

**C. Clark in response to the late submission of the 13<sup>th</sup> of December 2019 by Eversheds Sutherland (International) LLP regarding the proposed WMI.**

The gist of this late submission, without my repeating Eversheds Sutherland (International) LLP rehearsed argument, conveys the sentiment that the WMI applicant does not wish any interpretation of paragraphs 4.83, 4.88 and 4.89 of the guiding NPSNN to invalidate or undermine the WMI planning application.

As a preamble to this argument, the applicant cites the Northampton Gateway SRFI project's ExA interpretation of paragraph 4.83 as both pertinent and favourable regarding the WMI project, as "[...] *there is no suggestion that West Midlands Interchange could not accommodate rail activities.*" However, if interpretation of paragraph 4.83, particularly its unambiguous initial phrase "[...] *from the outset [...]*" is applied precisely, then there is a very compelling suggestion that WMI in no way fulfils the descriptive or planning requirements of an SRFI.

Notwithstanding how much those NPSNN paragraphs are arguably open to semantic interpretation, they contain the undeniable understanding that for a proposed development to be considered as an SRFI, it must have the clear objective of providing a rail infrastructure integral with the other elements of the development concurrently from the absolute start of the project. Anything less than this, ie, a phased development of industrialisation and trunk road access without the eponymous "rail" element, should not even be considered a special case warranting overriding of the necessarily robust constraints of green belt planning and development policy – because it most certainly is not a "*Nationally Significant Infrastructure Project (NSIP) necessitating Very Special Circumstances needed to justify* [what all parties agree to be] *inappropriate development in the Green Belt*". Any such misdirected disregard for the green belt's protected status weakens green belt policy in favour of a development proposal if that development can be misleadingly considered very special and having a wider importance nationally far beyond its actual merits. This is, many believe and fear, the opaque basis upon which the WMI is proposed.

In conclusion to this late submission I would simply ask the following, perhaps rhetorical, question: When should a proposal for an SRFI not be considered an SRFI?