

Stop The West Midlands Interchange Group Responses to Deadline 5 Submissions.

<p>2.2.8</p>	<p>The Applicant</p>	<p>In its <b>Planning Report</b> [REP2-158], Stop WMI Community Group contends that the West Midlands Freight Strategy 2016 does not demonstrate a need for a new SRFI in South Staffordshire. Can the applicant please provide a written response to this assertion?</p>	<p><b>Applicants Response:</b> See Appendix 2 “Applicant’s Assessment of the West Midlands Freight Strategy 2016”.</p> <p><b>Group’s Response:</b></p> <p>Appendix 2 of the Applicant’s Assessment of the West Midlands Freight Strategy provides no evidence of a need for an SRFI in the vicinity of the application site. It merely refers to the Freight Strategy 2016 and makes a number of false statements suggesting that this document encourages an SRFI in the vicinity of the application site – see paragraphs 1.2 and 1.14 of the Applicant’s Assessment of the West Midlands Freight Strategy below:-</p> <p>According to Paragraph 1.2 of the Applicant’s Assessment of the West Midlands Freight Strategy the Freight Strategy 2016 encourages SRFI development in the vicinity of the application site’. This is not true.</p> <p>Secondly, in paragraph 1.14 of Applicant’s Assessment of the West Midlands Freight Strategy it dishonestly claims that ‘the Freight Strategy supports the principle of new SRFI development including in the vicinity of the application site’. Again, not true.</p> <p>There is no evidence of a need for an SRFI within vicinity of the application site per se. There is an alleged need for an SRFI to serve southern Staffordshire and Black Country, however this does not equate to a need at this location. Any suggestion otherwise is disingenuous.</p> <p>As noted in Wolverhampton City Council’s Regional Logistics Site Open Green Decision Notice (attached) it states:</p> <p><i>‘The footloose nature of the distribution industry means that the market would not consider the Black Country in isolation and so it is difficult to identify a specific operational and geographical need for a RLS in the Black Country and southern Staffordshire to serve the Black Country in particular.</i></p>
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2.2.9	The Applicant	<p>Stop WMI's <b>Planning Report</b> acknowledges that the BC Urban Capacity Review identifies an unmet need for a SRFI to serve the sub-region but asserts that the Review is not supported by any evidence either to substantiate that need or to demonstrate the absence of a suitable site. Can the applicant and the local authorities please provide a written response to that argument, detailing what is said in the Urban Capacity Review and its evidence base and providing relevant extracts from the document/evidence base as appropriate.</p>	<p><b>Applicant's Response:</b> The Urban Capacity Review (May 2018), prepared by the Black Country Authorities (Dudley, Sandwell, Walsall and Wolverhampton) sets out the most up-to date position available, using best available evidence and information, regarding the need for and supply of land for housing and employment in the Black Country authorities up to 2036. A summary of the evidence is provided at Section 2 of the Urban Capacity Review, including the Economic Development Needs Assessment (EDNA), - the West Midlands Strategic Employment Sites Study, the Black Country and South Staffordshire sub-regional High Quality Employment Land Study and the Black Country and Southern Staffordshire Regional Logistics Sites Study. The Urban Capacity Review analyses previous assumptions, for example in relation to densities, with a view to optimising opportunities to identify any further additional potential development capacity across the urban area, as part of the work being done to support the BC Local Plan Review. The Applicant provided a high-level summary of the BC Urban Capacity Review at Appendix 3 of the Applicant's Responses to Examining Authority's Q1 (REP2-010) from paragraph 3.25 onwards. The Applicant considers the BC Urban Capacity Review to be the most up-to-date position on the need for employment land to serve the BC. It builds on the evidence base set out in the Black Country Economic Development Needs Assessment, May 2017 (the BC EDNA) (see paragraph 3.8 onwards of Appendix 3 of the Applicant's Responses to Examining Authority's Q1 REP2-010), concluding there is a significant shortfall of land, placing reliance on the Proposed Development to help meet this shortfall. The Urban Capacity Review, along with existing and further work being undertaken to support the BC Local Plan Review, demonstrates the robust approach the BC authorities are taking to their Local Plan Review and underlines their position – which has consistently been to seek to address a significant shortfall in employment land to serve the BC.</p> <p><b>Group's Response:</b> The BC Urban Capacity review has been prepared by the City of Wolverhampton,</p>
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			<p>Sandwell MBC, Dudley MBC and Walsall MBC. It is unclear as to what level of involvement Staffordshire County Council or South Staffordshire District Council have had in the preparation of this document, if any.</p> <p>The level of need for a rail freight terminal is also unclear, for example on page 68 of Dudley Borough Development Strategy (2017), which should comply with the Black Country Core Strategy it identifies a need for a large logistics site or sites to serve the Black Country but it makes no reference to the need for a rail freight terminal.</p> <p>It also states in the following paragraph that Dudley Council will continue to investigate potential opportunities within its boundaries for large scale employment areas which are well connected to accessible road networks and business investors to further the recovery and expansion of Dudley Borough and the wider Black Country. It is clear from this paragraph that Dudley Council, as the Black Country Core Strategy should be, is committed to 'a brownfield first' strategy.</p> <p>In addition, as noted in Wolverhampton City Council's Regional Logistics Site Open Green Decision Notice (attached) it states:</p> <p><i>'The footloose nature of the distribution industry means that the market would not consider the Black Country in isolation and so it is difficult to identify a specific operational and geographical need for a RLS in the Black Country and southern Staffordshire to serve the Black Country in particular. <b><u>In the absence of this specific need, the Report recommends that the assessment of availability of supply is widened and undertaken on a regional West Midlands basis</u></b>' (our emphasis).</i></p> <p>Whilst it is noted that this Decision Notice pre-dates the Urban Capacity Review (May 2018) and some of the supporting information referred above, its conclusions still remain valid.</p> <p>There is no specific need for the rail freight terminal to be located at the proposed site and the search for a potential site should be undertaken on regional West Midlands basis. This has still not been undertaken.</p>
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			<p>A site search exercise as important as this should not be left to the discretion of the applicant but should be carried out objectively by all the West Midlands authorities to identify a suitable site.</p> <p>Consequently, the Black Country authorities have failed to follow their own recommendations and the Applicant has sought to benefit from this.</p>
2.2.10	The Applicant	<p>In its <b>Wrong Location Report</b> [REP2-167], Stop WMI Community Group refers to the National Infrastructure Commission's Future of Freight Report, December 2018. Section 15 of the Group's Deadline 3 submission also refers to this report and to other newly published documents that it suggests call into question the need for the proposed SRFI.</p> <p>(i) Can the applicant and NR please set out their comments as to the relevance of the NIC report to the consideration of either the need for a SRFI to serve the BC and South Staffordshire or the suitability of the Four Ashes location for such a facility?</p> <p>(ii) Can the applicant comment on the relevance of the other recent publications mentioned by the Group to the consideration of either the need for a SRFI to serve the BC and South Staffordshire or the suitability of the Four Ashes location for such a facility?</p>	<p><b>Applicant's Response:</b> See Appendix 3 "Applicant's Response to NIC Future of Freight Report" for (i) and (ii).</p> <p><b>Network Rail Response:</b> The National Infrastructure Commission's Future of Freight Report, December 2018 underlines the importance of a shift to rail and de-carbonising freight. The only practicable way to reduce carbon emissions for Great Britain bulk freight is to shift it to rail. Network Rail's Head of Freight Development has confirmed there is a need for sites to host the additional maritime intermodal traffic that Network Rail's Strategic Freight Network (SFN) enhancements unlock. This envisages 10 additional trains per day originating from Felixstowe and a similar quantity of additional containers through longer trains from Southampton together with organic growth from London Gateway and eastern seaboard feeder ports. Without a coherent network of SRFIs there will not be growth in the domestic intermodal sector; the single biggest opportunity for modal shift being inter-DC trunk haul moves (along the lines of Tesco &amp; ASDA today). Moreover, Network Rail is witnessing an emerging market demand for express freight operations, such rail campus located warehousing dispatches smaller consignments for transit on 90-110mph units direct to urban centres. Again Network Rail believes SRFIs are critical to enabling this modal shift.</p> <p><b>Group's Response:</b> There is no denying the advantage of modal shift to reduce carbon emissions. However this does not equate to Four Ashes being the best site.</p> <p>Through the consultation NR appear to have</p>

			<p>only guaranteed 4 additional trains per day (which equate to c.240 containers per day). The absolute maximum quoted by the Applicant is 10 trains per day (which equates to c.600 containers). We note that the Applicant continues to refer to this as “aspirational” in its Deadline 5 responses. Furthermore the Applicant’s responses to the ExA’s questioning about commitment to rail have given us no confidence that rail connections are a priority compared to the construction or warehousing, nor that they will definitely construct the rail connection.</p> <p>We support the use of rail to bring 240-600 containers per day of freight into the West Midlands in order to reduce congestion and reduce carbon emissions.</p> <p>However we also note that in the Applicant’s Alternative Sites Assessment (ASA) document, a number of alternative sites in the West Midlands were excluded on the basis of size, as they used the full footprint of the Proposed Development (rail connection + warehousing) as the criteria.</p> <p>We continue to contend that if the footprint of the rail connection alone were used as the criteria, then alternative sites exist that do not rely on destruction of greenbelt.</p> <p>We note the Applicant’s repeated comments that the significantly larger warehousing development is required in order to enable the overall development to be commercially viable. This implies that the business case for the rail connection is poor (with a low benefits-cost ratio), and potentially below that considered viable for an infrastructure project.</p> <p>We are also unclear as to the relevance of express freight operations (referred to by NR) on the issue of the Proposed Development.</p> <p>Given the concerns as to the availability of train paths on the line, and existing traffic on the line, we are sceptical that any of these would be suitable for 90-110 mph express freight operations. If NR believe that express freight operations are likely to be available at the Proposed Development, can they clarify which of the train paths documented at</p>
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			2.2.22 will be used.
2.2.11	HE	In its <b>Wrong Location Report</b> [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. Can HE please provide a written response to those comments?	<p><b>HE Response:</b> 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: 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 Smart Motorways – M6 Junctions 13 to 15 (currently under construction) 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. 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> does include the relevant letter from the Highways Agency. In response to the study consultant posing a number of questions the Highways Agency set out the following commentary: “The Highways Agency understands that need for an RLS in the Black Country has been identified... The Agency broadly</p>

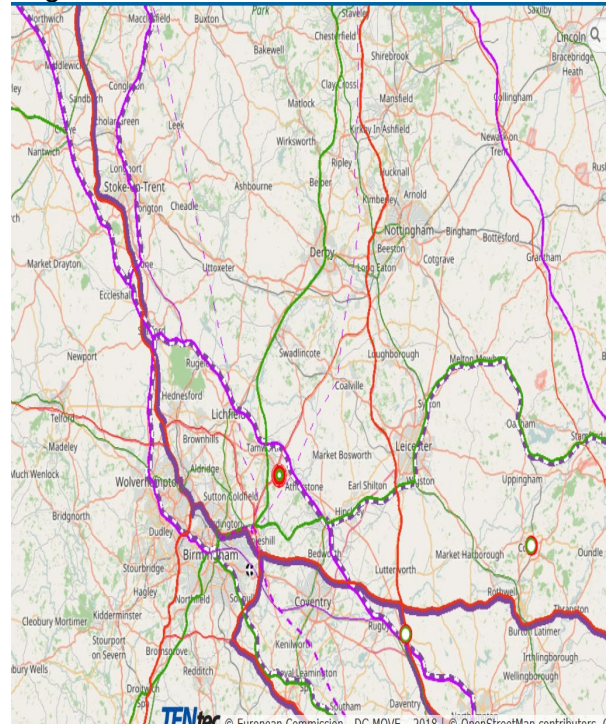
			<p>supports in principle the development of RLS in particular sites, <b>which are predominantly rail served.</b></p> <p>However, this is subject to their strategic placement and assessment of subsequent localised impacts on the Strategic Road Network. The Highways Agency recognises the economic benefits 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...”</p> <p>“...However, the Agency recognises that the majority of RLS related road movements, in all likelihood, would be outside the traditional highway peak periods...”</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> <p><b>Group’s Response:</b></p> <p>We note HE’s comments and acknowledge the implementation of smart motorways on the section of the M6 south of the proposed development, and the ongoing implementation to the north.</p> <p>We are concerned however that smart motorways represent a further problem rather than a mitigation for this development, and that too little is currently understood about their effectiveness and safety.</p> <p>The implementation of smart motorways nearly 10 years ago on the southbound section increased capacity as a result of 4 lane operation. And whilst this did improve journey times for a period of time, increasing traffic volume over the intervening period means that journey times south of the proposed development on the M6 are now broadly what they were before implementation.</p> <p>With smart motorways now implemented, we do not believe that HE has any further options available to further increase capacity on the southbound M6. We note from a number analyses from the Applicant that the majority of traffic originating at WMI is forecast by them to travel via the southbound M6.</p>
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			<p>For this reason we consider that adding additional volume at this location means that the Proposed Development is in the wrong location to be effective.</p> <p>We note HE's comments that "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."</p> <p>In relation to the concerns raised by HE that additional logistics sites may well add to traffic in the Black Country, we note within the Applicant's document 'TN41 – Development Trip Generation and Distribution with a deferred Rail Terminal' that they have produced analysis which shows that the rail terminal increases local traffic volumes to the Proposed Development over and above traffic to the warehousing component.</p> <p>This would appear to confirm HE's concerns that whilst the proposed development may well remove congestion at a national / regional level, it will have a detrimental impact locally</p> <p>We also continue to contend that the Proposed Development is not predominantly rail served. Therefore we are not clear that HE specifically support this location, as a number of factors exist which appear of concern to HE.</p> <p>We continue to be concerned that much of the traffic analysis provided by the Applicant fails to take into account increasing additional traffic volumes generated by the Bericote development as it predates the development, and that the mitigations proposed by the Applicant in its travel management plans are incapable of adequately mitigating the impact of additional traffic volumes. For this reason we continue to contend that this development is in the wrong location</p>
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2.2.12	The Applicant and Network Rail	<p>In its <b>Wrong Location Report</b> [REP2-167], Stop WMI Community Group states, that “nowhere in the Ten-T Regulations is an intermodal hub mentioned or recommended for our area. (ii) Can the applicant and NR comment on that suggested omission and what significance this might have for consideration of the need for a SRFI to serve the BC and South Staffordshire or the suitability of the Four Ashes location for such a facility?</p>	<p><b>Applicant’s Response:</b> (ii) The purpose of the Ten-T programme is to identify transport corridors across the EU. The purpose is not to identify or promote new rail freight terminal sites. WMI is located on the Ten-T corridor. Rail terminals, as a general principal, are not identified on the Ten-T routes – for example DIRFT is not shown. However, Network Rail noted in its 2017 Freight Network Study (Figure 2.1) that one of the Ten-T core passenger and freight rail network corridors is the West Coast Main Line passing between Stafford and Wolverhampton, via Four Ashes. Currently the only SRFI shown on the Ten-T map<sup>1</sup> in the UK is at BIFT / Birch Coppice, which is not situated on a Ten-T core rail route.</p> <p><b>Network Rail Response:</b> The TEN-T policy ‘Highlights the importance of nodes as an integral part of the network: maritime ports and airports as Europe’s gateways, inland ports and rail road terminals as key infrastructure for inter-modal transport chains as well as urban nodes as the origin and destination of the majority of journeys on the trans-European transport network.’ The ‘North Sea - Mediterranean core network corridor’ progress report states ‘Promotion of economically efficient and high-quality transport. Efficiency must be enhanced through easy interconnection and interoperability between national transport networks, and through the optimal integration of intermodality between all transport modes for passengers, as for logistic chains.’ ‘The development of the capacity of multimodal platforms at specific nodes is fundamental to undertake this last point.’ The report does not mention any individual SRFI locations.</p> <p><b>Group’s Response:</b> The purpose of the Ten-T is to connect key cities &amp; main conurbations in each country, eg. London, Birmingham, Manchester, Liverpool, Glasgow; together with their airports and road-rail terminals together with the key Ports of Liverpool, London, Felixstowe and Southampton. Four Ashes is not included. Corridors are only identified for the purpose</p>

of connecting those major nodes. The North Sea Ten-T corridors include a number of alternative rail routes to connect those key nodes. The purpose is not to serve rural green belt. The nearby Birmingham Intermodal Freight Terminal (BIFT) is designated as serving Birmingham and shares traffic with Hams Hall. DIRFT, Prologis Eurohub and others not situated in the key conurbations are in fact shown, it is necessary to enable Rail-Road Terminals on the definitive map. To quote BIFT owners, Maritime, "Railports in Tilbury (London) and Tamworth (the Midlands) are ideally situated to serve the largest UK conurbations"



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The Applicant & SSDC

In its **Planning Report [REP2-158]**, Stop WMI Community Group states that 3 of the 5 shortlisted sites in the applicant's Alternative Sites Assessment (ASA) are in non-GB locations and these should be considered more favourably than the application site. The Report also makes a number of detailed comments about the potential suitability of sites at ROF Featherstone

**Applicant's Response:** The importance of Green Belt designation is considered throughout the Alternative Sites Assessment (ASA) (APP-255). At paragraph 2.1.11, the ASA recognises that SRFIs are inappropriate development in the Green Belt and that very special circumstances for their development needs to be demonstrated. However, it is also recognised that the NPS acknowledges that the Green Belt land located close to conurbations may provide the only viable sites if the compelling need for a national network of appropriately located SRFIs is to be achieved. At Section 8 of the ASA, the long-list sites

		<p>(Site 1) and Dunston (Site 3). Another IP [REP2-088] has argued that the landscape reasons for which the Dunston site was rejected in the ASA apply equally to the application site except that more villages would be affected by siting the SRFI at Four Ashes. (i) Can the applicant please provide a written response to these arguments and to the comments about the Dunston site?</p>	<p>are assessed against the fundamental criteria for a SRFI. Based on the specific text of the NPS, Green Belt allocation is considered to be a constraint that must be evaluated more closely, however, it is not classified as a “fundamental criteria’ which prohibitively constrains a site to the extent that it must be considered to be unsuitable as a SRFI development site. Of the five short-listed sites, 2 are within the Green Belt and 3 are not (Green Belt: WMI and ROF Featherstone / Non -Green Belt: Rugeley Power Station, Dunston and Creswell). Section 8 of the ASA evaluates each of the sites against a set of principal planning policy criteria, of which Green Belt allocation is an important part.</p> <p>Following the thorough evaluation, the non Green Belt sites were discounted and a detailed analysis of each is provided at Section 8. WMI is considered to perform significantly better than the identified alternative sites and, in fact, none of the other sites identified can be regarded as genuine alternatives.</p> <p>With specific regard to Dunston, the work which has been undertaken to evaluate the site is set out at the Applicant’s Response to ExQ1.2.11 (REP2-009). This work demonstrates that, whilst not within the Green Belt, Dunston is protected as Open Countryside and is an existing open rural landscape that is visually cohesive and well connected with its broader landscape context. Given the topography and prevailing landscape, a SRFI could not be successfully assimilated or mitigated in visual terms. The visual impacts of a SRFI at Dunston would be much greater than at WMI due to the site’s existing openness and rural character and the absence of existing industry, urban influences, clear boundaries or woodland. The creation of development platforms at the Dunston site would require substantial re profiling, further disrupting the rural character. In addition, the existing water courses that lie to the west of the WCML would need to be realigned or culverted to allow the development of the site and an efficient layout could not be achieved which avoids the existing floodplain in the western section of the site. REP2 -088 asserts that only ‘one village would have been directly and adversely affected at Dunston’, however, the villages neighbouring</p>
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			<p>the alternative site comprise Dunston, Coppenhall and Hyde Lea. In fact, there are approximately 4,500 people living within 2km of the Dunston site, as opposed to approximately 3,000 who live within 2km of the WMI Site.</p> <p>The Applicant understands that SSDC would not support a SRFI or any large –scale development at Dunston and do not regard Dunston as a suitable, better or preferable site to WMI. With regards to ROF Featherstone, Stop</p> <p>WMI Community Group’s Planning Report implies that the main constraint to the delivery of this site is the existing road access and that the current proposals to improve the existing road access would resolve this issue. However, paragraph 8.6.11 of the ASA confirms that, whilst the funding constraints for these improvements remain uncertain, it has still been assumed that the highway infrastructure proposed as part of the site allocation could be forthcoming at some point. Nevertheless, the site is still discounted due to its small size and inefficient shape, proximity to a large number of residential uses and current site allocation. Please refer to pages 48 -58 of the ASA. Given these conclusions, and in the context of the scale and character of the unmet need demonstrated in the Planning Statement (APP -252) and Updated Market Assessment (REP2 -004), it is considered that there are compelling reasons to conclude that the WMI proposal represents the only SRFI development option that can meet the identified need. It should be noted that the ASA was developed in close consultation with the Local Authorities and, as set out in the respective Statements of Common Ground (SSDC REP2 -006, Section 9 and SCC RP2 - 007, Section 7) , it is agreed that: The approach taken by the Applicant Team to the ASA, reviewing and taking direction from previous assessment that have been through the planning process, is appropriate. • The ASA Refined Site Search Area (ASA Appendix 2) represents the area within which a need exists for a new SRFI facility and within which it is appropriate to search for sites that could potentially meet that need. • The ASA provides an accurate and fair assessment of the availability and suitability of sites within a search area, using appropriate assessment criteria. • Finally,</p>
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SSDC has agreed that the ASA demonstrates that there are no alternative sites for a SRFI, within the identified search area, that offer a viable alternative that better meets the locational criteria for a SRFI.

**Group's Response:**

The Applicant has failed to demonstrate very special circumstances to overcome the presumption against development in the Green Belt.

The ASA has also failed to consider the main purpose of the Green Belt which is to protect land around larger urban centres from urban sprawl.

By preventing the urban sprawl, it helps protect agricultural activities and the unique character of rural communities. Urban population, on the other hand, is provided an access to an open space which offers opportunities for outdoor activities and an access to clean air

The ASA has failed to consider the impact that this development will have on the purposes of the Green Belt designation and impact on the local environment and residents.

SSDC state that there are no sites suitable for a SRFI within the identified search area and that includes the WMI site. SSDC do not support this application.

Notwithstanding this, as set out above the ASA has not carried out a site search assessment on a regional West Midlands basis. Therefore, it should have very limited weight.

It is clear from the ASA that the applicant's have chosen the site first and then sought to justify it. A development of this importance should not be identified in this way, it will undermine people's confidence and trust in the planning system and makes a mockery of a plan led system.


The Applicant's response appears to suggest one of the reasons for discounting Dunston as an alternate site is its classification as Open Countryside, and effectively that developing here would produce greater

			<p>visual intrusion. We also note comments during the hearing that John Rhodes (QUOD) stated that he “could not bring himself to propose a development here”.</p> <p>We contend this cuts to the heart of why green belt is critical and must be protected.</p> <p>Green belt land prevents the relentless expansion of urban and industrial development into the countryside. We consider that, if permitted, the Proposed Development will remove this barrier and create a precedent to enable further development into Open Countryside in the local area.</p> <p>We remain particularly concerned that, based on the Applicant’s argument here, there will be no justification not to develop the remaining land between the Proposed Development and the M54.</p> <p>Using this same argument one could see the Applicant (or another developer) making the same argument (that there is already visual blight) to justify development of land to the east of the M6, infilling towards Cannock, or north of the A5 towards Penkridge. Ironically bringing development closer to Dunston which they appear to want to protect.</p> <p>Of greatest concern is further development to the West of the A449, towards Brewood, where again existing visual blight could be used by this developer to justify development. We note in the Applicant’s earliest documents (produced for initial consultation) commentary that “land to the west of the A5 (sic) is within the control of the Applicant”. This was used in relation to the provision of additional laybys, however could clearly be applied to other development.</p> <p>We remain concerned that the land to the West of the A449 is owned by one of the principal shareholders of Four Ashes Ltd. And based on the Applicant’s argument that already visually blighted land should be prioritised for development, there seems to be little argument against development in this direction.</p> <p>The Applicant’s argument in this matter also appears to be centred on the fact that</p>
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			<p>existing development around Four Ashes means the landscape is already compromised and so further development will not worsen this.</p> <p>The Proposed Development is however significantly more visually intrusive, both in terms of the height of the proposed buildings and the unavoidable light pollution.</p> <p>We have consistently raised our concerns in this respect, and it is disappointing that the Applicant continues to downplay the visual impact of the Proposed Development in its consultation responses, in particular in relation to the impact from Shoal Hill and other aspects of the Cannock Chase AONB.</p> <p>The Proposed Development (unlike the existing, far lower development) can not possibly be hidden by trees, and as such will be clearly visible from Brewwood which currently has uninterrupted views towards Cannock Chase. It will also be clearly visible from areas such as the canal near The Hattons (between Brewwood and Codsall) where unspoilt views across to Cannock Chase again currently exist.</p> <p>We would also highlight that the recent development at Bericote has already produced significant light pollution, visible from as far away as Codsall, a situation which will worsen significantly if the Proposed Development is permitted.</p> <p>The Proposed Development (as a 24/7 good vehicle operating facility) will clearly be exempt from the requirements of the Clean Neighbourhoods and Environment Act (2005). We therefore expect light pollution to become significantly worse given the scale of the Proposed Development, and affect a large area west of the A449, towards Brewwood and Codsall.</p> <p>Therefore whilst the Applicant continues to assert that the Proposed Development will have little additional impact on the visual environment due to existing development, we contend that it is of such scale that this is simply not the case, and this should not be used as a criteria for considering it to be a more appropriate site over others.</p>
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			<p>We therefore reject the argument that Four Ashes is a good site for this development simply because significantly smaller development has already occurred.</p> <p>We contend that is that the only way of preventing visual intrusion whilst retaining the core purpose of improving intermodal transport is to either remove the warehousing element, or significantly reduce the height of the proposed development.</p> <p>The Applicant also contend that the ROF site is small. <a href="#">52°38'30.3"N 2°06'35.8"W</a></p> <p>The Applicant also state that it is of inefficient shape, proximity to a large number of residential uses. The shape is no more inefficient in shape to the propose WMI site that only has 4 rail connected warehouses and 10 more rail served warehouses. WMI site crosses a canal, is on different levels, crosses roads that connect 3 villages Calf Heath, Gailey and Four Ashes. There are fewer residential uses than the WMI site and the current site allocation for the ROF site can only be a positive point.</p> <p>The advantages of a Rail Interchange in this location over the Application Site include the following:</p> <ul style="list-style-type: none"> <li>No public footpaths, No bridleway, No canal,</li> <li>No reservoir, No sailing club, No fishing club,</li> <li>No birdwatching club, No canoe club, No loss of woodland and veteran trees. In short, no impact on local recreational facilities and tourism.</li> </ul> <p>Significantly fewer residential properties affected by the Proposed Scheme</p> <p>The development of ROF would not cause the coalescence of a number of small rural hamlets.</p> <p>Less impact on the purposes of including land within the Green Belt.</p> <p>Less impact on wildlife.</p> <p>Potential for direct link on M54 which would minimise the impact on local highways.</p> <p>Better topographical link to railway.</p> <p>Demolition of existing properties in use avoided. Significantly less greenbelt land utilised so sequentially preferable.</p> <p>Closer to the Black Country and West Midlands Conurbation it will serve.</p> <p>Closer to I54</p> <p>Closer to the workforce to be employed so shorter journey to work impacts.</p>
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			<p>A number of bus routes operate within the vicinity of ROF.</p>  <p>Neither are there any footpaths or bridleways</p>
2.2.21	The Applicant & NR	<p><b>Capacity of Rail Network/ Availability of Rail Paths</b> In its Wrong Location Report [REP2-167], Stop WMI Community Group asserts that no (planning) approval should be given for a SRFI project of this scale unless and until it has reached GRIP 5 stage in the NR approval process. Can the applicant/ NR provide a written response to this assertion?</p>	<p><b>Applicant's Response:</b> No SRFI projects have ever reached GRIP 5 at the time of submission through either the Town &amp; Country Planning Act or the Development Consent Order route. In order to reach GRIP5 (Detailed Design), Network Rail would need to be assured of relevant consents being in place beforehand, which could not be confirmed until after the DCO application has been determined. A planning consent, or DCO, is a prerequisite to the process of obtaining GRIP 5.</p> <p><b>Network Rail Response:</b> A developer is likely to consider that to expend GRIP 5 monies would be an unacceptable risk pre-consent with the possibility of £2m - £3m of abortive expenditure. There are a number of requirements of earlier GRIP stages without which, the project could not proceed to GRIP 5 (detailed design). These would include industry consents such as Network Change, signalling design (which require the designer to have a 'monopoly' on the safety critical existing signalling scheme plans), and safety verification which can't proceed without a consented and approved scheme. Network Rail would submit its own proposals for development consent or approval under the Transport and Works Act 1992 based on GRIP 3 or GRIP 4.</p> <p><b>Group's Response:</b> The GRIP process should move beyond a feasibility stage,</p>

			<p>which was reached a decade ago. There is no reason for not providing a single option GRIP 4.</p> <p>“Nobody else has done it” is NOT a technical reason.</p> <p>It is noted that Network Rail in their Deadline 5 comment to 2.2.21 states: Network Rail would submit its own proposals for development consent or approval under the Transport and Works Act 1992 based on GRIP 3 or GRIP 4.</p>
2.2.22	NR	<p>A number of IPs express concern that the information provided by NR with regard to the <b>capacity of the network</b> does not provide certainty that the necessary train paths to accommodate either 4 or 10 trains per day can be made available. Is there anything that NR wishes to say by way of response to these concerns, over and above the information provided in its SoCG with the applicant and its Deadline 2,3 and 4 submissions?</p>	<p><b>NR Response:</b> An assessment of the current (May 2019) timetable has been made by an Network Rail Operational Planning Specialist.</p> <p>He has first looked at ‘QJ Strategic Capacity paths’ which travel between Bushbury Jn and Stafford Trent Valley Jn in both directions:</p> <p>Up Direction:</p> <p>The following QJ paths are currently available in the Up direction travelling on the West Coast Main Line (WCML) through Crewe and turning off at Stafford to run towards locations in the West Midlands:</p> <ul style="list-style-type: none"> <li>• 4G60QJ [SX] 17.52 Crewe Bas Hall SSM to Hams Hall</li> <li>• 4G60QJ [SO] 15.00 Seaforth CT to Hams Hall</li> <li>• 4G62QJ [SX] 05.17 Seaforth CT to Bescot Down Side</li> <li>• 4G62QJ [SO] 04.44 Seaforth CT to Washwood Heath Down Sdgs</li> <li>• 6G64QJ [SO] 08.00 Liverpool Bulk Terminal to Ironbridge Power Station</li> </ul> <p>Down Direction:</p> <p>The following QJ paths are currently available in the Down direction turning out onto the WCML at Stafford having travelled via Bushbury Jn:</p> <ul style="list-style-type: none"> <li>• 4E04QJ [SO] 14.50 Bescot Down Side to Preston</li> <li>• 4F23QJ [WSX] 17.43 Hams Hall to Seaforth CT</li> <li>• 4F23QJ [WO] 17.43 Hams Hall to Crewe Bas Hall SSN</li> <li>• 4M55QJ [SUN] 21.13 London Gateway to Trafford Park Euroterminal</li> <li>• 6M52QJ [FSX and FO] 13.26 Hinksey Sdgs to Carlisle NY</li> </ul> <p>From scanning the SX train graph, there are currently either 1 or 2 freight paths per hour in both directions on this line, of mixed classes (Class 0, Class 4 and Class 6). The number of paths is lower on SO and</p>

SUN. It should also be noted that the supply of traffic is not exclusively along the WCML. The two most probable entry ports are Felixstowe (trains access the West Midlands via the Ipswich-Peterborough-Nuneaton axis which has seen investment in gauge clearance and increased capacity) and Southampton (trains access the West Midlands via the Winchester-Reading-Banbury-Bescot axis which has seen similar investment).

**Group's Response:**

We note the detail provided by Network Rail, and accept that the train paths detailed are available.

We continue to contend that the number of available paths (4-10 per day) is however low, and therefore provides only limited capacity to remove freight from the road network. We remain very concerned that the Applicant continues to refer to these numbers at "aspirational" in its responses, which has provided us with limited confidence of their commitment to rail.

In particular we draw attention to the Midlands Rail Hub plan recently published by Midlands Connect. This plan to provide significantly improved East-West connections sees a far more ambitious plan to introduce an additional 36 freight paths per day, with a large number of these heading directly into the West Midlands, in particular into the Landor Street depot in Birmingham, and potentially into Hams Hall.

This is particularly important as the Applicant's own modelling appears to indicate that the majority of journeys originating from WMI will head south, into the West Midlands. Delivering rail freight directly into the West Midlands using the Midlands Rail Hub appears to far better address the aim of intermodal transport, by reducing the need for it to travel on the already congested M6 to reach the same destination.

These plans have come to light since the original application, and appear not to have been factored into the overall case for WMI. We would therefore like clarification that there is still justification when the Midlands Rail Hub is operational.

			<p>We believe that this recent plan from Midlands Connect significantly undermines the case for the rail connection at the Proposed Development, and increases the likelihood that the rail connection will never be developed, leaving us with a warehouse development that blights the countryside without delivering the aim of increasing intermodal transport.</p> <p>In addition, the late or non-publication of several transport documents (referred to earlier) and the Network rail response will mean that a Group response will need to be made for the next deadline. (Appendix 2 &amp;3 “Applicant’s Assessment of the West Midlands Freight Strategy 2016 &amp; “Applicant’s Response to NIC Future of Freight Report” for (i) and (ii).</p>
2.2.23	Applicant & Network Rail	<p>In its response to Stop WMI Community Group’s <b>Rail Report [REP2-159]</b> the applicant appears not to deal with the points raised in paragraphs 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. Can the applicant and NR please provide a written response to these comments?</p>	<p><b>Applicant’s Response:</b> In response to paragraph 2.9: Nodal Yards are promoted by Network Rail as part of its own regulated asset base, not by third parties. Nodal yards perform the task of providing capacity off the national network to house freight trains waiting for the next path times, carry out maintenance on wagons, allow train loads to be formed and reformed and act as the equivalent of a rail lay-by or recess. Network Rail’s 2018 Freight &amp; National Passenger Operators Route Strategic Plan shows (page 29) that Network Rail propose Nodal Yards on existing sites at Bescot and Crewe. Network Rail has not required any SRFI scheme to include a discrete Nodal Yard as part of the proposals, but WMI proposes to provide the infrastructure equivalent to a nodal yard in order to provide maximum flexibility of operations. WMI provides 6 x 775m length sidings within the main terminal area, accessible from both directions of travel on the WCML, together with additional sidings to the north of the terminal. The terminal has been designed to enable the operator to undertake some or all of the ancillary services associated with Nodal</p>

			<p>Yards (para 2.8), including wagon maintenance, locomotive fuelling and crew relief facilities. In response to Para 2.10: Paragraph 2.10 makes the statement that the Birmingham loop of the WCML has a lack of capacity due to outdated track and signalling. The Applicant's Pathing Study (Appendix 8 Applicant's Responses to ExQ1, REP2 -011) that was released at Deadline 2 demonstrates there are sufficient paths for the proposed WMI traffic as confirmed by the Applicant and Network Rail at the ISH hearing on Transport. At ISH2 "Accessibility and Transport" Network Rail stated, in response to a question as to whether HS2 would reduce capacity at Crewe, that they "are not aware of any proposals to compromise the ability of freight trains to recess in Crewe. Crucially, any change has to go through regulatory procedures and consultation. Any proposal to reduce capacity would not survive this process." The position of "laybys" is addressed in the response to ExQ2.2.24 below.</p> <p><b>Network Rail Response:</b> Existing freight paths which could also call in at the terminal, the presence of the 'QJ Strategic Capacity paths', and the capacity available on core routes to the ports other than the WCML, as identified in the response to 2.2.22 above. The Rail Report [REP2-159] contains assumptions and statements and also contains numerous errors. Network Rail do not consider it an accurate representation of the situation.</p> <p><b>Group's Response:</b></p> <p>The late or non-publication of several transport documents (referred to earlier) and the Network Rail response will mean that a Group response will need to be made for the next deadline.</p>
2.5.1	The Applicant	The Applicant's response to Stop WMI Community Group's <b>Agriculture and Farming Impact Report</b> [REP2-165] is set on pages	<p><b>Applicant's Response:</b></p> <p>(i) The WMI ASA (APP-255) evaluated potential alternative sites against the following principal planning policy and operational criteria:</p>

		<p>83 &amp; 84 of REP3-007. However, this does not respond to the Group's assertion that there is no evidence that agricultural land quality was taken into account in the ASA in appraising alternative sites. (i) Can the applicant provide a written response to this criticism of the ASA?</p>	<ul style="list-style-type: none"> <li>• Size/capacity;</li> <li>• Topography;</li> <li>• Rail Connectivity;</li> <li>• Road Connectivity;</li> <li>• Land use policy;</li> <li>• Landscape;</li> <li>• Heritage;</li> <li>• Air quality and noise;</li> <li>• Ecology; and Hydrology / Flood Risk</li> </ul> <p>The ASA adopted a comprehensive and robust methodology and the findings demonstrate that, even when utilising a search methodology which goes beyond what an operator would normally consider reasonable, there are still no suitable alternative locations to WMI. Existing agricultural uses were considered in the summary of each site and, whilst the assessment criteria did not include agricultural land quality, the criteria is consistent with previous ASAs (as set out at Appendix 1 of the ASA) and has been agreed with the Local Authorities. Finally, the inclusion of agricultural land quality would not change the outcome of the ASA (see (ii) below). (ii) Of the eight sites which made up the ASA's long-list of alternative sites, Meaford Power Station, Mid Cannock Colliery/Poplars Landfill Site and Stafford West were all discounted for failing to meet one or more of the fundamental criteria for an SRFI (paragraphs 8.2.1 – 8.3.3). It was determined that these sites could not adequately connect to the strategic road and/or rail network and, therefore, they were ruled out as suitable sites for a SRFI. The presence or absence of agricultural land at these three sites would not change the outcome of this phase of the assessment. Five sites made it to the ASA's short-list and were assessed in greater detail using the principal planning policy and operational criteria set out in the above response. As stated in the response to (i), the ASA short-list assessment criteria did not include agricultural land quality, therefore, information has been gathered from the <a href="http://MAGIC.defra.gov.uk">MAGIC.defra.gov.uk</a> website and Natural England to help establish the agricultural land quality of the alternative sites identified in the ASA. <a href="http://MAGIC.defra.gov.uk">MAGIC.defra.gov.uk</a> and Natural England's 'Likelihood of Encountering Best and Most Versatile Agricultural Land Maps', indicate that agricultural land at Featherstone</p>
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and Dunston are likely to contain a mixture of Grade 2 and Grade 3, and have a high (>60%) to medium (20% -60%) likelihood of having Best and Most Versatile Agricultural Land (BMV ). Creswell comprises a mixture of Grade 2 in the north near Great Bridgford and Grade 3 and Grade 4 in the floodplain of the River Sow to the west. Creswell is located in an area with a medium (20% - 60%) likelihood of having BMV. Finally, Rugeley Power Station is non -agricultural land. As set out in the Planning Statement (para 7.3.4) and Chapter 6 of the ES, the WMI site has been the subject of an Agricultural Land Classification Investigation (a more accurate and detailed level of agricultural land assessment) which shows that the site is made up of Grade 2 (17%), Grade 3 (54%) and other, non -agricultural land (29%). On this basis it is demonstrated that WMI, Featherstone and Dunston have a similar profile of agricultural land quality and that the development of any of these sites would likely result of the loss of BMV. Whereby, development at Creswell or Rugeley would result in a loss of less or no agricultural land. Nevertheless, taken as a whole, the ASA assessment demonstrates that Creswell and Rugeley Power Station are simply not considered to represent suitable alternatives in the context of a SRFI's fundamental requirement to facilitate efficient modal shift from road to rail. Therefore, when considered alongside the rest of the ASA assessment, the inclusion of agricultural land quality does not affect the conclusions regarding the potential alternative sites.

**Group’s Response:**

Please refer to the Groups deadline 4/deadline 5 responses “Applicants responses to Reports”

Introduced through the Town and Country Planning Act of 1947, green belts were intended to protect the countryside through controlling the post-war urban sprawl of towns and cities. For those living in larger cities, green belt land is the first encounter with the countryside – the beginning of wider horizons, fresher air and taller, greener trees. For rural towns and villages that are located within the green belt, it defines settlement boundaries and fosters identity.

2.6.3		<p>A number of IPs, including Stop WMI Community Group in its <b>Road Infrastructure Report</b> [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 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>Can the applicant and SCC provide a written response to these concerns and clarify the predicted traffic impact of the proposals on this route?</p>	<p><b>Applicant's response:</b> As shown within the Transport Assessment (TA) (APP-114), it has been concluded that there is no adverse impact on the A5 west of Gailey. As set out in Table 28 of the TA, it has been demonstrated that peak hour increases in journey times along this link would be no more than 30 seconds per vehicle. As set out in Table 29 of the TA, average peak hour queue lengths are not forecast to increase with the proposed development. With regard to the assessment of environmental effects these are set out in the Transport Chapter of the ES (APP-053) which concludes that, following mitigation, there will be a minor effect on Driver Stress and Delay, Fear and Intimidation and Accidents and Safety. All other effects are negligible to minor. These impacts are not considered significant and do not warrant any further mitigation over and above that already proposed by the development. As set out within the SoCG with SCC (REP2- 008) at paragraph 9.5 that the submitted transport documents define an appropriate package of highway mitigation measures that are acceptable to fully mitigate the impacts of the Proposed Development. It should be noted, that as set out in the Applicant's response to the Examining Authority's First Written Questions (REP2- 009), in response to Question 1.7.6, specific measures are proposed in order to deal with the management of HGV's during unforeseen circumstances. These measures are set out in the updated Site Wide HGV Management Plan (AS-040) and have been agreed with both HE and SCC and are considered to be sufficient. It is therefore the Applicants position that mitigation is not required to the A5 west of Gailey Roundabout.</p> <p><b>Staffordshire County Council Response:</b> 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. 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 the M6 and M54, which <b>should</b> cover any HGV trips</p>



			<p>to/from the Telford area.</p> <p><b>Group’s Response:</b>  In its Road Infrastructure Report (3) Para 6.4, the group acknowledges that this stretch of the A5 is not included in the Strategy for the A5 2011-2026 and this because it is a de-trunked section of this route.  The group do not agree with these assertions or predictions. There is very little information mentioned about the A5 west of Gailey in the SWHGVMP. As set out in Para 5.0 in the Stop the WMI Road Infrastructure Report (3) where it is clearly evidenced that the A5 west of Gailey will be used by HGV’s because it is the shortest route. They will not use the M54 when delivering to Telford or returning from Telford.</p> <p><b>Group’s “Milestone Representatives” Response:</b>  The Group have previously made representations as to why we believe that the assessments of highway impact are fatally flawed. The base models used in the assessments do not appear to reflect the actual situation “on the ground” and if this is the case, then the impact of the development cannot be adequately predicted. If the impact cannot be predicted, then the assessment on the significance of that impact cannot be relied upon.  As such the Group maintain that the potential impact of all development traffic (including HGV’s) has not been adequately assessed and therefore adequately mitigated as part of the submitted documentation.</p>
2.7.5	The Applicant	<p>In its response to Stop WMI Community Group’s <b>Health Impact Report [REP2-162]</b>, the applicant does not deal with Sections 7- 13 of that report. Is there anything in those sections that the applicant does not accept or agree with and, if so, what are the reasons for taking a different view?</p>	<p><b>Applicant’s Response:</b> Sections 7-13 of Stop WMI Community Group’s Health Impact Report (REP2-162) provides a number of references to documentation linking air pollution with effects on public health. The Applicant has not reviewed every referenced document and extract in detail to verify the veracity of the extracts in the context in which the points are being made, but it is accepted that poor air quality can impact human health. The fact that poor air quality can impact upon human health is one of the principal reasons for undertaking the air quality assessment. In order to protect human health, the government has set National Air Quality Strategy Objectives.</p>

These Objectives are set on the basis of protecting the health of vulnerable individuals such as the young and old. The impact of the proposed development has been judged against these objectives, as required by the NPS paragraphs 5.11-5.13. In this regard, the ES Air Quality Chapter (Document 6.2, Chapter 7, APP-027) has determined that there are no significant air quality effects in relation to compliance with these objectives, and therefore the development will not have a significant effect on human health. The referenced information and extracts contained in the Stop WMI document do not therefore alter the conclusions of the assessment undertaken in the ES (Document 6.2, Chapter 7, APP-027). In particular, and as acknowledged in Section 7.7 of the Stop WMI Community Group's Health Impact Report (REP2-162), compliance is maintained with the EU Limit Value for PM2.5 of 25µg/m<sup>3</sup>, with all predicted PM2.5 concentrations (Document 6.2, ES Technical Appendix 7.6, APP-072) being well below this value. For these reasons the Applicant would disagree with the assertion in Section 13 of the WMI Community Group's Health Impact Report (REP2-162) that the health of the public is at risk from air pollution associated with the proposed development.

**Group's Response:** Then may we refer the Applicant and the Planning Inspector to the attached report

[https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR050005/TR050005-000958-South%20Staffordshire%20Council-Appendix%20E%20-%202019%20Air%20Quality%20Annual%20Status%20Report%20\(ASR\).pdf](https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR050005/TR050005-000958-South%20Staffordshire%20Council-Appendix%20E%20-%202019%20Air%20Quality%20Annual%20Status%20Report%20(ASR).pdf)

“Conclusions and Priorities For future reference there is an application about to be submitted for a West Midlands Interchange hub at Four Ashes incorporating warehouses, trains and HGV's which will obviously have an impact on traffic. Section 2.3 in the above report states “As detailed in Policy Guidance LAQM.PG16 (Chapter 7), local authorities are expected to work towards reducing emissions and/or

concentrations of PM2.5 (particulate matter with an aerodynamic diameter of 2.5µm or less). There is clear evidence that PM2.5 has a significant impact on human health, including premature mortality, allergic reactions, and cardiovascular diseases. Particulate matter, or PM, is the term used to describe particles found in the air, including dust, dirt and liquid droplets. PM comes from both natural and man-made sources, including traffic emissions and Saharan-Sahel dust. These particles can be suspended in the air for long periods of time, and can travel across large distances. PM2.5 is the pollutant which has the biggest impact on public health and on which the Public Health Outcomes Framework (PHOF) indicator 3.015 is based.”

**Actions to Improve Air Quality**

“We also have purchased a new piece of air quality monitoring kit the AQ Mesh which we will use to supplement our current monitoring and also begin to look at levels of PM2.5 within the district and hope to be purchasing two pieces of monitoring kit shortly.”

2.3.2 PM2.5 and Mortality in Staffordshire & Stoke-on-Trent Although the levels of PM2.5 within the County and City of Stoke on Trent are below the 2020 EU Limit value, the impact on adult mortality directly attributable to PM2.5 is nonetheless still an important public health issue within Staffordshire and Stoke-on-Trent. This is revealed in data obtained from Public Health England used to inform Public Health Outcomes Framework indicator 3.017, as shown in Figure 1 The percentage estimated number of deaths attributable to PM2.5 in adults over 30 has been translated into the estimated number of attributable deaths for each local authority area within Staffordshire, and are shown in Figure 2. The data presented to 2017 is the latest data available at time of publication of this report. Approximately 5% of deaths within the County can be attributed to PM2.5. Figure 1 Estimated number of deaths by local authority area attributable to PM2.5 within Staffordshire.

Figure 1 Estimated number of deaths by local authority area attributable to PM2.5 within Staffordshire for adults over 30 2013

			<p>to 2017.</p> <table border="0"> <thead> <tr> <th>District/County</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Newcastle-under-Lyme</td> <td>4.5%</td> </tr> <tr> <td>Stafford</td> <td>4.7%</td> </tr> <tr> <td>East Staffordshire</td> <td>5.1%</td> </tr> <tr> <td>South Staffordshire</td> <td>4.9%</td> </tr> <tr> <td>Lichfield</td> <td>5.0%</td> </tr> <tr> <td>Staffordshire Moorlands</td> <td>4.3%</td> </tr> <tr> <td>Cannock Chase</td> <td>5.0%</td> </tr> <tr> <td>Tamworth 5.4% Stoke on Trent</td> <td>4.8%</td> </tr> <tr> <td>Staffordshire County</td> <td>4.8%</td> </tr> <tr> <td>England</td> <td>5.1%</td> </tr> </tbody> </table> <p>It is also interesting to note from this report that:  “Monitoring site HA 5 and 6 in the AQMA Oak Farm Hatherton will be discontinued. They were originally to illustrate the effect of the entrance exit effect of the NO2 levels and how it decreased further away. They have never shown levels over objective and are not at relevant locations. We have now revoked Wedges Mills and Woodbank AQMA’s and therefore monitoring will also cease at these locations shortly.</p> <p>Air Quality Consultants pointed out that the real time analyser has been performing poorly over recent years. It is a very old piece of kit that is expensive to run. It is likely that we will phase this out once maintenance and data contracts are finished within the next 12 months. It is 16 years old and at an end of its useful life. The data is no longer considered reliable.”</p>	District/County	Percentage	Newcastle-under-Lyme	4.5%	Stafford	4.7%	East Staffordshire	5.1%	South Staffordshire	4.9%	Lichfield	5.0%	Staffordshire Moorlands	4.3%	Cannock Chase	5.0%	Tamworth 5.4% Stoke on Trent	4.8%	Staffordshire County	4.8%	England	5.1%
District/County	Percentage																								
Newcastle-under-Lyme	4.5%																								
Stafford	4.7%																								
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2.8.4	The Applicant	In its response to Stop WMI Community Group’s <b>Health Impact Report [REP2-162]</b> , the applicant does not appear to respond to the Group’s concerns about the health impact of adverse noise conditions which are result for many local residents. Can the applicant provide a written response to those concerns?	<b>Applicant’s response:</b> In Section 12.0 of the Health Impact Report (REP2-162], the group refer to three papers, which are considered by the Applicant to be of limited relevance to noise from the proposed development. The paper by Kerns, Masterson et al relates to occupational noise exposure, not environmental noise, and is not relevant to the potential effect on local residents. The Munzel, Schmidt et al paper indicates that there may be an increase in risk of cardio-vascular disease for every																						

			<p>10dB(A) increase in noise, starting at a level as low as 50dB(A). The highest predicted sound level from the operational development is 47dB(A) at the Canal Towpath (Gravelly Way), when the acoustic character corrections are removed (since they are not relevant outside of a BS4142 context).</p> <p>Furthermore, the Muzel, Schmidt et al paper notes that mitigation strategies are highly important, and that the noise insulation of buildings “is effective in reducing exposure to all outdoor noise sources, but is associated with low cost -effectiveness because of high costs of implementation.” The bespoke noise insulation scheme directly addresses the potential high cost of implementing noise insulation, making it a more effective strategy than would otherwise be the case.</p> <p>The final paper, the Passchier-Vermeer paper, quotes a number of other studies that cite health effects at various sound levels that are generally greater than those likely to be generated by the proposed development. The only threshold that occurs at a level likely to be reached by the proposed development has been taken from a 1994 Health Council paper that was reviewed during the publication of the WHO’s Guidelines for Community Noise (published in 1999), and was not adopted by the WHO, suggesting that it is not an appropriate indicator of effect.</p> <p>The Stop WMI Group go on to refer to the Freight and National Passenger Operators Route Strategic Plan (FNPORSP, February 2018), quoting an extract from Section 5.16. The Group claim that the alleged health Effects , that they state , are highlighted in the three reference papers, leads to the statement in the FNPORSP that “the imposition of environmental restrictions (noise, hours of activity) can fundamentally undermine the utility of sites.”</p> <p>There is no evidence in the FNPORSP that the suggested environmental restrictions follow from any potential health effects, rather than from, for example, general noise or planning policy, which seeks to achieve a range of outcomes that may include health effects, but also have broader goals.</p> <p>The FNPORSP goes on to note that Network Rail has a critical leadership role to highlight the importance of rail freight, and that Freight and National Passenger Operators, and</p>
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			<p>Network Rail, will continue to articulate the economic and environmental benefits of rail freight.</p> <p><b>Group’s response:</b> Except to say that Network Rail staff do not use passenger trains as referred to in our deadline 5 response.</p> <p>Environmental Protection UK</p> <p>“Noise can cause annoyance and fatigue, interfere with communication and sleep, reduce efficiency and damage hearing. The World Health Organisation recommends a guideline level of 30 dB LAeq for undisturbed sleep, and a daytime level for outdoor sound levels of 50dB to prevent people from becoming “moderately annoyed”.</p> <p>Physiological effects of exposure to noise include constriction of blood vessels, tightening of muscles, increased heart rate and blood pressure and changes in stomach and abdomen movement. The effects of exposure to noise are personal as hearing sensitivity varies. Exposure to constant or very loud noise – either occupational or leisure – can cause temporary or permanent damage to hearing.</p> <p>There is an increasing body of research linking prolonged exposure to transport noise to health impacts. A major impact of noise is sleep disturbance – and disrupted sleep has been linked to effects on cardiac health. A number of reports have made direct links between transport noise and cardiac health. Most work carried out has looked at impacts of aviation noise. There are links between children’s concentration too. Much of this work has been carried out in Europe.”</p> <p><b>WHO Europe – Children, noise and health</b></p> <p>“Impairment of early childhood development and education caused by noise may have lifelong effects on academic achievement and health. Studies and statistics on the effects of chronic exposure to aircraft noise on children have found:</p> <ul style="list-style-type: none"> <li>consistent evidence that noise exposure harms cognitive performance;</li> <li>consistent association with impaired well-being and motivation to a slightly more limited extent;</li> <li>moderate evidence of effects on blood</li> </ul>
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			<p>pressure and catecholamine hormone secretion.”</p> <p>“Shift workers are at increased risk because their sleep structure is under stress.”</p>
2.13.7	The Applicant and SCC	<p>In its <b>Tourism and Leisure Report [REP2-164]</b>, 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.</p> <p>(i) Does the applicant/SCC have any data as to the level and frequency of use of FP No. 29?</p> <p>(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?</p>	<p><b>Applicant’s Response:</b></p> <p>(i) During the visits by the Applicants team to the Site, in the course of the preparation of the application, there was little (if any) evidence on site of footpath 29 to the east of the railway being used. In addition it is noted that, on the definitive map, there is no connection between footpath 29 at its eastern limit and Croft Lane. A copy of the relevant extract of Definitive Map is provided at Appendix 13. This map illustrates the distinct gap that exists in the gap between footpath 29 and the adopted highway, which is located to the east of MMS Gas.</p> <p>(ii) Provided at Appendix 14 is a drawing (“Circular Routes”) which shows two alternative medium distance walks. The route shown with a blue line provides a circular walk of 8 km (5 miles) via the canal tow path, permissive paths within Calf Heath Community Park, the new link road, Croft Lane, the permissive paths of the Croft Lane Community Park before heading to the west via the new link road and back onto the A449. This would be similar in distance to the route quoted by Stop WMI in the Tourism and Leisure Report (REP2-164). A further alternative route shown with a light blue line is also shown at Appendix 14. This is a “figure of 8” route, taking place largely on the canal tow path, the permissive paths provided by Calf Heath Community Park and the Croft Lane Community Park and the on site Permissive Paths. This route would extend to 6 km (3.7 miles) so would be similar in distance to the route quoted by Stop WMI in REP2-164 and would largely avoid using footways adjacent to either existing or future roads. This may be more attractive for some people than the circular option discussed above. What is shown is that the Applicant has provided a choice of routes available, given that “out and back” routes will also be available by way of the permissive paths and the access to the canal</p>

			<p>towpath.</p> <p><b>Group's Response:</b> The Applicant's description of the usage of Penk 29 is not correct. When were the visits by the Applicant's team to the site in the course of the preparation of the application? The path connects perfectly with Croft lane as all other public footpaths connect to something at their start and finish. There have never been any obstacles to prevent connection from Croft lane to Penk 29 and the route is always clear and accessible. The two alternative circular walks proposed by the applicant will have walkers negotiating busy development roads and an incongruous embankment along the canal. The alternative routes will absolutely not be more attractive to some people as quoted by the Applicants than the route quoted by stop WMI in REP2-164. We would also like to draw your attention to the Macmillan Cross Britain way of which Penk 29 and the connecting Croft lane are a part. A very very important path that runs right across the UK for a charity that is very close to all our lives in some way. To redirect this part of the CBW and run it through the only part of the whole length through a development site would be sacrilege. The Applicants suggested paths are permissive only and not legally protected rights of way. How will any alternative paths be protected/become legal rights of way?</p>
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# Wolverhampton City Council

# OPEN GREEN DECISION NOTICE

Portfolio(s) **COUNCILLOR P BILSON /  
ECONOMIC REGENERATION AND PROSPERITY**

Originating Service Group(s) **PLANNING**

Contact Officer(s)/ **IAN CULLEY                      SIMON LATHAM**  
Telephone Number(s) **5636                                      5639**

Title **BLACK COUNTRY AND SOUTHERN STAFFORDSHIRE REGIONAL  
LOGISTICS SITE STUDY**

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## **SUMMARY**

The need for large scale Regional Logistics Site (RLS) facilities to serve the Black Country was considered through the Phase 2 Review of the Regional Spatial Strategy (RSS2). South Staffordshire District Council have committed to carrying out a comprehensive study to update the evidence base prepared in support of RSS2, and Cabinet approved the City Council's representations supporting the approach set out in the South Staffordshire Core Strategy in July 2012. The study was commissioned in the summer of 2012 and the Stage 1 Report has now been completed.

The Report advises that the Midlands is one of the most competitive and efficient locations in the UK for major distribution occupiers. There is strong developer interest in the bringing forward of additional facilities and there is a very limited supply of 'development ready' logistics sites to serve the Midlands over the medium and long-term. However, the footloose nature of the distribution industry means that the market would not consider the Black Country in isolation and so it is difficult to identify a specific operational and geographically need for a RLS in the Black Country and southern Staffordshire to serve the Black Country in particular. In the absence of this specific need, the Report recommends that the assessment of availability of supply is widened and undertaken on a regional West Midlands basis.

## **DECISION**

1. That the conclusions and recommendations of the Report are noted and that the Report is published on the City Council website.
2. That Stage 2 of the Study is extended to consider potential sequencing of provision in a widened Study area based on the criteria established in the Stage 1 Report. This to involve engagement with regional partners across the West Midlands and having regard to demand and supply in the East Midlands.

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Signature  
Date:

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Signature  
Date:

## 1. **PURPOSE**

- 1.1 To summarise the conclusions and recommendations of the Stage 1 Report and to set out a suggested way forward.

## 2. **BACKGROUND**

- 2.1 There is long-standing developer interest in the bringing forward of large scale logistics facilities to the north of the City in South Staffordshire District. But this interest is not fully reflected in adopted development plans, and the approach to logistics provision in the West Midlands Region over the last 5-10 years has been changeable, at times inconsistent and has failed to achieve consensus from all regional partners.
- 2.3 Most recently, the need for large scale logistics provision in the form of a Regional Logistics Site (RLS) to serve the Black Country has been considered in the evidence supporting the Phase 2 review of the West Midlands Regional Spatial Strategy (RSS2) and in the preparation of the Black Country Core Strategy and the South Staffordshire Core Strategy. The RSS2 Review defines a RLS as providing an opportunity for the concentrated development of warehousing and distribution uses and having the key characteristics of being in the order of 50ha or more, be served by multi-modal transport facilities (ie road and rail) and be located away from incompatible neighbours allowing 24 hour operations.
- 2.2 At the national level, in November 2011 the Government published interim guidance pending the publication of the Department for Transport's (DfT) consultation document on the National Networks Policy Statement (NPS). This document provides guidance on Strategic Rail Freight Interchanges (SRFIs) which are defined as a large multi-purpose rail freight interchange and distribution centres linked into both the rail and trunk road system. The Government supports the development of a national network of SRFIs and will seek to facilitate the achievement of this objective. The Guidance states that SRFI capacity needs to be provided at a wider range of locations, particularly, but not exclusively serving London and the South East, to provide the flexibility to match the changing demands of the market possibly with traffic moving from existing Rail Freight Interchanges (RFI) to new larger facilities.
- 2.2 As a response to these policy drivers the South Staffordshire Core Strategy recognises that the RLS issue is outstanding and that a comprehensive study should be set in train. This study should review the 'need' for large scale logistics provision of RLS to serve the Black Country and southern Staffordshire, and subject to this work to examine alternative approaches to satisfy this need. On the basis of this first Stage, Stage 2 of the work would be tasked with identifying detailed areas of search to inform Local Plan-making. This approach was supported by the Council following Cabinet consideration of the emerging South Staffordshire Core Strategy in July 2012.

### The RLS Study

- 2.3 Consultants URS were awarded the commission to produce the Study in the summer of 2012 and the Report was completed in March 2013. The Study was commissioned on a joint basis by a steering group made up of representatives from the Black Country, South Staffordshire District Council, Staffordshire County Council and Centro. Wolverhampton City Council (WCC) are the lead authority. The Stage 1 Report has now been completed and this Report summarises the key findings and recommends a series of next steps.
- 2.4 The key findings are:

- The Midlands is one of the most competitive and efficient locations in the UK for major distribution occupiers and the need for RLS provision in the Region identified in the RSS Phase 2 review in the order of 200-250ha holds good. There is strong developer interest in the bringing forward of additional facilities and there is a very limited supply of 'development ready' logistics sites to serve the Midlands over the medium and long-term.
- The North and West Midlands currently has less provision than the East Midlands and given the high population density of the Black Country and its location at the heart of the national rail and motorway networks, RLS provision in southern Staffordshire would be an attractive and viable proposition to developers and occupiers.
- RLS provision would bring employment benefits to the Black Country. Assuming that some 11,000 net jobs are provided on one site of up to 160ha, over 1,200 could be filled by Wolverhampton residents. A range of jobs would be provided from managerial, IT and manual occupations and there is a good fit with the City's skills profile.
- Given the large scale of a RLS site (in the order of at least 50-60ha but with market interest in a significantly larger proposal of up to 160ha), there would be significant local environmental impact from additional traffic, noise and reduced air quality but wider highway benefits as a result of modal shift from HGV to rail, albeit relatively small. The Study predicts an increase in traffic of 1,600 HGV daily trips between the ports and a RLS site plus trips of smaller loads to final destination and employee trips to / from site.
- The scale and nature of logistics supply chains means that the market would not generally consider the Black Country in isolation and the Black Country and southern Staffordshire is a spurious boundary for an area of search. The demand from larger operators is generally capable of being satisfied from any location in the Midlands subject to good road/rail access labour force provision. Previous studies looked at RLS provision in relation to the West Midlands, and considering southern Staffordshire in isolation fails to appreciate to what extent other areas of the West Midlands including north Staffordshire could meet need.

### Next Steps

2.5 The Study recommends that Stage 2 proceeds, but that the area of search is widened to include the rest of the West Midlands and having regard to demand and supply in the East Midlands. This approach would benefit from cooperation from other Midlands authorities not currently within the Steering Group. The Report also recommends that the brief extends to the potential sequencing of provision within the widened Study area. This approach would provide greater policy clarity and certainty for the West Midlands as a whole and fulfill the duty to cooperate incumbent on local planning authorities as set out in the National Planning Policy Framework (NPPF).

2.6 It is proposed to commence Stage 2 through a regional stakeholder event in June / July 2013 with the work commencing in the autumn.

### **3. FINANCIAL IMPLICATIONS**

3.1 No direct financial implications. The Stage 1 work was funded from Study partners including a contribution from the Black Country Core Strategy budget held by Sandwell Council. It is anticipated that the costs of Stage 2 (in the order of £20,000) will also be

met from stakeholders. All work required will therefore be met from existing resources  
[RT/30052013/S]

#### **4. LEGAL IMPLICATIONS**

- 4.1 The Study will provide the evidence base to inform the determination of planning applications and the preparation of Local Plans across the West Midlands.  
[LD/29052013/K]

#### **5. EQUAL OPPORTUNITIES IMPLICATIONS**

- 5.1 This notice has no direct equal opportunities implications.

#### **6. ENVIRONMENTAL IMPLICATIONS**

- 6.1 This notice has no direct environmental implications.

#### **7. SCHEDULE OF BACKGROUND PAPERS**

Black Country and southern Staffordshire Regional Logistics Site Study (URS consultants)