

Strategic Rail Freight Interchange



Deadline 8.
21st August 2019

On behalf of
Stop The West Midlands Interchange

Concluding Document

In respect of the proposed West Midlands
Interchange



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1. Planning Conclusion

The SRFI proposal constitutes inappropriate development in the Greenbelt. Consequently, very special circumstances must be demonstrated for planning permission to be granted. This is a high hurdle to overcome with the onus being on the applicant to demonstrate very special circumstances.

For very special circumstances to be found, other considerations must clearly outweigh all harm, with harm to the Greenbelt given substantial weight.

The applicant advances need for a SRFI in the area, the lack of alternative sites and the economic benefits to the area and the fact that the proposed site is only 1% of the Greenbelt area as 'very special circumstances'.

The economic benefit to the area and the fact that the proposed site is only 1% of the Green Belt area are not very special circumstances because Green Belt will always be vulnerable to development under these circumstances. Secondly, most new developments create employment benefits, irrespective of where it is located, so this should not be considered a very special circumstance.

We accept that need and a lack of alternative sites can be considered very special circumstances. However, we do not accept that a compelling need for a SRFI either in this particular location, or in the District as a whole, has been demonstrated conclusively by the applicant. We also do not accept that there is a lack of alternative sites and the application site represents the most sequentially preferable location.

With regards to need, we acknowledge that the Government is committed to increasing the number of SRFI's and that Rail Freight Growth forecasts confirm the need for an expanded network of large SRFIs across the regions to accommodate the long-term growth in rail freight. However, as acknowledged in Paragraph 2.50 of the National Policy Statement for National Networks (2014) 'the [rail growth] forecasts in themselves, do not provide sufficient granularity to allow site-specific need cases to be demonstrated'. It should also be noted that the Government is also committed to protecting the Green Belt.

We do not accept that the Alternative Site Assessment (ASA) report has fully and objectively assessed those sites identified in the ASA or identified all of the potentially suitable sites within the West Midlands / Black Country conurbation that could accommodate the proposed development.

The ASA has not given substantial weight to the harm to the Green Belt nor identified the most sequentially preferable site for an SRFI, as demonstrated by our response to ROF Featherstone for example. Only two paragraphs in the ASA consider the Green Belt designation. This is wholly inadequate.

Unsurprisingly, given the proximity of the application site and ROF Featherstone, the sites share many of the same characteristics in relation to high level considerations, such as proximity to the strategic rail and road network. Both sites have the potential to meet the physical and functional requirements for SRFI's in terms of their location and size as set out in the National Planning Statement for National Networks (NPSNN). However, there are some fundamental differences between the two sites, which lead us to the conclusion that the application site is materially inferior, and is not a preferable site to ROF Featherstone for the reasons previously provided and summarised below.

It is considered that there is no material difference between the two locations in terms of access to the Strategic Rail Network. Both sites have the ability to provide access to the West Coast Main Line (WCML) in both directions.

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In relation to access to the strategic road network, it is acknowledged that ROF Featherstone currently has some accessibility constraints, however there is the potential for the site to have superior accessibility to the motorway network than the application site. There is the possibility for a direct link off the M54 to ROF Featherstone (a direct access off the M54 has been provided to i54) and there are proposals to create a link between the M54, M6 and M6 Toll. An application for this is expected in Q1 2020. There are also proposals for the local highway improvements to improve access to ROF Featherstone from the A449 and A460.

The NPS recognises that, due to their operational requirements, SRFI's may need to be located in the countryside (para 4.85). The application site and ROF Featherstone are both located in the countryside, where there will be loss of countryside. However, ROF Featherstone is surrounded by existing built development on 3 sides which means that the impact of change and the harm to the Greenbelt would be significantly less than the application site. Furthermore, through the combination of that context, scheme design and mitigation, the environmental effects of ROF Featherstone can be better mitigated.

ROF Featherstone lies immediately adjacent to the M54 motorway, beyond which is the urban edge of the City of Wolverhampton. The West Coast Main Line (WCML) forms the western boundary of the site, the northern boundary is formed by HMP Featherstone. ROF Featherstone is contained within these physical features and existing topography, and, together with the urban area to the south and east, these help to contain the site and provide an urban influence to the site and its character. The village of Featherstone lies close by but the existing topography of the area, and the approach to scheme layout, significant landscaped bunds can be provided to minimise and, to a large extent, fully screen views of the development from it. Lastly, most of the site is previously developed land.

The application site is located in the open countryside and whilst West Coast Main Line and the Four Ashes employment site, provide a degree of containment, the effect of the scheme on existing landscape, on the character of the area and surrounding hamlets, on views and on local communities, will be far greater and cannot be mitigated to the same degree.

The application site is largely open to views on all sides with little physical features separating it from surrounding settlements and isolated residential properties. In addition, because the application site is located on either side of the A449 it appears as two distinctly separate areas. This results in a degree of sprawl, further reducing the degree to which the impact of the development is capable of being contained. As a result the application site will have a greater landscape and visual effect. Furthermore, because of its proximity to, and relationship with, the surrounding residential properties and settlements, the effects from noise and light will be greater from the application site than from ROF Featherstone.

In conclusion on this point, because we consider that a compelling need for a SRFI has not been conclusively demonstrated and because we consider that there are other sites available that are sequentially preferable sites that have either not been fully assessed in the ASA or identified, only limited weight can be given to these very special circumstances.

Substantial weight has to be attached to any harm to the Green Belt and 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm, is clearly outweighed by other considerations. The applicant has failed to attach substantial weight to any harm to the Green Belt.

For planning permission to be granted, it is necessary for the applicant to demonstrate the existence of factors which clearly outweigh the harm to the Green Belt and other harm so as to give rise to very special circumstances. Only limited weight should be attached to the need for an SRFI and the lack of alternative sites identified in the ASA for the reasons discussed above. We do not consider that these factors, as well as job creation or economic activity associated with the

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construction and operation of the proposed scheme carry more than limited weight. It is therefore not considered that there are material considerations which clearly outweigh the harm to the Greenbelt by the proposed scheme. In the absence of very special circumstances the proposed scheme conflicts with national and local planning policy and should be refused.

We object to nationally significant projects being the subject of speculative applications by applicants that have a vested interest in promoting their own site above any others. This is not consistent with a plan – led system and does not ensure that the most appropriate site or sites are chosen.

The identification of a SRFI should be identified through a comprehensive review of all available sites within the Black Country and southern Staffordshire and should be carried out jointly by the Black Country and southern Staffordshire Local Authorities. No work has been carried out by these authorities to identify a SRFI despite the alleged and long standing need for a SRFI.

If this need is so compelling why hasn't this work been carried out by now? In any event, this work should be done before approving any scheme that will cause irreversible harm to the Green Belt. A SRFI on the application site should **only** be approved if it is the most appropriate location. It is not.

Further the erection of warehousing in advance of a rail connection is undesirable in itself and should not be countenanced in any event without stringent safeguards and then only to a limited extent. In a green belt location it cannot be seriously suggested that very special circumstances exist to construct stand alone warehouses without a rail connection. In this case the applicant seeks consent to build 25% of the total warehousing without any rail connection in place. The area involved is more than 60 hectares which is the minimum stipulated for a SRFI. Based on the draft DCO it could be in excess of 6 years before any legal pressure could be applied for the rail connection to be provided.

The applicant proposes that the location of that warehousing should not be limited to the area close to the railway and the consent should allow them to build out in isolated pockets. There is no financial incentive for the applicant to build the rail connection by way of increased rental or sales values. The only incentive arises in relation to building the remaining 75% of the warehousing.

The applicant declines to enter into any trust deed or bond to secure the funding of the rail connection despite the fact that this is a speculative development with no pre-lettings. The mechanism put forward in the draft DCO 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.

The applicant declines to engage in any dialogue 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.

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2. Rail Conclusion

This is an update on the written evidence submitted at deadline 2. It should be read in conjunction with the latter whose findings are still valid.

We continue to believe that whilst the use of the WCML for additional freight movements is feasible, there are a large number of practical issues that will prevent this happening. Throughout consultation the likelihood of the rail terminal at WMI being built appears to have been reduced, and we believe there should be serious concerns around this given it is the rail element that justifies this development as an SRFI.

The WMI rail paths and connection is dependent upon the HS2 project being built and releasing rail paths on the West Coast Loop Line. Given the increasing uncertainty around this project, if HS2 does not proceed there will be pressure for the freight paths that have been identified for WMI to be used for additional passenger services.

We believe that the applicant would claim this to be a circumstance outside of its control and relieve it of the need to build the rail terminal, delivering our greatest fear which is that we end up with a non-rail connected warehouse development in the green belt.

During the examination period there has been much debate about the cost of the HS2 project and Business Secretary MP Andrea Leadsom has recently called for a full review. The costs have been variously reported as between £5 & 12 billion. Much of those costs are for land purchase.

We find it ironic that the Country Land Owners Association, of which Piers Monckton (one of the partners in FAL) is Chairman of the local branch, are fiercely fighting for land values based on industrial use when it comes to selling land to HS2 whilst FAL have valued land for WMI at agricultural values.

We also believe there could be pressure to use existing free train paths for additional passenger services as a result of last week's announcements on the future of the West Coast passenger franchise. The new operator (First Trenitalia) have promised additional services, whilst the incumbent Virgin Trains has stated that it will seek paths for 24 open access services per day between London Euston and Liverpool Lime Street.

We believe there are some insightful views from the CEO of the Italian State Rail operator (given Trenitalia's new role operating passenger services on the WCML): <https://www.railjournal.com/opinion/time-is-not-on-the-side-of-european-rail-freight-operators>

"Time is not on the side of European rail freight operators – International Railway Journal

Rail freight is thriving in large countries like the United States, Canada, Russia and India with healthy market shares. "Rail has a 33% market share in the United States, 30% in India and 80% in Russia," Mr Renato Mazzoncini, CEO of Italian State Railways and UIC chairman, told delegates in Genoa. In contrast, he pointed out that rail's share of the European freight market is just 11-12%, well short of the European Union's ambition to reach 30% by 2030.

Rail freight has a natural advantage in large countries. Distances are great, which gives rail a real competitive edge over road as the volumes are so high that the railways can operate extremely long trains very efficiently. In addition, India and Russia both have poorly developed road networks and road haulage industries to the benefit of rail. Most of North American rail freight is carried by seven big Class 1 railways, supported by a plethora of regional and short-line operators. In Russia and India, the infrastructure is managed by one entity: Russian Railways (RZD) and Indian Railways (IR).

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Conditions in Europe are very different. Distances are short and the infrastructure is managed nationally to different standards and with access charges that vary widely from country to country. Train lengths are severely restricted: the dream in Europe is to achieve 750m-long trains as a standard, (ed. only 400 to 600m in UK) but we are a long way off realising that. "It is absolutely impossible to manage rail freight if the infrastructure is not good," says Mazzoncini. Added to this, European freight wagons still rely on manual coupling which makes rail freight labour intensive."

Whilst the small number of train paths identified do exist, the Birmingham Loop still only has two lines and comes under frequent pressure as a result of disruption and maintenance. This year's elevated temperatures saw cancellations and higher maintenance due to heat distortion of the tracks in UK and much of Europe. This is expected to be an increasing phenomenon.

Since it was first rolled out by FAL the logistics world has matured and learned from its shortcomings particularly in the US. By using extended port facilities and targeted city hubs, last mile chaos can be minimised, rail haul made more competitive and the recipient population efficiently catered for. The recent Wigan Freight study by MDS only suggested 40 to 60 hectares was needed to serve the 320 000 population.

We believe the recently launched Midlands Rail Hub provides far better ability to provide rail-freight interchange in the Midlands. A key element of this proposal is significant increases in freight capacity (up to an additional 36 trains per day). This not only provides linkages to the East Midlands and beyond, it also has been planned with adjacent warehouse and industrial space, proximity to an established business park, mainline rail stations an HS2 connection and access to the M6 and M42. We believe this is a far more suitable location than WMI.

Network Rail have described the freight provision (which, as all rail freight projects would be built privately) thus:

"The Midlands Rail Hub Train Service Specification also includes a capacity provision for freight traffic (identified as safeguarding approximately one extra freight path per hour in each direction) on the Leicester-Nuneaton-Water Orton-Birmingham axis, which equates to the goal of an extra 36 freight train paths referred to."

Slightly further afield, DIRFT SRFI is in the throes of its third expansion. It's extremely large base will allow servicing of much of the Midlands and enhance the other close facilities at Hams Hall, BIFT and Landor Street. The approved rail hub at Cannock set up by Freightliner Pentalver has been re-signalled by Network Rail and the line tested. It is expected that conversion works will commence shortly. So we believe that a number of alternatives exist from a rail point of view to deliver the rail linkages proposed for WMI.

Whereas Network Rail support almost all rail based projects by definition, the relatively low GRIP 2 status (feasibility only), the lack of paths on the line without HS2 assistance if at all, the current RFI and SRFI coverage in the midlands and that in the pipeline and the reluctance of the Applicant to actually commit to a rail connection renders this SRFI project just a ploy to build on green belt land in our view.

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3. Road Infrastructure Conclusion

Highways England in their deadline 6 response stated they were not satisfied that the applicant's highway modelling was adequate for a "no rail connection" scenario. This is despite the fact that the applicant was given a further opportunity to provide additional data on the point. For this reason alone the application should fail as the rail connection has not been secured.

As our previous submissions and indeed many other submissions have stated, the surrounding road infrastructure cannot cope currently with the amount of traffic on it. Of major concern now is the occupation of 186,000sqm of warehousing without the rail terminal and the impact on our roads of, what in effect, will be a road based warehousing development that is not needed and certainly not needed in our greenbelt.

As per the Milestone Report, the base models used in the assessments of highway impact do not actually reflect the 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. It concludes that the inconsistencies, lack of evidence and fundamental flaws in the documents submitted by the applicant means that the conclusions sought to be drawn by them cannot be considered acceptable.

From our deadline 8 response document: traffic flows on the A449 through Penkridge are in the region of 12,000 vehicles per day, where the proposed HGV ban will be. This is a much slower road with traffic lights and vastly reduced speeds, therefore making it a safer road for drivers and pedestrians anyway.

Traffic data information taken within the 40mph section of Weston Village in July 2019: Eastbound - 6,646 vehicles / Westbound - 6057 vehicles with a total of approximately 12,700 vehicles per day and yet the applicant does not see the need to ban WMI HGV's along this narrower, faster road where there are many residents having to negotiate turning onto the road from their properties therefore increasing the risk of serious accidents.

Pollutant dispersion: depends on several factors including the street characteristics (eg street width) and traffic speeds. Faster speeds tend to generate more turbulence and cause greater dispersion. Ref: 7. Zhang, K., & Batterman, S. (2013). Air pollution and health risks due to vehicle traffic. *The Science of the Total Environment*, 0, 307–316

For this proposal:

- Will the use of rail freight be optimised?
- Has rail trunk haul been maximised in comparison to alternative sites?
- What elements of secondary distribution have been minimised?
- Is the proposal likely to reduce the cost to users of moving freight by rail?
- Will trip mileage of freight movements on both the national and local freight networks be reduced by the proposal?

If these questions are applied to this proposal, **all fail**.

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4. Health Impact Conclusion

Ref (LAQM Annual Status Report 2019 South Staffs)

2.3 PM2.5 – Local Authority Approach to Reducing Emissions and or Concentrations

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. PM less than 10 micrometres in diameter (PM10) pose a health concern because they can be inhaled into and accumulate in the respiratory system. PM less than 2.5 micrometres in diameter (PM2.5) are referred to as "fine" particles and are believed to pose the greatest health risks, as they can lodge deeply into the lungs and also pass into the bloodstream. 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.

Ref (LAQM Annual Status Report 2019 South Staffs)

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 it will be phased 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.

South Staffordshire Council will also be purchasing two PM2.5 monitors so that they can place them out onto the district to ensure that there are no problems.

Ref Air Quality Consultants – South Staffordshire Review of Air Quality Management March 2019.

3.13 In the future, as nitrogen dioxide concentrations decrease, greater emphasis is likely to be placed on PM10 and PM2.5 concentrations. This also aligns with Public Health objectives. It would therefore be prudent to give consideration to installing a PM monitor at a suitable location.

According to this report a number of local authorities use diffusion tubes supplied and analysed by the same laboratory (Staffordshire Scientific Services) and carry out their own collocation studies with automatic analysers. The results are reported to Defra, who collate the information and derive national bias adjustment factors for each laboratory. Nineteen of these studies were provided to Defra for Staffordshire Scientific Services using monitoring carried out in 2017, including the one carried out by South Staffordshire. The majority of studies indicated that the diffusion tubes were over-predicting concentrations by around 10-20%, with an overall bias adjustment factor of 0.88. However, the South Staffordshire study was the only one which suggested that the diffusion tubes were under-estimating concentrations (by 30%). This provides further evidence that the automatic analyser is performing poorly. In Penkridge there has been discrepancy between the monitoring sites in 2013 and 2014 due to a period of poor data capture, when the automatic monitor was switched off due to breakdown. However, there continues to be poor agreement between the monitors in subsequent years.

It is also noted from the above report that Air Quality Consultants state the following: The proposed West Midlands Interchange has the potential to lead to significant changes in traffic flows. Assistance should be sought from the applicant to identify which roads will be affected.

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5.6 The impacts of the West Midlands Interchange on traffic and HGV flows, as well as stationary locomotives should be considered in relation to the LAQM criteria, to determine whether any of the potential impacts require further investigation.

3.15 The review of relevant sources has identified some additional locations where it may be appropriate to carry out monitoring of nitrogen dioxide, and PM10 and/or PM2.5 concentrations, See relevant examples below.

Source Category	Pollutant of Concern	Objectives of Concern	Criteria	Any in South Staffordshire
Roads with a high flow of HDV's/HGV's	NO2, PM10	Long and Short Term	2,500 HDVs/HGVs/day - exposure within 10m from kerb (20m in conurbations > 2m inhabitants)	The previously declared AQMAs were alongside the M6 and A5, which carry high volumes of HDVs/HGV's. The proposed West Midlands Interchange would increase HDV/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 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.
Busy streets where people may spend 1 hour or more close to traffic	NO2	Short-Term	10,000 vehicles/day - exposure within 5m from kerb >= 1-hour	Traffic flows on the A449 through Penkridge are in the region of 12,000 vehicles per day. There are a number of shops and businesses in the centre of the village, where people could potentially spend an hour or more. Based on experience elsewhere, it is unlikely that the short-term NO2 objective would be exceeded. However, due to the location of residential properties close to the kerb, it is recommended that some monitoring is carried out in the village to identify whether the annual mean objective is being achieved.

It must be noted that in the applicant's Doc 6.2 Air Quality the report states:

7.34 As detailed in the 2017 Air Quality Annual Status Report, there are currently three AQMA's in the district:

- AQMA 1 – Woodbank;
- AQMA 4 (SA2, SA5, SA6) – Wedges Mills; and
- AQMA 5 – Oak Farm.

7.35 The Status Report also states that SSDC plan to revoke AQMAs no, 1 and 4 "due to NO2 concentrations continuing to be below the objective level". Woodbank is located close to the M6 between junctions 12 and 13 and Oak Farm is located on the A5 to the east of junction 12 of the M6, approximately 1km from the Site. The Oak Farm AQMA has been declared due to heavy duty vehicles (HDV/HGV) associated with the New Hollies truck stop on the A5.

As above this has been replaced with the above report that states that:

Monitoring site HA5 and HA6 in the AQMA Oak Farm 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**

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relevant locations. The Council have now revoked Wedges Mills and Woodbank AQMA's and therefore monitoring will also cease at these locations shortly. There is a new action plan being formulated for the one remaining Oak Farm AQMA5 (HA2). Concentrations for HA2 are within 5% of objective hence it is to be retained.

Defra's appraisal of last year's Annual Status Report concluded that the council needed more detailed maps, and pointed out a few errors including missing data in February (tubes were missed due to no staff), and questions over whether some data had been distance adjusted.

Ref Air Quality Consultants – South Staffordshire Review of Air Quality Management March 2019.

Recommendations & Monitoring

5.2 Retain all of the existing nitrogen dioxide diffusion tubes, with the exception of HA5 and HA6 which are not representative of relevant exposure.

5.3 Decommission the automatic nitrogen dioxide monitor in Penkridge. The diffusion tube monitoring site should be retained in this area.

5.4 Consider installation of a PM monitor at a suitable location. If a specific risk of the PM10 objectives as a result of quarrying activities is identified, then a PM10 monitoring should be installed. Consideration could also be given to PM2.5 monitoring which is the most relevant component for health impacts. Defra guidance (Defra, 2016) notes that "an increase in PM2.5 monitoring is desirable given the links to the Public Health Outcomes Framework"

5.5 The following roadside locations have been identified where there may be a risk of exceedance of the annual mean nitrogen dioxide objective. Consideration should therefore be given to monitoring (possibly in conjunction with modelling) at the following locations:

- A34, where houses are very close to the road in Huntingdon and Cheslyn Hay;
- Station Street, Cheslyn Hay (if traffic flows exceed 5,000 AADT);
- A449 in Penkridge village centre; and
- At the façade of the single property closest to the A449 Stafford Road, where it meets the M54 (if this has not been considered in previous rounds of review and assessment).

5.6 The impacts of the West Midlands Interchange on traffic and HGV flows, as well as stationary locomotives should be considered in relation to the LAQM criteria, to determine whether any of the potential impacts require further investigation.

Conclusions:

6.2 A review of the district has been carried out to ascertain whether there are any sources of emissions to air that require further investigation. There are a small number of properties very close to roads that warrant further investigation. In addition, the potential for exceedances of the PM10 objectives near to some poultry farms and quarries, and the impact of the proposed West Midlands Interchange should be reviewed.

Ref (Doc 6.2 Air Quality)

The applicant has considered rail impact in the opening year. We have since come to understand that the rail terminal will not be built for at least 6 years, if it is ever built and therefore to consider rail impact in the opening year is not relevant.

The NPS requires that the assessment should describe the existing situation, forecast air quality and any significant effects including residual effects, taking into account the impact of traffic generated by the project (paragraph 5.7).

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Paragraph 5.12 states that the Secretary of State must give air quality considerations substantial weight where, after taking into account mitigation, a project would lead to a significant air quality impact in relation to EIA and/or where they lead to a deterioration in air quality in a zone/agglomeration. It requires (paragraphs 5.14 and 5.15) that the proposed mitigation measures should ensure that the net impact of a project does not delay the point at which a zone will meet compliance objectives. Measures could include, but are not limited to, changes to the proximity of vehicles to local receptors, physical means including barriers to trap or better disperse emissions, and speed control.

Paragraph 5.13 states that the Secretary of State should refuse consent where a scheme would result in a zone/agglomeration which is compliant with the limits set by the Air Quality Directive becoming non-compliant (as in para 6.2) or where a scheme would affect the ability of a noncompliant area to achieve compliance within the most recent timescales reported to the European Commission.

Public health - Sources and Effects of PM2.5 Defra also state that: 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. Please note again that 4.9% of deaths in South Staffs in people over 30 are attributable to PM2.5.

The applicant's forecasts have not taken into account the traffic generated by what will be a 6 year + road based warehouse development.

We note the request from Public Health England at deadline 7 to review the revised ES Chapter 7 with revised results for all receptor locations and will read their review with interest.

With the increase in traffic, the loss of hedgerow, woodland and trees, without doubt, this development will have an adverse effect on the quality of our currently "good" air quality in South Staffs and in turn, will have further adverse effects on our health no matter what and we will not tolerate it.

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5. Ecology & Environment Conclusion

The WMI will have disastrous effects on the environment and therefore the ecology of the area and its surroundings.

From the huge size of the development seriously exacerbating habitat fragmentation in the area, through destruction of habitats by removal of trees and hedges to the hazards presented by increased traffic in the area, the WMI will be injurious to wildlife and their environment.

Bats will have roosting and hunting areas taken away, whilst several species of birds will lose nesting areas along with feeding sites.

The network of roads proposed to infiltrate the site will present barriers to natural wildlife movement and will introduce hazards that leave mammals, birds and amphibians far more susceptible to road-kill.

The removal and relocation of long-established hedgerows will impede natural wildlife corridors and will deprive a number of species of their natural shelter and a variety of food sources.

Despite the proposed mitigations being introduced, the overall effect on the environment and ecology of the site and its surrounding area will be negative, resulting in a loss of biodiversity and, along with this, a great deal of natural beauty.

The White Paper The Natural Choice, Securing the Value of Nature where it states that: The fragmentation of natural environments is driving continuing threats to biodiversity.

- Over the last 20 years, the area of crops dependent on insect pollination has increased by 38%. During the same period, there has been a 54% decline in honey bee colony numbers in England. More than 50% of our landscapes now have fewer species of bees and hoverflies than in 1980. These changes have been driven by habitat loss and farming practices.
- It makes much greater economic sense to protect and conserve pollinators than to adopt alternatives, such as hand pollination. The cost of replacing bee pollination with hand pollination is greater than the total market value of the crops, at over £1.5 billion per year.
- Bees can fly a kilometre or more, foraging for nectar from wildflowers. Creating a patchwork of flower-rich meadows, field edges and flowery road verges, and extending this into urban gardens, parks and open spaces, would assist bumblebees and other pollinating insects. It could reverse the alarming decline in pollinating insects such as bumblebees across England. The measures set out in this White Paper, along with our Bee Health Strategy,⁴ will support this.

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6. Tourism & Leisure Conclusion.

We do not propose to repeat our objections made in our tourism and leisure report submitted at deadline 2. We merely wish to sum up what the WMI will destroy. The effect will be catastrophic.

From evidence it is clear we will lose Greensforge Sailing club. Penk 29 and the Macmillan Cross Britain Way will be diverted through an industrial estate. Gailey Canoe club paddlers will be paddling along our lovely stretch of canal alongside a major new development road where TugMasters running on red diesel bring goods from non rail connected warehouses to the RT. Blackfords Fishing club will lose its jewel in the crown the peaceful scenic setting. West Midlands Bird club will have no birds to watch. Tourists from Gailey wharf won't chose the route next to a busy road and through a colossal industrial estate.

The area within the DCO provides so much to so many and each of the activities are as Strategic if not more so than a SRFI.

Tourist, leisure and sporting activities outside the DCO are also under threat. Who will want to negate all of the thousands of extra vehicles to get to any of the activities listed in our report at deadline 2? The extra vehicular movements will make the area far less attractive to visit.

South Staffordshire, a beautiful place to live, where tourism, leisure and sporting activities thrive.

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Penk 29, part of the Cross Britain Way, is regularly Used.



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Calf Heath
Reservoir



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Current uninterrupted views
across to the Wrekin in
Shropshire from Croft Lane.

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7. Agriculture & Farming Impact Conclusion

We need to preserve our BMV land in South Staffordshire.

The District has higher than National averages of Grade 2 and Grade 3 BMV land. The District will be losing 211.2 ha of Grade 2 and Grade 3 BMV land (over 500 acres). The applicant has still failed to provide the economic classification of this land based on standard net outputs as part of the ALC.

NE - 4.2 Grade 2 - very good quality agricultural land

Land with minor limitations that affect crop yield, cultivations or harvesting. A wide range of agricultural and horticultural crops can usually be grown. On some land in the grade there may be reduced flexibility due to difficulties with the production of the more demanding crops, such as winter harvested vegetables and arable root crops. The level of yield is generally high but may be lower or more variable than grade 1.

4.3 Grade 3 - good to moderate quality agricultural land

Land with moderate limitations which affect the choice of crops, timing and type of cultivation, harvesting or the level of yield. Where more demanding crops are grown yields are generally lower or more variable than on land in grades 1 and 2.

4.4 Subgrade 3a - good quality agricultural land

Land capable of consistently producing moderate to high yields of a narrow range of arable crops, especially cereals, or moderate yields of crops including:

- cereals
- grass
- oilseed rape
- potatoes
- sugar beet
- less demanding horticultural crops

It is alarming that Natural England support this application given that they are a government body advocating strict adherence to White Paper legislation in planning applications eg: The Natural Choice, Securing the Value of Nature where it states that:

1.10 Society expects the environment to provide multiple benefits. A growing global population, for example, increases pressure on food production. But food increases must be achieved sustainably in order to protect the ecosystem services (such as pollination and the water cycle) on which food production relies. An increase in the production of energy crops is also necessary to address dangerous climate change; more woodland cover is required for carbon storage and climate regulation.

1.11 As Making Space for Nature suggests, the quality of natural habitats must be improved throughout the countryside, while strategic action must be taken to plug gaps in our ecological network. Special protection of sites that are especially rich in wildlife or particularly fragile must continue. These ambitions impose an overlapping set of demands.

The natural Choice White Paper also outlines the role of biodiversity: pollination
Some 84% of European crops and 80% of wildflowers rely on insect pollination. The value of pollination to UK agriculture is £440 million per year (13% of the total value of agriculture).

To make it very clear again, that within the applicant's mitigation, paragraph 6.60 in the ES Chapter 6 clearly states: "There is no mitigation for the loss of agricultural land (i.e. the land use will be permanently changed) during the construction phase."

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British farming provides the vital ingredients for the food sector, which is currently worth £108 billion to the UK. In the current situation with Brexit we must protect our greenbelt and agricultural land to ensure that the country can be virtually 60% self sufficient with food crops.

Over 70% of the UK's land is farmed in some way – so how we manage this land has a big impact on wildlife. A thriving natural environment underpins our ability to grow food into the future but the decline of wildlife in the UK depends on a farming policy, which enables farmers to create and restore natural habitats alongside food production. If the greenbelt is allowed to be destroyed then this will be no longer possible.

The Wildlife Trust have issued the following statement in light of the new Agricultural Bill prompted by Brexit.

“With the UK's exit from the EU drawing closer the UK has a rare chance to design a new farming policy – for the first time in decades.

We should invest in the restoration of our land and wildlife so that it can continue to provide us with all the things we need: sustainable and nutritious food, wildlife habitats, flood and drought management, clean water and air, carbon storage and places for us to enjoy.”

The construction of huge warehouses on greenbelt land will contravene all of the above advice from The Wildlife Trust.

The UN have commented recently that plant based diets can help fight climate change so greenbelt land needs to be protected for the agricultural industry to help achieve this. In 2020 the UN's Climate Conference is being held in the UK and surely we should show them that we are taking a positive approach to protecting both agricultural land and greenbelt to achieve results that help to slow climate change.

<https://www.bbc.co.uk/news/science-environment-49238749>

The Intergovernmental Panel on Climate Change (IPCC) have also commented that if land is used more efficiently then it can store more carbon that is emitted by humans.

The regulation of farming prevents damage to wildlife and ecosystems that would not only compromise wildlife now but would limit the ability of future generations to grow food and timber and have access to clean water. With the new Agricultural Bill in its final stages through parliament we must ensure that greenbelt and agricultural land a protected to achieve not only a productive food industry but an environmentally friendly society for us all to enjoy.

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8. Wrong Location Conclusion

This is an update on the written evidence submitted at deadline 2. It should be read in conjunction with the latter.

1. Application History

The WMI project has now progressed through the six months examination process. During that time there has been nothing to counter our assertion that the proposal is in completely the wrong location and will cause disruption and damage to the Strategic Road & Rail Network.

The applicant and major landowner, Piers Monckton, who has drastically reduced his public profile during the examination but remains President of the Staffordshire Country Landowners Association. The CLA continue to rant about HS2, fight compulsory purchase orders and campaigns strongly for higher land compensation for its members. CLA warn: "We will hold HS2 Ltd to account if previous poor practice continues."

Meanwhile the landowners sand quarry continues unrestricted by its County Council planning conditions, with seeming impunity. We learned at the hearings that quarry levels were now based on site levels for WMI warehouses and if the DCO were granted the quarrying would cease immediately. So strategic minerals would be lost below and around the site and the cost of reinstatement would be pure profit?

During the examination period the Government has significantly changed, although our two MPs are still in place and campaigning vigorously against the WMI. Whilst Brexit negotiations continue, little has been forthcoming regarding logistics and nothing for SRFIs. However significant promises of funding for Transport for the North rail projects have been announced.

A major report on the rail industry, the Williams report, has been completed but not yet published. Apparently this resulted in Virgin trains losing its WCML franchise.

A major logistics report, The Future of Freight has been published by the National Infrastructure Commission.

The interim report was referenced in our initial written representation. However it is concerning to read how the applicant has sought to influence the NIC's final report by making no less than three submissions under different company names, extolling the virtues of SRFIs and particularly one at Four Ashes – with a concluding warning: *"The policy background of the National Policy Statements should be kept in mind in this process, unless the NIC wishes to jeopardise the delivery of current Nationally Significant Infrastructure Projects in this sector."*

No other participants mentioned their significance. The submissions from logistics specialists from a number of Universities and Transport for London are illuminating and a recommended read:

<https://www.nic.org.uk/wp-content/uploads/CfE-with-cover-and-contents.pdf>

This one cuts to the chase:

"Another implication is that logistics now includes a large speculative property sector, with little direct interest in public policy goals in the sense pursued by the NIC, but a powerful drive to maximise profit generation through upward valuing of land and property. As with housing land, the multiplier from farm land value can be very considerable, and adds up for a 500 or 1000 acre development, as can be the case for Strategic Rail Freight Interchanges (SRFIs).

This should take place alongside proper study of the rail freight terminals needed. As my survey of SRFIs policy evolution makes clear, these were seen in the early 2000s as most likely to be needed only in a very few regions and in small numbers, with the South East the region with the most need. The East Midlands, where most of the large speculative warehousing (and rail terminals) schemes are now clustering, was

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not seen as a region in need of new terminals, with DIRFT (extended as needed) seen as quite adequate for that part of England.

In the meantime, it would be desirable for a moratorium to be called on SRFI applications, so that the massive investments proposed are not wasted on developments in the wrong locations. Such a moratorium is hardly going to bring the warehousing development industry to its knees.”

Such comments were typified during the WMI examination, with rival landowner Inglewoods, arguing for exclusion of their land – not to protect it, but to share in profit generation.

It is obvious to us now that much of the “need” for an extensive SRFI network (and particularly one at Four Ashes) is the result of intensive lobbying by the interested parties and more than most by the Applicant. Several more examples below:

<https://publications.parliament.uk/pa/cm201011/cmselect/cmcomloc/517/517vw135.htm>

<https://publications.parliament.uk/pa/cm201011/cmselect/cmcomloc/writev/abolition/rss72.htm>

Whereas, in a compact and crowded country such as Britain there is little opportunity for splattering SRFIs across it. Sadly Government has been unwilling to research & prescribe where suitable nodes should be – although the original planning guidance specifically said the Midlands was well catered for but there was a shortage in London and the South. Nothing in that area has materialised, with Radlett blocked by its community and County Council and SIFE Slough stolen by Heathrow airport for expansion.

HS2 is the most important government transport plan in recent history and that rejected freight usage despite HS1 engaging.

During the hearing we learned that rail connected warehousing does not command a premium (that was used as justification for not building a rail terminal in the first phase(s)!).

There is a reluctance in the logistics industry to adopt rail freight for smaller users (heavy importers, the food industry and major parcel/mail delivery being the main users of intermodal). Since the demand is not present, there is surely no justification for a multitude of poorly located SRFIs. By observation, the largest cities and ports have both strategic connections and the greatest need for intermodal facilities. Pre-Beeching days won't return.

Therefore new thinking, such as small town centre consolidation facilities, re-use of office buildings and off peak railway station uses are timely, environmental strategies. Attempts to split and categorise the midlands region must be seen as smokescreens for business advantage only. The only “area” in a logistics sense is the “golden triangle” centred on DIRFT that stems from a historic decision by logistics companies that it was the ideal location for accessing much of the Britain.

Larger cities have significant goods demands and need larger RFIs and where possible substantial and concentrated land with good connections, communication and inter-modality.

Such is the **Midlands Rail Hub** at Solihull being promoted by Midlands Connect with massive support from local councils and industry. With major railway stations, HS2 connection, large business parks with international presence, multiple motorway connections and both the leverage and space for a large freight hub it is a bold and timely step. Due to the UKs current private-only rail freight industry potential players must fund that part themselves, however Freightliner have already expressed support.

Contrast that to the trashing of greenbelt agricultural land to build poorly served speculative big boxes that will gridlock the strategic road system (that is just being forced to upgrade to 8 lanes because it is creaking under the pressure).

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Alternative, available sites such as Rugeley Power Station next to Amazon or the massive Bescot rail sidings between Walsall & Sandwell (partly in the Black Country for the uninitiated) were not even considered and through neglect are now being earmarked for other uses (obviously SRFIs not considered essential by those councils). Stoke-on-Trent was not explored despite its great need and want.

During the hearings we were surprised to hear that a successful SRFI at Four Ashes would often share trains with other RFIs on the line (DIRFT/Hams Hall/BIFT/Landor) so only a couple of containers might end up being dropped off there. So that's two lorry loads saved that would have otherwise sailed by unhindered on the M6 in a WMI future they would join the queue of HGVs from the road-based warehouses to get back on to the M6 at a rate of one every twelve seconds.

Also, since the examination started, international trading has had many twists and turns. Primarily Brexit preparations for us, right wing challenges for Europe. Trade wars between China and USA are still causing concern with much overspill for other countries. China's extensive rail system (part of the Belt and Road scheme) is still being expanded with the focus now being Middle East, Turkey and Far East. So no friction there!?

Germany has a busy China Rail connection at the Rhine Port of Duisburg and the state railway has a rail connection with Felixstowe. Germany still runs on coal but soon the Russian Nordstream gas pipeline will arrive and coal will be gradually cut back. Electrification of rail is slowing to cost, with bi-modal trains being rolled out as a cheaper alternative.

Locally the large building works at Cannock: Kingsmead Lakeside, Designer Village and other warehousing sites are pressuring those local road systems and the A5 strategic network. Freightliner Pentaver's RFI site at Cannock has now had its rail link tested and can progress towards intermodal usage.

On the environmental and technology fronts, HGV alternative fuels are creeping forward with Hydrogen, Ammonia, battery and electrified road charging systems all in the running – though breakthroughs are not yet on the horizon.

Platooning trials have gone quiet but autonomous driving is still a hot topic. Germany and Italy are building high-speed rail freight lines exploiting the former's large size and the latter's north-south divide.

Environmentally, the spotlight will fall upon us next year as we host COP 26 the 2020 UN Climate Change Conference, in conjunction with Italy.

For meaningful carbon reduction only tree planting, farming improvements, shipping improvements and air considerations will have the potential to meet targets. What has your country done? ... "well we've excavated a little sand and substantially destroyed farmland and tree-scape by building speculative warehouses; a few people have lost their homes and others their health and the M6 is often gridlocked -but it's in the name of progress.

So to reiterate current thinking for improving intermodal freight is the 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) and well-designed strategic facilities such as Midlands Rail Hub.
