

**Applicant's Response to Secretary of State
Appendix 3**

APPLICANT'S POSITION REGARDING GREENSFORGE SAILING CLUB

The Applicant provided the Examination with very extensive evidence specifically in relation to the potential impact of the development on the Greensforge Sailing Club (GSC). This expert evidence identified an acceptable relationship between the Proposed Development and the GSC, with no technical evidence being provided to dispute this conclusion. The position is presented in more detail below, but in summary the Applicant maintains that it would be appropriate for the issue to be settled as part of the decision on the DCO application.

The table below catalogues the evidence provided to the Examination by the Applicant (FAL) and the submissions of GSC. There was ample opportunity given through the Examination period for that evidence to be tested.

| Deadline | Document | Author | Comments |
|-------------------|---|------------------------------|---|
| - | [APP-113] Environmental Statement Appendix 14.1 Wind Effects on Sailing (Desk Study) | RWDI on behalf of FAL | |
| Deadline 1 | [REP1-016] Submission to Examining Authority | GSC | |
| Deadline 2 | [REP2-009] Applicant's Response to ExQ1 | FAL | ExQ1.14.5, ExQ1.14.16, ExQ1.14.7, ExQ1.14.8, ExQ1.14.9, ExQ1.14.10, ExQ1.17.2 (vii) |
| Deadline 2 | [REP2-110] Deadline 2 Submission - Response to the Examining Authority's Written Questions | GSC | |
| Deadline 3 | [REP3-007] Applicant's Response to Other Parties Deadline 2 Submissions | FAL | Page 76 |
| Deadline 4 | [REP4-012] Sailing Quality Analysis of Calf Heath Reservoir | Wolfson on behalf FAL | |
| Deadline 4 | [REP4-013] Calf Heath Reservoir Wind Assessment | RWDI on behalf of FAL | |
| Deadline 5 | [REPS-005] | FAL | Appendix 12, Applicant's Response to ExQ2 and Other |

| | Note on Greensforge Sailing Club | | Requests Information for |
|-------------------|--|------------|---|
| Deadline 5 | [REP5-055] Responses to the Examining Authority's Further Written Questions | GSC | |
| Deadline 6 | [REP6-011] Applicant Response to Greensforge Sailing Club | FAL | Appendix 2, Applicant's Responses to DL5 Submissions and Other Requests for Information |
| Deadline 7 | [REP7-004] Applicant's Responses to ExQ3 and Requests for Information | FAL | ExQ3.7.2 |
| Deadline 7 | [REP7-035] Response to the Examining Authority's 3rd Written Questions | GSC | |
| Deadline 8 | [REP8-016] Applicant's Response to GSC | FAL | Appendix 2, Applicant's Responses to Other Parties Deadline 7 Submissions |

Notably, the Applicant provided expert evidence in the form of a detailed Wind Assessment Report (the RWDI CFD Study) ([APP-113](#)) and a Sailing Quality Analysis prepared by acknowledged experts from the Wolfson Unit ([REP4-012](#)). No comparable evidence has been submitted in response and no expert review has been provided to question or undermine the conclusions of those studies.

Whilst further assessment is always possible – for instance in the form of “*wind tunnel or other technical assessment*”, the worst-case assessment provided by the Applicant is already sufficient to enable conclusions to be reached.

The difficulty for the Local Authority dealing with further detail on any detailed submission would be that there has been no agreement between the parties about the criteria to be used to judge acceptability, nor the weight to be attached to the nationally significant infrastructure proposed relative to the importance of sailing conditions at the Sailing Club. The Applicant's evidence to the Examination directly addressed those issues.

The Applicant's evidence (in particular, the Note on Greensforge Sailing Club (Appendix 12 [[REP5-005](#)]) and the Applicant's Response to Greensforge Sailing Club, Appendix 2 [[REP6-011](#)]) set out the Applicant's case. In very brief summary, they identify:

- i. for 47% of the time there would be no effect at all on the sailing club due to the wind direction;
- ii. a worse than worst-case assessment, using buildings significantly larger than those permitted by the Parameter Plans (Floor Levels and Height Key Plan [[AS-057](#)]), shows that the percentage of time when the reservoir would benefit from “*good sailing conditions*” would reduce by between 3.2% and 4.1% (for 53% of the time);
- iii. the Wolfson report describes the impact as “*modest*” and the general sailing character of the reservoir would not be significantly changed; and
- iv. there is no evidence that sailing conditions would be un-safe and the report confirms that the reservoir would continue to be sailable in the same way as it is currently used.

Whatever scale of development is proposed, the evidence suggests that there would be some impact on sailing at the reservoir. This is set out, for instance, in the submissions made on behalf of the

GSC at pages 8 and 9 of their Deadline 1 Submission to the Examining Authority [[REP1-016](#)]. On the basis of GSC's assertions, the necessary noise bunds and landscaping would themselves have an effect and the development of any warehousing at all downwind of the reservoir would have some impact. On the basis of GSC's assertions, and without any criteria for acceptability in the requirement, a very substantial no-build zone could be imposed, sterilising a significant proportion of at least Zones 4a and 5a (based on the Club's illustration, the approximate sterilised floorspace would be between 250,000 sq m (green zone – 400m buffer for 20m high buildings) and 500,000 sqm (blue zone – 600m buffer for 30m high buildings)).

Substantial evidence was also submitted to the Examining Authority about the importance of the warehousing development proposed, the uniqueness of the opportunity, the strength of the need and the balanced nature of the viability of the development. Sterilising a large part of the WMI development in an attempt to limit any impact on the sailing club would be grossly disproportionate.

The Applicant's evidence submitted to the Examination is that the GSC can continue to operate in very much the same way as it does at the moment if development is consented consistent with the parameters proposed and imposed through Article 4 of the DCO.

In the Applicant's Response to GSC [Appendix 2, [REP8-016](#)], the Applicant also drew attention to the immediate availability of capacity at the larger South Staffordshire Sailing Club directly across the M6 motorway. If some club members did in fact feel disadvantaged by the development of WMI, alternative opportunities for sailing nearby do exist. On the basis of the expert evidence, however, there is no reason to conclude that the GSC would be significantly affected by the WMI development and the Applicant looks forward to having a positive, long-term relationship with the Club.

The Applicant considers that the DCO application should be approved without the suggested requirement.