 contemplated?</p> <p>(ii) Do the agreed floorspace thresholds assume that there would be no internal estate road providing a connection between the Vicarage Road and the A5 accesses prior to the link road being completed? If so, does this need to be stipulated in the requirements?</p>	<p>(i) The A449 is trunk road so HE is better placed to answer. However, the roundabout has been the option modelled with the link road open so anything less has not been contemplated for the opening of the link road. It follows that the A449 roundabout needs to be complete prior to the link road opening.</p> <p>(ii) The road linking the A5 to the Vicarage Road is to remain private and will need to come forward to provide access to the warehousing that will be served off it. The floorspace thresholds therefore do not relate to its provision as it not part of the mitigation package.</p>
2.6.12	<p>Crateford Lane One Way flow</p> <p>What is the rationale for the proposed phasing of these works?</p>	It is our understanding that these works came about as a result of concerns raised by local residents to WMI earlier in the scheme design over potential for WMI traffic to use Crateford Lane to cut out the Gailey roundabout when accessing from the A5/A449. There is no other design requirement for this scheme other than to protect local residents from use of Crateford Lane by development traffic.
2.7.3	Does SCC accept and agree with the applicant's response in [REP2-009] to Q1.8.2 concerning why the Gailey Reservoir LWS is not considered to be a sensitive receptor in relation to dust and why no dust impacts that would affect the integrity and function of the Calf Heath Bridge LWS are predicted?	This point is agreed. We responded at Deadline 3 to confirm acceptance of the applicant's response to Q1.8.2.
2.9.1	<p>A revised version of the Framework Ecological Mitigation and Management Plan (FEMMP) has been submitted [AS-036].</p> <p>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>	The FEMMP is now agreed from a County Council perspective.

2.9.5	<p>In its Written Representation [REP2-060], SCC expresses concern that, if the proposed wildlife corridors are only completed towards the end of the 5-year period after commencement, there could be a significant depression in populations of species that currently use the Site and that subsequent recovery of those populations could take many years. SCC also indicates concerns about the phasing of the proposed Bat Hop Over facilities and the adverse effect on bats if these are not installed sufficiently early in the construction programme.</p> <p>Do the phasing plans and the revised FEMMP along with the requirements included in the revised dDCO [REP3-004] provide sufficient certainty as to the phasing of these mitigation measures to avoid these potential outcomes and adverse impacts?</p>	The revisions allay the concerns we had at start of the examination.
2.9.6	<p>The applicant's response to FWQs [REP2-009] acknowledges that, with the proposed mitigation in place, the residual effect in terms of farmland birds habitat is significantly adverse?</p> <p>Is there any additional mitigation that could reasonably be put forward to further reduce this impact?</p>	The mitigation package is now agreed.
2.9.7	It is noted that an additional commitment is included in the Section 3 of the revised FEMMP [AS-036] regarding early habitat creation.	The FEMMP is agreed.
	<p>(i) Would the applicant confirm what is the definition of "completed" with regards to the Community Parks and wildlife corridor proposed? Would "completed" include enough time for the new habitats proposed to establish themselves?</p> <p>(ii) Is SCC in agreement with the revised Section 3 of the FEMMP?</p> <p>(iii) Is there, within the Requirements and/or FEMMP any effective control as to when the felling of part of Calf Heath Wood could take place?</p>	(ii) We are in agreement
2.9.8	SCC [REP2-060] has noted the commitment to net gain. SCC acknowledges that the ES for the application predates the now widespread use of the metrics such as the one developed by Defra, but states that such tools do enable comparison between existing habitat loss and proposed habitat	As part of further discussions in relation to this matter, and the FEMMP in general, agreement has been reached with the applicant in terms of additional off-site mitigation. Provision has been made for a £60,000 contribution to be utilised at enhancing Local Wildlife Site/s along the Saredon Brook and is incorporated into the latest iteration of the DCOB.

	<p>creation. SCC states that calculation using a metric would be likely to indicate that there is an overall net loss.</p> <p>(i) Does the applicant agree with this statement?</p> <p>(ii) Does the applicant agree with SCC's suggestion (paragraph 3.1.1) that consideration should be given to additional contributions to wider mitigation such as enhancing Local Wildlife Sites?</p>	
2.9.10	Is SCC satisfied with the amendments to the FEMMP [AS-036] included at para 3.3.2 and 3.3.4?	We are satisfied.
2.9.11	Is SCC satisfied with amendments to Requirement 19 of the revised dDCO [REP3-004]?	Yes, we are satisfied.
2.10.1	Paragraph 10.17 of SCC's Local Impact Report [REP2-062] refers to an Historic Environment SoCG having been agreed. Is this a reference to the SoCG between Historic England and the applicant or is there an additional document to be submitted to the examination?	This comment refers to Historic Environment section of the SoCG between SCC and the applicant.
2.12.1	In its Deadline 2 representation [REP2-060], SCC suggested the need for an additional Requirement relating to the future maintenance of the SuDS. Have these concerns adequately been addressed in the changes made to Requirement 27 in the revised draft DCO [REP3-003]?	It is assumed that reference here is to R26 Water and flood risk - surface water drainage scheme , which has been agreed.
2.13.7	In its Tourism and Leisure Report [REP2-164], Stop WMI Group refers to the existence of a 4-mile circular walk to Gailey via the A449 and Public Footpath No. 29. This route is also referred in some of the individual RRs. (i) Does the applicant/SCC have any data as to the level and frequency of use of FP No. 29? (ii) What alternatives would be available for pursuing a similar medium distance circular walk if FP No. 29 is not replaced within the development scheme?	We hold no empirical data on footpath usage.
2.15.1	The revised draft DCO [REP3-003] includes additional detailed provisions in respect of the draft Requirement 5 which are set out in Part 2 of Schedule 2 to the	<p>(i) In relation to Part 2:</p> <ul style="list-style-type: none"> - The applicant has suggested that it is their intention to deliver the terminal as soon as

	<p>DCO. These seek to provide an increased level of commitment to the provision and use of the rail infrastructure.</p> <p>(i) Do of the statutory bodies and IPs have any detailed comments that they wish to make in respect of the wording of these provisions?</p> <p>(ii) Should any additional provisions be added?</p>	<p>possible in the development and that the Rail Infrastructure provisions are a fall-back position. There are clear benefits both in terms of the satisfying the objectives of the NPSNN and to the local area by the early delivery of the terminal. Should the applicant be unable to deliver the terminal by the points set out in Rail Infrastructure sections (a) or (b) due to matters demonstrably outside of their control it is then proposed that the restrictions be disapplied and the terminal be delivered as soon as reasonably practicable. However, with this approach there is no level of surety as to when the terminal will be delivered or whether the applicant is progressing as expeditiously as possible. It is suggested that in order to demonstrate the has been a delay out side of their control the applicant will have to identify the source of the problem; why it occurred; what they attempted to resolve the matter and whether it has been; and the current status of the project. In this it should therefore be reasonably possible to define a timeframe/timetable for completion of the terminal works rather than leaving it open ended.</p> <p>- There is a discrepancy in the provision of Rail Support against the Rail Provision Milestones. The Rail Freight Co-ordinator is supposed to report back quarterly on progress towards the milestones. The first milestone is the submission of an application for GRIP 3 to Network Rail prior to commencement yet the trigger for the provision of the Rail Freight Co-ordinator is also prior to commencement. It follows therefore the co-ordinator would not be able to update on progress towards the first milestone with the current drafting. It is suggested that the trigger for appointment of the Rail Freight Co-ordinator is tied to point in time following the grant of consent (suggest within 6 months) to allow them to realistically influence and report on progress towards milestone one.</p>