

Deadline 8
 STWMI Groups Response to Applicants Document 17.1 (submitted at deadline 7)

Body/Individual (PINS Ref)	Comment Ref	Applicant Response	Group's Response
<p>Stop the WMI Group – Post Hearing Submission 17.1.009</p>	<p>The Stop the WMI Group have stated their preference for ROF Featherstone as an alternative site to the WMI Site.</p>	<p>ROF Featherstone is fully assessed in Section 8.6 of the Alternative Site Assessment (Document 7.2 APP-255). The employment allocation at ROF Featherstone is only 36 ha, the site has insufficient highway access, establishing a rail terminal of sufficient scale would be physically very difficult and the land is designated for alternative employment uses which excludes major distribution development.</p> <p>The ASA considered a larger potential alternative site at Featherstone, beyond the 36ha employment allocation. However, the land is physically constrained by the prison to the north, residential development to the east, the M54 to the south and the A449 to the west and the site's size and configuration would not allow an efficient or sensible SRFI scheme to be developed. As set out at paragraph 8.6.7 of the ASA, sufficient space is not available along the rail line between the M54 and Brinsford Lane to accommodate a full-length terminal with direct mainline access. Major land acquisition and engineering works would be required, including the reconfiguration of existing roads (Brinsford Lane and Dark Lane) and the demolition of properties along Dark Lane, in order to attempt to physically accommodate the full length terminal. Alternatively, a full-length terminal could in theory be located perpendicular to the main line, south of the prison complex. However, accommodating full length sidings within the site boundary would require connection line(s) to run east from the main line at a radius curve in excess of 400m. Rail tracks at these curvatures are known to lead to significant noise</p>	<p>It is not the Group's intention to promote any other site within South Staffordshire but merely to highlight the poor Alternative Site Assessment (Document 7.2 APP-255)</p> <p>We do not believe a compelling need has been demonstrated for a SRFI in southern Staffordshire. We also do not accept that there are no alternative brownfield sites in the wider West Midlands region that could accommodate the proposed use.</p> <p>We do not accept that the Alternative Site Assessment (Document 7.2 APP-255) has fully and objectively assessed ROF Featherstone, or any of the other sites identified within the report.</p> <p>It is clear that the ASA has failed to give adequate weight to the Green Belt designation and other considerations, which weigh in favour of the other sites, most notably ROF Featherstone.</p> <p>The scheme is inappropriate development in the Green Belt and is, by definition, harmful to the Green Belt in accordance with paragraph 143 of the NPPF. This harm should be given substantial weight. Substantial weight has not been given to this in the ASA. In the ASA, only paragraphs 8.10.19 – 8.10.22 consider the Green Belt designation. These paragraphs do not consider the harm to the Green Belt designation and</p>

		<p>impacts as well as long term maintenance issues for operators. This is an extremely ineffective layout, to the degree that it would not be pursued by any reasonable operator.</p> <p>The difficulties in accommodating the required rail infrastructure and the close proximity of the site to residential development and HMP Featherstone (a Category C men's prison), significantly undermines the site's suitability even before any consideration is given to the scale of warehouse development necessary to achieve viability or the extent of mitigation, buffer and green infrastructure. The landscape buffers and green infrastructure necessary to provide the minimum noise and visual mitigation would significantly reduce the amount of developable land on an already small and constrained site.</p> <p>With regards to road access, there are numerous identified highways access constraints in the surrounding area that significantly restrict accessibility of the site for all vehicle types. Suitable access is subject to the provision of substantial highways improvements, which is likely to include the delivery of a new road to the south of the M54, potentially through National Trust Land. Funding constraints for these improvements are uncertain and inextricably link to the B1/B2 employment allocation (paragraphs 8.6.9 – 8.6.17 of the ASA).</p> <p>The site allocation (i.e. majority B1/B2 and a smaller element of B8) is required to meet the existing commercial and manufacturing needs identified in the SSDC Core Strategy and Site Allocations Document. The Applicant understands that discussions to redevelop the ROF Featherstone site, in accordance with the site allocation, are ongoing. An application to remediate the site has been approved by SSDC (18/00995/FUL) and we understand that the Council expect an application to</p>	<p>purposes of including land within the Green Belt.</p> <p>Pursuant to paragraph 140 of the NPPF, planning permission should only be granted where other conditions clearly outweigh the harm to the Green Belt by reason of its inappropriateness, and any other harm, such that Very Special Circumstances exist.</p> <p>The ASA has failed to give substantial weight to the harm and, therefore, no assessment can be made as to whether other considerations outweigh this harm.</p> <p>In addition to the above, the ASA has failed to give weight to important considerations that weigh in favour of ROF Featherstone, these are detailed below. The ASA has also made a number of inaccurate statements about ROF Featherstone.</p> <ul style="list-style-type: none"> • The redevelopment of ROF Featherstone for an employment allocation is supported by adopted local planning policy. In the South Staffordshire Site Allocations DPD (2018) 36ha of land at ROF Featherstone is allocated for B1, B2 and B8 employment land; • A significant proportion of the site is previously developed land; • Locational Sustainability. The site is located immediately adjacent to the boundary of Wolverhampton City Council; The site is located near to two Strategic Employment Sites; I54 and Hilton Cross; • Proposed highway access improvements and potential for a direct link off the M54.
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		<p>be submitted by the end of the year for the employment use to come forward in line with the current Local Plan allocation. Therefore, the provision of large scale B8 and the extinguishment of the B1/B2 allocation would not be considered appropriate.</p> <p>The ExA will be aware that at no stage of the Examination has SSDC or SCC suggested that ROF Featherstone is a realistic alternative to WMI and, indeed, as set out in the SoCG with SSDC (REP2-006), it is common ground that there are no alternative sites within the identified search area that offers a viable alternative that better meets the locational criteria of a SRFI – this includes ROF Featherstone. On this basis, the ROF Featherstone site can be confidently discounted as a potential SRFI development site</p>	<p>The above factors should weigh heavily in favour of ROF Featherstone and, therefore, it should be considered sequentially preferable to the applicant's site, which is entirely within the Green Belt and in the open countryside and most of the site does not benefit from any planning policy support for employment development. The issue of sustainability underpins the entire planning system but has only received limited weight in the ASA.</p> <p>We do not accept the reasons provided by the applicant as to why ROF Featherstone has been discounted. It appears from the ASA that ROF Featherstone has been discounted for two main reasons; 1) Size and, 2) Access to the WCML.</p> <p>According to Paragraph 8.6.4 of the ASA ROF Featherstone extends to 120ha in extent. It, therefore, exceeds the minimum size requirement of an SRFI, which is 60ha. Notwithstanding this, there is further land available to the north of Brinsford Lane (up to New Road) on both sides of the WCML.</p> <p>According to Paragraph 8.6.7 of the ASA ROF Featherstone has over 1.3km of frontage to the WCML, however according to the applicant there is not sufficient space along the main line between the M54 and Brinsford Lane to accommodate a full length terminal with direct mainline access. The applicant provides no information on the minimum length required to accommodate a full length terminal but it is understood this is 775m which could be adequately accommodated within 1.3km. Furthermore, the applicant has failed to consider the available land to the north of Brinsford Lane,</p>
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			<p>which would provide more access to WCML.</p> <p>It should however be noted from 2.2.3 of applicant's document 7.3 that at the application site the splitting of trains is envisaged so the suggestion that there is any issue about the space at ROF Featherstone is a non point.</p> <p>The applicant has failed to consider the benefits of the numerous highway improvements proposed within the area to improve accessibility to ROF Featherstone and to minimise traffic congestion on the A449 and A5, most notably HE's proposal to provide a direct link between the M54, M6 and M6 Toll. The preferred route does not go through National Trust land. An application is expected in Q1 2020. They've also failed to consider the possibility of a direct access off the M54 into the site, which has recently been provided at i54. In addition to this, there are a number of other local road improvements proposed to improve access to the site from the A449 and A460 to assist in bringing forward this important, strategic employment site.</p> <p>The ASA has failed to consider ROF Featherstone's proximity to the City of Wolverhampton and two Strategic Employment Sites (I54 and Hilton Cross). I54 currently has 75 acres of employment land available for occupiers.</p> <p>South Staffordshire District has very low levels of unemployment and, therefore, it is reasonable to expect most of the labour force will be drawn from Wolverhampton and The Black Country.</p> <p>ROF Featherstone's proximity to I54 and Hilton Cross should reduce the amount of warehousing</p>
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			<p>required on site, which should make the scheme more viable as well as reducing amount of development required.</p> <p>The applicant has failed to provide any evidence to prove that no operator would pursue ROF Featherstone for a SRFI and, therefore, no weight should be given to this statement.</p>
<p>Stop the WMI Group – Post Hearing Submission 17.1.010</p>	<p>A further amendment is made to a draft Trust Deed which the Stop the WMI Group have proposed to address a concern that there is no provision for a bond or other means of covering the liability for the costs of the rail connection.</p>	<p>The Applicant gave full consideration to the Stop the WMI Group’s proposal in relation to the Trust Deed. However, as previously explained to the Group’s solicitor, the Applicant has not engaged in the detailed wording of the Trust Deed because it is, in concept, fundamentally flawed for the reasons set out in the Applicant’s Post Hearing Submissions (ISH5) (Document 16.2 REP6-012) at paragraph 5.13 and Appendix 4. It is not a deed that the Applicant would be prepared to enter into and therefore it was felt that it would be a wasteful use of both parties’ resources to engage in its detailed drafting. This remains the case.</p> <p>The Applicant has addressed the point made by the Group at ISH6 regarding the lack of funds as reason for deferring the rail terminal and included amendments in the dDCO submitted at Deadline 6 (Document 3.1C, REP6-003 (Clean) and REP6-004 (Tracked)) to meet that point. This is as explained in the Applicant’s Post Hearing Submissions (ISH 6) (Document 16.3 REP6-013) in relation to Schedule 2 Part 2 of the dDCO. However, please see the Applicant’s response to the ExQ3.1.1 (Document 17.2) for the latest position.</p>	<p>The failure by the applicant to engage in relation to the Trust Deed (or Bond) has the consequence that there is no mechanism to secure funding for the rail connection (cost £40M). The position can be summarised quite shortly as follows:</p> <ol style="list-style-type: none"> a. The applicant seeks consent to build 25% of the total warehousing without any rail connection in place. This covers an area in excess of 60 hectares which is the minimum for an SRFI. It could be in excess of 6 years before any legal pressure could be applied for the rail connection to be provided. The location of that warehousing is not limited to the area close to the railway and could be built out in isolated pockets. b. There is no financial incentive to build the rail connection by way of increased rental or sales values. The only incentive arises in relation to building the

			<p>remaining 75% of the warehousing.</p> <p>c. The mechanism put forward to secure the rail connection is seriously flawed in that it is based on wording in the Rail Requirement based on the concept of “outside the control of the applicant”. This is not a definition tested in case law. Again the applicant declines to engage in relation to a suitable “force majeure” definition. The consequence is that the criminal law sanctions under the Planning Act 2008 on which the applicant relies to support its case are rendered problematic. In any event such criminal law sanctions are of no use against a company in liquidation and could only be pursued against directors if they were still around in six years + time.”</p>
<p>Stop the WMI Group – Post Hearing Submission 17.1.011</p>	<p>It is suggested that the A5 west of Gailey Roundabout is barred for WMI traffic.</p>	<p>Please refer to the Applicant’s response to ExQ2.6.3 at Deadline 5 (Document 15.1 REP5-003). The position of the Applicant is that it is not necessary to ban WMI traffic, specifically HGV’s, west of Gailey Roundabout in order to make the Proposed Development acceptable in highway terms. As set out at paragraph 2.3 of the Applicant’s Post Hearing Submissions for ISH6 (Document 16.3, REP6-13), it is understood the SCC do not wish the A5 west of Gailey to be barred for WMI traffic. The A5 west of Gailey was formerly part of the SRN, having been de-trunked by the A5 Trunk Road</p>	<p>Ref Air Quality Consultants – South Staffordshire Review of Air Quality Management March 2019.</p> <p>The previously declared AQMAs were alongside the M6 and A5, which carry high volumes of HGVs. The proposed West Midlands Interchange would increase HGV movements on a number of roads in the district, to the extent that additional roads are likely to fall into this category, and this should be reviewed as part of the DCO</p>

		<p>(Priorslee—Gailey) (Detrunking) Order 1995.</p> <p>The Applicant has identified measures within the Site Wide HGV Management Plan (AS-040) in order to actively manage WMI HGVs to use routes other than the A5 west of Gailey. At paragraph 7.2.2. the document identifies the preferred routes for WMI HGVs, these being essentially via the M6 and M54, connected to by the A5 and A449. At paragraph 7.2.4, the document states that access via the motorway junctions will be promoted in publicity material.</p>	<p>application process. It is recommended that there is liaison with Staffordshire County Council highways department to identify if there are any roads that have not been previously considered.</p> <p>The report also states the following; Traffic flows on the A449 through Penkridge are in the region of 12,000 vehicles per day.”</p> <p>This is where the proposed HGV ban will be. The road is approx. 6.7 miles from Gailey to Dunston. Speed limits vary from 30mph to 60mph. This is a much wider road.</p> <p>At the request of a committee member of Stop the WMI Group, HE in conjunction with SCC have conducted traffic counts in the village of Weston from 10/7/19 to 19/7/19 and the results are as follows:</p> <p>Email from Mark Keeling (Strategic Community Infrastructure Manager) dated 6/8/19</p> <p>“We have recently received the traffic data information taken within the 40mph section of Weston Village. Eastbound - 6,646 vehicles / Westbound - 6057 vehicles with a total of approximately 12,700 vehicles over a 24 hour period.”</p> <p>From Gailey to Weston is approx. 6.7 miles, the same distance as the Gailey to Dunston stretch. Speed limits vary from 60mph, 50mph to 40mph and is much narrower than the A449.</p> <p>These are the numbers of vehicles counted just in Weston. Obviously if the count had been taken for the whole length of the A5, this figure would be inflated. And yet this road is far narrower and faster than the A449 and as previously evidenced in previous submissions is used for rat running</p>
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<p>Stop the WMI Group - Responses to Deadline 5 Submissions 17.1.012</p>	<p>ExQ2.2.8 The Stop the WMI Group has responded to the Applicant's Assessment of the West Midlands Freight Strategy 2016 (Appendix 2, REP5-004) and claim that the Assessment makes false statements.</p>	<p>At paragraph 1.2 of the Applicant's Assessment of the West Midlands Freight Strategy 2016 (Document 15.1 Appendix 2, REP5-004) it is stated that it is relevant to note that:</p> <ul style="list-style-type: none"> “• South Staffordshire is not included within the boundaries of the Combined Authority; and • The Strategy contains few if any site-specific proposals – in fact, the closest it gets to site specific proposals relate directly to the need to encourage SRFI development in the vicinity of the application site and RFI development in the Black Country.” <p>It is unclear to the Applicant why this statement is criticised by SWMI.</p> <p>The Strategy paragraph 2.4.2 is quoted at paragraph 1.9 where it identifies key issues to be addressed including:</p> <ul style="list-style-type: none"> “• maximising rail freight accessibility and connectivity; • providing the Strategic Rail Freight Interchanges and 	<p>The West Midlands Freight Strategy 2016 is neutral to a preferred strategy for a SRFI and makes no mention of the application site. Therefore, the applicant's insinuation that the strategy supports a SRFI in the 'vicinity of the application site' should be ignored.</p> <p>Paragraph 4.3.2 of the Strategy states we wish to see:</p> <p>“Continued development of Strategic Freight Interchanges (SFI) and support for SRFI proposals in or near to the West Midlands. [and]</p> <p>Gaps in the provision of Intermodal Rail Freight Interchanges (IRFI) to be addressed, particularly in the Black Country with adequate capacity routes serving IRFI”.</p> <p>The applicant's view that the Strategy by making reference to southern Staffordshire confirms</p>

		<p>intermodal rail freight interchange capacity to encourage freight to move by rail”</p> <p>This is clear support for SRFI projects</p> <p>As stated in paragraph 1.11 a further quote from the Strategy is reproduced in support of this point setting out how the Strategy proposes SRFI should be encouraged in order to:</p> <p>“Maximise the potential of existing SRFI:</p> <p>Encouraging future SRFI development: we will work with the appropriate planning authorities within the wider West Midlands Region through the Duty of Cooperation and through appropriate LEPs to ensure that:</p> <ul style="list-style-type: none"> • potential SRFI locations are identified and safeguarded; and • planning and DCO applications for SRFI are encouraged and supported where relevant criteria are met and where there is real potential for rail freight use. <p>This strategy acknowledges that several developers have aspirations for a SRFI in southern Staffordshire. The strategy is neutral as to a preferred location, and acknowledges that, while there is finite demand for large warehouses, any development which provides rail access to a concentration of distribution centres will maximise potential for rail freight.”</p> <p>The Applicant’s view is that the quotes from the Strategy confirm support for SRFI in principle including in the vicinity of WMI through the references to southern Staffordshire where there is an acknowledged need.</p> <p>The applicant contends that the reference to the need for an SRFI to serve southern Staffordshire and the Black</p>	<p>support for SRFI in the vicinity of WMI is disingenuous. This argument could equally be applied to all of the sites considered in the applicant’s ASA (or any other in the West Midlands) and, therefore, provides no greater support for this site. It is disingenuous to suggest that the Strategy provides any support for the application site.</p> <p>The administrative area of South Staffordshire has an area of 101,000 acres (40,400 hectares and adjoins the County Town of Stafford and the Market Town of Cannock and is very close to the Black Country towns of Dudley and Walsall and the City of Wolverhampton.</p> <p>Again, the applicant’s view that the reference to the need for an SRFI to serve southern Staffordshire and the Black Country is clearly a reference to the need for the SRFI to be located “in the vicinity of WMI” is also disingenuous. This statement could equally apply to any other site within the Black Country or southern Staffordshire. It does not provide any greater support to the application site above any other site within the Black Country or southern Staffordshire.</p> <p>The objective of the Strategy is to support SRFI and, therefore, any proposal for a SRFI will be in line with the objectives of the West Midlands Freight Strategy. This does not provide any greater support to the applicant’s site over any other.</p>
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<p>Stop the WMI Group - Responses to Deadline 5 Submissions 17.1.013</p>	<p>ExQ 2.2.8 and 2.2.9 The Stop the WMI Group has drawn attention to a quote from Wolverhampton City Council’s Regional Logistics Site Open Green Decision Notice which states: ‘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.’”</p>	<p>The Applicant has submitted extensive material in relation to the need for an SRFI in the vicinity of the application site and does not propose to repeat that information here. Reference is made by Stop the WMI Group, however, to a report of Wolverhampton City Council which the Stop the WMI Group appends and which appears to date from 2013. That document is used by the Group to claim that the City Council consider that the need for an SRFI could be met anywhere within the West Midlands region.</p> <p>WCC has made its position clear to the examination.</p> <p>It is apparent that the WCC document is a report to a Portfolio holder on the outcome of the Black Country and southern Staffordshire Regional Logistics Sites Study, April 2013 (known to the Examination as the URS study). That study is well known to the Examination, as is the acceptance by SSDC that the</p>	<p>We accept that an SRFI should be close to the markets which they serve, indeed the NPS states that it is important that SRFIs are located near the key business markets they will serve.</p> <p>FAL have repeatedly defined Birmingham, Solihull, the Black Country, the West Midlands as its intended markets. The term Black Country seems to be increasingly used to describe some sort of ideal area for an SRFI even though its imaginary boundaries are used incorrectly. Similarly the definitions of West and East Midlands are being used as if there were borders. For the most part there is a blurred boundary often only chosen for convenience.</p>

		<p>study’s conclusions are inconsistent with the requirement of the NPS that SRFI should be close to the markets which they serve (SSDC SoCG Document 8.7, REP2-006 paragraph 7.17).</p> <p>The Statements of Common Ground agreed with both SCC and SSDC confirmed that the site search area used in the Applicant’s Alternative Site Assessment represents the area within which a need exists for a new SRFI facility and within which it is appropriate for it to search for sites to meet that potential need (SCC SoCG Document 8.5, REP2-007 paragraph 7.3.) and that sites which are located beyond the search area are not considered suitable alternatives as they would serve a different catchment area and would not meet the demands of southern Staffordshire and the Black Country (SSDC SoCG Document 8.7, REP2-006 paragraph 9.5).</p>	
<p>Stop the WMI Group - Responses to Deadline 5 Submissions 17.1.014</p>	<p>ExQ2.2.10 The Stop the WMI Group note that the Applicant refers to achieving up to 10 trains per day to the WMI terminal as “aspirational” in its Deadline 5 responses.</p>	<p>The Applicant’s Deadline 5 submission does not refer to the number of trains per day to the WMI terminal as “aspirational”</p> <p>The Applicant has however found a reference at paragraph 2.1 of TN41 (Document 15.1, Appendix 10; REP5-005), which SWMI may be referring to. The paragraph reads as follows and is describing the use of DIRFT trip rates in the highways modelling for WMI. The sentence highlighted in bold is the relevant reference.</p> <p>“2.1 The development trip generation and trip rates for the warehousing element on site have been developed using surveys carried out at DIRFT, a similar facility of a similar scale to WMI. The analysis of this data, its application and results are provided in APP-140 and</p>	<p><i>Aspirational (adjective): expressing a hope or intention but not creating a legally binding obligation.</i></p> <p>The documents supplied quote a maximum or notional 10 trains per day. Since there are currently no paths and the proposal is a GRIP 2, then it is aspirational.</p> <p>However the applicant is currently proceeding with a formula where any train stopping would be aspirational.</p>

		<p>agreed with both Highways England (HE) and Staffordshire County Council (SCC) as set out in the respective Statements of Common Ground (Document 8.5 REP2-007 and Document 8.6 REP2-008). On the day of the surveys, DIRFT was served by 9 trains, which is comparable with the aspirations for WMI. From the data gathered it is possible to calculate the percentage of trips which were destined for the on-site warehouses or rail terminal at DIRFT rather than warehouses remote from the site.”</p> <p>The word “aspirations” has been used in the sense of predicted or forecast train movements for WMI.</p>	
Stop the WMI Group - Responses to Deadline 5 Submissions 17.1.015	<p>ExQ2.2.10 cont. The Stop the WMI Group suggest that the Alternative Sites Assessment (ASA) excluded alternative sites in the West Midlands on the basis of size. The Group suggested that the Applicant used the full footprint of the Proposed Development (rail connection + warehousing) as the criteria.</p>	<p>It is not correct to assert that the Applicant has used the full footprint of the Proposed Development as the criteria in the Alternative Sites Assessment. In fact, the ASA set a minimum threshold of 60 hectares for the site search and justified its approach by reference to establish best practice and NPS policy requirements (ASA paragraph 6.1.3).</p>	<p>The choice of searching with a minimum threshold then arguing that a much larger area is essential surely cast doubts on both the process and the results.</p>
Stop the WMI Group - Responses to Deadline 5 Submissions 17.1.016	<p>ExQ2.2.10 cont. The Stop the WMI Group also 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. However, the Group believe that the provision of a rail terminal on its own would be sufficient to meet the need.</p>	<p>The Applicant notes the Group’s acceptance of the advantages of achieving a modal shift from road to rail and its support for the use of rail to bring containers into the West Midlands in order to reduce congestion and reduce carbon emissions.</p> <p>However, with regard to the suggestion that the need could be met through the development of a rail freight interchange without the development of a substantial scale of rail related warehousing, the benefits of SRFI</p>	<p>This question that has been framed is a composite formed from several of our comments and reads incorrectly. It is therefore re-defined.</p> <p>The Group are aware of the advantages of rail freight and the use of rail to bring intermodal containers to both East & West Midlands major conurbations using suitably located RFIs (as the NPS states) and not ones that generate unacceptable traffic on the strategic road system</p>

		<p>compared with a smaller scale rail freight interchange are directly recognised in Table 4 of the NPS: - “The increasing performance and efficiency required of our logistics system would not allow reliance on an expanded network of smaller terminals. While there is a place for local terminals, these cannot provide the scale economies, operating efficiencies and benefits of the related business facilities and linkages offered by SRFIs”. It is a matter of clear government policy that there is a compelling need for the development of an expanded network of SRFI (i.e. warehousing and RFI).</p>	<p>or create last mile chaos.</p> <p>Obviously the proposal of inappropriately located, excessively sized warehouse estates without rail facilities in Green Belt is not acceptable.</p> <p>With regard to size, when in the appropriate place (which WMI is not): The applicants Table 4 reference does not seem to be in the NPS document but appears to be an extract from the now superceded Strategic Rail Freight Interchange Policy Guidance document Nov.2011 vis: 3.3.2 Reliance on a larger number of smaller Rail Freight Interchange terminals. Which then goes on to say: <i>The majority of existing operational SRFI and other intermodal RFI are situated predominantly in the Midlands and the North. (Note the use of Midlands, not East, West or Black Country)</i> And <i>This means that SRFI capacity needs to be provided at a wide range of locations, particularly but not exclusively serving London and the South East,.....</i> The policy is already classing 60 hectares as large (and in appropriate locations to serve our major conurbations).</p> <p>The Inspector should note that Kilbride and Quod have lobbied extensively for changes in policy. For example: In 2010 they lobbied the Commons Select Committee for Communities, for alterations so that the LEP couldn’t readily block their “60 hectare SRFI proposal at Four Ashes”.</p> <p>In 2011 they lobbied the Commons Select Committee for Transport for changes where</p>
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			<p>Green Belt Land is involved claiming that otherwise the NPS would make it more difficult to secure permission.</p> <p>Undoubtedly they have been instrumental in influencing SRFI legislation to assist and maximise their plans for the WMI project. However, this expansion in rail freight will be very difficult to deliver unless the industry is able to develop modern distribution centres linked into both the rail and trunk road system – ‘Strategic Rail Freight Interchanges’ (SRFI) – in appropriate locations to serve our major conurbations. To date, this has proved extremely problematical, especially in the south- east.</p> <p>The government believes that an expanded network of SRFIs, complemented by other freight interchanges and terminals, is needed to support longer-term development of efficient rail freight distribution logistics.</p> <p>It is important that SRFIs are located near the key business markets they will serve.</p>
<p>Stop the WMI Group - Responses to Deadline 5 Submissions 17.1.017</p>	<p>ExQ2.2.10 cont. The Stop the WMI Group express concerns that the available train paths would be suitable for “90-110 mph express freight operations”.</p>	<p>Network Rail and the Department for Transport support the greater use of the rail network for freight, including express freight and urban logistics services (Network Rail FNPO Route Strategy page 26, DfT Rail Freight Strategy 2016 p27-28). WMI would be able to accommodate these services, operated using shorter and faster trains often derived/converted from passenger rolling stock.</p> <p>Any of the paths identified in the pathing study (Document 10.1 App 8) could be used for this type of train service.</p>	<p>The Group does not dispute that Network Rail and DfT support greater rail freight usage. Unfortunately when the rail freight sector was sold off to foreign buyers, important strategic control was lost. High speed freight faltered at that time, causing Royal Mail services to shift to road & air.</p> <p>Various operators have since experimented and abandoned high speed freight trials in UK. Royal Mail has recently invested in several long distance high speed parcel services operated by German state rail operator DB Cargo using modified passenger carriages.</p> <p>DB have also commenced freight services between Port of Liverpool to Mossend and</p>

			<p>London Gateway Port to Duisberg, Germany (Rhine Port). Operator DRS have just commenced Tilbury Port to Grangemouth Port services. Freight on HS2 was investigated but dismissed - whereas the Italians and Germans are laying high speed freight lines (capitalising their longer haul distances). Italian state railways have just taken over the WCML passenger franchise from Virgin Trains. Neither mentioned Four Ashes/Freight or sharing passenger paths. Virgin are now trying to negotiate more paths on WCML to keep their passenger services running - putting even more pressure on the line.</p> <p>Examining the DfT reference the applicant has cited we note it actually states: <i>76 This could include new models such as parcels carried directly between and into city centres using the spare capacity on off-peak passenger services, or old rolling stock fully converted to carry freight into cities.</i> <i>77 Where the distances involved are medium to long (in effect, 100 miles or greater) the passenger rail network can achieve quicker journey times than road.</i></p> <p>The current thinking for improving intermodal freight is enhancement of rail connections at ports; port-to-port rail paths; port-to-city rail paths; utilisation of unused city centre space/vacant offices/off-peak rail stations for efficient centralised or express distribution (with minimal disruption).</p>
Stop the WMI Group - Responses to Deadline 5 Submissions 17.1.018	ExQ2.2.11 The Stop the WMI Group consider	The Applicant has engaged with HE since 2016 and has held a consistent dialogue with this Stakeholder. HE's	The Group notes that it is HE's statutory responsibility to support economic growth and

	<p>that it is unclear whether or not HE specifically support the WMI Site.</p>	<p>Stage 2 DCO Consultation Response, dated 29 August 2017 stated that “Highways England supports the principles of the establishing of Strategic Rail Freight Interchange (SRFI) sites, including at this site, in the West Midlands as sustainable way of managing the need for long distance freight transport”.</p> <p>The Applicant has agreed a Statement of Common Ground with HE, submitted at Deadline 2 (Document 8.7, REP2-008). This has set out areas of agreement in respect of the following specific matters:</p> <p>Methodology adopted to assess the highway implications of the Proposed development, specifically trip generation and distribution; The means of providing access to the Proposed development; and The Highway capacity mitigation package.</p>	<p>that HE must act reasonably. We also note the commentary that HE support the principle of establishing SRFI sites.</p> <p>However given the ongoing uncertainty throughout the consultation process surrounding whether or not the rail element of this development will actually be built, this is different to supporting WMI itself</p> <p>There now appear to be a number of possible scenarios whereby the rail element of this development is either delayed, or never built in which case HE’s support for the principle of an SRFI will be irrelevant and therefore should not be considered.</p> <p>The Group note that in HE’s deadline 7 submission, and their concerns regarding the potential impacts of the development on the SRN should more than 186,000sq. m of warehousing be in use without an operational rail terminal and whether the development’s impacts on the SRN are adequately mitigated. At this time the potential impacts on the SRN of not providing the rail terminal on time are unknown.</p> <p>In addition, the draft DCO still seeks to make Highways England the subject of deemed consent.</p> <p>However HE will not be forced into consent provisions where public safety is compromised. The development necessitates physical works to two trunk roads and by seeking to bypass the usual approvals processes there is an unacceptable risk that Highways England will be in breach of its statutory duty and become responsible for substandard works and the liability that comes with that.</p>
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<p>Stop the WMI Group - Responses to Deadline 5 Submissions 17.1.019</p>	<p>ExQ2.2.11 cont. The Stop the WMI Group expressed their concerned 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 provision of SMART motorways along the M6 forms part of a wider HE scheme and is not a specific mitigation measure proposed by the Applicant. It is not necessary for the Proposed Development to implement SMART Motorways on the M6 in order to mitigate any increases in traffic along this route. Similar schemes are currently being introduced throughout the UK.</p> <p>As guardians of the Strategic Road Network, it is for HE to be satisfied as to the acceptability of the introduction in operational terms of SMART motorways.</p>	<p>The concern raised is that the conversion 10 years ago of the section of M6 to the south of the proposed development to a smart motorway has removed the only mitigation to increased volumes of traffic on that section of road.</p> <p>The various traffic analyses produced by the applicant show that the greatest proportion of goods traffic is predicted to use this section of already heavily congested road. It is assumed (given the stated catchment areas for employment and the high volume of car journeys for employees predicted by the applicant) that a significant proportion of car traffic will also be added to this section of congested road.</p> <p>This will have the effect of worsening journey times, which is of particular concerns to local residents especially at peak commuting times.</p> <p>Conversion to 4 lanes running as part of a Smart motorway is HE's primary approach to addressing congested stretches of the SRN. As this has already been done on the section of the M6 in question, there are no further ways in which HE can alleviate congestion on this stretch of road.</p> <p>This once again reinforces our argument that the proposed location on WMI in the middle of a heavily congested section of the M6 rather than to the north or south of it is flawed, as it will exacerbate rather than reduce congestion. And our concern relating to this already being a section of Smart motorway is that there is no effective way to mitigate this.</p>
<p>Stop the WMI Group - Responses to Deadline 5 Submissions 17.1.020</p>	<p>ExQ2.2.11 cont. The Stop the WMI Group</p>	<p>Please refer to the Applicant's answer to ExQ1, 1.7.8 ii) and iii) which deals with this matter (Document 10.1,</p>	<p>The applicant's traffic predictions have been based upon the rail terminal being operational,</p>

	<p>expressed their continued concern 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>	<p>REP2-009). A list of committed schemes considered by this application and within the traffic modelling is provided within Table 17.3 of the Environmental Statement Chapter 17 Cumulative Effects (APP-056) and clearly identifies the Bericote scheme.</p> <p>Please also refer to the answers to ExQ1, 1.7.8 ii) and iii) provided by SCC and HE within their Deadline 2 responses, (REP2-063) and (REP2-036).</p>	<p>this will not be the case and will be 6 years + should it be built at all.</p> <p>There will be a significant impact on traffic, air pollution and increased pressure on a road network/infrastructure that simply is not adequate to cope with the size and scale of such a development in South Staffs.</p> <p>We acknowledge that the applicant has carried out modelling which includes a theoretical assessment of the impact of the Bericote development.</p> <p>Our experience as local residents however is that the Bericote development has already had a significant detrimental impact on traffic flows in the local area, which do not appear to have been captured by the desktop analysis carried out by the applicant’s consultants.</p> <p>This is made all the more concerning since the Bericote development is not yet fully operational. So we are concerned that if a significantly smaller development than that proposed can have such an impact on real and observed traffic flows even when this has not been predicted by desktop models, then we are likely to see significantly worse disruption from the proposed development.</p> <p>We are disappointed that desktop analysis continues to be used in response to this, rather than up to date traffic assessments which could easily have been carried out as Bericote has begun to operate. As residents we have requested that Staffordshire County Council carry out additional traffic surveys in the area.</p> <p>Of particular concern is the increased use of rat-</p>
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			running around local lanes to escape the increasing congestion on the A449 and the A5 at peak times / shift changeovers at Bericote. The applicant has repeatedly denied that rat running takes place in the local area throughout the consultation which leads us to doubt their commitment to and the effectiveness of the mitigation measures they have proposed.
Stop the WMI Group - Responses to Deadline 5 Submissions 17.1.021	EXQ2.2.12 The Stop the WMI Group have repeated their understanding of the purpose of the Ten-T report.	<p>The Applicant agrees that the TEN-T programme is intended to help connect conurbations and ports and notes that WMI is on the TEN-T route. The Applicant also notes that BIFT (Birch Coppice) is not on the TEN T route.</p> <p>The Applicant agrees it is important that SRFIs serve the key conurbations - as WMI would serve the southern Staffordshire and the Black Country including the wider conurbation of Birmingham.</p> <p>No proposed SRFI projects could be listed on a TEN-T route as they do not exist yet, only existing SRFIs could be expressly included but this is not essential. It is only once the development has been undertaken that the Applicant could engage with the TEN-T programme, if relevant at the time but the key important aspect of the TEN-T programme is that WMI is on the TEN-T route.</p> <p>Please refer to the Applicant's (Document 15.1 REP5-003) and Network Rail's original responses to ExQ2.2.12 (REP5-058).</p>	<p>The applicant has deviated from the original question, which was whether any SRFIs were shown on the Ten-T map. That question was previously answered with examples.</p> <p>BIFT or any other facility served by a freight line would not technically be on a core Ten-T route - not unlike FAL's original plan to use rail spur across the canal? Again that was a deviation from what was asked.</p>
Stop the WMI Group - Responses to Deadline 5 Submissions 17.1.022	ExQ2.2.19 The Stop the WMI Group expressed their continued concern the Applicant has failed to demonstrate very special	The Applicant refers the ExA back to the original response to ExQ2.2.19 (Document 15.1, REP5-003). It is wrongly asserted that the ASA failed to consider the impact this development would have on the purposes of the Green Belt designation or its impact on the local	Only paragraphs 8.10.19 – 8.10.22 consider the Green Belt designation. These paragraphs do not consider the impact of the assessed sites on the Green Belt designation and against the 5 purposes of including land within the Green Belt, which

	<p>circumstances to overcome the presumption against development in the Green Belt and that 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.</p>	<p>environment and residents. Examination of the ASA identifies that these issues were directly addressed and taken into account – see section 8.10 of the ASA and particularly paragraphs 8.10.19 – 8.10.46.</p>	<p>are:-</p> <ul style="list-style-type: none"> a) To check the unrestricted sprawl of large built up areas; b) To prevent neighbouring towns from merging into one another; c) To assist in safeguarding the countryside from encroachment; d) To preserve the setting and special character of historic towns; and e) To assist in the urban regeneration, by encouraging the recycling of derelict and other urban land. <p>Paragraph 144 of NPPF (2019) states ‘When considering any planning application local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations’.</p> <p>There has been no assessment of the harm to the Green Belt by this inappropriate development and, therefore, no judgement can be made as to whether this harm is clearly outweighed by other considerations.</p>
<p>Stop the WMI Group - Responses to Deadline 5 Submissions 17.1.023</p>	<p>ExQ2.2.19 cont. The Stop the WMI Group expressed concern that, if WMI is developed, there will be no justification not to develop the remaining land between the Proposed Development and the M54 or the land to the east of the</p>	<p>The Applicant’s case is made on the basis that there are very special circumstances for this particular location to develop an SRFI to fill a gap in the national network of SRFI. WMI would satisfy that need.</p> <p>If DCO consent is granted in this case, it would be entirely open to the Examining Authority and the Secretary of State to frame their recommendation and</p>	<p>The gap in SRFI coverage is widely quoted as London and the South. The “gap” the applicant is trying to fill is the consequence of green belt & low population, whereas Stoke and Crewe would be happy to host an SRFI.</p> <p>The creeping site boundaries across Vicarage Road and then over Straight Mile are red flags</p>

	M6, infilling towards Cannock, or west of the A449, towards Brewood.	<p>decision in such a way as to make clear that absolutely no precedent was being created.</p> <p>Development of the WMI site will not remove or diminish the need to provide justification for any other future developments within the immediate or wider context. Any other future development would be appraised on its own merits and this should include an analysis of the effects upon its site and surrounding environment.</p> <p>Furthermore, the Site already benefits from good enduring landscape boundaries and these will be added to by the extensive landscape and GI proposals. The Proposed Development will occupy a position within the landscape that includes existing notable and enduring boundaries, close to all sides of the site. The M6 motorway, A5, A449 and Straight Mile and the Canal are all linear features/ corridors that lie close to the site and will combine with the design and layout of the scheme and the landscape and Green Infrastructure (GI) proposals to robustly contain the influence of the proposals in landscape terms.</p>	suggesting a drip feed of future transgressions – as exemplified by the blatant disregard for planning consent at the land owners quarry.
Stop the WMI Group - Responses to Deadline 5 Submissions 17.1.024	ExQ2.2.19 cont. As above, the Stop the WMI Group have stated their preference for ROF Featherstone as an alternative site to the WMI Site.	Please refer to the Applicant's response to the Stop the WMI Group's Post Hearing Submission above.	See Response above.
Stop the WMI Group - Responses to Deadline 5 Submissions 17.1.025	ExQ2.2.22 The Stop the WMI Group have questioned if there is still justification for WMI when the Midlands Rail Hub is operational.	<p>The Midlands Rail Hub and development of SRFI in and around the West Midlands are not mutually exclusive. The Midlands Rail Hub initiative is designed to increase the capacity of the rail network in the Midlands as a whole (East and West) to accommodate more passenger and freight trains.</p> <p>The Midlands Rail Hub will not provide any intermodal</p>	The Midlands Rail Hub includes plans for new and improved infrastructure to enable 24 extra passenger trains per hour on the network; make space to shift 4,320 lorries' worth of freight from the road to the railway every day and supercharge the economy by bringing the East and West Midlands closer together.

		<p>rail freight facilities. The Interchange referred to relates to passenger facilities. It is a project promoted by Midlands Connect to bring together a number of aims to improve the usage of rail paths and create extra capacity and connectivity from east to west, which is expected to also be helpful in the delivery of WMI. The proposals specifically refer to “The Midlands Rail Hub will also create space for 36 extra freight paths a day”</p> <p>The proposals will be consulted on with various rail industry interests are in the early stages of debate.</p> <p>The routes referred to by the Stop the WMI Group from east to west are routes that are likely to be the same routes as a large number of trains will use to and from WMI servicing requirements from Felixstowe port and other destinations. If any additional paths east to west are created as a result of this initiative, there is nothing to prevent WMI traffic using those paths directly or by routing trains via other points in the Midlands such as Landor Street or Hams Hall.</p> <p>WMI and the Midlands Rail Hub complement each other rather than being in conflict. It should be noted that Transport for the West Midlands has also provided a letter of support for the WMI scheme, which is submitted attached to this table at Appendix 2.</p>	<p>The plans, have been submitted to the government by Midlands Connect, in partnership with Network Rail, Highways England, HS2 and with the support and backing of 47 partner organisations including West Midlands Combined Authority, local authorities, LEPS, chambers of commerce.</p> <p>Private Stakeholders include: The NEC; B’ham Airport; Jaguar Land Rover; Birmingham Business Park (100+ companies & 7000 employees including Rolls Royce, IMI, Fujitsu, Goodyear, Chinese State Car Company Changan Automotive; Bieiersdorf (Elastoplast & Nivea))</p> <p>It will incorporate Birmingham International Railway Station, HS2 Interchange Station, B’ham-Solihull Metro extension, Sprint Rapid Transit system.</p> <p>Midlands Connect explains that since Rail Freight in UK is a privately run system, the Hub will not provide the freight infrastructure but will facilitate land, rail paths and support for private business to take forwards.</p> <p>Freightliner (also owners of the in-preparation Pentalver Rail Hub at Cannock) have expressed an interest in the project.</p> <p>We acknowledge there would be little to prevent an approved WMI routing trains via other points in the Midlands such as Landor Street or Hams Hall (which also shares with BIFT); and (as discussed in the hearings) there may be a few containers left on the train to drop off at Four Ashes.</p> <p>We disagree that the WMI can be complimentary</p>
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			<p>to Midlands Rail Hub since the declared catchment areas are similar and competing. The WMI is unsupported and Midlands Rail Hub is comprehensively supported.</p> <p>We cannot see the TfWM letter referred to as it has not been referenced properly. However we would be more impressed if there had been one from Transport for the North.</p>
<p>Stop the WMI Group - Responses to Deadline 5 Submissions 17.1.026</p>	<p>ExQ2.6.3 The Stop the WMI Group consider that the assessment of the highway impact does not utilise an appropriate base model and therefore the potential impact of all development traffic (including HGVs) has not been adequately assessed.</p>	<p>Please refer to paragraph 9.5 of the SoCG with SCC (Document 8.5REP2-007) which confirms that measures are proposed that fully mitigate the impacts of the Proposed Development from the transport perspective. Please also refer to Sections 3, 4 and 5 of the SoCG with HE (Document 8.6, REP2-008).</p> <p>The Authorities responsible for the highway network that serve the Proposed Development are satisfied that the base model is agreed. Please refer to Section 3.2 of the Statement of Common Ground with the HE, and specifically paragraph 3.2.6 (Document 8.6, REP2-008).</p>	<p>The Statements of Common Ground with both SCC and Highways England are noted.</p> <p>We have three observations related to this:</p> <p>(i) There is a large population of residents & road users with many decades of accumulated knowledge of the A5 and A449 roads; the traffic, the changes and the problems.</p> <p>When that wealth of knowledge informs you that the capacity is not sufficient for what is being proposed and will cause chaos on the Strategic Road system around; and will require huge sums thrown at it in mitigation; then please believe it.</p> <p>The confidence of experts entering insufficient base measurements into the software and coming up with perfect results may be likened to Ove Arups Millenium Bridge calculations only with much more expensive consequences.</p> <p>(ii) With regard to SCCs comprehensive acceptance of the plans & calculations we are reminded of SCC internationally announcing government approval of WMI over a year ago.</p> <p>(iii) Highways England states in its Deadline 7 response: “At this time the potential impacts on</p>

			<p>the SRN of not providing the rail terminal on time are unknown. The assessment provided by the applicant at Deadline 5 was woefully inadequate and did not give Highways England any confidence that there would not be additional impacts on the SRN.”</p> <p>The land owner has yet to manage the construction traffic from the quarry properly.</p>
Stop the WMI Group - Responses to Deadline 5 Submissions 17.1.027	ExQ2.7.5 The Stop the WMI response refers to latest published Annual Status Report from South Staffordshire council, referencing information on PM2.5 and monitoring equipment in South Staffordshire. Local Air Quality Management Policy Guidance LAQM.PG16 states that local authorities are expected to work towards reducing emissions and/or concentrations of PM2.5.	<p>As demonstrated in the modelling results for PM2.5 (Document 6.2, ES Technical Appendix 7.6, APP-072), all of the predicted impacts are negligible. Of the 157 modelled receptor locations, 151 show lower concentrations in 2036 with the development than in the 2021 baseline. For the 6 receptors where there is an increase, it is negligible and therefore meets this policy requirement overall.</p> <p>Please refer to paragraph 15.5 of the SoCG with SSDC (Document 8.7, REP2-006), which shows agreement that the methodology is appropriate, and also paragraphs 15.17 which explains that the overall effects will be ‘not significant’ and paragraph 15.18 regarding verification of the air quality modelling.</p>	<p>The Group note that 2036 predictions are lower. Why?</p> <p>Defra quote “ Inhalation of particulate pollution can have adverse health impacts, and there is understood to be no safe threshold below which no adverse effects would be anticipated.</p> <p>The biggest impact of particulate air pollution on public health is understood to be from long-term exposure to PM_{2.5}, which increases the age-specific mortality risk.</p> <p>Children, the elderly and those with predisposed respiratory and cardiovascular disease, are known to be more susceptible to the health impacts from air pollution.”</p> <p>The Group note the submission and comments from Public Health at deadline 7 and that a full revision of the Environmental Statement (ES) Air Quality Chapter represents a substantive change and therefore represents the potential for significant change in public health outcomes, especially in existing Air Quality Management Areas.</p>
Stop the WMI Group - Responses to Deadline 5 Submissions 17.1.028	ExQ2.8.4 Environmental Protection UK	It is not clear what point Stop WMI is making when they refer to the Environmental Protection UK and World	The applicant’s answer suggests that WHO guidelines can be exceeded by a convenient

	<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”. 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</p>	<p>Health Organisation (WHO) quotes.</p> <p>Please refer to the SoCG with SSDC (Document 8.7, REP2-006), specifically paragraph 14.14 which shows agreement that the assessment is appropriate and thorough. Paragraph 14.24 states that the Applicant has done all that can be expected through design, embedded mitigation and the bespoke noise insulation scheme such that significant adverse impacts on health and quality of life from noise are avoided and adverse impacts are mitigated.</p> <p>As stated in the Applicant’s Response to ExQ2.8.4 (Document 15.1 REP5-003), sound generated by WMI is predicted to be below 50dB, when acoustic character corrections are removed, since they are not relevant outside a BS4142 context. The sound from WMI will therefore be below the 50dB WHO threshold.</p> <p>The WHO Guidelines for Community Noise states that “measurable effects on sleep begin at LAeq levels of about 30dB” suggesting that this is not a rigid threshold above which there will definitely be effects.</p> <p>BS8233:2014 states that it is desirable that the internal noise level in bedrooms does not exceed 30dB LAeq,8hrs. However, BS8233: 2014 also states that this threshold can be exceeded by 5dB, and still be considered ‘reasonable’</p> <p>The criteria are all summarised in Appendix 13.2 of the ES (Doc 6.2, APP-109).</p> <p>The bespoke noise insulation scheme has been designed so that all affected properties have internal sound levels of below 35dB at night, which is considered to be a reasonable sound level, supported by British Standard guidance.</p>	<p>clause in the 2014 BS? That is not acceptable. The WMI proposal offers nothing for the local community. It is expected that a noise insulation scheme is comprehensive, robust and complies with the highest recommendations and matches or exceeds Highways England schemes or the German State Railway scheme.</p> <p>Any noise from this unwanted development is not acceptable or reasonable. It will be an unwelcome feature in our everyday life.</p> <p>Noise is subjective and different people react to it in different ways. What can cause annoyance to some people may be barely noticeable to others.</p> <p>Noise can cause people to feel annoyed simply because the noise is audible. As the noise level increases it can interrupt conversation, disturb sleep and, in extreme conditions, may affect the physical wellbeing of those affected.</p> <p>Ref: In 2011 the World Health Organization (WHO) released a report titled ‘<u>Burden of disease from environmental noise</u>’.</p> <p>The authors concluded that ‘there is overwhelming evidence that exposure to environmental noise has adverse effects on the health of the population’ and ranked traffic noise second among environmental threats to public health (the first being air pollution).</p>
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	<p>work has been carried out in Europe.”</p> <p>WHO Europe – Children, noise and health. “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: consistent evidence that noise exposure harms cognitive performance; consistent association with impaired well- being and motivation to a slightly more limited extent; moderate evidence of effects on blood pressure and catecholamine hormone secretion.”</p> <p>“Shift workers are at increased risk because their sleep structure is under stress.”</p>		
<p>Stop the WMI Group - Responses to Deadline 5 Submissions 17.1.029</p>	<p>ExQ2.13.7 Loss of Footpath PENK 29 and connection with Croft Lane and circular walks available with the Proposed Development</p>	<p>The Applicant team have regularly visited the site since the inception of the project in 2015, during a variety of different times of the year.</p> <p>It is important to note that according to the Definitive Map, Croft Lane does not connect, in terms of rights of way, to Footpath Penk 29. The relevant extract of the Definitive Map was provided by the Applicant at Deadline 5, within Document 15.1, Appendix 13 (REP5-005) and the gap between the eastern limit of the Right of Way, as shown by Point iv on the Access and Rights of Way Plan (Document 2.3A, REP5-013) and Croft</p>	<p>Since 2015, the applicant has not visited the site as often as residents of Croft Lane and those residents can assure the inspectorate that Penk 29 is definitely used. There is ample evidence (statements can be provided) that the connection from Croft lane to Penk 29 has been in constant use for many years.</p> <p>County Council Definitive Maps can be fairly ancient and don't always keep up with reality on the ground. It is important to note that if a path has been used and uncontested continuously for</p>

		<p>Lane can be clearly identified. Therefore, part of the route which SWMI describe currently passes over land for which there is no current public right of way.</p> <p>SWMI question the alternative circular routes put forward by the Applicant, stating that they will take place in proximity to development roads. The circular walk presented by SWMI, as set out in their The Tourism and Leisure Report (REP2-164) is shown to pass both the A5 and the A449 in the vicinity of the Proposed Development. As shown by the Applicants submission within Document 15.1 (REP5-003), and the Plan provided at Appendix 14, within Document 15.2 (REP5-005) in response to ExQ2.13.7, the proposed alternative routes identified are shown to involve less of a need to walk adjacent to either the A449 or A5 than those suggested by SWMI.</p>	<p>20 + years then a ROW has been established. In which case the applicant is wrong to say there is no legal ROW from Croft lane to Penk 29.</p> <p>It is also important to note that in the latest response the applicant makes no mention of the very important Macmillan Cross Britain Way. The Definitive Map shows that Penk 29 connects to the field at the edge of Croft Lane and because it is often used, there is a clear connecting pathway from Croft Lane. In fact there are two possible connections to Penk 29 from Croft lane. One is used more than the other and is alongside the metal fencing of MMS Gas and along the field to the back of Croft House. The alternative path is to continue to the very bottom of Croft lane and follow the right hand side boundary of the garden of Croft House into the field that connects to Penk 29. The owners of Croft House advise that both connecting routes were never contested, and have memories from 40 years + ago of welcoming walkers to use either of the connecting routes. Also long standing residents remember there being an official public footpath direction post situated next to the metal fencing at the side of MMS Gas. This suggests that even the County Council identified the connection.</p> <p>Indeed the post in the field at the edge of Penk 29 has two SCC discs on 2 sides of the post. One pointing across the field to the railway bridge and the other pointing towards the connecting path to Croft Lane (see Deadline 8 (2)) Document</p> <p>The comparison made by the applicant to the alternative routes to the route provided in our Rep2 -164 is missing one fundamental point. The majority of the circular walk is through beautiful</p>
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			<p>scenic countryside and, although passes near to the very busy A5 and A449, the tranquillity and the scenery take you away from the fact that you are walking near to two extremely busy A roads. The applicants alternatives would have you walking through an industrial estate, near to very busy development roads and, in six years time, if at all, very noisy rail movements. The applicant is required to provide permissive paths but makes no attempt to make any of those actual rights of way.</p> <p>On Penk 29 there is a clear, visible path to railway bridge from Croft Lane. (see Deadline 8 (2)) Document</p> <p>On Penk 29 there is a clear, visible path to stile on A449. (see Deadline 8 (2)) Document</p> <p>Penk 29 CBW Waymarker is visible on the stile by A449. (see Deadline 8 (2)) Document</p> <p>Staffs County Council Maps, clearly showing the Macmillan Cross Britain Way. (Pink Diamonds) (see Deadline 8 (2)) Document</p>
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Deadline 8 (2)
STWMI Groups Response to Applicants Document 17.1 (submitted at deadline 7)



Indeed the post in the field at the edge of Penk 29 has two SCC discs on 2 sides of the post. One pointing across the field to the railway bridge and the other pointing towards the connecting path to Croft Lane



Penk 29 clear, visible path to railway bridge from Croft Lane.



On Penk 29 there is a clear, visible path to stile on A449.





Penk 29 CBW Waymarker is visible on the stile by A449.

issues

Manage my account

Log out

3. To add a new issue, ensure the **Select Tool**  is highlighted and click the path where the issue has occurred.
4. Once the path has been selected, switch to the **Add Issue Tool**  and click the map at the exact location of the issue.

Search map

Select the type of search you require and enter the search term below.

Town/Village

Street name

Postcode

Parish

Grid Reference
e.g. SJ923231



Staffs County Council Maps, clearly showing the Macmillan Cross Britain Way. (Pink Diamonds)