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Our Ref: TR050005

Date: 15 August 2019

Dear Sir/Madam

**Planning Act 2008 (as amended) and The Infrastructure Planning
(Examination Procedure) Rules 2010 (as amended) – Rule 8(3) and Rule 17**

**Application by Four Ashes Limited for an Order Granting Development
Consent for the West Midlands Interchange**

Request for Further Information

Under Rule 17 of the Infrastructure Planning (Examination Procedure) Rules 2010, I am issuing a formal request for further information to be submitted to the examination.

This request is directed to the Applicant and Walsall Council. Those parties are asked to provide their written responses to the questions set out below by Deadline 8 on the 21 August. If any Interested Parties wish to comment on those responses their written comments must be submitted by 27 August 2019 when the Examination will formally be closed.

Revised ES Chapter 7 [REP7-016]

In respect of NO₂ concentrations, updated Table 7.6.14 of ES Appendix 7.6 [REP7-024] shows that the Proposed Development would give rise to a “*moderate adverse*” effect at two receptors within Walsall (PS_W_41b and PS_W_41c) in one of the scenarios that have been assessed (i.e. at 2028 assuming 50% development traffic).

Q1. In comparing the NO₂ predicted concentrations at 2028 with and without development, the Table records the development contribution to those concentrations as being 1%. As this does not reflect the actual percentage contribution, the ExA assumes that this figure has been rounded up. Can the Applicant please confirm: (a) whether this is the case; (b) set out the method or approach that has been adopted in respect of rounding such figures up or down in the tables in Appendix 7.6, and (c) confirm whether that methodology has been consistently applied to all such tables in this part of the assessment?

Q2. Receptors PS_W_41b and PS_W_41c appear to be within residential areas located close to the westbound and eastbound carriageways of the M6 within Walsall district and within a designated AQMA. Can the Applicant and Walsall Council please (a) confirm whether this is the case; and (b) provide an indication of how many residential properties in these locations would be likely to be affected by emissions from traffic generated by the Proposed Development?

At paragraph 7.180, revised Chapter 7 [REP7-016] states that the NO₂ results presented in the appendices would give rise to a negligible impact across the study area, in the 2008 with 50% of development traffic scenario, apart from at receptor locations PS_W_41b and PS_W_41c. For the 2036 scenario with the Proposed Development fully operational, the assessment shows either a slight adverse or negligible impact at the vast majority of the receptor locations, and a slight adverse impact at the two locations adjacent to the M6 (paragraph 7.181).

It is noted that, in both cases, the development contribution at 2028 is stated to be only 0.3 µg/m³ and that predicted baseline levels for both receptors would exceed the relevant objective level without the development contribution. At 2036, these two receptor locations are -predicted to experience only slight impacts as the total NO₂ concentrations at these locations are predicted to reduce to below 40 µg/m³.

Q3. No information has been given as to the rate at which air quality is expected to improve at these locations between 2028 and 2036. Can the Applicant show at what year a reduction of NO₂ concentrations below 40 µg/m³ would be predicted to be achieved without the development?

Q4. In simple terms, the addition of 0.3 µg/m³ or of +1% at 2028, with potentially a larger contribution in each subsequent year as development traffic increases might be expected to reduce the expected rate of overall improvement in air quality at these receptors and the speed with which the monitored levels below the AQ objective for the AQMA might be achieved. Can the Applicant show at what year a reduction of NO₂ concentrations below 40 µg/m³ would be predicted to be achieved with the development?

Q5. Having regard to the data presented in updated Table 7.6.14 and their responses to Questions 3 and 4 above, can the Applicant please provide further clarification and justification for the conclusion, set out at Paragraph 7.208 of revised Chapter 7, that the Proposed Development would not "affect the ability of a non-compliant area to achieve compliance within the shortest period"?

Q6. Can Walsall Council please provide its comments on the assertion, at Paragraph 7.208 of revised Chapter 7, that the Proposed Development would not affect the ability of a non-compliant area to achieve compliance within the shortest period?

Yours faithfully

Paul Singleton

Paul Singleton
Examining Authority