



The Planning Inspectorate

National Infrastructure
Temple Quay House
2 The Square
Bristol, BS1 6PN

Customer Services: 0303 444 5000
e-mail: NorthamptonGateway@pins.gsi.gov.uk

Morag Thompson
Eversheds Sutherland

Your Ref:

By email only to:
MoragThomson@eversheds-sutherland.com

Our Ref: TR050006

Date: 15 June 2018

Dear Ms Thompson

Planning Act 2008 (as amended) – Section 51

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

Advice following issue of decision to accept the application for examination

On 15 June 2018 the Secretary of State decided that the application for the above project satisfied the acceptance tests under section 55 of the Planning Act 2008 (PA2008). The Planning Inspectorate's acceptance checklist and the application documents have been published and made available on the project page of our website.

In undertaking checks at the acceptance stage, the Inspectorate has made some initial observations in relation to the application. This letter comprises advice to the Applicant provided under section 51 of the PA2008 in respect of these initial observations. The Applicant should pay attention to its content, and consider how appropriate action might be taken in response.

Minor errors and omissions

There are minor errors and omissions, as reflected in box 30 of the acceptance checklist.

Signposting of documents

It is noted that the Guide to the Application sets out in which folders the various application documents can be found; however, it is not clear, for example, which appendices to the Environmental Statement (ES) contain which information. The Applicant is advised to revise the Guide to the Application, and consider the legibility/referencing of any hardcopy deposit documents.

Consultees identified on a precautionary basis

Given the individual circumstances of this case, and taking a precautionary approach, the Inspectorate suggests that the Applicant may wish to include the bodies listed in box 6 of the checklist amongst those on whom they serve notice of the accepted application under s56(2)(a) of PA2008, unless there is a specific justification why this is not necessary.

Section 44 consultees

The list of land rights parties consulted under S44 was not supplied with the consultation report. The Applicant should consider whether the list of parties consulted under S44 is consistent with the book of reference, and should ensure that each person within the categories in S57 of the Act is notified of the acceptance of the application.

Location Plan

The red line boundary for the A508 Grafton Regis junction is not clearly and completely within the area identified on the location plan. The Applicant should consider providing an updated plan.

Land Plans

The following plots on the land plans cannot be seen clearly: 2/29, 6/8, 6/12, 6/15 & 6/16. On sheet 6 of the land plans the point at which plots 6/5, 6/6, 6/8 & 6/9 meet is unclear. The Applicant should consider providing updated plans.

Plans identifying the features of the historic environment

Figure 10.1 *Heritage Receptors* does not include all the historic receptors presented in Table 10.4 of Chapter 10 of the ES (Doc 5.2). The Applicant is advised to submit an updated and complete version of this figure.

Environmental Statement

It is noted that Chapter 1 of the ES states that although the environmental statement could have been prepared under the 2009 EIA Regulations, under the transitional provisions, the environmental statement has been prepared to comply with the 2017 EIA Regulations. The Applicant's attention is drawn to Regulation 36(4)(c)(ii)(j) which amends the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 such that the deadline for representations is not less than 30 days for EIA development. The Inspectorate advises that the deadline for submitting relevant representations on the Proposed Development should be set to comply with this requirement.

Within Chapter 2 the figure numbers for the parameters plan, landscape phasing plan and main site phasing plan (Figures 2.1 – 2.3 respectively) are given in the name of the electronic files but are not shown on the face of the plans.

The Applicant is advised to submit updated versions in both electronic and hard copy which show the figure numbers on the face of the plans.



Habitats Regulations Assessment

The Applicant is advised to submit an updated version of the Report on European Sites which explicitly refers to in-combination assessment. In preparing the updated report, particularly when considering the potential in-combination effects, the Applicant should consider the European Court of Justice ruling issued on 12 April 2018 (Case reference C-323/17 – People Over Wind, Peter Sweetman v Coillte Teoranta). The Applicant is advised to consider, in discussion with Natural England, whether the judgement has any implications for the Habitats Regulations Assessment that has been undertaken in respect of the Proposed Development.

The Applicant is also advised to provide screening and (if required) integrity matrices as described in the Inspectorate's Advice Note 10: Habitats Regulations Assessment relevant to Nationally Significant Infrastructure Projects.

Yours sincerely

Kate Mignano

Kate Mignano
Case Manager

This communication does not constitute legal advice.
Please view our [Privacy Notice](#) before sending information to the Planning Inspectorate.