

**Application by Four Ashes Limited for an Order Granting Development Consent for the West Midlands Interchange  
The Examining Authority's second written questions and requests for information (ExQ2)**

**Highways England's Response – 05/07/2019**

ExQ2	Question to:	Question:	Highways England Response:
2.0	<b>General and Cross-topic Questions</b>		
2.2.11	HE	<p>In its Wrong Location Report [REP2-167], Stop WMI Community Group states that, in the WM Regional Logistics Study, HE advises against locating a SRFI within the busiest parts of the SRN and asserts that the M6 at Gailey is an unsuitable location for this reason.</p> <p>Can HE please provide a written response to those comments?</p>	<p>It is important to note the age of the WM Regional Logistics Study (updated as part of the WM RSS Phase 2 Review in 2009) which predates the current policy guidance for Highways England to deal with development plan making and responding to planning applications (Circular 02/2013 “The Strategic Road Network and the Delivery of Sustainable Development” – 18 September 2013) which made substantive changes to the approach taken by us in engaging with the planning system. The study also predates the significant investments made by Highways England in Roads Investment Strategy period 1 (2015-2020) and immediately prior to 2015 which has changed the operating dynamics of the Strategic Road Network in the West Midlands. These investments include:</p> <p>Smart Motorways – M6 Junctions 4a to 5          Smart Motorways – M6 Junctions 5 to 8          Smart Motorways – M6 Junctions 8 to 10A          Smart Motorways – M6 Junctions 10A to 13</p>

ExQ2	Question to:	Question:	Highways England Response:
			<p>Smart Motorways – M6 Junctions 13 to 15 (currently under construction)</p> <p>We are now under a statutory duty by way of our licence issued by the Secretary of State in 2015 to “support economic growth”; this would include examination in that context of any new RLS / SRFI proposals.</p> <p>The objector’s comments may also relate to the Black Country and Southern Staffordshire Regional Logistics Site Study of April 2013 which again predates much of the investment referred above and the September 2013 change in policy. Significantly, the link in Objector’s evidence to this report directs one to a document that does not have the Highways Agency correspondence included. A full version of the report at <a href="https://www.wolverhampton.gov.uk/sites/default/files/pdf/Black_Country_and_southern_Staffordshire_Regional_Logistics_Site_%2528RLS%2529_Study_April_2013.pdf">https://www.wolverhampton.gov.uk/sites/default/files/pdf/Black_Country_and_southern_Staffordshire_Regional_Logistics_Site_%2528RLS%2529_Study_April_2013.pdf</a></p> <p>does include the relevant letter from the Highways Agency. In response to the study consultant posing a number of questions the</p>

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			<p>Highways Agency set out the following commentary:</p> <p><i>“The Highways Agency understands that need for an RLS in the Black Country has been identified... The Agency broadly supports in principle the development of RLS in particular sites which are predominantly rail served. However, this is subject to their strategic placement and assessment of subsequent localised impacts on the Strategic Road Network. The Highways Agency recognises the economic benefits of an RLS. However it would be concerned regarding the traffic impacts an RLS may have on the Black Country. Therefore any proposed site coming forwards should be dealt with by the usual development control processes with appropriate mitigation put in place...” “....However, the Agency recognises that the majority of RLS related road movements, in all likelihood, would be outside the traditional highway peak periods...”</i></p> <p>Our correspondence to the study consultant makes no assertion as to the capacity of the A449/A5 Gailey roundabout nor individual motorway junctions nearby.</p>

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			<p>The WMI proposal therefore has been brought forward in a context which did not apply at the WM Regional Logistics Study and indeed at the time of the 2013 update. The correspondence to the 2013 report authors far from advising against locating a SRFI within the busiest parts of the SRN indicates that any RLS (SRFI) promotor would need to fully test the traffic implications of any such development. This would be tested against the policy in place at the time of such an application.</p> <p>We have already supplied in earlier representations our view that the traffic assessments conducted by the applicant meet the required policy tests and we have no concerns in this regard.</p>
2.6	<b>Transport and Traffic</b>		
2.6.1	HE The applicant SCC	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	<p>(i) Yes, this is correct.</p> <p>We can confirm that the applicant tested to our satisfaction by use of an agreed traffic model the figures quoted in part (i) of question 2.6.1 as referenced in the current draft Requirement 24.</p>

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		<p>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 <u>187,000 sq. m</u> 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>The test showed that this quantum of development with trip rates that presumed no rail terminal was active and a traffic distribution based on the infrastructure in place (i.e. no A449/A5 link road) did not result in severe traffic impacts on the SRN.</p>
2.6.2	HE The applicant	Sue Worrall [REP2-183] includes a plan that identifies the location, between Junctions 13 & 14 of the M6, of what she states are existing access and egress points to a "works site". She suggests that this could be used to provide direct motorway access to land to the north west of J13 which would	(i) the M6 motorway includes for operational purposes a number of access points that are not open to 'normal traffic' with authorised access controlled by Traffic Regulation order (TRO). There are such access points at Doxey, approximately 1 mile south of M6 junction 14 on both carriageways. These accesses are solely for the Doxey Motorway Maintenance Depot

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		<p>provide a suitable alternative site for a SRFI.</p> <p>(i) Can HE comment as to the presence and use of the access and egress points referred to in that submission?</p> <p>(ii) If these do exist, can HE comment as to their suitability to serve a SRFI of the minimum size of 60ha and the practicability of undertaking any upgrading that might be required to meet the necessary highway standards?</p> <p>(iii) Can the applicant please comment on the suitability or otherwise of land to the north west of J13 for SRFI use and indicate whether this location was considered as part of the ASA?</p>	<p>(which includes a Motorway Police facility and a VDSA vehicle inspection site) and a site compound being used by Highways England during the upgrading of the M6 to a Smart Motorway.</p> <p>(ii) The design of this junction is such that it could not be used for 'normal traffic' due its substandard nature. For normal use the junction is too close at 1.2km from M6 junction 14 to meet the required 2.0km standard for distance between junctions for a road of this type. DfT Circular 02/2013 paragraph 40 precludes direct access from the motorway to serve development other than signed motorway service areas, maintenance compounds and (exceptionally), major transport interchanges. The proposal would not satisfy the exceptional case of a major transport interchange. Departure from this policy would require Secretary of State approval. From a practical perspective, use of the accesses or their modification would displace Highways England, Police and DfT(VDSA) facilities, which would require to be relocated.</p>

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			<p>The objector suggests that an upgrade may be possible but this would require extensive modification to the Sow Valley viaduct over the West Coast Mainline railway and significant revision to the design of the now under installation Smart Motorway System at this location. The likely land required for such a revised junction would indicate that such a junction upgrade proposal would be a Nationally Significant Infrastructure Project in its own right. As such, given this and the engineering constraints we consider an opening of this access to all traffic is not a practical proposition.</p>
2.6.3	The applicant HE SCC	<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?</p>	<p>(i) No</p> <p>(ii) The roads under Highways England control in the vicinity of the application site are either motorway, dual carriageway or wide single carriageway all-purpose trunks roads. This allows adequate width for the passage of emergency vehicles under blue light conditions. We also note that the propose A449 /A 5 link road adds resilience to the operation of the Gailey roundabout junction</p>



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		<p>(ii) Do SCC or HE have any concerns that there could be a significant adverse impact of this nature?</p> <p>(iii) If there are concerns what, if any additional mitigation could be provided?</p>	<p>which would benefit the progress of emergency vehicles locally at this important junction.</p> <p>We are aware that the emergency services keep response times under active review to ensure their statutory requirements are met. Regular dialogue with Highways England's operational teams is entered into by the emergency service in order for awareness of road closures and road works information to be passed to emergency service responders. We have no concerns that the development traffic implications on our network will prevent emergency services access.</p> <p>(iii) Given the above comments we have no proposals to make</p>
2.6.6	The applicant HE	<p>In its response to Q1.7.15 [REP2-036], HE observes that the Road Safety Audit data shows that not all personal injury accidents had been recorded and this could result in an underestimation of the potential for issues to occur in the 'with development' scenario.</p>	<p>Highways England have provided the applicant with further collision data to address the shortfall in information. This additional collision data has been reviewed by the applicant and presented in their updated report [TN40], recently forward to Highways England for review and comment.</p>

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		Has any further work been done to correct this apparent omission and have HE's concerns now been addressed?	When this review is completed, we shall advise the applicant and ExA of the outcome.
2.6.7	The applicant HE SCC	<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?</p> <p>(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) As Highways England responded to Q1.2.5 (a similar question to Q2.6.7) <a href="#">[TR050005-000656]</a>, closures of the motorway network for an incident or planned works is not a factor for further assessment. The A5 west of the A449/A5 Gailey roundabout is a DfT and local authority approved diversion route when the M54 is closed. Formerly a trunk road, matters of its operation are for Staffordshire County Council to comment on.</p>
2.6.9	The applicant SCC HE	<b>Phasing of Highway Infrastructure</b> Appendix 14 to the applicant's response to FWQs [REP2-012]	<p>(ii) The sequence set out in Appendix 14 of the applicant's response to the ExA's first written questions is as agreed. We note that the A449</p>

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		<p>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?</p> <p>(ii) Has the phasing been agreed with SCC and HE?</p> <p>The subsequent questions in Section 2.6 also relate to specific aspects of the phasing proposals.</p>	<p>access roundabout will need to be completed at the same time as the A449-A5 link road (item ii), the Crateford Lane one way working (item v) and the proposed closure of the A449 to Station Road right turn (item iv).</p> <p>As we take the right turn ban in item v to the result of physical works to the A449 / Station Road junction we consider the definition offered by the applicant needs to refer to junction works in addition to a banned traffic movement by use of a TRO.</p>
2.6.11	The applicant SCC	<p><b>A5 Roundabout and Link Road</b></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) We note that this question is primarily addressed to Staffs CC, however, as the authority that would have responsibility for the A449 access roundabout we have a view on the opening of this infrastructure.</p> <p>We have no evidence before us that would enable us to support a priority junction on the A449 being used a site access or as junction with the A449/A5 link road, whether temporarily or otherwise. The traffic evidence has been developed with a holistic mitigation package that is designed to meet the policy tests we</p>

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		<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>apply to development as required by DfT Circular 02/2013. By definition, the roundabout will need to be operation at the same point or before the A449 / A5 link is open to traffic. The Protective Provisions in the draft DCO make it clear when the access roundabouts and link road will be adopted and opened for traffic.</p> <p>Staffordshire County Council have made it clear in discussions with us that they do not anticipate opening the link road for traffic until the trunk road access roundabouts are both opened for traffic by Highways England.</p>
2.6.12	The applicant SCC	<p><b>Crateford Lane One Way flow</b>          What is the rationale for the proposed phasing of these works?</p>	<p>We note that this question is primarily addressed to Staffordshire County Council, however, as the authority that would have responsibility for the A449 site access roundabout / Crateford Lane junction we have a view on the opening of the Crateford Lane one-way proposal. The one-way proposal is predicated on the A449 site access roundabout being opened to traffic as this creates the</p>

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			<p>physical road layout that prevent westbound access into Crateford Lane.</p> <p>Our view is therefore that the one way working only becomes operational at the point at which the A449 access roundabout comes into operation.</p>
2.15	<b>Draft Development Consent Order</b>		
2.15.1	SSDC SCC HE NE All IPs	<p>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 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?            (ii) Should any additional provisions be added?</p>	<p>We note the applicant's revisions to the draft DCO wording at deadline 3. Our concerns continue to relate not the question of whether an active terminal is in operation <i>per se</i> but the unquantified traffic impacts in such a situation. The current traffic forecasts assume an active rail terminal beyond the occupation of 187,000 m2 of development. The applicant has recently supplied us with evidence of the traffic impacts of a 'without rail terminal' scenario which new are carefully reviewing.</p> <p>When this review is completed, we shall advise the applicant and ExA of the outcome.</p>

ExQ2: 19 June 2019  
Responses due by Deadline 5: 5 July 2019