



Meeting note

File reference	TR050004
Status	Final
Author	Kate Mignano
Date	13 June 2017
Meeting with	Ashfield Land
Venue	Rivergate, Temple Quay, Bristol
Attendees	The Planning Inspectorate Tom Carpen Gareth Leigh Emre Williams Hannah Pratt Kate Mignano Ashfield Land David Diggle Danny James Helen Tilton Ben Coppithorne Clare Cope Vicky Redman
Meeting objectives	Rail Central - Project Update Meeting
Circulation	All attendees

Summary of key points discussed and advice given:

The Planning Inspectorate (PINS) advised on its openness policy, explaining that any advice given would be recorded and placed on the National Infrastructure website under section 51 (s51) of the Planning Act 2008 (as amended) (the PA2008). Any advice given under s51 would not constitute legal advice upon which applicants (or others) could rely.

Project Update

The Applicant explained how the scheme had evolved since phase one statutory consultation (April – October 2016). The location of the site between the Northampton Loop and West Coast Main Line, positioning of rail sidings and rail-served warehousing, as well as a phased delivery of rail infrastructure and lessons learnt from previous examinations were discussed.

The Applicant explained that changes had been made to the scheme since consultation as a result of responses/comments received. Following the creation of the Simulation and Assignment of Traffic in Urban Road Networks (SATURN) model highway works required to mitigate the traffic impacts of the rail freight interchange is emerging.

The main changes include:

- Reduction of the footprint of the intermodal facility from 8 million square feet to around 7.4 million square feet of both rail-linked and rail-served warehousing.
- Highway mitigation is likely to include improvements to the M1 junction 15a (which the Applicant considers may meet the thresholds as a Nationally Significant Infrastructure Project (NSIP) in its own right), a grade-separated junction to the west of the site and improvements to the A43 and A5 at Tove.

Reduction of the footprint

The Applicant explained the design had been refined following phase one statutory consultation mainly in relation to ecological mitigation, the overall size of the scheme and public rights of way. The Applicant confirmed discussions are on-going with the Wildlife Trust and Natural England regarding potential mitigation.

Highway Improvements

Following the creation of the SATURN model, the Applicant, in discussion with Highways England (HE) and Northamptonshire County Council (NCC), has identified 30 junctions in proximity of the site which are currently being assessed and may need improvements to mitigate traffic impacts of the rail freight interchange.

The Applicant anticipated that three of the junction improvement sites would require additional land and funding would be provided by the Applicant for all planned highways improvements. Consent for all proposed highway mitigation will be sought which is likely to include proposed works at M1 Junction 15a, and would be listed as associated development (or possibly an NSIP in the case of the Junction 15a improvements) in the draft Development Consent Order (DCO). The Applicant explained that some additional highways works were not consulted upon during the first phase of statutory consultation or the precise works detailed in the Scoping Report submitted in 2016. However, the Applicant explained that the Scoping Report acknowledged that there would be a need for highways mitigation which was to be subsequently defined, assessed and included within the ES.

PINS advised the Applicant to consider which section of the PA2008 the highways NSIP elements of the scheme relate to in particular; alteration or improvement.

The Applicant gave an overview of the proposed works for the M1 Junction 15a. The Applicant confirmed survey work is nearing completion and discussions with statutory bodies are on-going including talks with the Canal and River Trust in relation to a listed lock which would be affected by the development.

Consultation

The Applicant confirmed that the first round of statutory consultation (April – October 2016) was carried out under s47 of the PA2008 and provided a brief overview of their consultation. The Applicant confirmed that a draft Statement of Community Consultation (dSoCC) was sent to three local authorities for comment prior to the commencement of statutory consultation.

Over 1000 people engaged in the consultation. Key topics raised by consultees included:

- Increase in traffic;
- Environmental impacts (lighting and noise); and
- Proximity of the rail freight interchange to residential properties

The Applicant is planning to carry out their second round of statutory consultation in September 2017 which will run for a total of 35 days. In preparation for this, the lessons learnt to undertake the second round of statutory consultation were mostly regarding the public being able to access documentation; there are a significant number of retired people in the area who do not have access to the internet, so require hard copy documents including plans to be made more readily available.

PINS confirmed that the examination of NSIPs is predominantly electronic (publication of documents to our website). However in some instances the Applicant had provided hard copy application documents at 'deposit locations' during the Examination to take account of persons having limited access to the internet.

Before beginning the second round of statutory consultation the Applicant is planning to revise the dSoCC and consultation methodology, in response to comments received from the first round of consultation.

The Applicant confirmed that their intention was to issue the full draft Environmental Statement (ES) to statutory consultees and a Non-Technical Summary of the ES to land owners and members of the public, when undertaking their second round of statutory consultation. PINS advised the Applicant that all s42 consultees should be provided with the same consultation documents. Any divergence from this must be explained in the Consultation Report.

Statutory Consultee Engagement

The Applicant has discussed Statements of Common Ground (SoCGs) and Local Impact Reports (LIRs) with South Northamptonshire Council. The Applicant is considering a Planning Performance Agreement (PPA) and requested advice from PINS in relation to PPAs. PINS has an impartial role in the process and explained it is unable to advise on PPAs but is able to facilitate tripartite meetings between those involved, if required.

The Applicant confirmed SoCGs are being prepared with the relevant local authority, NCC Highways department, HE and Network Rail. The Applicant confirmed they are re-working Network Rail's GRIP process and a basic service agreement is expected shortly.

The Applicant confirmed 85% of the site is in its possession and the other 15% is being negotiated with the affected land owners.

Environmental Impact Assessment

The Applicant confirmed that a full draft ES will be produced before the second stage of statutory consultation begins. The Cumulative Effects Assessment (CEA) will be based on a five kilometre study area (from the boundary of the site), which has been agreed with the local authorities. The Applicant is expecting agreement from the local authorities [South Northamptonshire Council and Northampton Borough Council] in relation to the methods proposed. The Applicant asked if the matrices which accompany Planning Inspectorate Advice Note 17 (Cumulative Effects Assessment) could be adapted. PINS advised that Advice Notes (ANs) are non-statutory, and that the Applicant can adapt the matrices to suit their purposes, as long as the methodology is explained in the ES.

The role of PINS was explained in relation to transboundary effects. PINS explained that the Secretary of State (SoS) has an on-going duty, until a decision is made on an application, to consult European Economic Area (EEA) States if it is likely that the project could have significant effects on the environment of another EEA State.

The Applicant confirmed their conclusions that no significant effects are anticipated on any European Sites.

An 'Alternative Sites Assessment' is being prepared and the Applicant confirmed that the methodology that they have applied is in line with the National Policy Statement for National Networks (NPSNN).

The Applicant discussed the recent introduction of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the 2017 EIA Regulations). The Applicant highlighted that it had submitted a scoping request accompanied by a Scoping Report for the Proposed Development to the SoS before 16 May 2017 and consequently considers that the transitional provisions included in the 2017 EIA Regulations would apply. PINS explained that it is unable to give legal advice to an Applicant, however noted that developments do often evolve after scoping. To clarify this matter further for the Applicant, PINS (following the meeting) has drafted further s51 advice, which is appended as Annex A to this meeting note.

Section 53

The Applicant is not expecting to make any applications under s53 of the PA2008 and confirmed negotiations are still taking place with land owners.

Draft documents

The Applicant is planning to submit a suite of draft documents to PINS for review in October 2017 following their second round of statutory consultation. These include:

- DCO and Explanatory Memorandum;
- Consultation Report and Appendices;
- Book of Reference and Statement of Reasons;
- Funding Statement;
- Land and Works Plans; and
- Planning Statement.

The Applicant is anticipating submitting the application to PINS in December 2017.

Specific decisions / follow up required?

PINS to confirm whether the Proposed Development was screened for potential transboundary effects.

Post meeting note: PINS confirmed to the Applicant via email that the Proposed Development was screened for potential transboundary effects in February 2016 (following adoption of the [Scoping Opinion](#) (January 2016)). The transboundary screening decision is published on the project page of PINS' website.