



The Planning Inspectorate
Yr Arolygiaeth Gynllunio

SCOPING OPINION

Proposed Northampton Gateway Strategic Rail Freight Interchange

Planning Inspectorate Reference: TR050006

December 2016

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EXECUTIVE SUMMARY

This is the Scoping Opinion (the Opinion) provided by the Secretary of State in respect of the content of the Environmental Statement for Northampton Gateway Rail Freight Interchange, south of Northampton.

This report sets out the Secretary of State's Opinion on the basis of the information provided in Roxhill (Junction 15) Ltd ('the Applicant') report entitled Environmental Statement Scoping Report October 2016 ('the Scoping Report'). The Opinion can only reflect the proposals as currently described by the Applicant.

The Secretary of State has consulted on the Scoping Report and the responses received have been taken into account in adopting this Opinion. The Secretary of State is satisfied that the topic areas identified in the Scoping Report encompass those matters identified in Schedule 4, Part 1, paragraph 19 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (as amended).

The Secretary of State draws attention both to the general points and those made in respect of each of the specialist topic areas in this Opinion. The main potential issues identified are:

- Project description;
- Air quality;
- Ecology;
- Effects on transport and traffic; and
- Cumulative effects.

Matters are not scoped out unless specifically addressed and justified by the Applicant, and confirmed as being scoped out by the Secretary of State.

The Secretary of State notes the potential need to carry out an assessment under The Conservation of Habitats and Species Regulations 2010 (as amended) (the Habitats Regulations).

1 INTRODUCTION

Background

- 1.1 On 21 October 2016, the Secretary of State received the Scoping Report submitted by Roxhill (Junction 15) Ltd under Regulation 8 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (SI 2263) (as amended) (the EIA Regulations) in order to request a scoping opinion for the proposed Northampton Gateway Strategic Rail Freight Interchange ('the proposed development'). This Opinion is made in response to this request and should be read in conjunction with the Applicant's Scoping Report.
- 1.2 The Applicant has formally provided notification under Regulation 6(1)(b) of the EIA Regulations that it proposes to provide an ES in respect of the proposed development. Therefore, in accordance with Regulation 4(2)(a) of the EIA Regulations, the proposed development is determined to be EIA development.
- 1.3 The EIA Regulations enable an Applicant, before making an application for an order granting development consent, to ask the Secretary of State to state in writing their formal opinion (a 'scoping opinion') on the information to be provided in the environmental statement (ES).
- 1.4 Before adopting a scoping opinion the Secretary of State must take into account:
- (a) *the specific characteristics of the particular development;*
 - (b) *the specific characteristics of the development of the type concerned; and*
 - (c) *environmental features likely to be affected by the development'.*
- (EIA Regulation 8 (9))*
- 1.5 This Opinion sets out what information the Secretary of State considers should be included in the ES for the proposed development. The Opinion has taken account of:
- The EIA Regulations;
 - The nature and scale of the proposed development;
 - The nature of the receiving environment; and
 - Current best practice in the preparation of an ES.
- 1.6 The Applicant also submitted updated parameter plans on 3 November 2016. As the consultation period had already begun the Secretary of State has not taken these updated plans into account; they will however be published on the Planning Inspectorate website alongside this Scoping Opinion.

- 1.7 The Secretary of State has also taken account of the responses received from the statutory consultees (see Appendix 3 of this Opinion). The matters addressed by the Applicant have been carefully considered and use has been made of professional judgement and experience in order to adopt this Opinion. It should be noted that when it comes to consider the ES, the Secretary of State will take account of relevant legislation and guidelines (as appropriate). The Secretary of State will not be precluded from requiring additional information if it is considered necessary in connection with the ES submitted with that application when considering the application for a development consent order (DCO).
- 1.8 This Opinion should not be construed as implying that the Secretary of State agrees with the information or comments provided by the Applicant in their request for an opinion from the Secretary of State. In particular, comments from the Secretary of State in this Opinion are without prejudice to any decision taken by the Secretary of State (on submission of the application) that any development identified by the Applicant is necessarily to be treated as part of a nationally significant infrastructure project (NSIP), or associated development, or development that does not require development consent.
- 1.9 Regulation 8(3) of the EIA Regulations states that a request for a scoping opinion must include:
- (a) a plan sufficient to identify the land;*
 - (b) a brief description of the nature and purpose of the development and of its possible effects on the environment;*
and
 - (c) such other information or representations as the person making the request may wish to provide or make.*
- (EIA Regulation 8 (3))*
- 1.10 The Secretary of State considers that this has been provided in the Applicant's Scoping Report.

The Secretary of State's Consultation

- 1.11 The Secretary of State has a duty under Regulation 8(6) of the EIA Regulations to consult widely before adopting a scoping opinion. A full list of the consultation bodies is provided at Appendix 2. The Applicant should note that whilst the Secretary of State's list can inform their consultation, it should not be relied upon for that purpose.
- 1.12 The list of respondents who replied within the statutory timeframe and whose comments have been taken into account in the preparation of this Opinion is provided at Appendix 2 along with copies of their comments at Appendix 3, to which the Applicant should refer in undertaking the EIA.

- 1.13 The ES submitted by the Applicant should demonstrate consideration of the points raised by the consultation bodies. It is recommended that a table is provided in the ES summarising the scoping responses from the consultation bodies and how they are, or are not, addressed in the ES.
- 1.14 Any consultation responses received after the statutory deadline for receipt of comments will not be taken into account within this Opinion. Late responses will be forwarded to the Applicant and will be made available on the Planning Inspectorate's website. The Applicant should also give due consideration to those comments in carrying out the EIA.

Structure of the Document

- 1.15 This Opinion is structured as follows:
- **Section 1** – Introduction
 - **Section 2** – The proposed development
 - **Section 3** – EIA approach and topic areas
 - **Section 4** – Other information.
- 1.16 This Opinion is accompanied by the following Appendices:
- **Appendix 1** – Presentation of the environmental statement
 - **Appendix 2** – List of Consultation Bodies formally consulted
 - **Appendix 3** – Respondents to consultation and copies of replies.

2 THE PROPOSED DEVELOPMENT

Introduction

- 2.1 The following is a summary of the information on the proposed development and its site and surroundings prepared by the Applicant and included in their Scoping Report. The information has not been verified and it has been assumed that the information provided reflects the existing knowledge of the proposed development and the potential receptors/resources.

The Applicant's Information

Overview of the proposed development

- 2.2 The proposed development consists of an intermodal freight terminal, 468,000 m² of warehousing with a mezzanine of 155,000m² providing additional floorspace, ancillary buildings, new road infrastructure including a bypass to the village of Roade and improvements to Junction 15 of the M1, and associated landscaping.
- 2.3 The Applicant refers in their scoping report to the 'main site' comprising the site of the rail freight terminal, warehousing, associated landscaping and infrastructure, and the 'Roade bypass corridor' as the land to accommodate the proposed new bypass. The Red Line Plan (R009) indicates that this corridor defines the total land for two different route options that will be determined through consultation although this is not made explicit in the project description.

Description of the site and surrounding area

The Application Site

- 2.4 A description of the site is provided in section 2.1 of the Scoping Report, cross referencing to a Provisional Order Limits Plan.
- 2.5 The proposed development would be located to the south of Northampton, on land either side of the M1, Junction 15. The intermodal freight terminal, warehousing and ancillary buildings would be located on land to the south-west of the M1, bordered on the west by the Northampton Loop railway, and to the east by the A508. The site also includes land comprising two route corridor options surrounding the western side of the village of Roade (to accommodate the proposed bypass) and land required to deliver improvements to the A508, the M1 junction 15 and the A45.
- 2.6 The proposed development straddles the local authority boundaries of Northampton Borough Council and South Northamptonshire District Council.

- 2.7 The current landscape features at the proposed rail freight interchange site are described in paragraphs 3.1.29 to 3.1.33 of the scoping report. The main site consists primarily of arable farmland, comprising a number of fields bounded by hedgerows and hedgerow trees. There are two woodland areas in the south western portion of the site, and mature tree belts on the boundary with the M1. The main site is generally low lying but with broader ridges of higher ground to the north and south. There are existing uses including; two communication masts, low voltage electricity lines, a group of derelict farm buildings, and a shooting school (Rectory Farm) on the main site.
- 2.8 The Roade bypass corridor comprises arable fields and grassland with boundary hedgerows and trees. Previous surveys suggest the land is of lower agricultural quality, with some areas of grade 2 and subgrade 3a land identified.
- 2.9 The proposed rail freight interchange includes highways works that would impact upon the M1 (including Junction 15), the A45, the A508, and local access routes at Roade. Two public rights of way (PRoW) cross the area (KX17 and KX13). No information is provided on the PRoW within the Roade bypass area.
- 2.10 Within the main site, there is an unnamed potential Local Wildlife Site (pLWS), as well as The Junction 15 Grassland pLWS which crosses the eastern boundary. Within the Roade bypass corridor lies the Roade Cutting geological Site of Special Scientific Interest (SSSI).
- 2.11 Preliminary ecological surveys have identified records of, or the potential for, various protected and notable species to be present on or around the application site, including bats, otter, great crested newt, reptiles, breeding and non-breeding birds, water vole and badger.
- 2.12 The proposed development is located wholly within Flood Zone 1 (Low Probability). Paragraph 3.1.58 states that a brook bisects the southern end of the main site, while paragraph 3.1.101 states that Wootton Brook flowing from south to north is located to the south of the main site.

The Surrounding Area

- 2.13 The Scoping Report identifies several sites of cultural and/or landscape value in proximity to the application site. These are: Grade II listed Roade Aqueduct; the Collingtree, Milton Malsor, Blisworth, Roade and Stoke Bruerne Conservation Areas all of which contain Grade II to Grade II* listed buildings; the Grade II registered historic park and garden of Courteenhall (with Grade II* buildings within) which lies immediately adjacent to the main site; and two Scheduled Monuments (a Roman villa at Stokegap Lodge and Ashton Manor) located to the south-east of the main site.

- 2.14 The Upper Nene Valley Gravel Pits Special Protection Area (SPA), Ramsar site and SSSI is located 5.5km north-east of the application site. The Scoping Report notes that golden plover are a qualifying feature of the SPA, but does not provide any further information on the qualifying features of the SPA, Ramsar site or SSSI.
- 2.15 Paragraph 3.1.101 lists two watercourses near the application site, Wootton Brook, flowing from south to north to the south of the main site, and the River Tove, flowing in a southerly direction around the western boundary of Roade. It is not clear if these watercourses cross the site boundary.

Alternatives

- 2.16 The Applicant does not discuss alternatives to the proposed development in the scoping report.

Description of the proposed development

- 2.17 The proposed development is described in paragraph 2.2.1 of the Scoping Report. The following elements are listed:
- Intermodal freight terminal including container storage, HGV parking, and rail sidings;
 - Up to 468,000m² of warehousing and ancillary buildings, with a mezzanine of 155,000m² providing additional floorspace;
 - “New road infrastructure and works” including a new access to the A508, a new bypass around the village of Roade, and improvements to Junction 15 of the M1;
 - Landscaping and tree planting, including diverted public rights of way; and
 - Earthworks and demolition of existing structures on-site.

- 2.18 According to paragraph 3.1.186 of the Scoping Report, the highways works will include a new roundabout on the A508 to provide access to the development, and dualling of a section of A508 between the new site and the M1 Junction 15.

Proposed access

- 2.19 Paragraph 3.1.129 of the Scoping Report states that access to the site is anticipated to be from the M1 via the A508. This would be via a new roundabout on the A508. The Indicative Masterplan indicates that new internal access roads will serve each new building.

Construction

- 2.20 The Scoping Report does not provide a description of the anticipated construction activities, methods, programme or duration of works. The Report states that mitigation for construction effects would be

framed within a Construction Environmental Management Plan (CEMP) (paragraph 3.1.95).

Operation and maintenance

- 2.21 The Scoping Report does not provide a description of the anticipated operational activities and their scale.

Decommissioning

- 2.22 The decommissioning of the proposed development has not been considered in the Scoping Report.

The Secretary of State's Comments

Description of the application site and surrounding area

- 2.23 The Secretary of State notes that the Scoping Report provides limited information regarding the characteristics of the site and the surrounding area, particularly in relation to the area covered by the potential Road bypass. This makes it difficult for consultees and the public to understand the nature and extent of any existing constraints which can then be used to inform the scope of the EIA. It is not clear why the Applicant is unable to provide greater detail at this stage, particularly in light of the previous planning application for a similar development referred to in the Scoping Report, and the resultant experience gained of the site and the surrounding area.
- 2.24 In addition to detailed baseline information to be provided within topic specific chapters of the ES, the Secretary of State would expect the ES to include a section that summarises the site and surroundings. This would identify the context of the proposed development, any relevant designations and sensitive receptors. This section should identify land that could be directly or indirectly affected by the proposed development and any associated auxiliary facilities, landscaping areas and potential off site mitigation or compensation schemes.

Description of the proposed development

- 2.25 The Scoping Report provides only a very brief bullet point description of the proposed development, which creates difficulties in defining the scope of the EIA. For example, it contains no information about anticipated rail freight operations, and very little detail about the nature and scale of the proposed highways works. It is also unclear what the Applicant is referring to by 'strategic landscaping' (paragraph 2.2.1). The Secretary of State would typically expect that more detail would be available at this stage of the project.
- 2.26 The Secretary of State notes the intention to include a section entitled 'Development Proposals/ Description of Development' in the

ES, that 'will provide a comprehensive description of the development and describe all component parts of the proposal' (paragraph 3.1.3 of the Scoping Report). The Applicant should ensure that the description of the proposed development that is being applied for is as accurate and firm as possible as this will form the basis of the environmental impact assessment. It is understood that at this stage in the evolution of the scheme the description of the proposals may not be confirmed. The Applicant should be aware however, that the description of the development in the ES must be sufficiently certain to meet the requirements of paragraph 17 of Schedule 4 Part 1 of the EIA Regulations and there should be more certainty by the time the ES is submitted with the DCO.

- 2.27 If a draft DCO is to be submitted, the Applicant should clearly define what elements of the proposed development are integral to the NSIP and which is 'associated development' under the Planning Act 2008 (PA 2008) or is an ancillary matter. Associated development is defined in the PA 2008 as development which is associated with the principal development. Guidance on associated development can be found in the DCLG publication 'Planning Act 2008: Guidance on associated development applications for major infrastructure projects'.
- 2.28 Any proposed works and/or infrastructure required as associated development, or as an ancillary matter, (whether on or off-site) should be assessed as part of an integrated approach to environmental assessment.
- 2.29 The Secretary of State recommends that the ES should include a clear description of all aspects of the proposed development, at the construction, operation and decommissioning stages, and include:
- Land use requirements;
 - Site preparation including the movement of spoil and the need to import or export material;
 - Temporary/permanent road closures;
 - Construction processes and methods including phasing, hours of work, the number of workers and the number and type of vehicles, plant and equipment;
 - Transport routes;
 - Operational requirements including the main characteristics of the rail freight processes, both on and off-site, including the wider network of freight movements;
 - Maintenance activities including any potential environmental or navigation impacts; and
 - Emissions- water, air and soil pollution, noise, vibration, light, heat, radiation.

- 2.30 The environmental effects of all wastes to be processed and removed from the site should be addressed. The ES will need to identify and describe the control processes and mitigation procedures for storing and transporting waste off site. All waste types should be quantified and classified.

Flexibility

- 2.31 The Applicant's attention is drawn to Advice Note nine 'Using the 'Rochdale Envelope' which is available on the Planning Inspectorate's website and to the 'Flexibility' section in Appendix 1 of this Opinion which provides additional details on the recommended approach.
- 2.32 The Secretary of State notes that aspects of the project description are not clearly defined at this stage and this presents difficulties to defining the scope for the assessment. The Applicant should make every attempt to narrow the range of options and explain clearly in the ES which elements of the scheme have yet to be finalised and provide the reasons. At the time of application, any proposed scheme parameters should not be so wide ranging as to represent effectively different schemes. The scheme parameters will need to be clearly defined in the draft DCO and therefore in the accompanying ES. It is a matter for the Applicant, in preparing an ES, to consider whether it is possible to robustly assess a range of impacts resulting from a large number of undecided parameters. The description of the proposed development in the ES must not be so wide that it is insufficiently certain to comply with requirements of paragraph 17 of Schedule 4 Part 1 of the EIA Regulations.
- 2.33 It should be noted that if the proposed development changes substantially during the EIA process, prior to application submission, the Applicant may wish to consider the need to request a new scoping opinion.

Proposed access

- 2.34 The Scoping Report refers to one road access route to the main site via the A508, but does not provide any detail regarding the highways works to enable this. Limited detail is provided regarding the rail connection. The Secretary of State anticipates a comprehensive description of the temporary and permanent access to all sites to be provided within the ES. The ES should also describe the likely type, nature and extent of any other works necessary to construct or improve the accesses (e.g. demolition works, widening, road closures, footpath/pipeline diversions and tree felling).

Alternatives

- 2.35 The Secretary of State notes that no reference is made within the Scoping Report to the consideration of alternatives to the main site or alternative developments options. The EIA Regulations require that

the Applicant provide 'An outline of the main alternatives studied by the Applicant and an indication of the main reasons for the Applicant's choice, taking into account the environmental effects' (see Appendix 1).

- 2.36 The Applicant's attention is drawn to the requirement in the National Networks National Policy Statement to satisfy the Examining Authority and the decision maker that an options appraisal has been undertaken (NPS paragraph 4.27). Attention should also be paid to the comments from Northampton Borough Council (see Appendix 3).

Construction

- 2.37 The Secretary of State notes that very little information has been provided in the Scoping Report regarding construction. Whilst it is appreciated that detailed information may not be available at this stage in the evolution of the project, applicants are reminded that this information will be required at the point of application and that any construction compounds necessary should be included in the DCO order limits.
- 2.38 The Secretary of State considers that information on construction should be clearly indicated in the ES, including: phasing of the programme; construction methods and activities associated with each phase; siting of construction compounds (including on and off site); lighting equipment/requirements; and number, movements and parking of construction vehicles (both HGVs and staff).
- 2.39 The Secretary of State recommends that an outline Construction Environmental Management Plan (CEMP) (as described at paragraph 3.1.95) be appended to the ES providing details of specific mitigation measures required to reduce construction related impacts.

Operation and maintenance

- 2.40 The Scoping Report does not provide information regarding the operation and maintenance requirements for the development. Paragraph 3.1.5 alludes to a progression towards full operation of the proposed development, and paragraph 3.1.160 suggests there will be operational phases. Information on the operation and maintenance of the proposed development should be included in the ES and should cover but not be limited to such matters as: the phasing programme, if relevant; the number and types of vehicle movements generated during the operational stage or stages, including rail traffic; the number of full/part-time jobs; the operational hours and if appropriate, shift patterns.

Decommissioning

- 2.41 The Scoping Report makes no reference to decommissioning. If the DCO includes decommissioning powers then the process and methods

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of decommissioning should be considered and options presented in the ES. The Secretary of State acknowledges that the further into the future any assessment is made, the less reliance may be placed on the outcome. However, the purpose of such a long term assessment is to enable the decommissioning of the works to be taken into account in the design and use of materials such that structures can be taken down with the minimum of disruption. The Secretary of State encourages consideration of such matters in the ES.

3 EIA APPROACH AND TOPIC AREAS

Introduction

- 3.1 This section contains the Secretary of State's specific comments on the approach to the ES and topic areas as set out in the Scoping Report. General advice on the presentation of an ES is provided at Appendix 1 of this Opinion and should be read in conjunction with this Section.

EU Directive 2014/52/EU

- 3.2 The Secretary of State draws the Applicant's attention to European Union (EU) Directive 2014/52/EU (amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment) which was made in April 2014.
- 3.3 Under the terms of the 2014/52/EU Directive, Member States are required to bring into force the laws, regulations and administrative provisions necessary to comply with the directive by 16 May 2017.
- 3.4 Whilst transitional provisions will apply to such new regulations, the Applicant is advised to consider the effect of the implementation of the revised Directive in terms of the production and content of the ES.
- 3.5 On 23 June 2016, the UK held a referendum and voted to leave the European Union (EU). There is no immediate change to infrastructure legislation or policy. Relevant EU directives have been transposed in to UK law and those are unchanged until amended by Parliament.

National Policy Statements (NPS)

- 3.6 Sector specific NPSs are produced by the relevant Government Departments and set out national policy for nationally significant infrastructure projects (NSIPs). They provide the framework within which the Examining Authority will make their recommendations to the Secretary of State and include the Government's objectives for the development of NSIPs.
- 3.7 The relevant NPS for the proposed development sets out assessment principles that should be considered in the EIA for the proposed development. When undertaking the EIA, the Applicant must have regard to the National Networks NPS and identify how principles these have been assessed in the ES.
- 3.8 The Secretary of State must have regard to any matter that the Secretary of State thinks is important and relevant to the Secretary of State's decision.

Environmental Statement Approach

- 3.9 The Scoping Report contains limited detail and information on the nature of the proposed development, the baseline information gathered to-date, the approach to be taken to assessing environmental impacts and the proposed mitigation measures. The lack of detail has constrained the Secretary of State's ability to comment in detail on the scope of the assessment.
- 3.10 It is not clear from the project description how much flexibility the Applicant will be seeking within the DCO or how the details deferred to a post consent process would be determined. If flexibility is being sought then the assessment within the ES must be based on a worst case scenario. The ES must clearly explain the parameters that have been used within the assessment and how these represent the worst case scenario.
- 3.11 The ES should not be a series of separate reports collated into one document, but rather a comprehensive assessment drawing together the environmental impacts of the proposed development. This is particularly important when considering impacts in terms of any permutations or parameters to the proposed development.
- 3.12 The Secretary of State suggests that the Applicant ensures that appropriate consultation is undertaken with the relevant consultees in order to agree wherever possible the timing and relevance of survey work as well as the methodologies to be used. The Secretary of State notes and welcomes the intention to finalise the scope of investigations in conjunction with ongoing stakeholder liaison and consultation with the relevant regulatory authorities and their advisors. The Secretary of State recommends that the physical scope of the study areas should be identified under all the environmental topics and should be sufficiently robust in order to undertake the assessment. The extent of the study areas should be established on the basis of recognised professional guidance, whenever such guidance is available. The study areas should also be agreed with the relevant consultees and, where this is not possible, this should be stated clearly in the ES and a reasoned justification given. The scope should also cover the breadth of the topic area and the temporal scope, and these aspects should be described and justified.
- 3.13 It is not clear from the Scoping Report how or if inter-related effects will be considered. Appendix 1 of this report provides more advice on this point. The Secretary of State advises the Applicant to consider how such effects will be covered in the ES, particularly in relation to effects on local residents during construction. These effects could be addressed either in individual topic chapters or in a standalone chapter. While it is not a topic that the NN NPS identifies for assessment, the applicant may wish to consider including a chapter on the effects on utilities given that the project may require the

diversion of electricity lines etc. The Applicant's attention is drawn to the comments from Anglian Water in Appendix 3.

- 3.14 The Secretary of State recommends that in order to assist the decision making process, the Applicant may wish to consider the use of tables:
- (a) to identify and collate the residual impacts after mitigation on the basis of specialist topics, inter-relationships and cumulative impacts;
 - (b) to demonstrate how the assessment has taken account of this Opinion and other responses to consultation;
 - (c) to set out the mitigation measures proposed, as well as assisting the reader, the Secretary of State considers that this would also enable the Applicant to cross refer mitigation to specific provisions proposed to be included within the draft DCO; and
 - (d) to cross reference where details in the HRA (where one is provided) such as descriptions of sites and their locations, together with any mitigation or compensation measures, are to be found in the ES

Environmental Statement Structure

- 3.15 Section 3.0 of the Scoping Report sets out the proposed Contents list of the ES on which the Applicant seeks the opinion of the Secretary of State. The Scoping Report proposes covering the following topics:
- Socio-economic aspects
 - Landscape and visual effects
 - Ecology and nature conservation
 - Geology, soil and groundwater
 - Water resources and drainage
 - Noise
 - Air quality
 - Cultural heritage
 - Lighting
 - Transportation
 - Agricultural land quality
 - Cumulative Impact.
- 3.16 The Secretary of State recommends that the ES should include a description of the proposed construction programme and methods. A number of chapters of the Scoping Report refer to the 2014 assessment carried out for a previous application on the site. The

Applicant should be aware that if they intend to rely on this information for the current proposals, the information must be relevant, fit for purpose, up to date and presented in the ES.

Matters to be Scoped in/out

- 3.17 The Applicant has identified in section 3.2 of the Scoping Report the matters proposed to be 'scoped out'. These include:
- Waste generated during the construction and operation of the development
- 3.18 Matters are not scoped out unless specifically addressed and justified by the Applicant, and confirmed as being scoped out by the Secretary of State.
- 3.19 The Scoping Report proposes that waste be scoped out of the ES as the assessment for the previous application on the project site confirmed that construction waste volumes were not likely to be great enough to generate significant environmental effects. The assessment of operational waste also concluded that significant environmental effects were unlikely; the Applicant's view is that it would be difficult to undertake a meaningful assessment when the owners and occupiers of the project facilities are unknown.
- 3.20 Although the Scoping Report describes the results of the previous assessment the assessment itself has not been included. This means that it has not been possible to verify the statements in the Scoping Report or establish whether the previous assessment is adequate for assessing the effect of the current project proposals. Accordingly the Secretary of State does not agree that effects from construction and operational waste can be scoped out. The Applicant's attention is also drawn to the comments from South Northamptonshire Council (see Appendix 3).
- 3.21 Whilst the Secretary of State has not agreed to scope out this topic within the Opinion on the basis of the information available at the time, this does not prevent the Applicant from subsequently agreeing with the relevant consultees to scope matters out of the ES, where further evidence has been provided to justify this approach. This approach should be explained fully in the ES.
- 3.22 In order to demonstrate that topics have not simply been overlooked, where topics are scoped out prior to submission of the DCO application, the ES should still explain the reasoning and justify the approach taken.

Topic Areas

Socio-economic aspects (see Scoping Report paragraphs 3.1.5 – 3.1.33)

- 3.23 It is noted that the study area will identify the local authority areas affected by the Area of Influence (AOI) of the project; the study area will be defined on the basis of information in the 2011 Census Travel to work data and other information on commuting patterns derived from the transport assessment. The ES should clearly explain how the AOI was established and what criteria were used to determine its geographic extent.
- 3.24 The Secretary of State welcomes the commitment to considering both direct and indirect economic effects; it is important that the ES addresses both positive and negative economic effects so that an accurate judgement of the balance between the benefits and disbenefits of the project can be made. It is recommended that the types of jobs generated during construction and operation should be considered in the context of the available workforce in the area. The Applicant's attention is drawn to the comments in Appendix 3 regarding the topics that should be considered in the socio-economic assessment:
- Milton Keynes Council has highlighted the need to consider the effects of the proposal on commuting flows to and from the development.
 - Northampton Borough Council refers to the need to consider impacts on the local supply chain.
- 3.25 The Secretary of State recommends that the assessment criteria should be locationally specific and consider the potential significance of the impacts of the proposal within the local and regional context. The Scoping Report states that the magnitude of impacts will be classed as major, moderate, minor and negligible on the basis of a qualitative judgement. The ES should clearly explain the criteria used to define the magnitude of impacts.
- 3.26 The concerns of Milton Malsor Parish Council in relation to the age of the baseline data used in the assessment should be noted (see Appendix 3).

Landscape and visual effects (see Scoping Report paragraphs 3.1.25 – 3.1.54)

- 3.27 The landscape and visual effects assessment in the scoping report refers to the Zone of Theoretical Visibility (ZTV). The Secretary of State advises that the ES should describe the model used, provide information on the area covered and the timing of any survey work and the methodology used to define the ZTV. The Scoping Report

refers to the possibility that the ZTV will be refined through field evaluation to take account of features that are not included in the computer model. The Applicant should be careful in how much reliance they place on screening from vegetation; the amount of screening provided in winter may be less than in spring or summer when trees are in leaf.

- 3.28 The assessment should consider effects throughout the lifetime of the project, covering construction, operation and decommissioning if the effects of each stage are likely to be different.
- 3.29 Effects from lighting at night should be considered in relation to landscape and visual effects. It is noted that the ES will also contain a chapter on lighting but the description of this chapter in the Scoping Report does not make it clear that landscape and visual effects will be addressed. Where issues such as the lighting on gantries have yet to be resolved the assessment must be based on a worst case scenario.
- 3.30 The Secretary of State welcomes the intention to consult with the relevant local authorities and recommends that the location of viewpoints should be agreed with these bodies. The use of photomontages is also welcomed. The ES should describe the methodology used to produce them. The Applicant should also refer to the advice from Natural England (NE) contained in Appendix 3 of this report.
- 3.31 The ES should clearly explain which visual receptors have been included in the assessment and how the 'susceptibility to change' of each receptor has been determined.
- 3.32 The proposals will be for large structures. The Secretary of State requests that careful consideration should be given to the form, siting, and use of materials and colours in terms of minimising the adverse visual impact of these structures. The Applicant is reminded of the advice in the NN NPS that, 'having regard to siting, operational and other relevant constraints, the aim should be to avoid or minimise harm to the landscape, providing reasonable mitigation where possible and appropriate' (NN NPS, paragraph 5.149). It would be helpful if the ES could explain how this has been done.
- 3.33 If mitigation has been provided through the landscaping and/or the use of bunds the ES should describe the height of the bunds relative to the height of the structures being screened. It should also be clear how any mitigation proposed in the ES will be secured and delivered.

Ecology and nature conservation (see Scoping Report paragraphs 3.1.55 – 3.1.80)

- 3.34 The Secretary of State welcomes the Applicant's intention to use the 2016 guidance on ecological impact assessment from the Chartered Institute of Ecology and Environmental Management. In line with this

guidance the ES should clearly identify and justify the ecological zone of influence for the project.

- 3.35 The Secretary of State recommends that surveys should be thorough, up to date and take account of other development proposed in the vicinity. The ongoing survey work described in the Scoping Report is welcomed. It is noted that environmental DNA surveys of ponds will be used to establish the presence or absence of great crested newts. The Applicant needs to consider whether 'presence/absence' surveys will be adequate for the purposes of assessing the effects of the project or whether surveys that provide information on population size will also be required. The ES should be able to demonstrate that both the assessment and any mitigation proposals for great crested newt are based on adequate data.
- 3.36 The potential impacts on international and nationally designated sites must be addressed. The Secretary of State notes the location of the proposed development relative to fields used by golden plover which are a designated feature of the Upper Nene Valley Special Protection Area (SPA). NE's response advises that winter surveys should be undertaken to assess use of the site by SPA birds. The Scoping Report refers to surveys for over-wintering birds from 2013/14. The Applicant is strongly advised to seek agreement with NE regarding the adequacy of current information and the timing and scope of any additional surveys required. Any mitigation proposals should also, if possible, be agreed with NE and taken into account in the ES.
- 3.37 Any effects on the Roade Cutting SSSI should be assessed and reported in the ES, along with any mitigation proposals. The Applicant's attention is drawn to the comments from NE and EA in relation to the SSSI in Appendix 3 of this report. The Applicant is reminded of the advice in the NN NPS regarding adverse effects on SSSIs (NN NPS paragraph 5.29).
- 3.38 The comments from the EA (Appendix 3) also identify Roade Quarry County Wildlife Site (CWS) which is stated to be near or adjacent to the Roade bypass route.
- 3.39 The statement that all receptors potentially affected by the proposed development will be assessed and the significance of the effects stated, is welcomed. It should be noted that the EA have highlighted the presence of the Road Quarry CWS which is stated to be near or adjacent to the Roade bypass route and which was not referred to in the baseline information in the Scoping Report. The ES will need to clearly explain how the significance of effects has been determined. The assessment should consider all the phases of the development and should take account of impacts from noise, vibration and air quality.
- 3.40 The Scoping Report states that a range of best practice measures during the construction will be used to protect ecological features.

The full detail will be set out in appropriate licences from NE. The Applicant is reminded that mitigation measures will also need to be reported in the ES if they are being relied upon to support the assessment of significant environmental effects. The advice from the EA in Appendix 3 also highlights the need to design watercourse crossings to allow passage for fish, otters and water voles.

- 3.41 The Scoping Report states that there is potential for the proposals to provide ecological enhancements. The Secretary of State recommends that the proposals should address fully the needs of protecting and enhancing biodiversity. The Applicant is reminded of the requirements within the NN NPS to demonstrate that harm is minimised and opportunities are taken to enhance existing habitats and where practicable create new habitats of value within the site landscaping proposals (NN NPS paragraph 5.36). The Applicant's attention is drawn to the advice from NE and EA in this respect (see Appendix 3).

Geology, soil and groundwater (see Scoping Report paragraphs 3.1.81 – 3.1.96)

- 3.42 The Scoping Report states that the studies will be 'broadly undertaken' but it is not entirely clear what this means. The baseline for the ES should explain in detail the extent of the study area and justify the reasons for this. The Scoping Report also states that the results of the desk based assessments will be presented within the Preliminary Risk Assessment Report but does not explain whether this report will form part of the ES. The Secretary of State strongly recommends that this is the case.
- 3.43 The Scoping Report states that the assessment will be largely based on desk studies, including the results of previous ground investigations, but additional ground investigations may be undertaken if these are deemed necessary. The Applicant's attention is drawn to the comments from the EA with regard to the assessment of effects on groundwater resulting from the proposed Roade bypass (see Appendix 3). The Secretary of State strongly recommends that the Applicant consults the Environment Agency (EA) and South Northamptonshire District Council to agree the scope and methodology to be used in the studies. The Applicant should also note that Anglian Water have asked to be consulted over groundwater issues (see Appendix 3).
- 3.44 The Scoping Report does not explain how the significance of effects would be determined. The ES should clearly set out the criteria used to establish the significance of an effect and how it has been used.
- 3.45 It should be clear how any mitigation measures relied on in the ES will be secured and delivered. The reference in the Scoping Report to a Construction Environmental Management Plan (CEMP) is welcomed. If the conclusions of the ES rely on mitigation delivered

through the CEMP then the Applicant is advised to include an outline version of the CEMP with their application. The need for any ongoing monitoring should also be addressed and agreed with the relevant authorities.

- 3.46 The responses from South Northamptonshire Council and Milton Malsor Parish Council (see Appendix 3) points out that a sand extraction site is shown on the Northamptonshire Minerals and Waste Local Plan which is close to the development site. The Applicant is advised to consider the implications for the assessment in the ES.

Water resources and drainage (see Scoping Report paragraphs 3.1.97 – 3.1.114)

- 3.47 The commitment to undertake a Flood Risk Assessment (FRA) is welcomed. The FRA should form an appendix to the ES. However the description of the approach to assessing effects on flood risk and water quality in the Scoping Report is very general. The ES must clearly set out the methods and modelling used and justify the use of those methods.
- 3.48 The Scoping Report does not explain how the significance of effects would be determined; again this should be explained in the ES. Any criteria used to determine the sensitivity of receptors and the magnitude of impacts should be clearly explained and justified.
- 3.49 The Applicant is strongly advised to consult the EA and the relevant local authorities on the scope, study area and methodology for the assessment of effects on water resources and drainage. The requirements of the NN NPS should also be taken into account (see paragraphs 5.92 – 5.109).
- 3.50 Impacts associated with provision of foul sewerage to the development are highlighted as a topic that will be considered in the ES but there is no further explanation within the Scoping Report as to how this will be done. It should be noted that Anglian Water have provided comments on this (Appendix 3).
- 3.51 The commitment to producing a Sustainable Drainage Statement is welcomed. The Applicant is advised to include the statement as an appendix to the ES. The statement should contain enough detail to give assurance to the Secretary of State that any significant environmental effects would be adequately mitigated. Any other measures identified by the FRA should be described and assessed in the ES. The EA has provided advice on managing flood risk and Sustainable Urban Drainage Systems (see Appendix 3). The Applicant is strongly advised to consult the EA and the relevant local authorities and if possible agree mitigation measures. The Applicant's attention is also drawn to the points raised by Collingtree Parish Council regarding both site run-off and foul drainage from the main development site (Appendix 3).

- 3.52 The Applicant's attention is drawn to the advice on complying with Water Framework Directive requirements contained in Section 4 of this opinion and also to the requirements of the NN NPS (see paragraphs 5.224 – 5.226).

Noise and vibration (see Scoping Report paragraphs 3.1.15 – 3.3.132)

- 3.53 It is noted that the baseline noise data was collected for the previous application on this site. The proposals to carry out additional baseline noise monitoring for the purposes of assessing the effects of the proposed Roade by-pass is welcomed. The Applicant is advised to consider whether, even with the additional monitoring, the baseline will be adequate for the purposes of assessing the current proposals. It should also be considered whether there are any other noise sensitive receptors that could be affected by the proposals, including any new developments that have not previously been considered. The Applicant's attention is drawn to the comments from Northampton Borough Council in Appendix 3 about the new housing consented in the vicinity of Collingtree.
- 3.54 The Secretary of State welcomes the commitment to agree the monitoring duration and positions for the additional baseline data with the local authority and to agree the need for any additional surveys. The Applicant is also advised to seek agreement with the local authority over the receptors for the current proposals.
- 3.55 Information should be provided on the types of vehicles and plant to be used during the construction phase. Once operational, noise sources generated should be identified and assessed. The Scoping Report appears to suggest that vibration from construction vehicles will not be included in the assessment (see paragraphs 3.1.131 and 3.1.132) although this is not clearly stated. If the ES does not address vibration effects from construction vehicles then that should be clearly justified with reference to recognised guidance.
- 3.56 Noise and vibration impacts on people should be assessed and particularly any potential disturbance at night and other unsocial hours such as weekends and public holidays. In view of the potential use of the site by bird species which may be sensitive to disturbance, noise and vibration impacts on ecological features should also be assessed.
- 3.57 The general approach to assessing noise and vibration is described in paragraph 3.1.132 of the Scoping Report, including the various standards that will be used as guidance. The ES should clearly explain and justify the methodology used to assess noise and vibration effects. It should also clearly explain how the significance of effects has been determined.

- 3.58 Consideration should be given to monitoring noise complaints during construction and when the development is operational.

Air quality (see Scoping Report paragraphs 3.1.133 – 3.1.151)

- 3.59 The Scoping Report states that the assessment will focus on nitrogen dioxide, fine particulates (PM₁₀) and dust. No justification is provided as to why the assessment is restricted to these three pollutants. The ES should explain how it has addressed all the emissions with the potential to have a significant effect on the environment. The justification behind the extent of the study area should be clearly explained.
- 3.60 The commitment to agree the receptors to be included in the EIA with the EA, Northampton Borough and South Northamptonshire Councils is welcomed by the Secretary of State. Effects on both human and ecological receptors may be considered. The Applicant's attention is drawn to the advice from NE in Appendix 3 in respect of ecological receptors and the concerns from Collingtree Parish Council about measurements in Collingtree.
- 3.61 It is not entirely clear from the Scoping Report how baseline conditions will be established. Paragraph 3.1.138 states that they will be based on existing sources of air quality data. However paragraph 3.1.147 refers to monitoring at locations in the vicinity of the site. The Applicant is advised that the scope and nature of the baseline evidence should be agreed as far as possible as with the EA and the local authorities. South Northamptonshire Council has indicated that they have data from diffusion tubes in the AQMAs (Appendix 3). The Applicant's attention is also drawn to the points raised by Collingtree Parish Council about the need to ensure adequate coverage of Collingtree (Appendix 3).
- 3.62 An Air Quality Management Area (AQMA) is present along the M1 within the Northampton Borough Council administrative area adjacent to the boundary of the project site. Another is present in Towcester but it does not appear from the Scoping Report that effects on this AQMA would be considered in the ES. The Applicant's attention is drawn to the comments from South Northamptonshire from Northampton Borough Council and South Northamptonshire Council in Appendix 3. The Secretary of State considers that impacts to air quality should be assessed in relation to the air quality limit values. It should be noted that the NN NPS requires consideration not just of effects on existing AQMAs but also on changes which could be sufficient to change the size of an AQMA or bring about the need for a new AQMA (paragraph 5.11). It would be useful if the full extent of the AQMAs were shown on a figure within the ES.
- 3.63 The description of the assessment of effects identifies a number of impacts from construction vehicles) which may be considered. If any of these are not included in the final assessment then the ES should

provide a reasoned justification for their exclusion. The intention to assess emissions from rail freight movements in the ES is welcomed by the Secretary of State. The Scoping Report does not provide detail on the methods that will be used to assess air quality effects. The ES should clearly set out which methods have been used and why.

- 3.64 It should be clear how any mitigation measures relied on in the ES will be secured and delivered. Consideration should be given to monitoring dust complaints.
- 3.65 Air quality and dust levels should be considered not only on site but also off site, including along access roads, local footpaths and other Public Rights of Way (PRoW).

Cultural heritage (see Scoping Report paragraphs 3.1.152 – 3.1.161)

- 3.66 It is not clear what the study area will be for the cultural heritage assessment. The Scoping Report states that all statutory and non-statutory assets within 1km of the project site would be identified but then also states that the boundary may be widened for the built heritage assessment in respect of noted Conservation Areas. The study area must be clearly described and justified in the ES. The Secretary of State recommends that the ZTV should be referred to when considering the effects on the settings of heritage assets.
- 3.67 The baseline data appears to consist of previous work undertaken for the previous application on this site combined with updated desk studies and walkover surveys of areas of the site not previously covered. Geophysical surveys are also referred to but it is not clear whether these would cover all the land likely to be affected by the proposed development. The possibility of additional field surveys is also flagged. Northamptonshire County Council and South Northamptonshire Council have raised concerns relying on geophysical surveys to detect archaeological remains below ground (see Appendix 3). The baseline data in the ES must be robust and fit for purpose. The Secretary of State strongly recommends that the Applicant agrees the scope of the baseline with Historic England, the County Council, Northampton Borough Council and South Northamptonshire Council. The Applicant's attention is also drawn to the comments from Milton Malsor Parish Council in Appendix 3.
- 3.68 The commitment to consult with Northamptonshire County Council and Historic England in the section on 'proposed assessment methodology' is welcomed. However this section provides little detail on how the assessment will be carried out or how the significance of effects will be evaluated. The ES must clearly explain the methodologies used in the assessment and why they have been used. The criteria used to determine the significance of an effect must also

be explained and justified. The Applicant may find the advice from Historic England in Appendix 3 of this report helpful in this regard.

Lighting (see Scoping Report paragraphs 3.1.162 – 3.1.172)

- 3.69 The Secretary of State welcomes the intention to assess the impacts from lighting in the ES. The Scoping Report discusses various potential receptors that could be affected by the development, including local settlements, transport networks and wildlife. The ES should clearly set out which receptors have been considered in the assessment and the reasons for choosing them.
- 3.70 The Secretary of State welcomes the intention to supplement the desk study with a night time lighting survey to establish the baseline conditions.
- 3.71 The section on 'proposed assessment methodology' refers to the guidance that will be used for carrying out the assessment. It is noted that the study will cover a various sources forms of light pollution. The ES must clearly identify the parameters that have been used in the study and, if necessary, explain how the worst case scenario has been assessed. The Scoping Report does not explain how the significance of effects would be established. The ES must clearly set out the methods used in the assessment and explain how the significance of effects has been determined. It would helpful if figures could be provided with contours showing light levels at the various receptors.
- 3.72 The lighting assessment should cover both the construction and operational phases of the development. It should cross-refer to the assessment of landscape and visual impacts.

Transportation (see Scoping Report paragraphs 3.1.173 – 3.1.194)

- 3.73 The Secretary of State welcomes the statement in the Scoping Report that a Transport Working Group has been established which includes Highways England and Northamptonshire County Council and which has been meeting to discuss and agree 'key elements' of the Transport Assessment methodology. The Applicant should maintain ongoing discussions and reach agreement, where possible, with these bodies. The Secretary of State recommends that the study area should be agreed with the Transport Working Group and the relevant local authorities, having due regard to the comments from consultees in Appendix 3. The Applicant's attention is drawn to the request from Buckinghamshire County Council and South Northamptonshire Council to be included in the group (Appendix 3).
- 3.74 It is noted that the intention is for the ES to be supported by a Transport Assessment which uses the Northamptonshire Strategic Transport Model if this is available or a 'traditional' modelling exercise

if the model is not available. The Applicant is reminded that the NN NPS states that the transport assessment should use the WebTAG methodology or any successor to such methodology (paragraph 5.207). The Applicant's attention is also drawn to the comments from Highways England and Buckinghamshire County Council in Appendix 3.

- 3.75 The Scoping Report lists the guidance that will be used to undertake the assessment but does not explain how the significance of effects will be evaluated. The ES must clearly explain the methodologies used in the assessment and why they have been used. The criteria used to determine the significance of an effect must also be explained and justified.
- 3.76 The Secretary of State recommends that the ES should take account of the two PRowS that cross the project site and of any other PRowS in the vicinity of the project that could be affected. The ES should clearly set out the likely impacts on them including within the wider area. It is important to minimise hindrance to them where possible.
- 3.77 The Applicant's attention is drawn to the comments in Appendix 3 on issues of particular concern that consultees wish to see included in the ES:
- Traffic impacts on the proposed development on the M1 and M5 (Leicestershire County Council).
 - Traffic impacts on the M1 (junctions 13 to 15A), southbound traffic flows on the A5, A43 and A508 and the junction of the A508, A5 and A422 by Old Stratford (Milton Keynes Council).
 - Impacts on the capacity of the West Coast main line (Leicestershire County Council, Milton Keynes Council, Milton Malsor Parish Council and Buckinghamshire County Council).
 - Impacts on the A43 (Cherwell District Council).
 - Impacts on infrastructure within Buckinghamshire such as the A422 (Buckinghamshire County Council).
 - Impacts on the A43/A5 Tove roundabout and the A43 McDonalds roundabout in Towcester and the proposed Towcester A5 bypass (South Northamptonshire Council).
 - The relationship between the project, the Northampton South Sustainable Urban Extension and Collingtree (Northampton Borough Council).

Agricultural land quality (see Scoping Report paragraphs 3.1.195 – 3.1.203)

- 3.78 The Secretary of State welcomes the commitment to undertaking soil surveys of the land which has not previously been surveyed. The ES should identify the agricultural classification of the affected land and particularly land that qualifies as best and most versatile agricultural land stating how impacts on this land have been minimised. The ES will also need to explain how the significance of effects has been evaluated.
- 3.79 It is noted that the ES will also consider the effects on the farm businesses that would be affected by the project. The Scoping Report does not describe the criteria that would be used to determine effects on farm businesses. It is also unclear whether the broader effects on the local economy would be considered or whether this would be covered in the socio-economic chapter of the ES.

Cumulative effects assessment (see Scoping Report section 5.0)

- 3.80 It is noted that the proposed approach to cumulative effects assessment is based on the guidance in the Planning Inspectorate's Advice Note 17. Table 5.1 of the Scoping Report describes the Zones of Influence (ZOI) identified for each of the ES topics. For some topics the table provides the justification for the extent of the ZOI but for others such as ecology the ZOI is defined on the basis of distance from the proposed site. The ES should provide a clear justification for the ZOI for each topic; if professional judgement has been relied on then it should still be possible to explain how that has been used to define the ZOI.
- 3.81 For agricultural land the ZOI is defined as being site specific. Defining the ZOI in this way appears to remove the possibility of the cumulative loss of agricultural land from this project and other developments from being considered. The Secretary of State recommends that the ES considers the cumulative effects of agricultural land loss.
- 3.82 Table 5.2 of the Scoping Report indicates the projects that will be included in the CEA. The intention to consider the Rail Central project is welcomed. Consultees have identified a number of other developments that should also be taken into account in the CEA (see comments in Appendix 3 from Milton Malsor Parish Council, Collingtree Parish Council, Northampton Borough Council and Peterborough City Council) The Secretary of State strongly recommends that the projects to be taken into account by the CEA is agreed with the relevant local authorities, Highways England, the EA and other relevant consultees.

4 OTHER INFORMATION

- 4.1 This section does not form part of the Secretary of State's Opinion as to the information to be provided in the environmental statement. However, it does respond to other issues that the Secretary of State has identified which may help to inform the preparation of the application for the DCO.

Pre-application Prospectus

- 4.2 The Planning Inspectorate offers a service for applicants at the pre-application stage of the nationally significant infrastructure planning process. Details are set out in the prospectus 'Pre-application service for NSIPs'¹. The prospectus explains what the Planning Inspectorate can offer during the pre-application phase and what is expected in return. The Planning Inspectorate can provide advice about the merits of a scheme in respect of national policy; can review certain draft documents; as well as advice about procedural and other planning matters. Where necessary a facilitation role can be provided. The service is optional and free of charge.
- 4.3 The level of pre-application support provided by the Planning Inspectorate will be agreed between an Applicant and the Inspectorate at the beginning of the pre-application stage and will be kept under review.

Preliminary Environmental Information (PEI)

- 4.4 Consultation forms a crucial aspect of environmental impact assessment. As part of their pre-application consultation duties, Applicants are required to prepare a Statement of Community Consultation (SoCC). This sets out how the local community will be consulted about the proposed development. The SoCC must state whether the proposed development is EIA development and if it is, how the Applicant intends to publicise and consult on PEI. Further information in respect of PEI may be found in Advice Note seven 'Environmental Impact Assessment: Preliminary Environmental Information, Screening and Scoping'.

Habitats Regulations Assessment (HRA)

- 4.5 The Secretary of State notes that European sites² could be potentially affected by the proposed development (the Upper Nene Valley Gravel

¹ The prospectus is available from:
<http://infrastructure.planninginspectorate.gov.uk/application-process/pre-application-service-for-applicants/>

² The term European Sites in this context includes Sites of Community Importance (SCIs), Special Areas of Conservation (SACs) and candidate SACs, Special Protection Areas (SPAs), possible SACs, potential SPAs, Ramsar sites, proposed Ramsar sites,

Pits SPA and Ramsar site). The Habitats Regulations require competent authorities, before granting consent for a plan or project, to carry out an appropriate assessment (AA) in circumstances where the plan or project is likely to have a significant effect on a European site (either alone or in combination with other plans or projects). Applicants should note that the competent authority in respect of NSIPs is the relevant Secretary of State. It is the Applicant's responsibility to provide sufficient information to the competent authority to enable them to carry out an AA or determine whether an AA is required.

- 4.6 The Applicant's attention is drawn to Regulation 5(2)(g) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended) (The APFP Regulations) and the need to include with the DCO application a report identifying European sites to which the Habitats Regulations applies and Ramsar sites, which may be affected by the proposed development.
- 4.7 The report to be submitted under Regulation 5(2)(g) of the APFP Regulations with the application must deal with two issues: the first is to enable a formal assessment by the competent authority of whether there is a likely significant effect; and the second, should it be required, is to enable the carrying out of an AA by the competent authority.
- 4.8 The Applicant's attention is also drawn to UK Government policy³, which states that the following sites should be given the same protection as European sites: possible SACs (pSACs); potential SPAs (pSPAs); and (in England) proposed Ramsar sites and sites identified, or required, as compensatory measures for adverse effects on any of the above sites. Therefore, applicants should also consider the need to provide information on such sites where they may be affected by the proposed development.
- 4.9 Further information on the HRA process is contained within Planning Inspectorate Advice Note ten 'Habitat Regulations Assessment relevant to nationally significant infrastructure projects', available on the National Infrastructure Planning pages of the Planning Inspectorate's website. It is recommended that applicants follow the advice contained within this Advice Note.

and any sites identified as compensatory measures for adverse effects on any of the above. For a full description of the designations to which the Habitats Regulations apply, and/or are applied as a matter of Government policy, see PINS Advice Note ten

³ In England, the NPPF paragraph 118. In Wales, TAN5 paragraphs 5.2.2 and 5.2.3.

Plan To Agree Habitats Information

- 4.10 A Plan may be prepared to agree upfront what information in respect of Habitats Regulations the Applicant needs to supply to the Planning Inspectorate as part of a DCO application. This is termed an Evidence Plan for proposals in England or in both England and Wales, but a similar approach can be adopted for proposals only in Wales. For ease these are all termed 'evidence plans' here.
- 4.11 An evidence plan will help to ensure compliance with the Habitats Regulations. It will be particularly relevant to NSIPs where impacts may be complex, large amounts of evidence may be needed or there are a number of uncertainties. It will also help applicants meet the requirement to provide sufficient information (as explained in Advice Note ten) in their application, so the Examining Authority can recommend to the Secretary of State whether or not to accept the application for examination and whether an appropriate assessment is required.
- 4.12 Any applicant of a proposed NSIP can request an evidence plan. A request for an evidence plan should be made at the start of pre-application (eg after notifying the Planning Inspectorate on an informal basis) by contacting NE.

Sites of Special Scientific Interest (SSSIs)

- 4.13 The Secretary of State notes that a number of SSSIs are located close to or within the proposed development. Where there may be potential impacts on the SSSIs, the Secretary of State has duties under sections 28(G) and 28(I) of the Wildlife and Countryside Act 1981 (as amended) (the W&C Act). These are set out below for information.
- 4.14 Under s28(G), the Secretary of State has a general duty '... to take reasonable steps, consistent with the proper exercise of the authority's functions, to further the conservation and enhancement of the flora, fauna or geological or physiographical features by reason of which the site is of special scientific interest'.
- 4.15 Under s28(I), the Secretary of State must notify the relevant nature conservation body (NCB), NE in this case, before authorising the carrying out of operations likely to damage the special interest features of a SSSI. Under these circumstances 28 days must elapse before deciding whether to grant consent, and the Secretary of State must take account of any advice received from the NCB, including advice on attaching conditions to the consent. The NCB will be notified during the examination period.
- 4.16 If applicants consider it likely that notification may be necessary under s28(I), they are advised to resolve any issues with the NCB before the DCO application is submitted to the Secretary of State. If,

following assessment by applicants, it is considered that operations affecting the SSSI will not lead to damage of the special interest features, applicants should make this clear in the ES. The application documents submitted in accordance with Regulation 5(2)(1) could also provide this information. Applicants should seek to agree with the NCB the DCO requirements which will provide protection for the SSSI before the DCO application is submitted.

European Protected Species (EPS)

- 4.17 Applicants should be aware that the decision maker under the Planning Act 2008 (PA 2008) has, as the CA, a duty to engage with the Habitats Directive. Where a potential risk to a European Protected Species (EPS) is identified, and before making a decision to grant development consent, the CA must, amongst other things, address the derogation tests in Regulation 53 of the Habitats Regulations. Therefore the Applicant may wish to provide information which will assist the decision maker to meet this duty.
- 4.18 If an applicant has concluded that an EPS licence is required the ExA will need to understand whether there is any impediment to the licence being granted. The decision to apply for a licence or not will rest with the Applicant as the person responsible for commissioning the proposed activity by taking into account the advice of their consultant ecologist.
- 4.19 Applicants are encouraged to consult with NE and, where required, to agree appropriate requirements to secure necessary mitigation. It would assist the examination if applicants could provide, with the application documents, confirmation from NE whether any issues have been identified which would prevent the EPS licence being granted.
- 4.20 Generally, NE are unable to grant an EPS licence in respect of any development until all the necessary consents required have been secured in order to proceed. For NSIPs, NE will assess a draft licence application in order to ensure that all the relevant issues have been addressed. Within 30 working days of receipt, NE will either issue 'a letter of no impediment' stating that it is satisfied, insofar as it can make a judgement, that the proposals presented comply with the regulations or will issue a letter outlining why NE consider the proposals do not meet licensing requirements and what further information is required before a 'letter of no impediment' can be issued. The Applicant is responsible for ensuring draft licence applications are satisfactory for the purposes of informing formal pre-application assessment by NE.
- 4.21 Ecological conditions on the site may change over time. It will be the Applicant's responsibility to ensure information is satisfactory for the purposes of informing the assessment of no detriment to the maintenance of favourable conservation status (FCS) of the

population of EPS affected by the proposals. Applicants are advised that current conservation status of populations may or may not be favourable. Demonstration of no detriment to favourable populations may require further survey and/or submission of revised short or long term mitigation or compensation proposals.

- 4.22 In England the focus concerns the provision of up to date survey information which is then made available to NE (along with any resulting amendments to the draft licence application). Applicants with projects in England (including activities undertaken landward of the mean low water mark) can find further information in Advice Note eleven, Annex C⁴.

Other Regulatory Regimes

- 4.23 The Secretary of State recommends that the Applicant should state clearly what regulatory areas are addressed in the ES and that the Applicant should ensure that all relevant authorisations, licences, permits and consents that are necessary to enable operations to proceed are described in the ES. Also it should be clear that any likely significant effects of the proposed development which may be regulated by other statutory regimes have been properly taken into account in the ES.
- 4.24 It will not necessarily follow that the granting of consent under one regime will ensure consent under another regime. For those consents not capable of being included in an application for consent under the PA 2008, the Secretary of State will require a level of assurance or comfort from the relevant regulatory authorities that the proposal is acceptable and likely to be approved, before they make a recommendation or decision on an application. The Applicant is encouraged to make early contact with other regulators. Information from the Applicant about progress in obtaining other permits, licences or consents, including any confirmation that there is no obvious reason why these will not subsequently be granted, will be helpful in supporting an application for development consent to the Secretary of State.

Water Framework Directive

- 4.25 EU Directive 2000/60/EC ('the Water Framework Directive') establishes a framework for the protection of inland surface waters (rivers and lakes), transitional waters (estuaries), coastal waters and groundwater. Under the terms of the Directive, Member States are required to establish river basin districts and corresponding river

⁴ Advice Note eleven, Annex C – Natural England and the Planning Inspectorate available from: http://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/2015/10/PINS-Advice-Note-11_AnnexC_20150928.pdf

basin management plans outlining how the environmental objectives outlined in Article 4 of the Directive are to be met.

- 4.26 In determining an application for a DCO, the Secretary of State must be satisfied that the Applicant has had regard to relevant river basin management plans and that the proposed development is compliant with the terms of the WFD and its daughter directives. In this respect, the Applicant's attention is drawn to Regulation 5(2)(I) of the APFP Regulations which requires an application for an NSIP to be accompanied by 'where applicable, a plan with accompanying information identifying-... ..(iii) water bodies in a river basin management plan, together with an assessment of any effects on such sites, features, habitats or bodies likely to be caused by the proposed development'.

The Environmental Permitting Regulations and the Water Resources Act

Environmental Permitting Regulations 2010

- 4.27 The Environmental Permitting Regulations 2010 require operators of certain facilities, which could harm the environment or human health, to obtain permits from the Environment Agency. Environmental permits can combine several activities into one permit. There are standard permits supported by 'rules' for straightforward situations and bespoke permits for complex situations. For further information, please see the Government's advice on determining the need for an environmental permit⁵.
- 4.28 The Environment Agency's environmental permits cover:
- Industry regulation;
 - Waste management (waste treatment, recovery or disposal operations);
 - Discharges to surface water;
 - Groundwater activities; and
 - Radioactive substances activities.
- 4.29 Characteristics of environmental permits include:
- They are granted to operators (not to land);
 - They can be revoked or varied by the Environment Agency;
 - Operators are subject to tests of competence;
 - Operators may apply to transfer environmental permits to another operator (subject to a test of competence); and

⁵ Available from: <https://www.gov.uk/environmental-permit-check-if-you-need-one>

- Conditions may be attached.

The Water Resources Act 1991

- 4.30 Under the Water Resources Act 1991 (as amended), anyone who wishes to abstract more than 20m³/day of water from a surface source such as a river or stream or an underground source, such as an aquifer, will normally require an abstraction licence from the Environment Agency. For example, an abstraction licence may be required to abstract water for use in cooling at a power station. An impoundment licence is usually needed to impede the flow of water, such as in the creation of a reservoir or dam, or construction of a fish pass.
- 4.31 Abstraction licences and impoundment licences are commonly referred to as 'water resources licences'. They are required to ensure that there is no detrimental impact on existing abstractors or the environment. For further information, please see the Environment Agency's WR176 guidance form on applying for a full, transfer or impounding licence⁶:
- 4.32 Characteristics of water resources licences include:
- They are granted to licence holders (not to land);
 - They can be revoked or varied;
 - They can be transferred to another licence holder; and
 - In the case of abstraction licences, they are time limited.

Role of the Applicant

- 4.33 It is the responsibility of applicants to identify whether an environmental permit and / or water resources licence is required from the Environment Agency before an NSIP can be constructed or operated. Failure to obtain the appropriate consent(s) is an offence.
- 4.34 The Environment Agency allocates a limited amount of pre-application advice for environmental permits and water resources licences free of charge. Further advice can be provided, but this will be subject to cost recovery.
- 4.35 The Environment Agency encourages applicants to engage with them early in relation to the requirements of the application process. Where a project is complex or novel, or requires a Habitats Regulations Assessment, applicants are encouraged to "parallel track" their applications to the Environment Agency with their DCO applications to the Planning Inspectorate. Further information on the

⁶ Available from: <https://www.gov.uk/government/publications/wr176-applying-for-full-transfer-or-impoundment-licence-form-guidance>

Environment Agency's role in the infrastructure planning process is available in Annex D of the Planning Inspectorate's Advice note eleven (working with public bodies in the infrastructure planning process)⁷

- 4.36 When considering the timetable to submit their applications, applicants should bear in mind that the Environment Agency will not be in a position to provide a detailed view on the application until it issues its draft decision for public consultation (for sites of high public interest) or its final decision. Therefore the applicant should ideally submit its application sufficiently early so that the Environment Agency is at this point in the determination by the time the Development Consent Order reaches examination.
- 4.37 It is also in the interests of an applicant to ensure that any specific requirements arising from their permit or licence are capable of being carried out under the works permitted by the DCO. Otherwise there is a risk that requirements could conflict with the works which have been authorised by the DCO (e.g. a stack of greater height than that authorised by the DCO could be required) and render the DCO impossible to implement.

Health Impact Assessment

- 4.38 The Secretary of State considers that it is a matter for the Applicant to decide whether or not to submit a stand-alone Health Impact Assessment (HIA). However, the Applicant should have regard to the responses received from the relevant consultees regarding health, and in particular to the comments from the Health and Safety Executive (see Appendix 3).
- 4.39 The methodology for the HIA, if prepared, should be agreed with the relevant statutory consultees and take into account mitigation measures for acute risks.

Transboundary Impacts

- 4.40 The Secretary of State has noted that the Applicant has not indicated whether the proposed development is likely to have significant impacts on another European Economic Area (EEA) State.
- 4.41 Regulation 24 of the EIA Regulations, which inter alia require the Secretary of State to publicise a DCO application if the Secretary of State is of the view that the proposal is likely to have significant effects on the environment of another EEA state and where relevant to consult with the EEA state affected. The Secretary of State

⁷ Available from: <http://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

considers that where Regulation 24 applies, this is likely to have implications for the examination of a DCO application.

- 4.42 The Secretary of State recommends that the ES should identify whether the proposed development has the potential for significant transboundary impacts and if so, what these are and which EEA States would be affected.

APPENDIX 1 – PRESENTATION OF THE ENVIRONMENTAL STATEMENT

A1.1 The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (SI 2264) (as amended) sets out the information which must be provided for an application for a development consent order (DCO) for nationally significant infrastructure under the Planning Act 2008. Where required, this includes an environmental statement. Applicants may also provide any other documents considered necessary to support the application. Information which is not environmental information need not be replicated or included in the ES.

A1.2 An environmental statement (ES) is described under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (SI 2263) (as amended) (the EIA Regulations) as a statement:

- (a) that includes such of the information referred to in Part 1 of Schedule 4 as is reasonably required to assess the environmental effects of the development and of any associated development and which the applicant can, having regard in particular to current knowledge and methods of assessment, reasonably be required to compile; but*
- (b) that includes at least the information required in Part 2 of Schedule 4.*

(EIA Regulations Regulation 2)

A1.3 The purpose of an ES is to ensure that the environmental effects of a proposed development are fully considered, together with the economic or social benefits of the development, before the development consent application under the Planning Act 2008 is determined. The ES should be an aid to decision making.

A1.4 The Secretary of State advises that the ES should be laid out clearly with a minimum amount of technical terms and should provide a clear objective and realistic description of the likely significant impacts of the proposed development. The information should be presented so as to be comprehensible to the specialist and non-specialist alike. The Secretary of State recommends that the ES be concise with technical information placed in appendices.

ES Indicative Contents

A1.5 The Secretary of State emphasises that the ES should be a 'stand alone' document in line with best practice and case law. The EIA Regulations Schedule 4, Parts 1 and 2, set out the information for inclusion in environmental statements.

A1.6 Schedule 4 Part 1 of the EIA Regulations states this information includes:

17. Description of the development, including in particular—

- (a) a description of the physical characteristics of the whole development and the land-use requirements during the construction and operational phases;*
- (b) a description of the main characteristics of the production processes, for instance, nature and quantity of the materials used;*
- (c) an estimate, by type and quantity, of expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation, etc) resulting from the operation of the proposed development.*

18. An outline of the main alternatives studied by the applicant and an indication of the main reasons for the applicant's choice, taking into account the environmental effects.

19. A description of the aspects of the environment likely to be significantly affected by the development, including, in particular, population, fauna, flora, soil, water, air, climatic factors, material assets, including the architectural and archaeological heritage, landscape and the interrelationship between the above factors.

20. A description of the likely significant effects of the development on the environment, which should cover the direct effects and any indirect, secondary, cumulative, short, medium and long-term, permanent and temporary, positive and negative effects of the development, resulting from:

- (a) the existence of the development;*
- (b) the use of natural resources;*
- (c) the emission of pollutants, the creation of nuisances and the elimination of waste,*

and the description by the applicant of the forecasting methods used to assess the effects on the environment.

21. A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment.

22. A non-technical summary of the information provided under paragraphs 1 to 5 of this Part.

23. An indication of any difficulties (technical deficiencies or lack of know-how) encountered by the applicant in compiling the required information.

(EIA Regulations Schedule 4 Part 1)

The content of the ES must include as a minimum those matters set out in Schedule 4 Part 2 of the EIA Regulations. This includes the consideration of 'the main alternatives studied by the applicant' which the Secretary of State recommends could be addressed as a separate chapter in the ES. Part 2 is included below for reference:

24. A description of the development comprising information on the site, design and size of the development

25. A description of the measures envisaged in order to avoid, reduce and, if possible, remedy significant adverse effects

26. The data required to identify and assess the main effects which the development is likely to have on the environment

27. An outline of the main alternatives studied by the applicant and an indication of the main reasons for the applicant's choice, taking into account the environmental effects, and

28. A non-technical summary of the information provided [under the four paragraphs of Schedule 4 part 2 above].

(EIA Regulations Schedule 4 Part 2)

A1.7 Traffic and transport is not specified as a topic for assessment under Schedule 4; although in line with good practice the Secretary of State considers it is an important consideration *per se*, as well as being the source of further impacts in terms of air quality and noise and vibration.

Balance

A1.8 The Secretary of State recommends that the ES should be balanced, with matters which give rise to a greater number or more significant impacts being given greater prominence. Where few or no impacts are identified, the technical section may be much shorter, with greater use of information in appendices as appropriate.

The Secretary of State considers that the ES should not be a series of disparate reports and stresses the importance of considering inter-relationships between factors and cumulative impacts.

Scheme Proposals

A1.9 The scheme parameters will need to be clearly defined in the draft DCO and therefore in the accompanying ES which should support the application as described. The Secretary of State is not able to entertain material changes to a project once an application is submitted. The Secretary of State draws the attention of the Applicant to the DCLG and the Planning Inspectorate's published advice on the preparation of a draft DCO and accompanying application documents.

Flexibility

A1.10 The Secretary of State acknowledges that the EIA process is iterative, and therefore the proposals may change and evolve. For example, there may be changes to the scheme design in response to consultation. Such changes should be addressed in the ES. However, at the time of the application for a DCO, any proposed scheme parameters should not be so wide ranging as to represent effectively different schemes.

A1.11 It is a matter for the Applicant, in preparing an ES, to consider whether it is possible to assess robustly a range of impacts resulting from a large number of undecided parameters. The description of the proposed development in the ES must not be so wide that it is insufficiently certain to comply with requirements of paragraph 17 of Schedule 4 Part 1 of the EIA Regulations.

A1.12 The Rochdale Envelope principle (*see R v Rochdale MBC ex parte Tew (1999) and R v Rochdale MBC ex parte Milne (2000)*) is an accepted way of dealing with uncertainty in preparing development applications. The Applicant's attention is drawn to the Planning Inspectorate's Advice Note nine 'Rochdale Envelope' which is available on the Advice Note's page of the National Infrastructure Planning website.

A1.13 The Applicant should make every attempt to narrow the range of options and explain clearly in the ES which elements of the scheme have yet to be finalised and provide the reasons. Where some flexibility is sought and the precise details are not known, the Applicant should assess the maximum potential adverse impacts the project could have to ensure that the project as it may be constructed has been properly assessed.

A1.14 The ES should be able to confirm that any changes to the development within any proposed parameters would not result in significant impacts not previously identified and assessed. The maximum and other dimensions of the proposed development should be clearly described in the ES, with appropriate justification. It will also be important to consider choice of materials, colour and the form

of the structures and of any buildings. Lighting proposals should also be described.

Scope

A1.15 The Secretary of State recommends that the physical scope of the study areas should be identified under all the environmental topics and should be sufficiently robust in order to undertake the assessment. The extent of the study areas should be on the basis of recognised professional guidance, whenever such guidance is available. The study areas should also be agreed with the relevant consultees and local authorities and, where this is not possible, this should be stated clearly in the ES and a reasoned justification given. The scope should also cover the breadth of the topic area and the temporal scope, and these aspects should be described and justified.

Physical Scope

A1.16 In general the Secretary of State recommends that the physical scope for the EIA should be determined in the light of:

- The nature of the proposal being considered;
- The relevance in terms of the specialist topic;
- The breadth of the topic;
- The physical extent of any surveys or the study area; and
- The potential significant impacts.

A1.17 The Secretary of State recommends that the physical scope of the study areas should be identified for each of the environmental topics and should be sufficiently robust in order to undertake the assessment. This should include at least the whole of the application site, and include all offsite works. For certain topics, such as landscape and transport, the study area will need to be wider. The extent of the study areas should be on the basis of recognised professional guidance and best practice, whenever this is available, and determined by establishing the physical extent of the likely impacts. The study areas should also be agreed with the relevant consultees and, where this is not possible, this should be stated clearly in the ES and a reasoned justification given.

Breadth of the Topic Area

A1.18 The ES should explain the range of matters to be considered under each topic and this may respond partly to the type of project being considered. If the range considered is drawn narrowly then a justification for the approach should be provided.

Temporal Scope

A1.19 The assessment should consider:

- Environmental impacts during construction works;
- Environmental impacts on completion/operation of the proposed development;
- Where appropriate, environmental impacts a suitable number of years after completion of the proposed development (for example, in order to allow for traffic growth or maturing of any landscape proposals); and
- Environmental impacts during decommissioning.

A1.20 In terms of decommissioning, the Secretary of State acknowledges that the further into the future any assessment is made, the less reliance may be placed on the outcome. However, the purpose of such a long term assessment, as well as to enable the decommissioning of the works to be taken into account, is to encourage early consideration as to how structures can be taken down. The purpose of this is to seek to minimise disruption, to re-use materials and to restore the site or put it to a suitable new use. The Secretary of State encourages consideration of such matters in the ES.

A1.21 The Secretary of State recommends that these matters should be set out clearly in the ES and that the suitable time period for the assessment should be agreed with the relevant statutory consultees.

A1.22 The Secretary of State recommends that throughout the ES a standard terminology for time periods should be defined, such that for example, 'short term' always refers to the same period of time.

Baseline

A1.23 The Secretary of State recommends that the baseline should describe the position from which the impacts of the proposed development are measured. The baseline should be chosen carefully and, whenever possible, be consistent between topics. The identification of a single baseline is to be welcomed in terms of the approach to the assessment, although it is recognised that this may not always be possible.

A1.24 The Secretary of State recommends that the baseline environment should be clearly explained in the ES, including any dates of surveys, and care should be taken to ensure that all the baseline data remains relevant and up to date.

A1.25 For each of the environmental topics, the data source(s) for the baseline should be set out together with any survey work undertaken with the dates. The timing and scope of all surveys should be agreed

with the relevant statutory bodies and appropriate consultees, wherever possible.

A1.26 The baseline situation and the proposed development should be described within the context of the site and any other proposals in the vicinity.

Identification of Impacts and Method Statement

Legislation and Guidelines

A1.27 In terms of the EIA methodology, the Secretary of State recommends that reference should be made to best practice and any standards, guidelines and legislation that have been used to inform the assessment. This should include guidelines prepared by relevant professional bodies.

A1.28 In terms of other regulatory regimes, the Secretary of State recommends that relevant legislation and all permit and licences required should be listed in the ES where relevant to each topic. This information should also be submitted with the application in accordance with the APFP Regulations.

A1.29 In terms of assessing the impacts, the ES should approach all relevant planning and environmental policy – local, regional and national (and where appropriate international) – in a consistent manner.

Assessment of Effects and Impact Significance

A1.30 The EIA Regulations require the identification of the 'likely significant effects of the development on the environment' (Schedule 4 Part 1 paragraph 20).

A1.31 As a matter of principle, the Secretary of State applies the precautionary approach to follow the Court's reasoning in judging 'significant effects'. In other words 'likely to affect' will be taken as meaning that there is a probability or risk that the proposed development will have an effect, and not that a development will definitely have an effect.

A1.32 The Secretary of State considers it is imperative for the ES to define the meaning of 'significant' in the context of each of the specialist topics and for significant impacts to be clearly identified. The Secretary of State recommends that the criteria should be set out fully and that the ES should set out clearly the interpretation of 'significant' in terms of each of the EIA topics. Quantitative criteria should be used where available. The Secretary of State considers that this should also apply to the consideration of cumulative impacts and impact inter-relationships.

A1.33 The Secretary of State recognises that the way in which each element of the environment may be affected by the proposed development can be approached in a number of ways. However it considers that it would be helpful, in terms of ease of understanding and in terms of clarity of presentation, to consider the impact assessment in a similar manner for each of the specialist topic areas. The Secretary of State recommends that a common format should be applied where possible.

Inter-relationships between environmental factors

A1.34 The inter-relationship between aspects of the environments likely to be significantly affected is a requirement of the EIA Regulations (see Schedule 4 Part 1 of the EIA Regulations). These occur where a number of separate impacts, e.g. noise and air quality, affect a single receptor such as fauna.

A1.35 The Secretary of State considers that the inter-relationships between factors must be assessed in order to address the environmental impacts of the proposal as a whole. This will help to ensure that the ES is not a series of separate reports collated into one document, but rather a comprehensive assessment drawing together the environmental impacts of the proposed development. This is particularly important when considering impacts in terms of any permutations or parameters to the proposed development.

Cumulative Impacts

A1.36 The potential cumulative impacts with other major developments will need to be identified, as required by the Directive. The significance of such impacts should be shown to have been assessed against the baseline position (which would include built and operational development). In assessing cumulative impacts, other major development should be identified through consultation with the local planning authorities and other relevant authorities on the basis of those that are:

- Projects that are under construction;
- Permitted application(s) not yet implemented;
- Submitted application(s) not yet determined;
- All refusals subject to appeal procedures not yet determined;
- Projects on the National Infrastructure's programme of projects; and
- Projects identified in the relevant development plan (and emerging development plans - with appropriate weight being given as they move closer to adoption) recognising that much information on any relevant proposals will be limited.

A1.37 Details should be provided in the ES, including the types of development, location and key aspects that may affect the EIA and how these have been taken into account as part of the assessment will be crucial in this regard.

A1.38 For the purposes of identifying any cumulative effects with other developments in the area, applicants should also consult consenting bodies in other EU states to assist in identifying those developments (see commentary on Transboundary Effects below).

Related Development

A1.39 The ES should give equal prominence to any development which is related with the proposed development to ensure that all the impacts of the proposal are assessed.

A1.40 The Secretary of State recommends that the Applicant should distinguish between the proposed development for which development consent will be sought and any other development. This distinction should be clear in the ES.

Alternatives

A1.41 The ES must set out an outline of the main alternatives studied by the Applicant and provide an indication of the main reasons for the Applicant's choice, taking account of the environmental effect (Schedule 4 Part 1 paragraph 18).

A1.42 Matters should be included, such as inter alia alternative design options and alternative mitigation measures. The justification for the final choice and evolution of the scheme development should be made clear. Where other sites have been considered, the reasons for the final choice should be addressed.

A1.43 The Secretary of State advises that the ES should give sufficient attention to the alternative forms and locations for the off-site proposals, where appropriate, and justify the needs and choices made in terms of the form of the development proposed and the sites chosen.

Mitigation Measures

A1.44 Mitigation measures may fall into certain categories namely: avoid; reduce; compensate or enhance (see Schedule 4 Part 1 paragraph 21); and should be identified as such in the specialist topics. Mitigation measures should not be developed in isolation as they may relate to more than one topic area. For each topic, the ES should set out any mitigation measures required to prevent, reduce and where possible offset any significant adverse effects, and to identify any residual effects with mitigation in place. Any proposed mitigation should be discussed and agreed with the relevant consultees.

A1.45 The effectiveness of mitigation should be apparent. Only mitigation measures which are a firm commitment and can be shown to be deliverable should be taken into account as part of the assessment.

A1.46 It would be helpful if the mitigation measures proposed could be cross referred to specific provisions and/or requirements proposed within the draft development consent order. This could be achieved by means of describing the mitigation measures proposed either in each of the specialist reports or collating these within a summary section on mitigation.

A1.47 The Secretary of State advises that it is considered best practice to outline in the ES, the structure of the environmental management and monitoring plan and safety procedures which will be adopted during construction and operation and may be adopted during decommissioning.

Cross References and Interactions

A1.48 The Secretary of State recommends that all the specialist topics in the ES should cross reference their text to other relevant disciplines. Interactions between the specialist topics is essential to the production of a robust assessment, as the ES should not be a collection of separate specialist topics, but a comprehensive assessment of the environmental impacts of the proposal and how these impacts can be mitigated.

A1.49 As set out in EIA Regulations Schedule 4 Part 1 paragraph 23, the ES should include an indication of any technical difficulties (technical deficiencies or lack of know-how) encountered by the Applicant in compiling the required information.

Consultation

A1.50 The Secretary of State recommends that ongoing consultation is maintained with relevant stakeholders and that any specific areas of agreement or disagreement regarding the content or approach to assessment should be documented. The Secretary of State recommends that any changes to the scheme design in response to consultation should be addressed in the ES.

A1.51 Consultation with the local community should be carried out in accordance with the SoCC which will state how the Applicant intends to consult on the preliminary environmental information (PEI). This PEI could include results of detailed surveys and recommended mitigation actions. Where effective consultation is carried out in accordance with Section 47 of the Planning Act, this could usefully assist the Applicant in the EIA process – for example the local community may be able to identify possible mitigation measures to address the impacts identified in the PEI. Attention is drawn to the

duty upon applicants under Section 50 of the Planning Act to have regard to the guidance on pre-application consultation.

Transboundary Effects

A1.52 The Secretary of State recommends that consideration should be given in the ES to any likely significant effects on the environment of another Member State of the European Economic Area. In particular, the Secretary of State recommends consideration should be given to discharges to the air and water and to potential impacts on migratory species and to impacts on shipping and fishing areas.

A1.53 The Applicant's attention is also drawn to the Planning Inspectorate's Advice Note twelve 'Development with significant transboundary impacts consultation' which is available on the Advice Notes Page of the National Infrastructure Planning website⁸.

Summary Tables

A1.54 The Secretary of State recommends that in order to assist the decision making process, the Applicant may wish to consider the use of tables:

Table X: to identify and collate the residual impacts after mitigation on the basis of specialist topics, inter-relationships and cumulative impacts.

Table XX: to demonstrate how the assessment has taken account of this Opinion and other responses to consultation.

Table XXX: to set out the mitigation measures proposed, as well as assisting the reader, the Secretary of State considers that this would also enable the Applicant to cross refer mitigation to specific provisions proposed to be included within the draft Development Consent Order.

Table XXXX: to cross reference where details in the HRA (where one is provided) such as descriptions of sites and their locations, together with any mitigation or compensation measures, are to be found in the ES.

Terminology and Glossary of Technical Terms

A1.55 The Secretary of State recommends that a common terminology should be adopted. This will help to ensure consistency and ease of

⁸ Available from: <http://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

understanding for the decision making process. For example, 'the site' should be defined and used only in terms of this definition so as to avoid confusion with, for example, the wider site area or the surrounding site. A glossary of technical terms should be included in the ES.

Presentation

A1.56 The ES should have all of its paragraphs numbered, as this makes referencing easier as well as accurate. Appendices must be clearly referenced, again with all paragraphs numbered. All figures and drawings, photographs and photomontages should be clearly referenced. Figures should clearly show the proposed site application boundary.

Confidential Information

A1.57 In some circumstances it will be appropriate for information to be kept confidential. In particular, this may relate to information about the presence and locations of rare or sensitive species such as badgers, rare birds and plants where disturbance, damage, persecution or commercial exploitation may result from publication of the information. Where documents are intended to remain confidential the Applicant should provide these as separate paper and electronic documents with their confidential nature clearly indicated in the title, and watermarked as such on each page. The information should not be incorporated within other documents that are intended for publication or which the Planning Inspectorate would be required to disclose under the Environmental Information Regulations 2014.

Bibliography

A1.58 A bibliography should be included in the ES. The author, date and publication title should be included for all references. All publications referred to within the technical reports should be included.

Non Technical Summary

A1.59 The EIA Regulations require a Non Technical Summary (EIA Regulations Schedule 4 Part 1 paragraph 22). This should be a summary of the assessment in simple language. It should be supported by appropriate figures, photographs and photomontages.

APPENDIX 2 – LIST OF CONSULTATION BODIES FORMALLY CONSULTED

Note: the Prescribed Consultees have been consulted in accordance with the Planning Inspectorate’s Advice Note three ‘EIA Consultation and Notification’ (version 6, June 2015)⁹.

SCHEDULE 1 DESCRIPTION	ORGANISATION
The Health and Safety Executive	The Health and Safety Executive
The National Health Service Commissioning Board	NHS England
The relevant Clinical Commissioning Group	Nene Clinical Commissioning Group
Natural England	Natural England
The Historic Buildings and Monuments Commission for England	Historic England - East Midlands
The Relevant Fire and Rescue Authority	Northamptonshire Fire and Rescue Service
The Relevant Police and Crime Commissioner	Northamptonshire Police and Crime Commissioner
The Relevant Parish Council(s) or Relevant Community Council	Collingtree Parish Council
	Courteenhall Parish Meeting
	East Hunsbury Parish Council
	Grange Park Parish Council
	Milton Malsor Parish Council
	Roade Parish Council
	Stoke Bruerne Parish Council
	Wootton, Wootton Fields and Simpson Manor Parish Council
The Environment Agency	The Environment Agency - Lincolnshire and Northamptonshire
The Relevant Highways Authority	Northamptonshire County Highways Department

⁹ Available from: <http://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

Scoping Opinion for
Northampton Gateway Strategic Rail Freight Interchange

SCHEDULE 1 DESCRIPTION	ORGANISATION
The Relevant Strategic Highways Company	Highways England - Midlands
The Canal and River Trust	The Canal and River Trust
The Crown Estate Commissioners	The Crown Estate
The Forestry Commission	Forestry Commission - East and East Midlands Area
The Secretary of State for Defence	Ministry of Defence

RELEVANT STATUTORY UNDERTAKERS	
The relevant Clinical Commissioning Group	Nene Clinical Commissioning Group
The National Health Service Commissioning Board	NHS England
NHS Trusts	Northampton General Hospital NHS Trust
	East Midlands Ambulance Service NHS Trust
NHS Foundation Trusts	Northamptonshire Healthcare NHS Foundation Trust
Railways	Network Rail Infrastructure Ltd
	Highways England Historical Railways Estate
Universal Service Provider	Royal Mail Group
Relevant Homes and Communities Agency	Homes and Communities Agency
Relevant Environment Agency	Environment Agency
Water and Sewage Undertakers	Anglian Water
Public Gas Transporter	Energetics Gas Limited
	Energy Assets Pipelines Limited
	ES Pipelines Ltd
	ESP Connections Ltd
	ESP Networks Ltd
	ESP Pipelines Ltd
	Fulcrum Pipelines Limited

Scoping Opinion for
Northampton Gateway Strategic Rail Freight Interchange

RELEVANT STATUTORY UNDERTAKERS	
	GTC Pipelines Limited
	Independent Pipelines Limited
	Indigo Pipelines Limited
	Quadrant Pipelines Limited
	LNG Portable Pipeline Services Limited
	National Grid Gas Plc
	National Grid Gas Plc
	National Grid Gas Distribution Ltd
	Scotland Gas Networks Plc
	Southern Gas Networks Plc
	Wales and West Utilities Ltd
Electricity Distributors With CPO Powers	Energetics Electricity Limited
	ESP Electricity Limited
	Harlaxton Energy Networks Limited
	Independent Power Networks Limited
	Peel Electricity Networks Limited
	The Electricity Network Company Limited
	UK Power Distribution Limited
	Utility Assets Limited
	Western Power Distribution (East Midlands) plc
Electricity Transmitters With CPO Powers	National Grid Electricity Transmission Plc
	National Grid Electricity Transmission Plc

SECTION 43 CONSULTEES (FOR THE PURPOSES OF SECTION 42(B))	
Local Authorities	Aylesbury Vale District Council
	Bedford Council
	Borough Council of Wellingborough
	Buckinghamshire County Council
	Cambridgeshire County Council
	Cherwell District Council
	City of Peterborough Council
	Daventry District Council
	Leicestershire County Council
	Lincolnshire County Council
	Milton Keynes Council
	Northampton Borough Council
	Northamptonshire County Council
	Oxfordshire County Council
	Rutland County Council
	South Northamptonshire District Council
Stratford-on-Avon District Council	
Warwickshire County Council	

APPENDIX 3 – RESPONDENTS TO CONSULTATION AND COPIES OF REPLIES

List of bodies who replied by the Statutory Deadline:

Anglian Water
Buckinghamshire County Council
Cherwell District Council
Collingtree Parish Council
Environment Agency
Highways England
Historic England
Leicestershire County Council
Milton Keynes Council
Milton Malsor Parish Council
National Grid
National Grid Gas Distribution Limited
Natural England
Northampton Borough Council
Northampton General Hospital NHS Trust
Northamptonshire County Council
Peterborough City Council
Roade Parish Council
South Northamptonshire Council
Stoke Bruerne Parish Council
The Defence Infrastructure Organisation
The Forestry Commission East and East Midlands
The Health and Safety Executive



Anglian Water Services Ltd

Thorpewood House,
Thorpewood,
Peterborough
PE3 6WT

Helen Lancaster
The Planning Inspectorate
3D Eagle Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN
[Sent by e-mail]

Tel (0345) 0265 458
www.anglianwater.co.uk
Our ref 00017994

Your ref TR50006-000005

23 November 2016

Dear Helen,

Northampton Gateway (Strategic Rail Interchange): Environmental Statement Scoping Report

Thank you for the opportunity to comment on the scoping report for the above project. Anglian Water is the water and sewerage undertaker for the proposed site. Please find enclosed comments on behalf of Anglian Water.

General comments

Anglian Water would welcome further discussions with the applicant prior to the submission of the Draft DCO for examination. In particular it would be helpful if we could discuss the following issues:

- Wording of the Draft DCO including protective provisions for the benefit of Anglian Water.
- Requirement for potable (clean) water services.
- Impact of development on Anglian Water's assets and the need for mitigation.
- Pre-construction surveys and ground investigations.

Anglian Water are already in discussions with the applicant regarding wastewater services and would wish to continue this dialogue.

Registered Office
Anglian Water Services Ltd
Lancaster House, Lancaster Way,
Ermine Business Park, Huntingdon,
Cambridgeshire. PE29 6YJ
Registered in England
No. 2366656.

an AWG Company

Geology, soil and groundwater (page 21)

In relation to the sources of evidence for Groundwater we would ask that you contact Anglian Water (as water undertaker) in addition to the bodies listed in the Scoping Report.

Water resources and drainage (page 27)

Reference is made to the potential additional impact of foul flows on the public sewerage network and relevant water recycling centre (formerly sewage treatment works).

It is suggested that the Environmental Statement should include reference to the foul sewerage network, sewage treatment and water services.

Asset encroachment

The scoping report should include reference to Anglian Water's existing assets and any potential impacts from the above development. We would expect any requests for alteration or removal of existing water mains to be conducted in accordance with the Water Industry Act 1991.

Maps of Anglian Water's assets are available to view at the following address:

<http://www.digdat.co.uk/>

Should you have any queries relating to this response please let me know.

Yours sincerely

A black rectangular redaction box covering the signature of Stewart Patience.

Stewart Patience

Planning Liaison Manager

Transport • Economy • Environment

Martin Tugwell
Director Growth & Strategy

Buckinghamshire County Council

County Hall, Walton Street
Aylesbury, Buckinghamshire HP20 1UA

Rachel Wileman
strat_planning@buckscc.gov.uk

Stephanie Newman
EIA & Land Rights Advisor
Environmental Services Team
Major Applications and Plans
The Planning Inspectorate
3D Eagle, Temple Quay House
Temple Quay
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BS1 6PN

Telephone 0845 3707092
www.buckscc.gov.uk

Date: 21st November 2016
Ref: NSIP:NGSRFI

Submitted by email:
environmentalservices@pins.gsi.gov.uk

Dear Stephanie

TR050006 - Northampton Gateway Strategic Rail Freight Interchange - EIA Scoping Notification and Consultation

Thank you for consulting Buckinghamshire County Council (BCC). BCC welcomes the opportunity to comment on the Northampton Gateway Strategic Rail Freight Interchange - EIA Scoping Notification and Consultation.

Our comments are set out below:

The Transport Working Group (TWG)

Paragraph 3.1.175 of the Environmental Statement Scoping Report states;

“A Transport Working Group (TWG) has been established comprising representatives from Highways England, Aecom (Highways England’s term consultant), Northamptonshire County Council, ADC Infrastructure Ltd, BWB Consulting Ltd.”

It is noted that Buckinghamshire County Council are not included in the TWG, however are identified as a consultation body which must be consulted by the Secretary of State. Given that these proposals may assist with Bucks rail and freight strategies and form an important part of the N/S Connectivity Study, it is suggested that Bucks CC is included in the TWG.

The following statement is of concern:

“3.1.178 Based on the dialogue to date with the key local bodies, including Northamptonshire County Council, the Applicant has a good understanding of the progress being made with the ongoing NSTM update. However, in a scenario where completion and availability of the model update were significantly delayed the intention would be for the NSIP application to be supported by a Transport Assessment which would draw on the traffic counts and other survey



information gathered by the Applicant, and by other transport data and forecasts provided by the Local Highways Authority outside of the model itself. The Applicant's Transport Assessment would essentially be based around a 'traditional' modelling exercise, with fixed background traffic and development traffic assignments. The NSTM would not be used and hence traffic reassignment effects would be limited to assumptions regarding the Roade Bypass. Potential traffic reassignment effects due to existing and forecast congestion on the road network would not be modelled. In such a scenario the approach would be discussed in advance via the TWG described above."

Buckinghamshire Highways Authority suggests that the completion and availability of the Northamptonshire Strategic Transport Model (NSTM) is essential to determine this application. The inability to assess the impact of this Nationally Significant Infrastructure Project against the NSTM would considerably impede on the ability to validate assumptions and determine planning consent.

Whilst Bucks agrees that the effects of the development will impact on Highways England and Northamptonshire (including specifically the M1 Junction 15, the A45, the A508 and the local access routes at Roade), Bucks Highways Authority are of the view that this development is also likely to impact infrastructure within Buckinghamshire, such as the A422, reiterating the need for Bucks to be represented in the TWG.

Taking into account above comments, Buckinghamshire Highways Authority are satisfied with regards to the scope of the EIA, in assessing the transport impact of the Northamptonshire Strategic Rail Freight Interchange proposals.

High Speed 2 Project

From the EIA Scoping Report and don't foresee a negative impact on HS2. However, it is noted there may be potential for the Interchange to be utilised for bringing in construction material/removing waste.

East – West Railway Proposal

There are no comment from an EWR perspective. The strategic freight "angle" for EWR is around providing an alternative route to WCML to the North via MML eg container traffic from Southampton.

Transportation

3.1.174 – BCC (Transport Strategy) is happy to review any supporting Travel Plan document. This document should explore the measures that can be taken to improve sustainable transport in and around the rail freight interchange.

3.1.177 – The study area for any associated Transport Assessment should include [at the very least] the north of Buckinghamshire. The Transport Assessment should extend into Buckinghamshire to assess the impact of transport on the existing network.

3.1.177 – Modelling outputs and Transport Assessment should be shared with BCC to ensure mitigations options are established.

3.1.181 – It would be helpful if the ES details the proposed relationship between additional cargo trains and existing passenger trains on the rail network, both during construction and after the completion of the rail freight interchange. The West Coast Mainline [serving the Northampton Loop branch] is a strategically significant commuter line recognised by DfT and WMRF as requiring support to help with capacity challenges; this will take the form of more frequent services and extra carriages. To

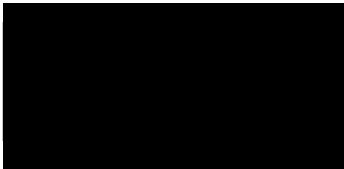
ensure the existing service is not disrupted, the ES should outline where the volume of rail freight will come from and how it will be accepted onto the track.

3.1.184 – BCC is developing a DM policy and Freight Strategy to manage the impact of growth in Buckinghamshire, we would encourage the ES to reference the need to consider these emerging strategies in the planning of the proposed development.

3.1.194 - BCC recommend the ES place a greater emphasis on the way public transport can both mitigate the impact of development and provide a sustainable mode of transport for those people employed at the interchange.

Thank you for this opportunity to comment, we look forward to further opportunities to engage with you.

Yours sincerely



Rachel Wileman
Head of Strategic Planning & Infrastructure
01296 387092
rwileman@buckscc.gov.uk

Public Protection & Development Management

Andy Preston – Head of Public Protection & Development Management



DISTRICT COUNCIL
NORTH OXFORDSHIRE

Roxhill (Junction 15) Ltd
c/o The Planning Inspectorate
Helen Lancaster
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OX15 4AA

www.cherwell.gov.uk

Please ask for: **Caroline Ford**

Direct Dial: **01295 221823**

Email: **Planning@cherwell-dc.gov.uk**

Our Ref: **16/02153/ADJ**

2 November 2016

Dear Sir/Madam

ADJACENT APPLICATION – CONSULTATION WITH CHERWELL DISTRICT COUNCIL

Application No.: 16/02153/ADJ
Applicant's Name: Roxhill (Junction 15) Ltd
Proposal: Scoping consultation - Northampton Gateway Strategic Rail Freight Interchange
Location: Northampton Gateway Strategic Rail Freight Interchange Outside Of Area Outside Of Area Oxfordshire
Parish(es):

I write to inform you that the above proposal was considered under delegated powers and that the Planning Inspectorate is advised that Cherwell District Council has no overall comments as to the scope of the Environmental Statement but would recommend that the A43 be considered within the Transport work and Environmental Statement.

If you have any queries, you are advised to contact the Case Officer **Caroline Ford**, on **01295 221823**.

Yours faithfully



Head of Public Protection
& Development Management

COLLINGTREE PARISH COUNCIL

C/O 33 Friars Avenue, Delapre, Northampton. NN4 8PY

Tel: 01604 700691 Clerk: Mrs Shirley Wong

email: collingtreeparishcouncil@gmail.com

10th November 2016

RESPONSE TO ROXHILL SCOPING REPORT

Stephanie Newman
EIA & Land Rights Advisor
Environmental Services Team
The Planning Inspectorate 3D Eagle,
Temple Quay House,
Temple Quay,
Bristol, BS1 6PN

Dear Stephanie

Reference: TR050006 - Northampton Gateway Strategic Rail Freight Interchange - EIA Scoping Notification and Consultation

Collingtree Parish Council is responding to your letter 24th October 2016, giving details of the above.

Collingtree Parish and its Conservation Area is the nearest community to the proposed development site. With residential properties being less than 200 yards from what will be a large scale, twenty four hour, industrial operation covering 5m sq ft.

On behalf of our residents we question and challenge the proposed development on the following grounds.

Planning Policy

The core principle set out in section 17 of the National Planning Policy Framework (NPPF) states: *"Planning proposals should be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area"*

The proposal from Roxhill is entirely 'developer led' based on a landowner making the site available for profit. It is in conflict with the adopted West Northamptonshire Joint Core Strategy. The JCS specifically excludes the proposed site and submissions that it should be included were rejected by the Planning Inspector. An earlier, albeit smaller proposal on this site was opposed by all surrounding Parish Councils and is in conflict with Local and Neighbourhood Plans.

Planning Process

Roxhill are seeking to circumvent local planning control by presenting this as a Nationally Significant Infrastructure Project (NSIP) rather than just another large warehouse complex with some limited capacity to accept rail freight. The DIRFT Strategic Rail Freight Interchange (SRFI) at Daventry is only a few miles away and has at least 20 years future capacity. There are only a limited number of warehouse occupiers that can maximise the benefits of an SRFI and this

leads to fears that what Roxhill propose will simply offer an alternative to already strategic warehouse facilities such as Mouton Park and Brackmills, within Northampton Borough. Specialist Consultants Baker Rose has concluded that this site is unlikely to attract Rail Freight based warehouse operators. They say that for FCMG operators, the scheme would be distributing into some of the most congested sectors of the M1 and M40, without the benefit of being close to a large conurbation to serve and that the scheme is too far south to service the UK's current manufacturing supply chain.

Planning History

In their Scoping Report on this site, Roxhill refer to an earlier application they made in (date) to South Northants District Council for a 2.67m sq ft Distribution Centre (Ref: S/2014/2468/EIA) and state that the site investigations undertaken then will inform this new proposal. The previous application provoked overwhelming opposition from local communities which remains recorded on the SNC website. There were some 500 objections from both individuals and surrounding parish councils together with support from the two Members of Parliament for the area. Technical issues were raised by the Highways Agency, Northamptonshire County Highways, SNC Transport Officers, Northampton Borough Council Environmental Health Officers, County Archaeological Officers and Natural England. The application was withdrawn prior to refusal.

Environmental Impact

The impact on the wider area surrounding Junction 15 will be devastating. The inevitable consequences caused by the sheer volume of traffic using the UK's busiest stretch of Motorway has always been somewhat mitigated by the open landscape in this part of Northamptonshire. This is particularly important as the prevailing winds are from the west and sweep across Collingtree to the heavily residential areas of East and West Hunsbury, Wootton and Grange Park.

The Roxhill Scoping Report will need to provide answers and explanations on the following environmental aspects:

Socio/Economic aspects The claimed major employment benefits of the proposed development are illusory. This is currently an area of low unemployment and employees would largely commute from outlying centres and thereby add traffic to the overstretched local road network. This was recognised in the West Northamptonshire Joint Core Strategy which stressed the importance of balance between jobs and housing and rejected a major employment site at Junction 15. The proposal by Roxhill to construct a bypass around Roade Village would further erode valuable countryside and continue the never ending cycle of more houses to support more jobs/to support more houses.

Landscape & Visual effects (Despite the motorway the fact of open land a vital component of quality of life – noteworthy that Scoping Report offers reassurance that the setting and screening of Courteenhall Grange and village (the home of the landowner selling the land for profit) will be protected but offers no such assurance to residents closest to the site.

Ecology & Nature Conservation In their response to Roxhill's previous application on this site (Ref: S/2014/2468/EIA) Natural England identified several biodiversity issues that would need to be addressed. They specifically highlighted the loss of feeding areas for Golden Plover and sought conditions to provide alternative feeding areas. They also noted that the site was agricultural land, some of which was classified as 'best and most versatile' and that the NPPF guidance was to direct development away from this land. Roxhill will need to have its new proposals assessed by Natural England

Geology soil & groundwater /Water resources & drainage Roxhill will need to demonstrate that the enormous run off from a roof area of 5m sq ft can be accommodated within the site. The likelihood is that water will eventually drain into the already overstretched Wootton Brook which is already a flood risk to properties in Collingtree Park. There are further pressures on Wootton Brook from the large warehouse structures recently constructed on the other side of Junction 15 at Grange Park. Foul drainage is a long standing issue in this area and Roxhill will need to demonstrate how sewage from the site will be removed.

Noise We would expect the noise levels arising from a twenty four hour operation involving HGV's arriving and departing, warehouse loading machinery and intermittent rail operations, to be substantial. It will be for Roxhill to demonstrate beyond question that the overall noise volume and pattern will not rise over existing levels.

Air Quality In the previous application (2.67m sq ft) on this site, Roxhill accepted that the construction phase would cause 'severe' air and noise problems but that once operational the air and noise pollution levels would be 'acceptable'. Their calculations were based on calculations taken from measurements taken at the Hilton Hotel on the A45 and the Holiday Inn at Grange Park. They had not taken any measurements in Collingtree Village or close to where 1000 houses and a Primary School may be built in Collingtree Park. As all areas alongside the M1 and A45 are already declared as Air Quality Management Areas (AQMA's) it is hard to see how locating 5m sq ft of warehouses generating several hundred diesel HGV trips (and emissions) each day, will not worsen the Air Quality for local residents. Pollution levels in the area are already over the legal limit of 40ug/m³, and the prevailing wind from the site is towards residential areas. It is likely that perimeter bunding and the height of the warehouse buildings will prevent the wind rapidly dispersing the pollution and allow it to build up into greater concentrations.

Cultural Heritage The County Archaeological Advisor Lesley-Ann Mather, reported (12th January 2015) that the site contained late Iron Age, Roman and possibly early to mid Saxon remains. She further recommended that an intrusive survey (trial trenching) be carried out BEFORE any planning consent was given. There is also concern over the drastic diversion of long established public footpaths KX 13 and KX 17 particularly the latter which is very well used.

Lighting The whole of Junction 15 and its wider surroundings is already in a high light pollution area as defined in the CPRE's Light Pollution Monitor and is in the second highest classification with parameters of 16-32 NanoWatts. Roxhill will need to demonstrate how operational and security lighting will be managed and controlled.

Transportation It is difficult to see how the improvements to Junction 15 offered by this proposal will help to increase its capacity and this is the real problem. The A45 and A508 are already overcrowded and the Junction is regularly congested – not only at peak times. The Junction was designed to accommodate the building of Grange Park and proved inadequate from the outset. Now, even with improvements, it cannot be expected to cope with a 5m sq ft vehicle generating operation feeding into it. On the earlier application from Roxhill for a smaller scheme, the Transport Officer for South Northants Council rejected the road transport proposals and the Highways Agency continually deferred its assessment until the scheme was withdrawn. The level of rat running through surrounding villages and suburban roads can only increase if further pressure is placed on Junction 15 and A45/A508.

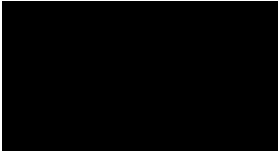
Agricultural land quality Paragraph 109 of the NPPF identifies the protection and enhancement of soils as a priority in the conservation and enhancement of the natural and local environment. Paragraph 112 advises that local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land (i.e. that classified as Grades 1&2 & 3a in the ALC system of England and Wales). A significant part of the proposed site is so classified.

Cumulative impact It is fundamental to any planning decision on this proposal to take into account the scale of other recent or planned developments in the immediate area. A further 1000 houses at Collingtree Park, a further 1000 at Hardingstone, major warehouse developments at Wootton, Grange Park – all will feed into A45 and Junction 15. Rather than become a 'Gateway' the Junction will become a barrier into Northampton

Summary & conclusion

This will be one of the largest warehouse developments and completely out of scale with the surrounding environment. It will displace (Acres) of agricultural land and its support for wildlife habitats. It is in conflict with the adopted Strategy for West Northamptonshire and local and neighbourhood plans. It will place further strains on the transport network and add to already unacceptable levels of air, noise and light pollution. Finally, it is inappropriate that such a major, contentious and disruptive proposal should circumvent the local, democratic planning process by claiming to be an infrastructure project of national significance when it is clearly a warehouse development with limited rail freight capability added on.

Yours sincerely



Mrs Shirley Wong

Parish Clerk

Ms Helen Lancaster
Senior EIA and Land Rights Advisor
The Planning Inspectorate
3D Eagle Wing
Temple Quay House
2 The Square
Bristol, BS1 6PN

Our ref: AN/2016/124600/01-L01
Your ref: TR050006-000005
Date: 23 November 2016

Dear Ms Lancaster

**Planning Act 2008 (as amended) and The Infrastructure Planning
(Environmental Impact Assessment) Regulations 2009 (as amended) –
Regulations 8 and 9**

**Application by Roxhill (Junction 15) Ltd for an Order Granting Development
Consent for the Northampton Gateway Strategic Rail Freight Interchange**

**Scoping consultation and notification of the applicant's contact details and
duty to make available information to the applicant if requested**

Thank you for your consultation of 24 October 2016.

We welcome the opportunity to comment on the scope of the information that should be included within the Environmental Statement.

The Environment Agency's principal aims are to protect and improve the environment, and to promote sustainable development. Our interest in this scheme relates to the environmental sustainability of the project, potential implications for the water and natural environment, ensuring best practice is followed in relation to waste generation and fluvial flood risk issues.

The main points in this submission relate to:

- 1) Managing flood risk
- 2) Land contamination
- 3) Ecology and nature conservation

Our technical comments detailing the information we consider should be included in the Environmental Statement are provided on the following pages. For ease of reference our comments have been made separately on both the main site and the Roade Bypass Corridor.

1.0 Strategic Rail Freight Interchange ‘Main site’

1.1 Flood risk

The main site lies within the Wootton Brook catchment where we will be delivering a flood defence scheme as part of our 6 Year Programme of Flood Defence works. We are currently looking at opportunities to further mitigate flooding in the catchment by investigating a whole catchment approach to flood risk. This will include slowing the flow of water in the upstream catchment. As such this development provides an opportunity to contribute to this whole catchment approach by providing ‘betterment’ in terms of the rate of runoff from the development. There may be opportunities to deliver new woodland in order to slow run-off. We would encourage further discussions with ourselves and the Forestry Commission on this matter particularly as the area of woodland on site, will become isolated. A discharge rate of 2.5l/s/Ha will help to reduce flood risk to the communities downstream of the development. There will also be the need to consider how the applicant plans to manage the woodland once the site is constructed.

1.2 Land contamination

The M1 J15 proposed development is underlain in its entirety by bedrock of the Whitby Mudstone Formation, which is classified as Unproductive Strata. This is overlain across the majority of the site by superficial deposits of the Oadby Member (Boulder Clay). These are classified as a Secondary Undifferentiated aquifer, although are considered likely to only store or yield limited amounts of groundwater due to localised features. Overall, we consider that controlled waters at the site are of low environmental sensitivity.

Furthermore, the site appears to be Greenfield in nature and therefore the potential risks from contamination at the site is considered to be low.

2.0 Roade Bypass Corridor

2.1 Ecology and nature conservation

It should be shown how potential adverse impacts of the proposed development will be prevented on all statutory and non-statutory sites of nature conservation within the development site and nearby sites likely to be affected by the development. The sites considered should include:

- Roade Cutting SSSI. The line of the proposed Roade bypass crosses this geological SSSI site which should be protected from any adverse effects.
- Road Quarry, a County Wildlife Site near to or adjacent to the proposed Roade bypass route. Potential impacts on the site should be assessed and adverse impacts prevented.

It should be shown how watercourses will be protected from adverse impacts resulting from development, including from pollution.

It should be shown how watercourse crossings will be designed to allow passage for fish and for mammals including otters and water voles.

The ecological surveys carried out have highlighted the presence of protected

species at or near the development site. It should be shown how these species will be protected from adverse impacts.

If some time elapses before development commences further ecological surveys may be required, this is to ensure that decisions are based on up to date and accurate information.

It should be shown how ecological and habitat enhancement opportunities will be sought and implemented.

Mitigation measures should be outlined where necessary to avoid ecological harm. The measures above are required under the National Planning Policy Framework (NPPF), paragraphs 109 and 118 which recognises that the planning system should aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. The Natural Environment and Rural Communities Act also requires Local Authorities to have regard to nature conservation and article 10 of the Habitats Directive stresses the importance of natural networks of linked corridors to allow movement of species between suitable habitats, and promote the expansion of biodiversity.

2.2 Land contamination

The entirety of the site is located above a principal aquifer (Blisworth Limestone Formation). Situated within the WFD Upper Bedford Ouse Principal Oolite groundwater body and within the Wotton Brook catchment area. The site is considered sensitive as the Blisworth Limestone has high permeability and based on the review of our records / resources that groundwater may be found at depths c. 6 metres below ground level (m bgl). Most of the previous land use is agricultural, with a regulated landfill site to the southeast and railway land to the north.

We welcome Roxhill's proposal to include a preliminary risk assessment followed by a quantitative risk assessment, however, we would expect to see a piling risk assessment and a gas risk assessment (with regards to the active landfill) as well. The Scoping Report stipulates that past ground investigation will be utilised, however, we are not aware of a comprehensive ground investigation previously being undertaken. In the absence of such investigation/useful data we would recommend undertaking a full site investigation. This should include depth to aquifer, depth to groundwater and investigate potential for contamination to be present in soils and groundwater.

Attention should be made to Groundwater Protection: Principles and Practice (GP3). The following position statement (C3) should be considered due to the highly sensitive principal aquifer (Blisworth Limestone):

Where a new infrastructure development presents a significant risk to groundwater we may require a programme of groundwater monitoring to be designed, agreed, installed and undertaken to give early warning of developing groundwater pollution and/or interference to groundwater flow. This programme may include off-site locations if necessary to identify pollution and to allow monitoring in the event that the site becomes inaccessible. Where appropriate, we will use our powers to require this at existing sites.

Precautions should be taken with respect to landfill gas (explosive and asphyxiant risks) and leachate (pollution risk). Investigation and appropriate engineering methods should be used to protect the groundwater, including prevention of preferential pathways to contamination being created during construction works. We would expect a site investigation across the whole site, including depth to aquifer, depth to groundwater and investigate potential for contamination to be present in soils and groundwater. Focus should be on the landfill and railway land. The developer should test for relevant pollutants for former land use, using DoE industry profiles for guidance.

The hydrogeology varies along the proposed development areas with the presence of impermeable deposits (Oadby Till formation, Upper Lias) and more permeable strata (Blisworth Limestone, Upper Estuarine Series, fluvio-glacial sands and gravels). These units having differing chemical natures and we would expect appropriate drilling methods to be used so these units are not cross-contaminated.

We will also expect to see baseline monitoring data to be collected from the underlying aquifers and identified surface water features. All contaminants associated with identified contaminated land should be monitored, including hydrocarbons as it relates to the proposed scheme.

The Scoping Report includes information with regards to the proposed drainage plan. We understand that decreased permeability will generate increased run off and Sustainable Drainage Systems (SuDS) will be implemented to control this. Surface water drainage systems need to be appropriate to the location they are to be installed in. We would expect infiltration tests to be carried out for proposed soakaways at their proposed locations. We refer the developer to review the CIRIA SuDS manual (C753) for guidance. We recommend consideration (GP3) position statements G1 and G9-G13. We have provided further information below. A Material Management plan shall be submitted to and approved, in writing, by the local planning authority. There is a likelihood of cut and fill operations during construction, and we expect generated material from the scheme to be appropriate for its location. We also expect the plan to include the following:

- a) an inspection and sampling strategy for the testing of excavation formations;
- b) a procedure for screening contamination discovered in the development phase to be screened against criteria outlined in the remediation Strategy;
- c) a stockpile validation strategy;
- d) Detailed material re-use criteria;
- e) details of arisings processing; and
- f) a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in a) to e) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Applicant advice

Abstraction for dewatering purposes in mines, quarries and engineering works can have unacceptable impacts on environmental features supported by groundwater, for example, wetlands, watercourses, ponds or may derogate existing protected licensed water supplies, or lead to deterioration in groundwater quality. Similar considerations may apply to other proposals to secure a water supply for a site through abstraction. Where the proposed abstraction will exceed 20m³/day the

applicant will usually need an abstraction licence (although the threshold may be varied upwards locally).

We consider any infiltration Sustainable Drainage System (SuDS) greater than 2.0 m below ground level to be a deep system and are generally not acceptable. All infiltration SuDS require a minimum of 1.2 m clearance between the base of infiltration SuDS and peak seasonal groundwater levels. All need to meet the criteria in our Groundwater Protection: Principles and Practice (GP3) position statements G1 and G9 to G13. In addition, they must not be constructed in ground affected by contamination.

We recommend that developers should:

1. Refer to our “Groundwater Protection: Principles and Practice (GP3)” documents: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/297347/LIT_7660_9a3742.pdf
2. Follow the risk management framework provided in CLR11, ‘Model Procedures for the Management of Land Contamination’, when dealing with land affected by contamination: <https://www.gov.uk/government/publications/managing-land-contamination>
3. Refer to our “Guiding Principles for Land Contamination” for the type of information that we require in order to assess risks to controlled waters from the site. (The Local Authority can advise on risk to other receptors, for example human health): <https://www.gov.uk/government/publications/managing-and-reducing-land-contamination>
4. Refer to our “Verification of Remediation of Land Contamination” report: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/297674/scho0210brxf-e-e.pdf
5. Refer to the CL:aire “Definition of Waste: Development Industry Code of Practice” (version 2) and our related ‘Position Statement on the Definition of Waste: Development Industry Code of Practice’: http://www.claire.co.uk/index.php?option=com_content&view=article&id=210&Itemid=82 and <https://www.gov.uk/turn-your-waste-into-a-new-non-waste-product-or-material>
6. Refer to British Standards BS 5930:1999-2010 and BS10175 and our “Technical Aspects of Site Investigations” Technical Report P5-065/TR <https://www.gov.uk/government/publications/technical-aspects-of-site-investigation-in-relation-to-land-contamination>
7. Refer to our “Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination” National Groundwater & Contaminated Land Centre Project NC/99/73 (<http://webarchive.nationalarchives.gov.uk/20140328084622/http://cdn.environment-agency.gov.uk/scho0501bitt-e-e.pdf>);
8. Refer to our “Good Practice for Decommissioning Boreholes and Wells” (<http://stuartgroup.ltd.uk/downloads/wellservices/groundwater/boreholedecommissioning/EAGuidelines.pdf>)

9. Refer to our <https://www.gov.uk/government/organisations/environment-agency> for more information.

The Environment Agency is no longer funded to provide free planning advice and any further advice, including assessment of reports, follow-up meetings or site visits, will now be offered as part of a paid-for service. If you decide you would like to benefit from our advice we will provide you with an estimate of the cost based on the work we expect to undertake. Our charges will be £84 per hour and we do not charge VAT. A dedicated project manager will supervise your enquiry and ensure you receive the information you need within agreed timescales. Our pre-application service can greatly reduce delays to proposals at the planning application stage. Knowing that we have already considered proposals and have no objection to them is a crucial part of the Examining Authority's/Secretary of State's considerations.

Should you require any additional information, or wish to discuss these matters further, please do not hesitate to contact me on the number below.

Yours sincerely

John O'Neill
Planning Specialist

Direct dial 02030253492

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Awarded to the Lincolnshire & Northamptonshire Area

Our ref:
Your ref: TR050006-000005

The Planning Inspectorate
3D Eagle Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN

Martin Seldon
Assistant Spatial Planning & Economic
Development Manager
Floor 9
The Cube
199 Wharfside Street
Birmingham B1 1RN

Direct Line: 0300 470 3345
4 November 2016

For the attention of Helen Lancaster

Dear Helen

NORTHAMPTON GATEWAY SRFI – ENVIRONMENTAL STATEMENT SCOPING REPORT

You have invited Highways England to provide comments on the scope of an Environmental Statement in respect of a Scoping Opinion for an Order Granting Development Consent for the Northampton Gateway Strategic Rail Freight Interchange at land next to the M1 Junction 15, Northampton.

I have set out below both the general and specific areas of concern that Highways England would wish to see considered as part of an Environmental Statement. The comments relate specifically to matters arising from Highways England's responsibilities to manage and maintain the Strategic Road Network (SRN) in England.

General aspects to be addressed in all cases include:

- An assessment of transport related impacts of the proposal should be carried out and reported as described in the Department for Transport '*Guidance on Transport Assessment (GTA)*' and in accordance with Circular 02/2013. It is noted that this guidance has been archived, however still provides a good practice guide in preparing a Transport Assessment (TA). In addition, the Department for Communities and Local Government (DCLG) also provide guidance on preparing Transport Assessments.
- Environmental impact arising from any disruption during construction, traffic volume, composition or routing change and transport infrastructure modification should be fully assessed and reported.
- Adverse change to noise and air quality should be particularly considered, including in relation to compliance with the European air quality limit values and/or in local authority designated Air Quality Management Areas (AQMAS).

Due to the relevance of this development, Highways England has engaged with the applicant and the relevant local highway authority through a Transport Working Group

(TWG), which allows us to agree the scope and approach of the different matters related to the SRN in order to work collaboratively and avoid any abortive work.

We are content with the proposals detailed in the report, and it is considered appropriate that highway mitigation requirements are to be investigated, as it is envisaged that significant improvements will be required to alleviate the increased traffic demands associated with this development.

As we are engaging with the applicant through the TWG, we anticipate that the Transport Assessment will be agreed in a staged approach, that is the overall methodology and elements such as assessment years, trip generation and distribution be agreed prior to further assessment work being carried out.

These comments imply no pre-determined view as to the acceptability of the proposed development in traffic, environmental or highway terms. Should the applicant wish to discuss the merits of the proposal in terms of the likely impact on the SRN please contact me on 0300 470 3345 or Martin.Seldon@highwaysengland.co.uk

Yours sincerely

Martin Seldon
OD Midlands Spatial Planning & Economic Development Team
Email: Martin.Seldon@highwaysengland.co.uk



Historic England

EAST MIDLANDS OFFICE

Ms Helen Lancaster
The Planning Inspectorate
3D Eagle Wing
2 The Square
Bristol
BS1 6PN

Direct Dial: 01604 735460

Our ref: PL00045431

18 November 2016

Dear Ms Lancaster

**Request for Scoping Opinion
NORTHAMPTON GATEWAY JUNCTION 15 STRATEGIC RAIL FREIGHT
INTERCHANGE, NORTHAMPTONSHIRE
Planning Inspectorate Reference: TR05006-000005**

Thank you for contacting Historic England on 24 October 2016 regarding a scoping opinion in relation to the above Nationally Significant Infrastructure Project. The proposed development would comprise a new Strategic Rail Freight Interchange (SRFI) together with landscaping, access and other supporting infrastructure works to provide an intermodal freight terminal including container storage and HGV parking, with new rail sidings within the site to serve individual warehouses; Capability to provide a 'rapid rail freight' facility as part of the intermodal freight terminal; Up to 468,000 sq m (approximately 5 million sq ft) (gross internal area) of warehousing and ancillary buildings, with up to 155,000 sq m of additional floorspace provided in the form of mezzanine floorspace; new road infrastructure and works to the existing road network, including provision of a new access and associated works to the A508, a new bypass to the village of Roade, and substantial improvements to Junction 15 of the M1; Strategic landscaping and tree planting, including diverted public rights of way; Earthworks and demolition of existing structures on-site.

Advice

Historic England has reviewed the information submitted in the scoping report from the applicant and our own records for the proposed development area. In our view, this development is likely to have an impact upon a number of designated heritage assets and their settings in the area around the site. In line with the policies of the National Networks National Policy Statement (NN NPS) and the National Planning Policy Framework (NPPF), we would expect the Environmental Impact Assessment (EIA) documentation to contain a thorough assessment of the likely effects which the proposed development might have upon those elements which contribute to the significance of these assets. A sound EIA report is the basis on which to identify (and where possible avoid, minimise or mitigate) what may be substantial direct and indirect impacts on assets of local, regional and national importance.

Our initial assessment shows that the following numbers of designated heritage assets



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are located within c. 5km of the approximate centre of the main area of proposed development, although this list does not necessarily include all the designated assets that may be affected:

- **6 Scheduled Monuments;**
- **266 Listed Buildings (22 Grade I & II*);**
- **1 Registered Park and Garden (Grade II);**
- **1 Registered Battlefield;** and
- **12 Conservation Areas.**

In general it is essential that the EIA provides a robust assessment of the impact of the proposed development on the significance of all the potentially affected designated heritage assets, with particular emphasis on the significance they derive from their settings.

We would also expect the EIA to consider the potential impacts on non-designated features of historic, architectural, archaeological or artistic interest, since these can also make an important contribution to the character and local distinctiveness of an area and its sense of place. This information is available via the local authority Historic Environment Record (see www.heritagegateway.org.uk for contact details) and relevant local authority staff. We would strongly recommend that the Examining Authority is guided further in these matters by the advice of the Northamptonshire County Council Archaeological Advisor.

The assessment should also take account of the potential impact which associated activities (such as construction and associated traffic) might have upon perceptions, understanding and appreciation of the heritage assets in the area. It is important that the assessment is designed to ensure that all impacts are fully understood.

We also have the following comments to make regarding the current proposed content of the Scoping Report:

The scoping report makes reference to assessments carried out in relation to earlier development proposals for land with the current application site in 2014 (S/2014/2468/EIA). Historic England was not consulted on these proposals. It would have been helpful if copies of the relevant documents referred to had been provided as appendices to the Scoping Report. Cultural heritage assessments are likely to require updating to ensure all the relevant information is taken account of under the EIA.

Landscape and Visual Effects

Historic England welcomes the inclusion of a chapter covering Cultural Heritage in the proposed scope of the EIA, but we have concerns regarding the proposed





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methodology for the assessment of impact for heritage assets. In general we recommend that there should be a close relationship between the Landscape and Visual Effects (LVE) Assessment and the Cultural Heritage Assessment. As a result of the scope of the LVE outlined in the Scoping Report, Historic England would request to be consulted as part of the assessment and design process (3.1.54). We note and welcome the production of a ZTV (3.1.41) and refer the applicant to the general advice below in relation to the selection of appropriate and representative viewpoints (3.1.43) to illustrate the impact of the proposed development on the historic environment in general as well as individual designated heritage assets. We would be pleased to discuss potential locations with the applicant at an early stage of the assessment to address visual receptors related to heritage assets (3.1.44).

We would recommend the inclusion of long views and any specific designed or historically relevant views and vistas within historic landscapes whether under the Landscape and Visual Effects or Cultural Heritage Assessment. In some cases, intervisibility between historic sites may be a significant issue and views between contemporaneous or otherwise associated heritage assets in which both assets and the development can be seen should also be considered. Heritage Assets are key visual receptors and any impact upon them would need to be considered in depth with appropriate selection of viewpoints relevant to the significance of the assets in question and the likely impacts. We advise that the Examining Authority should agree with the applicant how such visual impacts will be illustrated in the Environmental Statement as part of the scoping exercise. We welcome the commitment to produce photomontages (3.1.42-43). We recommend further that where the assessment indicates that there will be no visibility or visual impact arising from the proposed development, sufficient information and evidence such as in the form of a visual demonstration of no or negligible impacts should be provided within the Environmental Statement.

Cultural Heritage - Methodology

A detailed description of the assessment methodology which will be applied has not been included in the scoping document. We advise that the Examining Authority must ensure that this is agreed as part of the scoping exercise with specific reference to relevant published guidance and advice. Historic England recommends that an approach to the significance of designated heritage assets is reflective of the assessment criteria for the designation process, can be easily understood within the language of both the NN NPS and NPPF regarding the significance of heritage assets and the impact of proposals on that significance, and takes full account of the most recent published advice in the Historic Environment Good Practice Advice in Planning Notes (produced by Historic England on behalf of the Historic Environment Forum) which provide supporting information on good practice, particularly looking at the principles of how national policy and guidance can be put into practice:

Historic Environment Good Practice Advice in Planning Notes (Historic England,



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2015): <https://historicengland.org.uk/advice/planning/planning-system/>

Historic Environment Good Practice Advice Note 2 on Managing Significance in Decision Taking in the Historic Environment:

<https://historicengland.org.uk/images-books/publications/gpa2-managing-significance-in-decision-taking/>

Historic Environment Good Practice Advice in Planning Note 3 on The Setting of Heritage Assets:

<https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/>

Conservation Principles, Policies and Guidance: Sustainable Management of the Historic Environment (English Heritage, 2008)

<https://historicengland.org.uk/advice/constructive-conservation/conservation-principles/>

We would recommend that the Examining Authority draws the applicant's attention to the above published advice, none of which are referenced in the Scoping Report (3.1.153).

In the absence of a well-defined cultural heritage methodology in the Scoping Report, Historic England advises that a tabular and atomised approach to the assessment of impact such as generally indicated in the main body of the Scoping Report (3.122-124) would fail, in our view, to properly engage with the nature of the significance of the heritage assets potentially affected, any relationships they may have with each other, the surrounding topographic landscape, and the nature of the shared historic and archaeological landscape context. In our opinion matrices provide little useful contribution to the assessment of impacts and tend to confuse concepts of the significance, sensitivity and magnitude of impact whilst atomising complex relationships between features and apparent impacts. We recommend that an approach is taken that derives its cue from the sensitivity of individual heritage assets and, where appropriate, groups of assets to change and their capacity to absorb the effects of such change within their settings. We consider that such an approach provides a more meaningful context for discussion over one based on an approach to assessing sensitivity in line with the grade of designation irrespective of other influencing factors.

The Examining Authority must, in our view, ensure that the EIA will provide a robust assessment of the impact of the proposed development on the setting of designated heritage assets including, but not limited to visual impacts together with other factors such as noise and vibration.

Cultural Heritage - Study Area

The scoping report indicates that a study area of only 1km extending from the proposed development area will be utilised in the identification of heritage assets that



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may be affected by the proposals but does not indicate the basis on which this has been identified to be sufficient (3.1.157). We advise that the extent of the study area for designated heritage assets should be defined appropriately and in relation to the baseline results of the Landscape and Visual Effects assessment with specific reference to, for example, the Zone of Theoretical Visibility (ZTV) (3.1.41). The Scoping Report indicates that the boundary may be widened in respect of noted Conservation Areas (3.1.158); however we advise that the boundary may need to be widened to take appropriate account of any designated heritage asset affected by the proposals.

Cultural Heritage - Non-Designated Archaeological Remains

We welcome the applicant's commitment to ensure that the work conducted in 2014 is appropriately updated and that new geophysical surveys and other fieldwork will be commissioned (3.1.154-155). We recommend that the applicant ensure that sufficient field work is conducted at an early stage to inform the EIA. We recommend that the Examining Authority is guided further by the advice of the Northamptonshire County Council Archaeological Advisor in relation to the definition of the study area for non-designated archaeological remains and in all matters pertaining to the scope of the assessment for such remains. Non-designated archaeological remains may make positive contributions to the significance historically or spatially associated designated heritage assets derive from their settings.

We are concerned that the Scoping Report downplays the potential significance of the non-designated ridge and furrow remains on the site (3.1.156 & 3.1.159). We would recommend that the Examining Authority ensure that the EIA process will include a robust assessment of the contribution these remains make to the significance of any associated designated heritage assets within the historic landscape or other historic settlements identified through the survey work to be conducted across the application area.

Cultural Heritage - Heritage Assets on Site

Similarly a robust assessment of the potential impact on the significance of the Grade II listed Roade Aqueduct within the development area including that derived from its setting will be required under the EIA process (3.1.157). We recommend that the Examining Authority is guided further by the advice of the Conservation Officer for South Northamptonshire District Council in regard to the potential impact on this designated heritage asset in particular.

Cultural Heritage - Potential Environmental Effects

In relation to the potential environmental effects (3.1.160) we would advise that potential effects during the construction phase on the significance of designated heritage assets, including that derived from their settings, will also need to be assessed.





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We also note from the Draft Parameters Plan the potential to use landscape screen bunding as a mitigation measure. We advise that such mitigation measures also have potential to cause harm such as where they appear intrusive and out of context with historic landscapes. We therefore advise that the potential for environmental effects, including negative ones, derived from proposed mitigation measures should also be assessed under the EIA.

We welcome the commitment of the applicant to engage with Historic England as the proposals and assessment progresses (3.1.161).

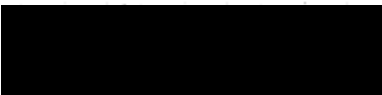
Recommendation

Historic England urges the Examining Authority to address the issues set out above with the applicant to ensure that the Environmental Impact Assessment will provide a sound basis on which to assess the significance of any heritage assets affected and the effect on significance of the impacts of the proposed development. A sound EIA report is the basis on which to identify (and where possible avoid, minimise or mitigate) what may be substantial direct and indirect impacts on assets of local, regional and national importance.

We recommend that the Examining Authority is guided further in relation to the proposed scope of the assessment of non-designated archaeological remains potentially preserved within the proposed development area by the advice of the Northamptonshire County Council Archaeological Advisor.

Historic England looks forward to receiving a copy of the Environmental Statement in due course.

Yours sincerely,



Dr Helen Woodhouse
Inspector of Ancient Monuments
helen.woodhouse@HistoricEngland.org.uk

cc: Lesley-Ann Mather, Northamptonshire County Council
Mandy Lumb, South Northamptonshire District Council

Information Provided

TR050006-000007-Scoping Report
TR050006-000008-Scoping report 4054-R007 P8 Parameters
TR050006-000009-Scoping report 4054-R010 P7 Part Parameters
TR050006-000010-Scoping report 4054-R009 P4 RED LINE Plan
TR050006-000011-Scoping request 4054-R001 P27 Masterplan



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From: [John R Wright](#)
To: [Environmental Services](#)
Cc: [Andy Yeomanson](#); [Joanne Eynon](#)
Subject: Northampton Gateway Strategic Rail Freight Interchange - Scoping Consultation
Date: 15 November 2016 11:22:28

FAO Helen Lancaster

I refer to your letter dated 24 October 2016 asking for comments on the scoping request. Leicestershire County Council asks that the traffic impacts of the proposed development on the M1 and the A5 are addressed in the Environmental Impact Assessment and also the rail impacts on the West Coast Mainline.

Regards

John Wright

Team Manager Planning
Planning Historic and Natural Environment
Chief Executives Department
Leicestershire County Council
County Hall
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From: [Cheston, John](#)
To: [Environmental Services](#)
Cc: [Moss, Andrew](#); [Hine, Sarah](#)
Subject: Application by Roxhill (Junction 15) Ltd for an Order Granting Development Consent for the Northampton Gateway Strategic Rail Freight Interchange
Date: 16 November 2016 15:18:42
Attachments: [image003.png](#)

I refer to the letter from Helen Lancaster of 24 October regarding the scoping opinion requested for the environmental statement for the above project.

Thank you for consulting Milton Keynes Council (MKC) on this proposal. The Council has the following comments to make:

A. Impact on the Road Network and Major Junctions

- Milton Keynes Council would like the following comments to be considered by the Secretary of State on the information that should be provided in the environmental statement. The Council expects a comprehensive assessment of the impact of the proposed development on the local and national road network including the M1 motorway and trunk road network and major road junctions to be undertaken. The Council would wish to see an assessment of the impact of the development on junctions 13 to 15A of the M1 motorway in both directions. Additionally, this Council would want to see an assessment of the effects of the development on southbound traffic flows on the A5, A43 and A508, and the junction of the A508, A5 and A422 by Old Stratford.

B. Impact on the Rail Network

- Milton Keynes Council would expect an assessment of the impact of the development on the rail network. The Council understands that capacity on the West Coast Mainline for passenger and for rail freight services is limited. It wishes to be assured that train movements to and from this destination would not adversely affect the capacity of the rail network to accommodate other rail services be they passenger or rail freight services. Of particular concern to the Council is the impact of the proposed development on passenger services on the West Coast Mainline to and from railway stations in Milton Keynes, which include Milton Keynes Central, Bletchley and Wolverton stations. Also, Milton Keynes Council would wish to be assured that train services serving the proposed development would not adversely affect train services which will be operating on the East–West railway line between Oxford, Aylesbury Bletchley, Milton Keynes Central and Bedford.

C. Socio-economic Impacts

- In the assessment of the socio-economic impacts of the scheme, Milton Keynes Council considers that the environmental statement (ES) should assess the employment effects of the scheme, e.g.:
 1. The number and type of jobs created by the scheme.
 2. The implications of the employment opportunities created by the scheme which may attract people to live and work locally.
 3. The effects of the proposal on commuting flows to and from the development. South Northamptonshire District is the largest supplier of workers to Milton Keynes (in net terms) of any district or unitary council neighbouring Milton Keynes. Net commuting to the city from South Northants district according to ONS Travel to Work statistics from the 2011 Census is a net 4,320 people (5,631 into MK and 1311 out). MKC would like the ES to assess what the likely effect of the scheme will

be on commuting flows to neighbouring local authorities such as Milton Keynes as this has implications for the potential workforce within the city.

4. Milton Keynes Council expects that there should be an assessment of the amount of warehousing that exists and is either proposed or in the development pipeline along the M1 corridor. If the proposed scheme is granted development consent, what effect will it and other consented schemes have on the property market for warehousing development along the M1 corridor?

Regards

John Cheston

Development Plans Team Leader | Planning, Culture and Infrastructure

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Milton Malsor Parish Council

Roxhill – ‘Northampton Gateway’ Rail Freight Proposal Scoping Response

Spatial Scope & Baseline Information: 2011 Census – assessment for travel to work data, this data is nearly 6 years out of date and as such is not suitable to inform the transport assessment for drive times and commuting patterns.

2011 Census – is an inadequate baseline to describe the population within the study area.

Scoping Assessment – although there may be appropriate methodologies in the 2014 Scoping document there are significant differences between the 2014 proposal and the 2016 development. In particular, the rail freight, size and excavation elements of the development. Because of this the 2014 document must not be regarded as definitive.

Specific characteristics of this particular project:

1. The description of the site address is at a very high level
2. There is no clarity with regards to the RFI part of the project and ‘associated development’.
3. The extent of ‘associated development’ is not clear.
4. The status of the Road bypass is not clear.

Without clarity on these aspects it is difficult to imagine the detail the impact assessment that needs to be in scope and how far the ‘surrounding area’ should extend.

Specific characteristics of the development of the type concerned – there is little or no detail on construction, operation and decommissioning stages of the development which again makes it very difficult to imagine what impact assessments should be made and where the receptors should be sited. At the very least all vulnerable sites should be included (schools, nursing homes, sports facilities, housing developments and villages).

Overall Landscape and Visual effects – the assessment should include after sunset into the night.

Relevant Designations: The Northamptonshire Minerals & Waste local Plan identifies a sand extraction site between the villages of Milton Malsor & Collingtree. This is within close proximity to the development site; the Plan requires a 300 metre buffer zone to be kept around the extraction site. This is not taken into account and research for this category should be thoroughly investigated.

Consultation - The Consultee list is insufficient, other ‘relevant’ bodies should be identified ie local Parish Councils, Milton Keynes District.

Environmental Effects – Groundwater -there is no investigation into the impact deep excavations-up to 10 metres will have on the water table and how the water table will impact deep excavations. This should be included.

Landscape – Archeological remains: a complete survey is required together with proposals for excavation and preserving what is found.

Cultural Heritage - Holy Cross Church, Milton Malsor - a Grade 11* listed, Circa 13C building - the distance from the Church to the development site should be mentioned. Actual distance to the historic village of Milton Malsor should be mentioned.

Zone of Influence and Cumulative Impact – the following require inclusion:

Highways assessment - A45 corridor, A508, & A5.
M1 corridor J14 to J18

Zones of Influence:

DIRFT

Rushden Lakes shopping development – A45

Daventry expansion

Proposed & granted developments:

Norwood Farm, Harpole – 1,900

Hardingstone village – 700+

East Hunsbury – potential 1000


Traffic & Railway noise – calculation methodology to be based on old 1988 & 1995 data. This data is seriously out of date a more appropriate baseline should be identified.

Potential Environmental Effects – light, noise and air pollution - Milton Malsor village - proximity to the site should be identified.

Alternative sites – there should be an assessment or reasoning why this site has been chosen, comparison with the recent application should not be deemed valid.

Rail Connectivity – there should be informed opinion on whether Network Rail can offer pathways within their current and future network demands.

Rail Freight – a prediction of future rail freight patterns, at terminal completion, and how they will affect the commercial viability of the proposed site, especially with regard to retail is required.


Clerk to Milton Malsor Parish Council
Report sent on behalf of the Parish Council
22nd November 2016

Sent electronically to:

environmentalservices@pins.gsi.gov.uk

Nick Dexter
DCO Liaison Officer
Land & Business Support

Nicholas.dexter@nationalgrid.com
Tel: +44 (0)7917 791925

www.nationalgrid.com

22nd November 2016

Dear Sir/Madam,

Ref: TR050006 - Northampton Gateway Strategic Rail Freight Interchange - EIA Scoping Notification and Consultation

This is a response from National Grid Gas and National Grid Electricity Transmission. You will receive a separate response from National Grid Gas Distribution.

I refer to your letter dated 24th October 2016 in relation to the proposed Northampton Gateway Strategic Rail Freight Interchange. Having reviewed the Scoping Report, I would like to make the following comments:

Electricity and Gas Transmission infrastructure within / in close proximity to the order boundary

Electricity Transmission

National Grid Electricity Transmission has no apparatus within or in close proximity to the order limits.

Gas Transmission

National Grid Gas has no apparatus within or in close proximity to the order limits.

I hope the above information is useful. If you require any further information please do not hesitate to contact me.

Yours Faithfully



Nick Dexter.

Vicky Stirling
Senior Land Officer
Land & Property Services

Sent via email to:
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vicky.stirling@nationalgrid.com
Tel: +44 (0)7747671508

24 November 2016
Ref: TR050006

The Northampton Gateway Strategic Rail Freight Interchange - EIA Scoping Notification and Consultation order

This is a response on behalf of National Grid Gas Distribution Limited (NGGD).

I refer to your email dated 24th October 2016 regarding the Proposed DCO and wish to make the following comments.

In respect of existing NGGD infrastructure, NGGD will require appropriate protection for retained apparatus including compliance with relevant standards for works proposed within close proximity of its apparatus.

National Grid Gas Distribution Infrastructure within or in close proximity to the Proposed Order Limits

The National Grid Gas Distribution apparatus that has been identified as being in the vicinity of your proposed works is:

- Low or Medium pressure (below 2 bar) gas pipes and associated equipment. (As a result it is highly likely that there are gas services and associated apparatus in the vicinity)

Where the Promoter intends to acquire land, extinguish rights, or interfere with any of NGGD's apparatus, NGGD will require appropriate protection and further discussion on the impact to its apparatus and rights.

Key Considerations:

- National Grid has a Deed of Grant of Easement for each pipeline, which prevents the erection of permanent / temporary buildings, or structures, change to existing ground levels, storage of materials etc.

Pipeline Crossings:

- Where existing roads cannot be used, construction traffic should ONLY cross the pipeline at previously agreed locations.
- The pipeline shall be protected, at the crossing points, by temporary rafts constructed at ground level. The third party shall review ground conditions, vehicle types and crossing frequencies to determine the type and construction of the raft required.
- The type of raft shall be agreed with National Grid prior to installation.
- No protective measures including the installation of concrete slab protection shall be installed over or near to the National Grid pipeline without the prior permission of National Grid.

Securing our energy supply for future generations.

- National Grid will need to agree the material, the dimensions and method of installation of the proposed protective measure.
- The method of installation shall be confirmed through the submission of a formal written method statement from the contractor to National Grid.
- Please be aware that written permission is required before any works commence within the National Grid easement strip.
- A Deed of Consent is required for any crossing of the easement Cables crossing:
- Cables may cross the pipeline at perpendicular angle to the pipeline i.e. 90 degrees.
- A National Grid representative shall supervise any cable crossing of a pipeline.
- Clearance must be at least 600mm above or below the pipeline.
- Impact protection slab should be laid between the cable and pipeline if cable crossing is above the pipeline.
- A Deed of Consent is required for any cable crossing the easement.
- Where a new service is to cross over the pipeline a clearance distance of 0.6 metres between the crown of the pipeline and underside of the service should be maintained. If this cannot be achieved the service shall cross below the pipeline with a clearance distance of 0.6 metres.

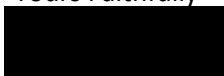
General Notes on Pipeline Safety:

- You should be aware of the Health and Safety Executives guidance document HS(G) 47 "Avoiding Danger from Underground Services".
- National Grid will also need to ensure that our pipelines access is maintained during and after construction.
- Our pipelines are normally buried to a depth cover of 1.1 metres however; actual depth and position must be confirmed on site by trial hole investigation under the supervision of a National Grid representative. Ground cover above our pipelines should not be reduced or increased.
- If any excavations are planned within 3 metres of National Grid High Pressure Pipeline or, within 10 metres of an AGI (Above Ground Installation), or if any embankment or dredging works are proposed then the actual position and depth of the pipeline must be established on site in the presence of a National Grid representative. A safe working method agreed prior to any work taking place in order to minimise the risk of damage and ensure the final depth of cover does not affect the integrity of the pipeline.
- Excavation works may take place unsupervised no closer than 3 metres from the pipeline once the actual depth and position has been confirmed on site under the supervision of a National Grid representative. Similarly, excavation with hand held power tools is not permitted within 1.5 metres from our apparatus and the work is undertaken with NG supervision and guidance.

To download a copy of the HSE Guidance HS(G)47, please use the following link:

<http://www.hse.gov.uk/pubns/books/hsg47.htm>

Yours Faithfully



Vicky Stirling
Land & Property Services

Securing our energy supply for future generations.

Date: 17 November 2016
Our ref: 199659
Your ref: TR050006-000005



Ms H Lancaster
environmentalservices@pins.gsi.gov.uk

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

BY EMAIL ONLY

Dear Ms Lancaster

Environmental Impact Assessment Scoping consultation (Regulation 15 (3) (i) of the EIA Regulations 2011): Northampton Gateway Strategic Rail Freight Terminal.
Location: Land west of A508, South west of M1 Junction 15 & East of Northampton Loop.

Thank you for seeking our advice on the scope of the Environmental Statement (ES) in your consultation dated and received on 03 November 2016.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Case law¹ and guidance² has stressed the need for a full set of environmental information to be available for consideration prior to a decision being taken on whether or not to grant planning permission. Annex A to this letter provides Natural England's advice on the scope of the Environmental Impact Assessment (EIA) for this development.

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us. For any queries relating to the specific advice in this letter only please contact Kayleigh Cheese on 02080 260981. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely

Miss Kayleigh Cheese
Northamptonshire Local Delivery Team

¹ Harrison, J in *R. v. Cornwall County Council ex parte Hardy* (2001)

² *Note on Environmental Impact Assessment Directive for Local Planning Authorities* Office of the Deputy Prime Minister (April 2004) available from <http://webarchive.nationalarchives.gov.uk/+http://www.communities.gov.uk/planningandbuilding/planning/sustainability/environmental/environmentalimpactassessment/noteenvironmental/>

Annex A – Advice related to EIA Scoping Requirements

1. General Principles

Schedule 4 of the Town & Country Planning (Environmental Impact Assessment) Regulations 2011, sets out the necessary information to assess impacts on the natural environment to be included in an ES, specifically:

- A description of the development – including physical characteristics and the full land use requirements of the site during construction and operational phases.
- Expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation, etc.) resulting from the operation of the proposed development.
- An assessment of alternatives and clear reasoning as to why the preferred option has been chosen.
- A description of the aspects of the environment likely to be significantly affected by the development, including, in particular, population, fauna, flora, soil, water, air, climatic factors, material assets, including the architectural and archaeological heritage, landscape and the interrelationship between the above factors.
- A description of the likely significant effects of the development on the environment – this should cover direct effects but also any indirect, secondary, cumulative, short, medium and long term, permanent and temporary, positive and negative effects. Effects should relate to the existence of the development, the use of natural resources and the emissions from pollutants. This should also include a description of the forecasting methods to predict the likely effects on the environment.
- A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment.
- A non-technical summary of the information.
- An indication of any difficulties (technical deficiencies or lack of know-how) encountered by the applicant in compiling the required information.

It will be important for any assessment to consider the potential cumulative effects of this proposal, including all supporting infrastructure, with other similar proposals and a thorough assessment of the 'in combination' effects of the proposed development with any existing developments and current applications. A full consideration of the implications of the whole scheme should be included in the ES. All supporting infrastructure should be included within the assessment.

2. Biodiversity and Geology

2.1 Ecological Aspects of an Environmental Statement

Natural England advises that the potential impact of the proposal upon features of nature conservation interest and opportunities for habitat creation/enhancement should be included within this assessment in accordance with appropriate guidance on such matters. Guidelines for Ecological Impact Assessment (EclA) have been developed by the Chartered Institute of Ecology and Environmental Management (CIEEM) and are available on their website.

EclA is the process of identifying, quantifying and evaluating the potential impacts of defined actions on ecosystems or their components. EclA may be carried out as part of the EIA process or to support other forms of environmental assessment or appraisal.

The National Planning Policy Framework sets out guidance in S.118 on how to take account of biodiversity interests in planning decisions and the framework that local authorities should provide to assist developers.

2.2 Internationally and Nationally Designated Sites

The ES should thoroughly assess the potential for the proposal to affect designated sites. European sites (eg designated Special Areas of Conservation and Special Protection Areas) fall within the scope of the Conservation of Habitats and Species Regulations 2010. In addition paragraph 118 of the National Planning Policy Framework requires that potential Special Protection Areas, possible Special Areas of Conservation, listed or proposed Ramsar sites, and any site

identified as being necessary to compensate for adverse impacts on classified, potential or possible SPAs, SACs and Ramsar sites be treated in the same way as classified sites.

Under Regulation 61 of the Conservation of Habitats and Species Regulations 2010 an appropriate assessment needs to be undertaken in respect of any plan or project which is (a) likely to have a significant effect on a European site (either alone or in combination with other plans or projects) and (b) not directly connected with or necessary to the management of the site.

Should a Likely Significant Effect on a European/Internationally designated site be identified or be uncertain, the competent authority (in this case the Local Planning Authority) may need to prepare an Appropriate Assessment, in addition to consideration of impacts through the EIA process.

Sites of Special Scientific Interest (SSSIs) and sites of European or international importance (Special Areas of Conservation, Special Protection Areas and Ramsar sites)

The site is approximately 5.5km from the Upper Nene Valley Gravel Pits SPA. Open farmland provides suitable feeding habitat for bird species like Golden Plover which may be ecologically functionally linked to the Upper Nene Valley Gravel Pits SPA. Winter surveys should be undertaken to assess this and if SPA birds are found, the proposal will require assessment under the Habitats Regulations, to explore the strength of the functional linkage. We recommend that there should be a separate section of the Environmental Statement to address impacts upon European and Ramsar sites entitled 'Information for Habitats Regulations Assessment'.

- Natura 2000 network site conservation objectives are available on our internet site: <http://publications.naturalengland.org.uk/category/6490068894089216>

The by-pass cuts across the following designated nature conservation site:

- Roade Cutting SSSI
- Further information on the SSSI and its special interest features can be found at www.magic.gov. The Environmental Statement should include a full assessment of the direct and indirect effects of the development on the features of special interest within this site and should identify such mitigation measures as may be required in order to avoid, minimise or reduce any adverse significant effects.

2.3 Regionally and Locally Important Sites

The EIA will need to consider any impacts upon local wildlife and geological sites. Local Sites are identified by the local wildlife trust, geoconservation group or a local forum established for the purposes of identifying and selecting local sites. They are of county importance for wildlife or geodiversity. The Environmental Statement should therefore include an assessment of the likely impacts on the wildlife and geodiversity interests of such sites. The assessment should include proposals for mitigation of any impacts and if appropriate, compensation measures. Contact the local wildlife trust, geoconservation group or local sites body in this area for further information.

2.4 Protected Species - Species protected by the Wildlife and Countryside Act 1981 (as amended) and by the Conservation of Habitats and Species Regulations 2010

The ES should assess the impact of all phases of the proposal on protected species (including, for example, great crested newts, reptiles, birds, water voles, badgers and bats). Natural England does not hold comprehensive information regarding the locations of species protected by law, but advises on the procedures and legislation relevant to such species. Records of protected species should be sought from appropriate local biological record centres, nature conservation organisations, groups and individuals; and consideration should be given to the wider context of the site for example in terms of habitat linkages and protected species populations in the wider area, to assist in the impact assessment.

The conservation of species protected by law is explained in Part IV and Annex A of Government Circular 06/2005 *Biodiversity and Geological Conservation: Statutory Obligations and their Impact*

within the Planning System. The area likely to be affected by the proposal should be thoroughly surveyed by competent ecologists at appropriate times of year for relevant species and the survey results, impact assessments and appropriate accompanying mitigation strategies included as part of the ES.

In order to provide this information there may be a requirement for a survey at a particular time of year. Surveys should always be carried out in optimal survey time periods and to current guidance by suitably qualified and where necessary, licensed, consultants. Natural England has adopted [standing advice](#) for protected species which includes links to guidance on survey and mitigation.

It is important where protected species are identified on site, that conversations are held with Natural England early in the process, to ensure that any licensing issues there may be are understood at an early stage, so that they can be investigated appropriately.

2.5 Habitats and Species of Principal Importance

The ES should thoroughly assess the impact of the proposals on habitats and/or species listed as 'Habitats and Species of Principal Importance' within the England Biodiversity List, published under the requirements of S41 of the Natural Environment and Rural Communities (NERC) Act 2006. Section 40 of the NERC Act 2006 places a general duty on all public authorities, including local planning authorities, to conserve and enhance biodiversity. Further information on this duty is available here <https://www.gov.uk/guidance/biodiversity-duty-public-authority-duty-to-have-regard-to-conserving-biodiversity>.

Government Circular 06/2005 states that Biodiversity Action Plan (BAP) species and habitats, 'are capable of being a material consideration...in the making of planning decisions'. Natural England therefore advises that survey, impact assessment and mitigation proposals for Habitats and Species of Principal Importance should be included in the ES. Consideration should also be given to those species and habitats included in the relevant Local BAP.

Natural England advises that a habitat survey (equivalent to Phase 2) is carried out on the site, in order to identify any important habitats present. In addition, ornithological, botanical and invertebrate surveys should be carried out at appropriate times in the year, to establish whether any scarce or priority species are present. The Environmental Statement should include details of:

- Any historical data for the site affected by the proposal (eg from previous surveys);
- Additional surveys carried out as part of this proposal;
- The habitats and species present;
- The status of these habitats and species (eg whether priority species or habitat);
- The direct and indirect effects of the development upon those habitats and species;
- Full details of any mitigation or compensation that might be required.

The development should seek if possible to avoid adverse impact on sensitive areas for wildlife within the site, and if possible provide opportunities for overall wildlife gain.

The record centre for the relevant Local Authorities should be able to provide the relevant information on the location and type of priority habitat for the area under consideration.

2.6 Contacts for Local Records

Natural England does not hold local information on local sites, local landscape character and local or national biodiversity priority habitats and species. We recommend that you seek further information from the appropriate bodies (which may include the local records centre, the local wildlife trust, local geoconservation group or other recording society and a local landscape characterisation document).

3. Landscape Character

Landscape and visual impacts

Natural England would wish to see details of local landscape character areas mapped at a scale appropriate to the development site as well as any relevant management plans or strategies pertaining to the area. The EIA should include assessments of visual effects on the surrounding area and landscape together with any physical effects of the development, such as changes in topography. The European Landscape Convention places a duty on Local Planning Authorities to consider the impacts of landscape when exercising their functions.

The EIA should include a full assessment of the potential impacts of the development on local landscape character using landscape assessment methodologies. We encourage the use of Landscape Character Assessment (LCA), based on the good practice guidelines produced jointly by the Landscape Institute and Institute of Environmental Assessment in 2013. LCA provides a sound basis for guiding, informing and understanding the ability of any location to accommodate change and to make positive proposals for conserving, enhancing or regenerating character, as detailed proposals are developed.

Natural England supports the publication *Guidelines for Landscape and Visual Impact Assessment*, produced by the Landscape Institute and the Institute of Environmental Assessment and Management in 2013 (3rd edition). The methodology set out is almost universally used for landscape and visual impact assessment.

In order to foster high quality development that respects, maintains, or enhances, local landscape character and distinctiveness, Natural England encourages all new development to consider the character and distinctiveness of the area, with the siting and design of the proposed development reflecting local design characteristics and, wherever possible, using local materials. The Environmental Impact Assessment process should detail the measures to be taken to ensure the building design will be of a high standard, as well as detail of layout alternatives together with justification of the selected option in terms of landscape impact and benefit.

The assessment should also include the cumulative effect of the development with other relevant existing or proposed developments in the area. In this context Natural England advises that the cumulative impact assessment should include other proposals currently at Scoping stage. Due to the overlapping timescale of their progress through the planning system, cumulative impact of the proposed development with those proposals currently at Scoping stage would be likely to be a material consideration at the time of determination of the planning application.

The assessment should refer to the relevant [National Character Areas](#) which can be found on our website. Links for Landscape Character Assessment at a local level are also available on the same page.

Heritage Landscapes

You should consider whether there is land in the area affected by the development which qualifies for conditional exemption from capital taxes on the grounds of outstanding scenic, scientific or historic interest. An up-to-date list may be obtained at www.hmrc.gov.uk/heritage/lbsearch.htm and further information can be found on Natural England's landscape pages [here](#).

4. Access and Recreation

Natural England encourages any proposal to incorporate measures to help encourage people to access the countryside for quiet enjoyment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways are to be encouraged. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be incorporated where appropriate.

Rights of Way, Access land, Coastal access and National Trails

The EIA should consider potential impacts on access land, public open land and rights of way in the vicinity of the development. We also recommend reference to the relevant Right of Way Improvement Plans (ROWIP) to identify public rights of way within or adjacent to the proposed site

that should be maintained or enhanced.

5. Soil and Agricultural Land Quality

Soil is a finite resource that fulfils many important functions and services (ecosystem services) for society, for example as a growing medium for food, timber and other crops, as a store for carbon and water, as a reservoir of biodiversity and as a buffer against pollution. It is therefore important that the soil resources are protected and used sustainably.

The applicant should consider the following issues as part of the Environmental Statement:

1. The degree to which soils are going to be disturbed/harmed as part of this development and whether 'best and most versatile' agricultural land is involved.

This may require a detailed survey if one is not already available. For further information on the availability of existing agricultural land classification (ALC) information see www.magic.gov.uk. Natural England Technical Information Note 049 - [*Agricultural Land Classification: protecting the best and most versatile agricultural land*](#) also contains useful background information.

2. If required, an agricultural land classification and soil survey of the land should be undertaken. This should normally be at a detailed level, eg one auger boring per hectare, (or more detailed for a small site) supported by pits dug in each main soil type to confirm the physical characteristics of the full depth of the soil resource, ie 1.2 metres.
3. The Environmental Statement should provided details of how any adverse impacts on soils can be minimised. Further guidance is contained in the [*Defra Construction Code of Practice for the Sustainable Use of Soil on Development Sites*](#).

6. Air Quality

Air quality in the UK has improved over recent decades but air pollution remains a significant issue; for example over 97% of sensitive habitat area in England is predicted to exceed the critical loads for ecosystem protection from atmospheric nitrogen deposition ([*England Biodiversity Strategy*](#), Defra 2011). A priority action in the England Biodiversity Strategy is to reduce air pollution impacts on biodiversity. The planning system plays a key role in determining the location of developments which may give rise to pollution, either directly or from traffic generation, and hence planning decisions can have a significant impact on the quality of air, water and land. The assessment should take account of the risks of air pollution and how these can be managed or reduced. Further information on air pollution impacts and the sensitivity of different habitats/designated sites can be found on the Air Pollution Information System (www.apis.ac.uk). Further information on air pollution modelling and assessment can be found on the Environment Agency website.

7. Climate Change Adaptation

The [*England Biodiversity Strategy*](#) published by Defra establishes principles for the consideration of biodiversity and the effects of climate change. The ES should reflect these principles and identify how the development's effects on the natural environment will be influenced by climate change, and how ecological networks will be maintained. The NPPF requires that the planning system should contribute to the enhancement of the natural environment 'by establishing coherent ecological networks that are more resilient to current and future pressures' ([*NPPF*](#) Para 109), which should be demonstrated through the ES.

8. Cumulative and in-combination effects

A full consideration of the implications of the whole scheme should be included in the ES. All supporting infrastructure should be included within the assessment.

The ES should include an impact assessment to identify, describe and evaluate the effects that are likely to result from the project in combination with other projects and activities that are being, have been or will be carried out. The following types of projects should be included in such an assessment, (subject to available information):

- a. existing completed projects;
- b. approved but uncompleted projects;
- c. ongoing activities;
- d. plans or projects for which an application has been made and which are under consideration by the consenting authorities; and
- e. plans and projects which are reasonably foreseeable, ie projects for which an application has not yet been submitted, but which are likely to progress before completion of the development and for which sufficient information is available to assess the likelihood of cumulative and in-combination effects.



Ms Helen Lancaster
Senior EIA and Land Rights Advisor
The Planning Inspectorate
3D Eagle Wind
Temple Quay House
2 The Square
Bristol
BS1 6PN

Our Ref: N/2016/1174
Your Ref: TR050006-000005
Officer: Nicky Toon
Tel: 01604 837692
Email: ntoon@northampton.gov.uk
Date: 23rd November 2016

Dear Madam

Scoping Consultation
Application by Roxhill (Junction 15) Ltd for an Order Granting Development Consent for the Northampton Gateway Strategic Rail Freight Interchange

I refer to your letter dated 24th October 2016 regarding the above.

Please find below the Council's response.

Alternative Sites and Options

Referring to paragraph 3.1.4 of the submitted Environmental Scoping Report (ESR), it is accepted that planning policy issues will be addressed in a separate Planning Statement, which will assess the suitability of the proposals having regard to relevant policies, the conclusions of the Environmental Statement and other material considerations. However, the applicant should also be providing an assessment which demonstrates that the site meets the locational criteria, particularly when considering the facilities already in existence/ emerging in the Daventry International Rail Freight Terminal (DIRFT). These considerations should be in line with the latest guidance contained in the National Policy Statement for National Networks (December 2014).

Socio Economics

Para 3.1.6: bullet point 4 of the ESR explains how the Socio-Economic Chapter will look at the likely impacts in relation to the proposed development arising during both construction and operation, including employment impacts and economic activity. This should include an assessment of the impacts on the local supply chain.

Air Quality

An Air Quality Management Area (AQMA) is located along the M1 corridor which bounds the north eastern boundary of the proposed site. The Environmental Statement should include an assessment of the potential impacts on air quality arising from both the construction and operation of the proposed development.



phases of the development and appropriate mitigation measures as necessary. The assessment should take account of the advice contained within the Northampton Air Quality and Emissions Technical Planning Guidance Draft (May 2016).

Noise and Vibration

The nearest receptor within Northampton Borough is Collingtree village located to the north of the proposed site beyond the M1. In addition to the existing village, outline consent for further residential development of up to 1,000 dwellings incorporating a mixed use local centre, primary school, open space and an extension of the existing golf course to the west of Collingtree (Northampton South SUE, allocated under Policy N5 of the West Northamptonshire Joint Core Strategy) was recently allowed following a Public Inquiry (planning application reference N/2013/1035, appeal reference APP/V2825/W/15/3028151). The Noise Monitoring Locations shown in Figure 1 on page 30 of the ESR should be amended and extended to include locations within this approved development site.

The Environmental Statement should contain an assessment of the impacts of noise arising from both the construction and operational phases, including noise arising from freight movements and traffic, and the potential impacts of deflection of noise from the M1 corridor arising from the proposed buildings and appropriate mitigation measures.

Lighting

Paragraphs 3.1.162 to 3.1.172 of the ESR outline the potential receptors, including Collingtree, and the proposed assessment methodology for assessing impacts arising from light pollution. No further comments to add at this stage.

Landscape & Visual Impact

The proposed methodology as described in the ESR is acceptable. It is requested that Northampton Borough Council is consulted on proposed viewpoints to be included within the Landscape and Visual Impact Assessment to the site from within the Borough. The ES should contain appropriate mitigation measures in relation to landscaping and the design and appearance of the proposed buildings and infrastructure.

Transport

A detailed Transport Assessment (TA) and Travel Plan should be appended to the Environmental Statement in accordance with the requirements of Northamptonshire County Council Highway Authority whom, it is understood, has been consulted directly.

Paragraph 3.1.177 of the ESR refers to the Transport Assessment and how it will examine trip generation, distribution and assignment of trips associated with the proposed development. It is essential that the TA also considers in detail the relationship between the proposed development, the allocated Sustainable Urban Extension (Northampton South SUE, JCS Policy N5) and the existing Collingtree community. In addition, more information is required on securing adequate links to the rail and road networks, and to demonstrate that the site is rail connected. The National Planning Policy Statement for National Networks (NPSNN) is clear that rail access will vary between rail lines, therefore the number of services that can be accommodated and the physical characteristics (e.g. train length/ size of intermodal units/ gauge capability) are important considerations for proposed rail freight interchanges. It is unclear at this stage whether the proposed SFRI would be capable of handling 4 trains per day as a minimum (as mentioned in the NPSNN) and if the number of trains handled can be increased.

Heritage

The reference in paragraphs 3.1.153/ 3.1.157 of the ESR to establishing the presence of statutory protected heritage sites and known non-statutory protected heritage assets, as well as the Conservation Area and listed buildings, is welcomed. The Environmental Statement

should incorporate appropriate assessment and mitigation measures in relation to heritage assets within Northampton Borough.

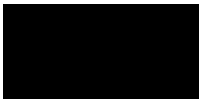
Cumulative Impacts

In addition to the developments listed in Matrix 1 and 2 on pages 52 & 53 of the ESR, account should be taken of cumulative impacts arising from:

- Land South of Brackmills SUE (Hardingstone) – development allowed on 14 April 2016 following Public Inquiry. Site Allocated under Policy N6 of West Northamptonshire Joint Core Strategy. Planning Reference: N/2013/0338
- Daventry International Rail Freight Terminal (DIRFT)
- Proposed development at Mere Lane, Bittesby (Harborough District Council – reference 15/01531/OUT

This letter sets out the Council's Adopted Scoping Opinion on the proposed development proposals and will be placed on the Authority's Public Register in accordance with the regulations. The Council wishes to reserve the right to request further information under Regulation 22 of the Town and Country Planning (EIA) (England) Regulations 2011, should this be necessary if further significant matters become apparent throughout the planning application process.

Yours sincerely



Nicky Toon
Development Management Team Leader

From: [O'Donovan, Tony - Technical Services](#)
To: [Environmental Services](#)
Cc: [Abolins, Charles - Facilities](#); [Finn, Stuart - Estates](#)
Subject: Ref: TR050006-000005
Date: 07 November 2016 09:21:56

Dear sirs

With regard to the scoping document relating to the Northampton Gateway Strategic Rail Interchange, I would confirm that Northampton General Hospital NHS Trust do not require any further information and do not have any comments.

Regards

Tony O'Donovan

Capital Projects Manager

Northampton General Hospital NHS Trust

Northampton General Hospital NHS Trust
Cliftonville, Northampton NN1 5BD

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Northamptonshire County Council

Ms Helen Lancaster
The Planning Inspectorate
3D Eagle Wing
2 The Square
Bristol
BS1 6PN

Please ask for: Lesley-Ann Mather
Tel: 01604 367909
Our ref: Scoping Opinion
Your ref: TR050006-000005
Date: 22nd November 2016

Dear Ms Lancaster

Request for Scoping Opinion
NORTHAMPTON GATEWAY JUNCTION 15 STRATEGIC RAIL FREIGHT INTERCHANGE,
NORTHAMPTONSHIRE
Planning Inspectorate Reference: TR05006-000005

Thank you for sending the scoping report for the above development for comment. I have the following comments to make regarding the Scoping document which accompanied your letter.

The proposals within the Cultural Heritage section generally provide an appropriate approach to the assessment of the archaeological potential of the area. I am aware that a desk based assessment has been produced and some geophysical survey has been carried out within the development area. The applicant however will need to undertake further detailed geophysical survey, Paragraph 3.1.155. Paragraph 3.1.161 advises that this further geophysical survey “**will inform the need for, and scope of, any further field surveys that may be required**” I would stress that the assessment of the potential for below ground remains can only be achieved by trial trenching. The results of the trenching will be required, Paragraph 3.1.161 **to further inform the study as to the presence/absence of potential below ground archaeological remains.**

I have the following additional comments to make regarding the current proposed content of the Scoping Report: The scoping report makes reference to assessments carried out in relation to earlier development proposals for land with the current application site in 2014 (S/2014/2468/EIA). I provided comments and advice in relation to this application to South Northamptonshire Council. I advised that a geophysical survey and Desk Based Assessment provided insufficient information to allow an informed assessment of the archaeological potential. I had agreed a scheme for pre determination trial trenching but the application was withdrawn before the trenching was undertaken. The Scoping report does not reflect the discussions undertaken in relation to the 2014 application and does not explicitly say that the trenching will be undertaken prior to submission for inclusion within the Environmental Statement.

Planning Services
County Hall
Guildhall Road
Northampton, NN1 1AX

W www.northamptonshire.gov.uk

t. 01604 367909.

e. lmather@northamptonshire.gov.uk

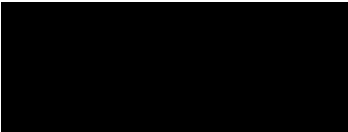


Northamptonshire
County Council

The further study of the sub surface archaeological remains will provide information on the significance of the archaeological remains within the development area and will allow an informed decision to be made regarding the impact of the development. This is in accordance with the guidance given within NPPF paragraph 128.

I look forward to discussing the extent and details of the outstanding archaeological investigation with the applicant as detailed in paragraph 3.1.161 at the earliest opportunity.

Yours Sincerely,



Lesley-Ann Mather
County Archaeological Advisor
Planning Services

Cc Dr Helen Woodhouse, Inspector of Ancient Monuments, Historic England
Mandy Lumb, South Northamptonshire Council
Denis Winterbottom, South Northamptonshire Council

Telephone: 01733 453410
Email: planningcontrol@peterborough.gov.uk
Case Officer: Miss Louise Lovegrove
Our Ref: 16/00135/CONSUL
Your Ref: TR050006-000005

PETERBOROUGH



Planning Services

Helen Lancaster
The Planning Inspectorate
3D Eagle Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN

Town Hall
Bridge Street
Peterborough
PE1 1HF

Peterborough Direct: 01733 747474

9 November 2016

Dear Sir/Madam

Planning enquiry

Proposal: Scoping consultation and notification of the applicant's contact details - TR050006-000005

Site address: Northampton Gateway Strategic Rail Freight Interchange

Further to your enquiry received on 24 October 2016, in respect of the above, the Local Planning Authority makes the following comments:

Peterborough City Council writes to advise that the Secretary of State may wish to consider whether or not the cumulative impacts of the proposed Rail Freight Interchange should be considered within the Environmental Statement alongside the strategic allocation contained within the Peterborough Core Strategy DPD (2011) for a similar proposal. This allocation is set out within Policy CS8 of this document which can be found on our website at www.peterborough.gov.uk.

It should be noted that the above allocation is subject to the need for extensive assessment and preparation of an evidence base, none of which have been provided to us. No Development Consent order application has been made to the Secretary of State, nor Scoping Opinion request submitted. Furthermore, we are currently undergoing a review of the Local Plan, with a new draft imminently set for public consultation. This new Plan seeks to de-allocate the Rail Freight Interchange within Peterborough however it is at an early stage of preparation and therefore holds little weight in decision-making.

I trust that the above advice is of use however should you have any further queries, please do not hesitate to contact me on the details shown at the top of this letter.

Yours faithfully

Miss Louise Lovegrove
Senior Development Management Officer

From: [Roade Parish Council](#)
To: [Environmental Services](#)
Subject: Northampton Gateway Rail Freight Interchange
Date: 23 November 2016 11:46:40

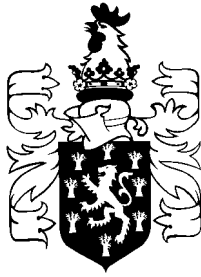
Dear Sir/Madam,

I am writing on behalf of Roade Parish Council to state that the council has no comments to make at this time with regard to the information that is to be provided in an environmental statement relating to the above project.

Yours sincerely,

Fiona Keable
Parish Clerk & RFO
Roade Parish Council
PO Box 847
Northampton
NN7 9AB
[Tel: 01604 861976](tel:01604861976)
clerk@roadeparishcouncil.co.uk

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South Northamptonshire Council

The Forum Moat Lane Towcester Northants NN12 6AD
www.southnorthants.gov.uk
www.facebook.com/SouthNorthantsCouncil
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Planning Inspectorate
3/18 Eagle Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN

Your Ref : TR050006-000005
Our Ref: Denis Winterbottom
Case Officer :
Telephone : 01327 322109
Email : development.management@southnorthants.gov.uk

Date : 22 November 2016

Attention - Helen Lancaster
Senior EIA & Land Rights Advisor

Dear Madam

Consultation **Proposed Northampton Gateway Strategic Rail Freight Interchange.**

Proposal **Request for Scoping Opinion on the Environmental Statement required with application for Development Consent Order for proposed development for Roxhill (Junction 15) Ltd.**

Location **Land to south west of junction 15 of M1 Motorway.**

I refer to your consultation on the above request for a scoping opinion, dated 24 October 2016, further to the Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (as amended).

South Northamptonshire Council offers the following comments in response.

The applicant's submission identifies they propose to assess the following matters in the Environmental Statement (ES):

- Air Quality
- Agricultural Land quality
- Cultural Heritage including Archaeology
- Ecology & Nature Conservation including Bio-diversity
- Geology, Soil and Groundwater Conditions
- Landscape and Visual effects
- Lighting
- Noise and Vibration
- Transport & Highways
- Socio-economic aspects
- Water Resources and Drainage (including Flood Risk).
- Cumulative effects

South Northamptonshire Council consider the Environmental Statement should in also address the following matters:

- Minerals
- Waste and Resources
- Rail use

Minerals

The application site is adjacent to a identified minerals site. An assessment of the impact for the extraction of minerals from the identified site should be included within Environmental Statement.

The northern part of the identified site is within the 300 metre buffer zone of site MA2: Milton Malsor allocated for sand and gravel extraction in the Northamptonshire Minerals and Waste Local Plan (MWLP) adopted October 2014. The proposed development should demonstrate compliance with Policy 34 of the MWLP, which specifically seeks to prevent land use conflict and ensure new development adjacent, or in close proximity to allocated minerals development is only permitted where it is demonstrated that it would not prejudice the extraction of mineral from the site.

Waste and Resources.

The Environmental Statement (ES) should assess the impact of waste and resource efficiency, including energy over the life of the development; assessing construction, operational and decommissioning phases to ensure compliance with Local, National and European waste strategies (including the Waste Framework Directive). This should be a consideration within the Environmental Statement and include :

- re-use and recycling of earth and other waste materials from the site within the development.
- treatment and removal of waste material not reused to minimise adverse environmental impacts
- strategy to optimise resource efficiency, including energy use, over the life of the development.

An overview on this matter at the inception of development is necessary to ensure the appropriate strategy is adopted to minimise the impact for each phase of the development. Means for implementation may then be appropriately developed subsequently through such measures as a construction, environmental, or waste, management plans.

Rail use

The Scoping Report is also somewhat silent on the assessment of impacts arising from the use of the railway within the proposed development. This is an omission from the Transport consideration and this may also give rise to impacts in other areas e.g. noise. Impacts arising from the use of the railway and rail related infrastructure including locomotives, wagons, plant and machinery should be identified and assessed within appropriate topics in the ES.

The comments below relate to topics as set out in the submitted Environmental Statement Scoping Report:-

Section 3 - Ecology & Nature Conservation

The impact for bio-diversity should be assessed along with protection and enhancement of existing habitats.

Section 3 - Air Quality

The site is adjacent to the AQMA between J15 & J51A of the M1 designated by Northampton BC. SNC has designated a section of the A5 in Towcester as an AQMA. The ES should include assessment of the impact of increased traffic on air quality for both these areas. The LA will have data from diffusion tubes in these locations and should be contacted prior to undertaking any assessment. The impact for air quality on local roads including the A508 and Roade village should also be assessed, particularly where the transport assessment identifies potential for increased traffic congestion.

Section 3 - Cultural Heritage

There are Listed Buildings in close proximity to the corridor identified for the route of the proposed Roade bypass that are not acknowledged on in the Scoping Report; these include Wooley's Farmhouse and Hyde Farmhouse and Remains of Dovecote. The setting of a heritage asset is integral to its significance. The impact on the significance of the heritage assets, including the nearby registered Courteenhall Park should be assessed; this is required to comply with the National Planning Policy Framework which is a separate requirement in addition to the EIA regulatory framework.

With regard to Archaeology, SNC endorse the comments submitted by the Northamptonshire County Council Archaeologist. These identify the need for trial trench investigation in addition to the measures identified to allow a properly informed assessment of the potential for archaeology within the ES.

Section 3 - Landscape and Visual Effects

The commitment to consult with Local Authorities and other bodies is welcomed. With regard to visual impact assessment the selection of viewpoints is critical. In this context local knowledge can be invaluable to identifying the appropriate viewpoints, involving local people, who often stand to be most affected, can also facilitate understanding of the process.

Section 3 – Transport

There have been significant developments with the sub-region such that the transport assessment should utilise the most up to date and robust model to assess the traffic impacts.

The strategic road network nearby includes sections on the M1 and A43 which are known to experience very high traffic volumes with associated highway capacity issues . The A43 / A5 Tove roundabout in Towcester has been recently remodelled (more than once) to improve traffic flows and A43 McDonalds roundabout in

Towcester is currently subject to highway works to further improve traffic flows around the A5/A43 junction. The impact on traffic movement and vehicle pollution in the historic town of Towcester should be form part of the transport assessment and include the proposed Towcester A5 bypass.

SNC would wish to be represented on the Transport Working Group referred to in paragraph 3.1.175 through the inclusion of Councils Lead Officer for Strategic Transport.

The traffic and environmental impacts arising from the proposed HGV parking and services within the site should be identified and assessed within this matter including the potential for associated additional HGV parking on the surrounding highway network.

Section 5 - Cumulative Impacts

The cumulative effects of the proposed development and other developments will be significant to the environmental assessment and the expressed intention to consult with local authorities on the other developments and proposals to be included is welcome.

With regard to proposed Zones of Influence, these must accurately reflect the reach of the development and therefore should be justified within the ES. Paragraph 5.1.10 refers to the application of a blanket distance threshold of 1km for some topics, these are not however identified, this limitation should be justified for each topic to which it is applied.

South Northamptonshire Council has identified the following major developments and proposals that may be relevant in the assessment of cumulative impact of the proposed development:

- Northampton Junction 16 Strategic Employment Site (Policy E8 of the West Northamptonshire Joint Core Strategy (JCS))
- Proposed 'Rail Central' Strategic Rail Freight Terminal
- Daventry International Rail Freight Terminal Phase 3 (DIRFT) (Policy E4 - JCS)
- Northampton South Sustainable Urban Extension (SUE) (Policy N5 - JCS)
- Northampton South of Brackmills SUE (Policy N6 - JCS)
- Towcester South SUE (Policy T3 - JCS)
- Silverstone Circuit (Policy E5 - JCS)
- Northampton West SUE (Policy N4 - JCS)
- Northampton Upton Park SUE (Policy N9 - JCS)
- Northampton Norwood Farm/Upton Lodge SUE (Policy N9A - JCS)
- Weedon Depot (Policy BN6 - JCS)
- East Midlands Gateway Strategic Rail Freight Interchange
- East Midlands Intermodal Park

SNC note the opinion of the applicant set out in paragraph 5.1.15 that the cumulative impacts arising from the development of both the Northampton Gateway SRFI and Rail Central SRFI would be unacceptable. This notwithstanding, it is imperative the

cumulative effects are properly and fully assessed within the ES to identify the full impact of these developments.

Proposed Structure of the Environmental Statement

South Northamptonshire Council is content with the scope and structure of the Environmental Statement, subject to the inclusion of the matters of Minerals, 'Waste and Resource Efficiency' and inclusion of the impacts around the use of rail.

Related Enabling Developments

If enabling developments, including housing are included within the Development Consent Order application, the impact of these should be identified and assessed in the Environmental Statement.

Additional Comments

South Northamptonshire Council welcomes the commitments to engagement and consultation within the Scoping Statement and reserves the right to comment appropriately as the application procedure progresses.

Information relating to environmental protection issues provided by the Councils Environment Protection Service is attached as Appendix to this letter.

This letter is the Councils formal response to the consultation under the Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (as amended) concerning the request for Scoping Opinion on the Environmental Statement required with application for Development Consent Order for development of the Northampton Gateway SRFI for Roxhill (Junction 15) Ltd.

Yours faithfully,



Denis Winterbottom
Principal Planning Officer
Major Projects Team - Development Management.

Appendix

Environmental Protection Service Advice on assessment of potential pollution issues.

Planning Policy & Air Quality

The National Planning Policy Framework recommends sustaining compliance and contribute towards EU limit values or national objectives for pollution, taking into account the presence of Air Quality Management Areas (AQMA), and cumulative impacts on air quality from individual sites in local areas, Planning decisions should ensure that any new development in an Air Quality Management Area is consistent with the local air quality action plan. Screening advice provided by the Environmental Protection United Kingdom (EPUK's) and the Institute of Air Quality Management (IAQM) recommend that if the proposed development comprises 10 or more residential units on a site of 0.5Ha or greater; or more than 1000m² of floor space for all other uses or a site area >1ha; coupled with more than 10 parking spaces; or a centralised energy or combustion facility/plant then an air quality assessment should be considered.

The brief description of the proposed development indicates that the proposed development could potentially impact on air quality in that area and so we would agree this should be assessed in accordance with the procedures and guidance outlined in the scoping report. The assessment should also take into consideration potential cumulative impacts with other large scale development already approved or as applied for in this location.

Whilst no Air Quality Management Areas (AQMA) have been designated by South Northamptonshire Council in this location the site is close to an AQMA designated by Northampton Borough Council between J15A and Junction 15 of the M1. The scoping report confirms that appropriate assessment of air quality will be undertaken. Environmental Protection would make no adverse comments in this respect but would offer the following guidance in respect of any assessment that needs to be undertaken and recommend the applicant also consult directly with that authority to agree details of the assessment with them.

South Northamptonshire Council has designated an Air Quality Management Area along a section of the A5 in Towcester. Details of the councils air quality monitoring, progress reports and action plans are available from its website on the following link (<http://www.southnorthants.gov.uk/1009.htm>). Any air quality assessment will need to have consideration and reference to that data and the aforementioned regulations and guidance.

Planning Policy & Noise

In terms of noise pollution, the new National Planning Policy Framework recommends that the planning policy system should contribute to the

achievement of sustainable development through enhancement of the natural and local environment by, amongst other things, preventing both new and existing developments from contributing to or being put at unacceptable risk, or being, adversely affected by unacceptable levels of pollution with an emphasis on achieving a sustainable development in accordance with the UK Sustainable Development Strategy. It also advises recognition of developments that create some noise in respect of existing businesses wanting to develop in continuance of their business without unreasonable restriction being placed on them because of changes to nearby land use. It goes on to recommend that planning policies and decisions should ensure that new development is appropriate for its location taking into consideration the effects of pollution on health, general amenity, and quality of life by minimising waste and pollution amongst other things. The Government's Planning Practice Guidance goes on to comment that noise needs to be considered when new developments may create additional noise and when new developments would be sensitive to the prevailing acoustic environment. The subjective nature of noise means that there is not a simple relationship between noise levels and the impact on those affected. This will depend on how various factors combine in any particular situation including the source and absolute level of noise together with time of day it occurs; the likely number, frequency and pattern of noise events that may be involved if non-continuous noise source; character of the noise and any spectra content when considered in the context of the existing prevailing soundscape of the area, any potential cumulative impacts and particularly if area already experiences high noise levels etc.

The new framework refers to other relevant policy documents including The Overarching National Policy Statement for Energy (EN-1), and National Policy Statement for Renewable Energy Infrastructure (EN-3) and the Noise Policy Statement for England (NPSE). The vision of the NPSE is to "promote good health and a good quality of life through the effective management of noise within the context of Government policy on sustainable development". The aims of these policies with respect to noise is for it to be properly taken into account at the appropriate time, avoid significant adverse impact on health and quality of life; mitigate and minimise adverse impacts on health and quality of life; and where possible, contribute to the improvement of health and quality of life, but also for it to be considered alongside other relevant issues and not in isolation. The Explanatory Note to the NPSE introduces three concepts to the assessment of noise in terms of a "NOEL - No Observed Effect Level – i.e. a level below which no effect can be detected and below which there is no detectable effect on health and quality of life due to noise a "LOAOL – Lowest Observable Adverse Effect Level – This is a level above which adverse effects on health and quality of life can be detected", and a "SOAEL- Significant Observed Adverse Effect Level – This is a level above which significant adverse effects on health and quality of life occur". The statement makes it clear that a number of factors need to be considered to determine the effect level since this will vary depending on the noise source, the receptor, time of day, day of week etc. However, none of these effect levels have been defined numerically in the NPSE and the need for further research is stated in that document.. Some additional guidance on noise has since been provided in the Government's Planning Practice Guidance for planning authorities to take

account in respect of whether or not noise from a proposed development is or is likely to give rise to a significant adverse effect, or an adverse effect and whether or not a good standard of amenity can be achieved.

Some typical noise sources associated with rail freight handling facilities and commercial/industrial type uses may include noise from increased traffic flows into an area, noise from vehicle manoeuvres about the site, noise from operation of any building service equipment such as generators and air conditioning, noise from activities undertaken outside of buildings including goods handling/loading and unloading whether manual or using mechanical aides such as forklifts/cranes etc, noise from reversing alarms, noise from public/staff address systems, or the breakout of noise from activities inside buildings if these are not suitably acoustically insulated or there are openings from inside to outside. Introduction of new or modified roads/railways will likely generate emissions of noise and vibration which could affect existing noise sensitive receptors. Noise impacts from some such projects may be covered by the Noise Insulation Regulations and require assessment under provisions of the Town & Country (Environmental Impact Assessment etc) Regulations. It is expected that any assessments will be undertaken in accordance with procedures detailed in the Department of Transport's Memorandum on the Calculation of Road Traffic Noise (CRTN) and Calculation of Rail Noise (CRN) and Design Manual for Roads & Bridges (DRMB) having regard to relevant criteria whether entitlement under provisions of the Sound Insulation Regulations and/or other relevant standard.

The brief description of the proposed development indicates that there may be potential noise impacts and we would agree this should be assessed in accordance with the procedures and guidance outlined in the scoping report as outlined above. The assessment should also take into consideration potential cumulative impacts with other large scale development already approved or as applied for in this location.

Any noise assessment should be undertaken by an appropriate qualified person(s) and a report on this to be submitted in support of any subsequent planning application. Any such assessment should determine the degree of sites exposure to noise from source(s) affecting it and specify what mitigation measures will be required to meet the aims of the National Planning Policy Framework, having regard to the criteria mentioned above. For information on consultancies that provide services to assist in this respect can be found at the following links, Institute of Acoustics (www.ioa.org.uk) and the Association of Noise Consultants (www.association-of-noise-consultants.co.uk/). If there any queries on this advice then contact John Penny direct on 01327 322280.

Noise & Dust during Construction Phase

Any development activities should be planned, scheduled and managed so as to control and minimise emissions of noise/vibration and dust from construction activities/plant/equipment having regard to guidance provided in BS5228:2009 Code of Practice for Noise and Vibration Control on Construction and Open

Sites and the Greater London Authority and London Councils Best Practice Guide on the Control of Dust Emission from Construction & Demolition. This is in order to avoid causing a nuisance, to any existing surrounding sensitive amenities such as dwellings, schools, and hospitals etc. The applicant/developer's attention should be drawn to provisions of Section 60/61 of the Control of Pollution Act 1974.

Planning Policy & Light Pollution

The National Planning Policy Framework advises that whilst artificial lighting provides valuable benefits to society, including through extending opportunities for sports and recreation, it can be a source of annoyance, harmful to wildlife, undermine enjoyment of the countryside or detract from enjoyment of the night sky. It encourages good design, and recommends that planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation. A well designed lighting schemes needs to ensure that the right light gets used in the right circumstance, in the right location and at the right time so as to minimise any issues of pollution such as trespass into the space of neighbouring dwellings, or cause glare and/or sky glow. The planning practice guidance also advises that light pollution can adversely impact on wildlife and their habitats. In terms of potential impacts on wildlife which differ from humans in their sensitivity to light (e.g. they can be affected by very low levels of light), and may be adversely affected in a number of ways. The Governments Planning Practice Guidance refers to the Royal Commission on Environmental Pollution's 2009 report, [Artificial Light in the Environment](#). It goes on to state that the positioning, duration, type of light source and level of lighting are all factors that can affect the impact of light on wildlife and that further advice is available from the [Defra](#) and [Natural England](#) websites on handling the impact on wildlife – including from artificial light – where European protected sites or European protected species could be affected. The specific nature of any consideration will depend on the features of any protected site or presence of any protected species and you may need to seek advice from suitably qualified experts in this respect.

With regard to the impact of light on human amenity, light intrusion occurs when the light 'spills' beyond the boundary of the area being lit. For example, light spill can trespass into neighbouring dwellings and impair sleeping, cause annoyance to people, compromise an existing dark landscape. It can usually be avoided or minimised with careful lamp design selection and positioning. Considering how much light is needed and include relevant information and/or assessment of the quantitative and spectral attributes of the lighting scheme (i.e.. details of the lighting scheme and minimum light levels required to fulfil its purpose, light levels generated by the proposed scheme both for individual installations and cumulatively for multiple lighting installations, a comparison of lighting levels of the proposed development against existing lighting levels/characteristics of the area both in the horizontal and vertical planes, magnitude of the level difference for both the "with" and "without" development scenarios, and comparison with relevant criteria (see below for more

information). Glare should be avoided, particularly for safety reasons. This is the uncomfortable brightness of a light source due to the excessive contrast between bright and dark areas in the field of view. Consequently, the perceived glare depends on the brightness of the background against which it is viewed. It is affected by the quantity and directional attributes of the source.

The brief description of the proposed development indicates that there may be potential light pollution impacts and we would agree this should be assessed in accordance with the procedures and guidance outlined in the scoping report and above. The assessment should also take into consideration potential cumulative impacts with other large scale development already approved or as applied for in this location.

The Institution of Lighting Engineers has provided guidance on what they consider to be acceptable levels of illumination for specific environmental zones, and which can aid the design and decision making process for any proposed lighting scheme (see, [Institute of Lighting Engineers, Guidance Notes for the Reduction of Obtrusive Light, 2011.](#)).

You will need to consult with the Local Planning Authority concerning how they characterise the area, whether they consider it to be an intrinsically dark landscape, or an area of low/medium/high district brightness. And agree what criteria they want applied in respect of any Upward Lighting Ratios to minimise sky glow (i.e. Upward Lighting Ratio "ULR" as expressed as the maximum permitted percentage of luminaire flux for the total installation Max %), light trespass into windows (i.e. Vertical Illuminance E_v expressed as Lux), source intensity (i.e. Light Intensity "I" as expressed as candelas "Cd"), and building luminance (i.e. Luminance "L" expressed in candelas per metre squared " Cd/m^2 "), and having regard to what curfews need to be applied. More information on these terms and criteria are provided in the Institute of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Lighting.

Planning Policy & Contaminated Land

Land contamination may be an issue depending on any former uses that were undertaken from that site in the past or possibility of elevated levels of naturally occurring contaminants that may be present. The significance of any risks needs to be established and which depends on the presence and level of any contamination and sensitivity of the proposed development in terms of humans and/or buildings. In terms of contaminated land, the planning policy framework recommends that the site should be suitable for its new use taking into account any ground conditions and land instability, including from natural hazards or former activities such as pollution from previous uses. Also that adequate site investigation should be undertaken by competent person, and this information is provided including proposals for any mitigation and remediation that is required. As a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990.

Environmental Protection has no records of any former uses that may have been undertaken from this site that would be associated with a potential to cause land contamination and so is unable to comment of the significance of any potential risks that may exist. Consideration therefore needs to be given to what the historic uses of the site has been and any potential risks from possible elevated levels of natural occurring contamination, such as arsenic, which is common in soils developed on bedrock with high concentrations of iron oxide as found in Northamptonshire Sand Formations for example. Some typical industrial sources of land contamination are detailed in the Governments Contaminated Land Industry Profiles which are available from DEFRA or the Environment Agency.

Any risks from land contamination are normally assessed on a phased basis in order to establish the significance of any risks, if present, and to ensure that appropriate strategy is developed in order to remedy the situation in respect of the sensitivity of the proposed end use. Typically this initially involves a desk top study and site walk over being undertaken by competent person(s) in accordance with current Government and Environment Agency guidance and approved codes of practice. This is in order to identify any indications of the likely presence of contaminants and also if any more intrusive investigations may be necessary and possibility of remediation measures to remedy the situation. Details of the phase of the assessment process should be submitted with any subsequent planning applicant being made in respect of the proposed development since it is ordinarily sufficient to assist the planning authority to make a determination regarding the suitability of the site in respect of the proposed development including if any further intrusive assessment is necessary where a potential risk is identified from this preliminary assessment. This is normally referred to as a Phase 1 Risk Assessment. If more intrusive investigations are required then this would likely require comprehensive intrusive investigations to sample, analyse and characterise any contamination(s) present and establish its extent so that a remediation strategy can be developed. This is in order to ensure that any water or ground contamination can be sufficiently identified and adequately addressed to ensure the safety of the development, and the surrounding environment such that is suitable for the proposed use, as required by Policy G3 of the South Northamptonshire Local Plan. Any further advice in respect of land contamination can be found in this authorities Guide on Contaminated Land for Developers and their Advisors, which is published on the Councils website, or if the enquirer wishes to discuss this aspect further then they should contact Romero Okikiades on 01327 322279.

Criteria, References and Reporting

Notwithstanding the above, it is imperative that any assessment has regard to relevant codes of practice and/or standards and that an appropriate degree of accuracy be achieved. This is likely to involve manipulation of data taken from actual measurement or calculation by modelling or a combination of both of these. In any circumstance it will be necessary to stipulate in any report an estimate of degree of accuracy that may be reasonably expected for

measurement or calculations in order that confidence can be gained with respect to these. Environmental Protection would generally recommend that any assessments, predictions or forecasts be estimated and quoted with reference to 95% confidence level where practicable. Whilst guidance exists with respect to some pollution emissions and recommended exposure criteria it should be recognised that these may not apply to all sources and situations. A detailed explanation should be provided in the report for reasoning behind the approach adopted and criteria used for the assessment. It is recommended that any person's or organisations commissioned to undertake the assessment work should prior agree any assessment approach and criteria with Environmental Protection before the assessment work commences.

Some useful guidance is outlined below but it should be noted that this is not an exhaustive list or the latest version and so the assessor should research the current versions and most scientifically robust methods. Furthermore, we would expect that any information reported to comply with any reporting requirements of the relevant codes of practice or standards and this should include a statement of qualification, competency, professional membership and experience directly relevant to the application of the method of the assessment applied of all personnel contributing to the assessment. .

1. BS 7445:2003 Description and measurement of Environmental Noise.
2. National Planning Policy Framework.
3. Noise Policy Statement for England (NPSE)
4. The Governments "Planning Practice Guidance"
5. BS 4142:2014 Method for Rating and Assessing Industrial and Commercial Sound.
6. BS 8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings – Code of Practice.
7. BS 5288: 2009 Noise and Vibration Control on Construction and Open Sites.
8. World Health Organisation (WHO): Community Noise Guidelines.
9. World Health Organisation (WHO) Night Noise Guidelines for Europe
10. Calculation of Road Traffic Noise 1998 (CRTN).
11. Design Manual for Roads & Bridges HD 213/11. Volume 11 Section 3
12. BS 6472:2008 Guide to the Evaluation of Human Exposure to Vibration in Buildings.

13. ISO 9613-2:1996 Acoustics – Attenuation of Sound During Propagation of Environmental Noise.
14. Guidelines for Environmental Noise Impact Assessment – Institute of Environmental Management & Assessment V1.2 Nov 2014
15. Guidelines For Community Noise Impact Assessment and Mitigation – International Institute of Noise Control Engineering (I-INCE – Publication 11-1 March 2011)
16. South Northamptonshire Council Air Quality Review and Assessment Updating and Screening Assessment for South Northamptonshire.
17. A detailed assessment of Nitrogen dioxide in key areas in South Northamptonshire.
18. South Northamptonshire Council Air Quality Progress Reports
19. South Northamptonshire Council Air Quality Updating and Screening Assessment Reports.
20. Contaminated Land Guidance Note for Developers and Consultants-revised 2004.
21. BS 10175:2011 Investigation of Potentially Contaminated Sites

From: clerk@stokebruerneparishcouncil.org.uk
To: [Environmental Services](#)
Subject: Application by Roxhill (Junction15) Northampton Gateway Strategic Rail Freight Interchange Reference TRO50006-000005
Date: 23 November 2016 12:00:16

Sir

Stoke Bruerne Parish Council has the following comment to make regarding the above:

This is a significantly large development outside of the current Northampton Development Area. It will have a very significant impact on many small rural communities including Stoke Bruerne. The true measure of its impact needs to be considered by a full and up to date Environmental Assessment. There also needs to be full consultation with rural communities many of which have minimal resources and assistance should therefore be given to them so that they are empowered to make reasonable representations on behalf of their residents.

Regards

Alison Benson
Clerk to Stoke Bruerne Parish Council

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Ministry of Defence

Helen Lancaster
The Planning Inspectorate
3D Eagle Wing
Temple Quay House
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Defence Infrastructure Organisation

Safeguarding Department
Statutory & Offshore

Defence Infrastructure Organisation
Kingston Road
Sutton Coldfield
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B75 7RL

Tel: +44 (0)121 311 3818 Tel (MOD): 94421 3818

Fax: +44 (0)121 311 2218

E-mail: DIO-safeguarding-statutory@mod.uk

www.mod.uk/DIO

17 November 2016

Your Reference: **TR050006-000005**

Our reference: 10037684

Dear Helen

MOD Safeguarding – SITE OUTSIDE SAFEGUARDING AREA

Proposal: Application by Roxhill (Junction 15) Ltd for an Order Granting Development Consent for the Northampton Gateway Strategic Rail Freight Interchange Scoping consultation.

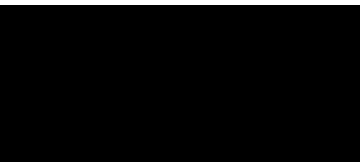
Location: Land west of the A508, south west of M1 Junction 15 and east of Northampton Loop Line

Grid Ref: 474716, 254557

Thank you for consulting Defence Infrastructure Organisation (DIO) on the above proposed development. This application relates to a site outside of Ministry of Defence safeguarding areas. I can therefore confirm that the Ministry of Defence has no safeguarding objections to this proposal.

I trust this adequately explains our position on this matter.

Yours sincerely



Debbie Baker

From: [Meakins, Corinne](#)
To: [Environmental Services](#)
Subject: TR050006-000005 Roxhill - Rail freight interchange -Scoping consultation
Date: 21 November 2016 15:57:06

Dear Ms Lancaster.

Thank you for consulting the Forestry Commission, the area covered by the proposed development does not appear to impact on any Ancient Woodland therefore we have no comment to make on the scoping document.

Yours sincerely



Corinne Meakins

Local Partnership Advisor
Forestry Commission East and East Midlands
Tel: 0300 067 4583
Mobile; 07900 227 123
Corinne.meakins@forestry.gsi.gov.uk

Have you signed up for the Tree Health Newsletter yet? Link here: [Tree Health Newsletter](#)

Please report signs of tree pests and diseases using our online Tree Alert form:
<http://www.forestry.gov.uk/trealert>

For up-to-date information follow Steve Scott on Twitter: [@SteveScottFC](#), check out www.facebook.com/MakingWoodlandsWork and [Subscribe](#) to our e-alert to stay up to date on forestry Grants & Regulations

CEMHD Policy - Land Use Planning
NSIP Consultations
Building 2.2, Redgrave Court
Merton Road, Bootle
Merseyside, L20 7HS

Your ref: TR050006
Our ref: 4.2.1.5604

HSE email: NSIP.applications@hse.gov.uk

FAO Helen Lancaster
The Planning Inspectorate
Temple Quay House
Temple Quay,
Bristol
BS1 6PN

Dear Ms Lancaster

15 November 2016

**PROPOSED NORTHAMPTON GATEWAY STRATEGIC RAIL FREIGHT INTERCHANGE (the project)
PROPOSAL BY ROXHILL (JUNCTION 15) LTD (the applicant)
INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2009 (as
amended) – Regulations 8 and 9**

Thank you for your letter of 24th October 2016 regarding the information to be provided in an environmental statement relating to the above project. HSE does not comment on EIA Scoping Reports but the following information is likely to be useful to the applicant.

HSE's land use planning advice

Will the proposed development fall within any of HSE's consultation distances?

There does not appear to be any significant interaction between this proposed development and any major hazard sites or pipelines.

Would Hazardous Substances Consent be needed?

The presence of hazardous substances on, over or under land at or above set threshold quantities (Controlled Quantities) may require Hazardous Substances Consent (HSC) under the Planning (Hazardous Substances) Act 1990 as amended. The substances, alone or when aggregated with others, for which HSC is required, and the associated Controlled Quantities, are set out in The Planning (Hazardous Substances) Regulations 2015.

Hazardous Substances Consent would be required if the site is intending to store or use any of the Named Hazardous Substances or Categories of Substances and Preparations at or above the controlled quantities set out in schedule 1 of these Regulations.

Further information on HSC should be sought from the relevant Hazardous Substances Authority.

Explosives sites

There are no licensed explosive sites in the vicinity so HSE has no comment in this regard.

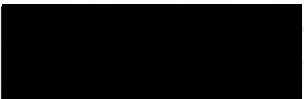
Electrical Safety

No comment.

Please send any further electronic communication on this project directly to the HSE's designated e-mail account for NSIP applications. Alternatively any hard copy correspondence should be sent to:

Mr Dave Adams (MHPD)
NSIP Consultations
2.2 Redgrave Court
Merton Road
Bootle, Merseyside
L20 7HS

Yours sincerely,



Dave Adams
CEMHD4 Policy