

## **Application by Roxhill (Junction 15) Limited for a Development Consent Order for the Northampton Gateway Strategic Rail Freight Interchange**

### **The Examining Authority's written questions and requests for information (ExQ1)**

**Issued on 17 October 2018**

The following table sets out the Examining Authority's (ExA's) written questions and requests for information - ExQ1. If necessary, the examination timetable enables the ExA to issue a further round of written questions in due course. If this is done, the further round of questions will be referred to as ExQ2.

Questions are set out using an issues-based framework derived from the Initial Assessment of Principal Issues provided as Annexe B to the Rule 6 letter of 10 September 2018. Questions have been added to the framework of issues set out there as they have arisen from representations and to address the assessment of the application against relevant policies.

Column 2 of the table indicates to which Interested Parties (IPs) and other persons each question is directed. The ExA would be grateful if all persons named could answer all questions directed to them, providing a substantive response, or indicating that the question is not relevant to them for a reason. This does not prevent an answer being provided to a question by a person to whom it is not directed, should the question be relevant to their interests.

Each question has a unique reference number which starts with 1 (indicating that it is from ExQ1) and then has an issue number and a question number. For example, the first question on air quality and emissions issues is identified as Q1.1.1. When you are answering a question, please start your answer by quoting the unique reference number.

If you are responding to a small number of questions, answers in a letter will suffice. If you are answering a larger number of questions, it will assist the ExA if you use a table based on this one to set out your responses. An editable version of this table in Microsoft Word is available on request from the case team: please contact [NorthamptonGateway@pins.gsi.gov.uk](mailto:NorthamptonGateway@pins.gsi.gov.uk) and include 'Northampton Gateway' in the subject line of your email.

Responses are due by **Deadline 1, being noon on Tuesday 6 November 2018**

## Abbreviations used

<b>PA2008</b>	<i>The Planning Act 2008</i>	<b>NBC</b>	<i>Northampton Borough Council</i>
<b>Ashfield/Gazeley</b>	<i>Ashfield Land and Gazeley GLP (Rail Central)</i>	<b>NCC</b>	<i>Northamptonshire County Council</i>
<b>BoR</b>	<i>Book of Reference</i>		
<b>CEMP</b>	<i>Construction Environmental Management Plan</i>	<b>NPPF</b>	<i>National Planning Policy Framework</i>
<b>CA</b>	<i>Compulsory Acquisition</i>	<b>NPSNN</b>	<i>National Policy Statement for National Networks</i>
<b>dDCO</b>	<i>Draft DCO</i>	<b>PM</b>	<i>Preliminary Meeting</i>
		<b>R</b>	<i>Requirement</i>
<b>EA</b>	<i>Environment Agency</i>	<b>s.</b>	<i>section</i>
<b>EIA</b>	<i>Environmental Impact Assessment</i>	<b>SL-PCM</b>	<i>Streamlined Pollution Climate Model</i>
<b>ES</b>	<i>Environmental Statement</i>	<b>SMP</b>	<i>Smart Motorway Project</i>
<b>ExA</b>	<i>Examining authority</i>	<b>SNDC</b>	<i>South Northamptonshire District Council</i>
<b>HE</b>	<i>Highways England</i>	<b>SoS</b>	<i>Secretary of State</i>
<b>IPs</b>	<i>Interested Parties</i>	<b>SUE</b>	<i>Sustainable Urban Extension</i>
<b>LIR</b>	<i>Local Impact Report</i>	<b>TP</b>	<i>Temporary Possession</i>
<b>LPA</b>	<i>Local planning authority</i>	<b>WNJCS</b>	<i>West Northamptonshire Joint Core Strategy</i>

## The Examination Library

References in these questions set out in square brackets (eg [APP-010]) are to documents catalogued in the Examination Library. The Examination Library can be obtained from the following link:

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR050006/TR050006-000653-NGRFI%20Examination%20Library.pdf>

It will be updated as the examination progresses.

### **Citation of Questions**

Questions in this table should be cited as follows:

Question reference: issue reference: question number, eg ExQ1.0.1 – refers to question 1 in this table.

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
<b>1.0</b>	<b>General and Cross-topic Questions</b>	
1.0.1	The Applicant	The NPSNN is the guiding principal document against which the Proposed Development will be assessed. However, the National Planning Policy Framework (NPPF) can also be important and relevant. At the time the application was prepared and submitted, the original NPPF was in force and has been referred to where appropriate. The NPPF has now been updated (July 2018). Can the Applicant please check its application material and revise as necessary in light of this update? It would be helpful to the ExA for this to be in the form of a freestanding document which cross-refers to the relevant sections of original documentation where revision is necessary.
1.0.2	The Applicant	It is not always clear from the aspect chapters in the ES how the mitigation measures relied upon in the ES have been secured. Can the Applicant provide a table including all mitigation relied upon in the Environmental Statement (ES) and the mechanism by which mitigation is secured, as recommended in Annex 1 to the Inspectorate’s Advice Note 7 (Presentation of the Environmental Statement)?
1.0.3	The Applicant	In some chapters of the ES a summary table is provided presenting the potential effect of the Proposed Development, the mitigation applied (if applicable) and the significance of the residual effect. Can the Applicant please provide a consolidated summary table in this format for all the ES chapters?
1.0.4	Applicant	Within the ES Non-technical summary [APP-303] at paragraph 1.3 the Applicant lists the “ <i>key elements required</i> ” in the ES. Please will the

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
		Applicant comment on the wider requirements of Reg 14(2)(f) and Schedule 4 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 and identify how those are addressed?
	The Applicant	In the ES Non-technical summary at paragraph 2.30 it is concluded that the Rail Central project is " <i>materially inferior</i> ". Please will the Applicant clarify exactly where that conclusion is reached in the ES?
1.0.5	The Applicant	Can the Applicant please explain the basis of the scheme design now providing rail connection to about 60% of the on-site warehousing? Within the Design and Access Statement [APP-379] an earlier iteration of the evolving design showed a greater percentage of warehousing being directly connected to rail but by July 2016 connection to units closest to the M1 was omitted " <i>due to levels</i> ". Please explain.
1.0.6	The Applicant	The provision of an aggregates terminal within the Proposed Development is stated as being to accommodate the existing GRS business currently located in Northampton, which has expressed a commitment to move there. Can the Applicant enumerate the potential benefits of such a move, particularly as this would appear to be merely a transfer of rail freight paths?
1.0.7	The Applicant/Northampton Borough Council (NBC)	The present application documentation has little by way of detailed information on the Northampton South Sustainable Urban Development (SUE), which is a proposed development area close to the main site of the SRFI. Can the Applicant/Northampton Borough Council please provide details of the current position regarding proposals for the SUE, including relevant documentation in terms of planning policy, master planning and extant planning permissions?

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
1.0.8	The Applicant, South Northamptonshire District Council (SNDC)	Please comment on views expressed in relevant representations that the building of the suggested alignment of the proposed Road bypass would lead to the inevitable further residential expansion of the settlement between its present western edge and the bypass.
1.0.9	The Applicant, SNDC	ES Chapter 4 (Landscape and Visual Impact) Figure 4.1 [APP-085] shows a substantial portion of the main site of the Proposed Development falling within an 'Area of Important Local Gap' to which saved Policy EV8 of the South Northamptonshire Local Plan applies. This policy seeks to prevent development that would significantly intrude into this gap. Please comment on the significance of the apparent conflict with this policy.
1.0.10	The Applicant	<p>The main site phasing plan (within ES Appendix 2.1) [APP-126] indicates development arisings in the second year of completed earthworks of 149,000m<sup>3</sup>. Please explain what will happen to these arisings having regard to the following:</p> <ul style="list-style-type: none"> <li>(i) How does this relate to what is stated in ES Chapter 14, paragraph 14.5.12 that there will be no requirement for the disposal of excavated material off site and paragraph 14.5.15 which states that waste will either be re-used on site or exported off site for re-use?</li> <li>(ii) If it is the intention that arisings are to be moved off site would this be via rail, given the stated intention to provide the rail terminal at an early stage of the development?</li> <li>(iii) If they are to be moved off site by road, has this been</li> </ul>

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
		(iv) taken into account in the construction traffic impacts? and What is their likely destination?
1.0.11	The Applicant	How is the figure of up to 155,000m <sup>2</sup> of mezzanine floorspace within the proposed warehousing derived?
1.0.12	The Applicant	The ES does not appear to provide an estimate of the duration of the construction of the 'expansion' and 'Rapid Rail Freight' facilities as shown on the Illustrative Rail Terminal Plan [APP-060]. Can the Applicant explain what the duration of the construction of these facilities will be, and how this has been accounted for in the assessment of effects?
1.0.13	The Applicant	ES Chapter 1 (Introduction) [APP-077] refers at paragraph 1.4.3 to " <i>terminal container safety issues</i> ". Can the Applicant please explain what is a " <i>terminal container</i> " and what are the safety issues?
1.0.14	The Applicant	ES Chapter 2 (Description of development) [APP-078] at paragraph 2.3.5 refers to the Illustrative Rail Terminal Plan. Although illustrative the description then says it shows the stages of " <i>how the terminal will be expanded over time</i> ". The use of the word "will" is not consistent with the document being illustrative. Please can the Applicant clarify whether the ExA is to take it that the stages are not illustrative, but definitive? Is the Illustrative Rail Terminal Plan illustrative or not?
1.0.15	The Applicant	There is considerable reliance on phase-specific Construction Environmental Management Plans, which are to be drafted in accordance with the principles set out in the overarching Construction Environment Management Plan. Please can the Applicant explain how this will this comply with EIA law on staged approvals? Please also see

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
		questions ISH1:107A, 107B and 107C.
1.0.16	The Applicant	The Guide to the Application [APP-003] discusses works to Junction 15 of the M1 and the A45 (Works No. 8), concluding that having regard to the definition of a Nationally Significant Infrastructure Project (NSIP) in s.22 of the PA2008 the works do not in themselves constitute an NSIP. The justification provided in paragraph 3.10 does not appear to accurately reflect the wording of s22. Is the Applicant's position that Works Nos 8 and 11 are not NSIPs in their own right, and can only be within the DCO if they are Associated Development?
1.0.17	The Applicant	At the PM Ashfield/Gazeley queried whether the Roade by-pass constituted associated development. Will the Applicant please indicate how the Roade bypass and other junction improvements on the A508 are properly considered to be within the scope of the DCO, presumably as associated development?
1.0.18	The Applicant	The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 require consideration of monitoring and remedial action – see for example Schedule 4 paragraph 7 and the Secretary of State's duties at Regulations 21(1)(d) and (3) and 30(2)(dd). Please will the Applicant explain what monitoring arrangements are proposed and what provisions in relation to remedial action are proposed?
1.0.19	The Applicant, NBC, SNDC	Several relevant representations and oral submissions at the Open Floor Hearing on 10 October questioned the need for this SRFI given the proximity to DIRFT (in all its phases) and other rail freight interchanges.



<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
		(i) Please can the Applicant comment and respond on those?  (ii) Please will the Applicant and the district planning authorities also comment on the role of demand and need in (a) the consideration of the Application and (b) the NNNPS?
1.0.20	The Applicant	The paragraph and figure references in the following questions (1.0.20 – 1.0.xx) refer to the Market Analysis Report (Document 6.8) [APP-378].  The Market Analysis report gives some data in metric and some in Imperial. Please can the Applicant explain why this is? Please will the Applicant supply a revised version with all the data in metric?
1.0.21	The Applicant	Paragraph 1.5; please will the Applicant indicate whether the demand is from senders or receivers? Is the demand to send from or to the south?
1.0.22	The Applicant	Paragraph 3.8; will the Applicant please indicate what network capacity enhancements are: (i) necessary; (ii) in hand to accommodate new SRFIs; (iii) what will be their effect on passengers; and (iv) will they be adequate to accommodate the Proposed Development and other likely foreseeable developments?

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
		<p>In relation to question (iv) the ExA recognises that the Applicant may wish to refer the ExA to the relevant parts of other application documentation and examination documents.</p>
1.0.23	The Applicant	<p>Paragraph 4.5; will the Applicant please explain whether "<i>the availability rate of units over 50,000 sq ft at the end of 2016 across the country was 6.2% for all qualities of space</i>" is intended to mean that only 6.2% of all space in units in excess of 50,000 sq ft was on the market?</p>
1.0.24	The Applicant	<p>Paragraph 4.8; please can the Applicant give earlier figures to demonstrate to what extent this is "much increased" and supply figures for comparable periods for other relevant types of space? Please indicate when replying the reasoning behind the choice of comparators.</p>
1.0.25	The Applicant	<p>Paragraph 4.15; please will the Applicant say whether these locations will be served by the Proposed Development. If not, please can the Applicant explain why not? How would serving them by road be consistent with the policy support for SRFIs?</p>
1.0.26	The Applicant	<p>Figure 2 shows intermodal traffic share of the total UK freight market. Other categories include construction and metals. Given that few receivers in any of these categories have their own railheads, and thus the last few miles will be by road, please could the Applicant:</p> <ul style="list-style-type: none"> <li>(i) explain how the categories are actually differentiated; and</li> <li>(ii) give a definition of intermodal traffic?</li> </ul> <p>The ExA notes that there does not appear to be a definition</p>

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
1.0.27	The Applicant	<p>in the NNNPS.</p> <p>Figure 3 gives several statistics, in boxes. If we give the rows a letter (A,B, C and so on from top to bottom) and the columns a number (1, 2, 3, from left to right):</p> <p>Box A3 - please can the Applicant explain of what and how the £1.6 bn pa figure is made up? For example, is it the revenue of the rail operator, the rail operator and Network Rail, or some other participants in the market?</p> <p>Boxes B1 and C1- presumably this depends on the length of the train. Please can the Applicant comment and indicate the length used, and why it is appropriate? How does it relate to the trains likely to use the Proposed Development?</p> <p>Box D1 - please will the Applicant explain what is meant by the phrase "<i>consumer rail freight</i>"; and how does it relate to intermodal freight - what proportion of consumer rail freight is intermodal freight?</p> <p>Box D3 - please will the Applicant explain the arithmetic behind this conclusion? Where does the figure of 1.62 bn fewer HGV kms come from? Is the removal 1.62 bn per freight train or 1.62 bn when all the freight trains are taken together?</p> <p>The Figure as a whole - (i) please will the Applicant explain what point</p>

ExQ1	Question to:	Question:
		<p>it is seeking to make from this figure, and how precise is the point in question;</p> <p>(ii) are the figures for the UK as a whole, Great Britain (i.e. England, Scotland and Wales) alone, England alone, or some other combination?</p>
1.0.28	The Applicant	<p>Figure 5 forecasts rail freight growth. Paragraph 6.4 sets out the assumptions behind this growth (<i>"The Freight Network Study sets out the assumptions on which this growth forecast is based"</i>) and says this is dependent on the provision of more SRFIs. And paragraph 6.15 says <i>"if rail freight growth is to occur as forecasted, there will need to be a significant expansion in the number of SRFI's (sic)"</i>. Paragraphs 8.2 and the conclusions in paragraph 10.8 may also be relevant to this issue. There appears at first sight to be some uncertainty as to whether the rise in rail freight occurs because SRFIs are provided, or whether the demand for SRFIs occurs because of the rise in rail freight. Given that this is a report on market demand, clarity on which is the chicken and which is the egg would be helpful.</p> <p>Please will the Applicant comment on the extent to which the demand for more rail freight capacity is driven by:</p> <ul style="list-style-type: none"> <li>(i) the market place and relative cost of rail transportation;</li> <li>(ii) by the provision of SRFIs;</li> <li>(iii) Government policy; and</li> <li>(iv) other factors to which the ExA should be having regard?</li> </ul>

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
		<p>Is the demand for SRFIs caused by rise in rail freight or is the rise in rail freight caused by the availability of SRFIs?</p> <p>Please will the Applicant also comment on the extent to which intermodal rail freight can grow without the provision of;            (i) more SRFIs; and            (ii) the Proposed Development?</p>
1.0.29	The Applicant	Paragraph 6.6 refers to ESI coal. Please will the Applicant explain what this is?
1.0.30	The Applicant, NBC, SNDC, NCC Highways England, Network Rail	Paragraph 8.3; will the Applicant, the District Councils, the County Council, Highways England and Network Rail please indicate what weight they consider the ExA and Secretary of State should put on the potential to serve destinations between 90 minutes and 4.5 hours' drive time away, and whether this should be counted a benefit or an adverse effect?
1.0.31	The Applicant	Paragraph 8.7 refers to Appendix 2. There is no Appendix 2. Is it intended to refer to App A2? Please could the Applicant check the other cross references in this report and indicate any corrections which need to be made?
1.0.32	The Applicant	Paragraph 8.1 refers to a " <i>significant</i> " pool of potential users of the Proposed Development and to a " <i>significant proportion</i> " of floor space which would otherwise be road-based. Will the Applicant please give the proportions and actual estimates of floorspace, with margins for error? How much of that is new floorspace? Will the new floorspace come on stream in the absence of the Proposed Development? Please

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
		will the Applicant explain the reasoning behind its answers to these questions?
1.0.33	The Applicant	<p>Paragraph 10.2 refers to the recent limited distribution role of rail "<i>in part been due to the limited number of, and therefore access to, rail terminals (where logistics could be transferred from road to rail)...".</i></p> <p>Whilst rail terminals can provide transfer facilities from road to rail, would it be more appropriate to say from rail to road? What proportion of movements at the Proposed Development are expected to be from road to rail, and to what extent does the Applicant consider this to be significant, important and relevant? Please can the Applicant set out the reasons for their conclusions on this?</p>
<b>1.1.</b>	<b>Air Quality and Emissions</b>	
1.1.1.	The Applicant	<p>Paragraph references are to those in ES Chapter 9 (Air Quality) [APP-095] unless otherwise stated.</p> <ul style="list-style-type: none"> <li>(i) In relation to the Air Quality chapter [APP-095] as a whole the ExA would appreciate it if the Applicant could be very clear when answering in its explanation of the standards and tests how conclusions are reached.</li> <li>(ii) Please could the Applicant supply a glossary of all the abbreviations and acronyms used in this chapter?</li> </ul> <p>The UK Air Quality Strategy</p>

ExQ1	Question to:	Question:
		<p>Paragraph 9.2.15 refers to the "UK Air Quality Strategy (UKAQS) (Ref 9.5). However, Ref 9.5 is the NPPF. It seems there is a choice of documents. Please state whether the reference is intended to be to:</p> <ul style="list-style-type: none"> <li>• The air quality strategy for England, Scotland, Wales and Northern Ireland: Volume 1 (26 March 2011), or</li> <li>• Air quality: draft Clean Air Strategy 2018, 22 May 2018,</li> <li>• Air quality plan for nitrogen dioxide (NO<sub>2</sub>) in UK (2017), 26 July 2017, or</li> <li>• Defra, 2007, The Air Quality Strategy for England, Scotland, Wales and Northern Ireland, HMSO (which is ref 9.1 in the Chapter), or some other document.</li> </ul>
1.1.2.	The Applicant	<p>Paragraph 9.2.16 refers to the Air Quality Management Regulations 2000 and the reference is 9.6, which is Planning Policy Guidance (PPG), 2014, Air Quality.</p> <p>Is it intended to refer to the Air Quality (England) Regulations 2000/928?                      If not, please specify.</p>
1.1.3.	The Applicant, NBC, SNDC	<p>The Applicant and Councils will appreciate that the UK Government has come under considerable recent judicial scrutiny over the question of the implementation and compliance with the Air Quality Directive.</p>

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
		Please will the Applicant and the Councils set out their understanding of the current legal position with regard to complying with the Air Quality Directive, particularly in the light of the Client Earth litigation, explain its relevance to this application for the Proposed Development, whether the Proposed Development can be permitted without infringing EU law and UK law in the light of that legal position, and clearly identify what they believe to be the current UK guidance and policy documents? The posing of this question does not imply any judgment at this stage by the ExA on this issue.
1.1.4.	The Applicant	Paragraph 9.4.3 indicates the stated justification provided for only assessing PM10 and NO2 effects on the environment is due to these pollutants being "the two main UKAQS pollutants of interest" Will the Applicant please justify why only PM10 and NO2 have been included in the air quality assessment even though there is a requirement in the EU Ambient Air Quality Directive and the associated UK regulations, and the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 to assess the impact from other pollutants?
1.1.5.	NBC, SNDC	Please will these Councils advise if they agree with the Applicant that an assessment of the effects that other pollutants (ie nitrogen oxides (NO <sub>x</sub> ), hydrocarbons, sulphur dioxide (SO <sub>2</sub> ) and particulate matter (PM <sub>2.5</sub> )) is not required?
1.1.6.	The Applicant	Paragraph 9.2.20 reads " <i>The latest UK Government Air Quality Plan for nitrogen dioxide (NO<sub>2</sub>) in the UK (2017) was published in July 2017 (Ref: 9:2).</i> " Should the reference be to Ref: 9:2?



<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
1.1.7.	The Applicant	Dust emissions from construction: paragraph 9.3.6 states that Figs 9.1 – 9.4 show the location of receptors which could be sensitive to dust within 350m of the boundaries. Where are these on Figs 9.3 and 9.4 please?
1.1.8.	The Applicant	Is the reference in para 9.3.6, last sentence, to “receptors” intended to be “human receptors”?
1.1.9.	The Applicant	It is noted that para 9.3.10 states that non-statutory ecological receptors would be of very low sensitivity to air quality effects. Could the Applicant explain the justification in support of this statement?
1.1.10.	The Applicant	Paragraph 9.3.15 states an assessment of operational dust impacts will be undertaken. Why has this not been done – see especially ex parte Hardy [2001] Env L R 25; [2001] JPL 786 – which was discussed at ISH1 and which at first sight requires surveys to be carried out prior to the grant of consent? Could the Applicant please describe how the operational dust assessment will be undertaken and taken into account and whether this is consistent with the case law, particularly in the light of ex parte Hardy?
1.1.11.	The Applicant	<p>Paragraph 9.3.29 states that an additional transport scenario called “J3” has been assessed that takes into account Rail Central and which assesses the NO<sub>2</sub> and PM<sub>10</sub> levels for construction and operation. No explanation has been provided why a cumulative dust assessment for both developments has not been undertaken.</p> <p>With reference to the potential for likely significant effects, can the Applicant explain why a cumulative dust assessment has not been</p>

ExQ1	Question to:	Question:
		undertaken?
1.1.12.	The Applicant	Paragraph 9.3.31 says " <i>Comparisons of modelled and monitored total annual mean NO<sub>2</sub> in each study area have been included in Appendix 9.3</i> ". Please summarise the comparisons and what they conclude.
1.1.13.	The Applicant	Paragraph 9.3.41 says " <i>In the absence of any other official stance we have assumed that the vehicle fleet will improve in line with predictions made by DEFRA</i> " in relation to choosing a realistic (or likely) worst-case estimate. Could the Applicant please state to which Defra predictions or guidance this refers?
1.1.14.	The Applicant	Paragraph 9.3.44 says there will be a reduction of 23 million HGV miles " <i>i.e. one quarter of 92 million miles</i> " associated with the operation of the Proposed Development in 2021. Where does the 92 million miles figure come from and what is its significance please?
1.1.15.	The Applicant	Paragraph 9.3.46 asks the reader to note that Highways England managed roads are excluded from the zone assessments. Please explain the significance of this exclusion. Are they excluded as receptors, or as sources? How does this affect the Secretary of State's decision, especially in the light of the Client Earth litigation?
1.1.16.	The Applicant	Paragraph 9.3.49 states the assessment of the A45 is on the assumption that the Clean Air Zones (CAZ) measures are implemented. (i) Are these the CAZ measures in Derby and Nottingham? (ii) Is it likely they will be implemented by 2020 (see para 9.3.48) and (iii) What is the position if they are not?
1.1.17.	The Applicant	Paragraphs 9.3.50 to 9.3.53; could the Applicant explain why the

ExQ1	Question to:	Question:
		Streamlined Pollution Climate Model (SL-PCM) has been used instead of the full PCM? Can the Applicant also explain the extent to which it is likely that the PCM would generate different results to the SL-PCM and what are the influencing factors?
1.1.18.	The Applicant	<p>At paragraph 9.3.63 the ES concludes that due to proximity to the A45 and agricultural land use there is no need to make further assessment of nitrogen deposition on the Upper Nene Valley Gravel Pits, relying on the APIS website quoted in paragraph 9.3.62.</p> <p>To reach that conclusion, according to the quotation in paragraph 9.3.62, <i>“the waters must be oligotrophic with low alkalinity”</i>. Where is the evidence to show that this criterion applies to and is met by the Upper Nene Valley Gravel Pits Special Protection Area (SPA)?</p>
1.1.19.	The Applicant	<p>Paragraph 9.3.69, discussing Significance Criteria for Construction with reference to diesel exhaust gases, states <i>“should modelling of these emissions be undertaken the significance criteria would be the same as for the operational phase assessment ...”</i>.</p> <p>Please explain and justify why modelling has not been done? Is this consistent with case law given the judgment in <i>ex parte Hardy</i> [2001] Env L R 25; [2001] JPL 786?</p> <p>Could the Applicant explain why it does not consider emissions from construction vehicles are likely to cause significant effects to sensitive receptors during the construction phase of the Proposed Development,</p>

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
		and describe any measures that may be in place to mitigate the potential significant effects?
1.1.20.	The Applicant	<p>Paragraph 9.3.72 says impact will only be considered significant if it results in non-compliance, or delays compliance in the East Midlands Zone.</p> <p>Please explain how this is justified. Is it being said that no matter what other effects there are, be they ever so significant, the Proposed Development will not have a significant impact (effect) unless the East Midlands Zone goes into non-compliance because of it, or is delayed because of it? Or is it being said that an effect on the East Midlands Zone will only be considered significant if it results in non-compliance/delays compliance? Please explain and justify in either case.</p>
1.1.21.	The Applicant	<p>Paragraph 9.3.73 refers to "<i>The Regional impact assessment</i>" which is then not used because of difficulties in deciding whether the significance of the impact it assesses is local or trans-boundary. Please explain this reasoning more fully and clearly. Also, whose regional impact assessment is being referred to?</p> <p>This is important particularly as the chosen approach is the 'damage cost approach' which paragraph 9.3.75 says is not strictly relevant to such a development as this.</p>
1.1.22.	The Applicant	Paragraph 9.3.75 comments that in this case the damage cost approach is not strictly relevant. Please explain why.

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
1.1.23.	The Applicant	<p>Paragraph 9.4.12 states that the data from the local diffusion tube within AQMA 5 along the A45 are 16% above the AQS (Air Quality Standard). It then continues and states that the AQS does not apply in this location due to the diffusion tube being located along a roadside and not where people spend long periods of time.</p> <p>Could the Applicant explain why the AQS limit for AQMA 5 is not considered relevant even though it would appear residential dwellings are shown on Figure 9.7 (incorrectly labelled 9.6) to be within 10 metres of diffusion tubes W1, W3 and W5 and the data received from AQMA 5 is 16% above the AQS?</p>
1.1.24.	The Applicant	<p>Paragraph 9.4.12 refers at the end to para 9.2.1410. Please explain as the ExA cannot find such a paragraph. If it is intended to refer to para 9.2.14, please elaborate as the relevance is not obvious.</p>
1.1.25.	The Applicant	<p>Paragraph 9.4.13 refers to "<i>predicted</i>" annual mean concentrations. Please state for which year they are predicted, and with or without the Proposed Development? How is the prediction made from the data in Table 9.5?</p>
1.1.26.	The Applicant	<p>The heading of paragraph 9.4.25 reads "<i>Summary of Data Used in the Assessment</i>". However, it appears to be a conclusion about the testing of the UK-AIR predictions, leading the author to decide the assessment of environmental effects on air quality can be done by reference to the UK-AIR data alone. The ExA is keen to understand this properly. Is this the correct interpretation?</p>
1.1.27.	NBC, SNDC	<p>Please see the ExA's question 1.1.26 on paragraph 9.4.25. Is that also</p>

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
		the Council's interpretation? And do the Councils agree this is an appropriate way for the Applicant to proceed?
1.1.28.	The Applicant, NBC, SNDC	<p>Paragraph 9.4.26 states "<i>A gradual improvement in background concentrations has also been assumed, in line with predictions made by Defra.</i>"</p> <p>(i) Is this a reasonable assumption? Please will the Applicant explain what evidence supports that assumption and conclusion?</p> <p>(ii) What are the implications of the Volkswagen emission case for the Defra predictions, and does that make any difference to the outcome of this assessment? If so, please explain.</p>
1.1.29.	The Applicant	Paragraph 9.5.43; could the Applicant provide evidence that GRS's current aggregate terminal has had no dust issues and that the new aggregate terminal predicted dust emission will be similar to GRS's current aggregate terminal? Furthermore, can the Applicant explain how it intends to monitor the effect of dust during operation?
1.1.30.	The Applicant	<p>Paragraph 9.5.14 states that there is a high risk of dust impacts to human receptors within 20m of the Proposed Development. The ExA notes that there are residential dwellings within 20m of the Proposed Development main site northern boundary which have not been included within the dust assessment and are therefore omitted.</p> <p>Could the Applicant explain why the residential dwellings adjacent to</p>

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
		the northern boundary of the Proposed Development have not been included in the dust impact assessment?
1.1.31.	The Applicant	Could the Applicant please provide a figure which depicts the Proposed Development in relation to the UK Air Quality Plan East Midlands Zone?
1.1.32.	The Applicant	<p>Throughout the air quality ES chapter [APP-095], the magnitude of impacts arising from demolition work is determined to be small and the sensitivity of receptor is determined to be medium. Following the Institute of Air Quality Management (IAQM) guidance this should result in a small risk of significant effects but the ES air quality chapter states that there is a negligible risk of significant effects. No explanation for this divergence from the IAQM guidance has been provided within the ES.</p> <p>Could the Applicant explain why the significance of effect arising from demolition works on the main site is concluded to be 'negligible' rather than 'small' as might be expected if the IAQM guidance on the assessment of dust from construction and demolition has been followed?</p>
1.1.33.	The Applicant	The Applicant is in consultation with Northampton Borough Council regarding contributing to the delivery of new electric vehicle charging points and the potential introduction of cleaner EURO IV class buses for the dedicated bus service to the Proposed Development. The ExA notes that no draft plan detailing how and when these measures will be undertaken has been provided. Furthermore, these measures do not appear to have been secured through the DCO.

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
		(i) Could the Applicant describe the mitigation measures which have been discussed with NBC to reduce the adverse impacts on AQMA 4? (ii) How and when would these measures be delivered? (iii) How is their delivery secured through the draft DCO?
1.1.34.	The Applicant	<p>No monitoring arrangements have been proposed during the construction and operation phases, and post-completion of the Proposed Development to ensure the mitigation measures have been successful.</p> <p>Could the Applicant explain the extent to which monitoring measures are required to demonstrate the efficacy of the mitigation measures proposed and how such monitoring measures would be secured?</p>
1.1.35.	The Applicant	<p>The ES chapter on air quality [APP-095] has not included any information regarding the potential air quality effects that the increase in the number of train movements may have on the environment.</p> <p>Could the Applicant explain why the assessment of local air quality effects does not include any reference to the effects from any potential increase in train movements?</p>
1.1.36.	The Applicant	<p>Paragraph 9.5.46 says <i>“Rathvilly and Lodge Farms are the only human receptors currently located within 350m of the Proposed Aggregate Terminal; however, the Proposed Development will introduce a number of additional human receptors within this boundary. These receptors are, however, not considered highly sensitive to nuisance dust</i></p>



ExQ1	Question to:	Question:
		<p><i>impacts."</i></p> <p>Please explain why they are not highly sensitive. What is their sensitivity and why?</p> <p>The following sentence states that the human receptors have low sensitivity to dust soiling, enabling the conclusion that the overall sensitivity is considered low.</p> <p>Please explain how the human receptors can be said to have low sensitivity.</p>
1.1.37.	The Applicant	<p>Paragraph 9.5.57 refers to "<i>the following equation</i>" but does not give it. It is also used in the following paragraph. Please provide the equation.</p> <p>Are there other equations for this purpose? If so, please explain – if it is the case – why is this formula is to be preferred.</p>
1.1.38.	The Applicant	<p>Paragraph 9.5.58; PM<sub>10</sub> exceedance, or number of days permitted. Please explain what is actually permitted in terms of amount and days.</p>
1.1.39.	The Applicant	<p>Paragraph 9.5.60; NO<sub>2</sub> exceedance. Again, the limits are not explained. Please can they be set out clearly in a reply?</p>
1.1.40.	The Applicant	<p>Paragraph 9.5.68 refers to "<i>the formula in 9.3.58...</i>" but there is no formula at 9.3.58. Please explain and provide the correct cross-reference/formula.</p>
1.1.41.	The Applicant	<p>Paragraphs 9.5.73 and 9.5.74; please explain and unpack this</p>

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
		<p>reasoning. For example, is 9.5.73 saying that there will be more traffic on the A45 as a result of the J15A improvements and that that has greater significance than the additional HGV traffic generated by the proposed development in 2021? In that case, what is the result, and how is paragraph 9.5.74 justified?</p>
1.1.42.	The Applicant	<p>Local Study Area, AQMA No 4</p> <p>(i) Paragraph 9.5.75 states: "<i>Modelled receptors in the Northampton AQMA No.4 study area are detailed in Appendix 9.2, and displayed on Figure 9.8</i>". However, Appendix 9.2 lists receptors K1 – K13 but Figure 9.8 shows receptors R1-R11. Please will the Applicant clarify?</p> <p>(ii) Please will the Applicant also check the other tables and figures for this chapter to ensure they all correspond correctly, and give the result?</p> <p>(iii) Paragraph 9.5.81 says "<i>Of the receptors where likely significant impacts are expected (K4, K7, K10 and K12), all were located on Harborough Road, within proximity of junctions and slowed traffic, where long term concentrations of NO2 are predicted to be within 5% of the AQS</i>". Is this 5% above or 5% below the AQS?</p> <p>Paragraph 9.5.85 states "<i>In this sensitivity test, the largest increase in annual mean NO2 occurs at K10, where a 0.7 µg.m-3 increase is</i></p>

ExQ1	Question to:	Question:
		<p><i>predicted</i>”,</p> <p>When one looks at Appendix 9.4, which contains the sensitivity test, it is seen that the Change due to Development is said to be columns B minus A. That, however, gives the result for K10 of minus 3.3. The explanation seems to be that the Change due to Development is B minus the centre column, which has no letter. Please can the Applicant confirm this is the right interpretation?</p> <p>(iv) What is the other sensitivity test referred to in para 9.5,86?</p> <p>(v) Paragraph 9.5.86 goes on to say that <i>“The discrepancy in significance between the two sensitivity tests is due to the ‘long term average concentration’ at each receptor, with concentrations in the 2016 sensitivity on average 3.5µg.m-3 higher at each receptor”</i>. How does the 3.5µg.m-3 increase relate to the AQS (or other relevant standard used in this section of the chapter)?</p> <p>(vi) Does this affect the conclusion at paragraph 9.5.7? Could the Applicant please explain the conclusion more fully and clearly?</p>
1.1.43.	The Applicant	The second sentence of paragraph 9.5.93 appears to contradict the first. Could the Applicant please explain this apparent contradiction?

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
1.1.44.	The Applicant	Could the Applicant please explain the apparent contradiction between the first and second sentences of paragraph 9.5.109?
1.1.45.	The Applicant	<p>Paragraph 9.5.167 states:</p> <p><i>"In the interim period between 2021 and 2031, improvements to the vehicle fleet will lessen the impact of changes to traffic flows. As such, it is considered unlikely that overall impacts will become more significant, i.e. changes from Slight Beneficial to Moderate Beneficial or from Slight Adverse to Moderate Adverse in this period."</i></p> <p>Does this not mean that the air quality benefit of the national vehicle fleet improvements are partially absorbed by the traffic generated and diverted by the Proposed Development? If so, what is the significance of that effect which is a loss of the benefit of the improvements? What is the meaning of the second part of the second sentence? Is it that changes from slight to moderate (or above) are unlikely? Should "i.e." have been "e.g."?</p>
1.1.46.	The Applicant	<p>Paragraph 9.6.13 states:</p> <p><i>"Notwithstanding the above, it is not considered that there is a need for extensive, off-setting measures associated with total emissions as the Proposed Development is anticipated to be air quality positive, in that total emissions nationwide, as a result of the Proposed Development, will be negative."</i></p>

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
		Would "reduced" be a better word than "negative"? If not, please explain.
1.1.47.	The Applicant	<p>Paragraph 9.7.1 says that by adopting "appropriate" mitigation measures in the Construction Environmental Management Plan (CEMP) there are not expected to be significant nuisance effects.</p> <p>(i)What are the appropriate measures?            (ii) How will it be known that they are appropriate?            (iii)Where have they been assessed?</p>
1.1.48.	The Applicant	Paragraph 9.8.1 looks at cumulative effects in the construction phase, but only cumulates with Rail Central. Could the Applicant explain why there are no other developments which could lead to cumulative effects with the Proposed Development, for example development at Northampton South SUE?
1.1.49.	The Applicant	Paragraph 9.8.2 refers to Figure 9.18. However, there does not appear to be a Figure 9.18. Please supply it, or give the correct reference.
1.1.50.	The Applicant	<p>Paragraph 9.8.4, referring to Rail Central states:</p> <p><i>"However, assumptions can be made about a possible combined package of highways improvements (as in this assessment using the March 2018 emerging information about the developing Rail Central proposals)."</i></p> <p>Please explain what those assumptions are and whether they are considered to be reasonable and likely in the event of the two</p>

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
		developments going ahead.
1.1.51.	The Applicant	<p>Paragraph 9.9.5 states:</p> <p><i>“Standard best practice measures associated with the operation of the proposed Aggregates Terminal will also be deployed to reduce the potential for significant off-site effects from dust.”</i></p> <p>Will there be any such effects? If so, how significant will they be? (See also question Exq1.1.30). What type of “best practice” measures are proposed and what is the evidence that they would be effective?</p>
1.1.52.	The Applicant	<p>Please can the Applicant clarify the position on a travel plan?</p> <p>In paragraph 9.9.7 it is said that <i>“there has been no consideration of the potential improvements due to the Proposed Development’s Travel Plan which in practice will also help reduce reliance on car travel and therefore reduce transport emissions further”</i>.</p> <p>However paragraph 9.6.6 states:</p> <p><i>“A Framework Travel Plan and Public Transport Strategy have been produced for the Proposed Development, and include a number of measures to encourage travel by a range of modes other than the private car.”</i></p>

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
		Please clarify whether the Framework Travel Plan and Public Transport Strategy has or has not been taken into account in the assessment and, if so, how.
<b>1.2.</b>	<b>Biodiversity, Ecology and Natural Environment</b>	
1.2.1.	The Applicant	<p>Paragraph references are to those in ES Chapter 5 (Ecology and Nature Conservation) [APP-088] unless otherwise stated.</p> <p>Paragraph 5.4.26 refers to records of brown hare, harvest mouse and polecat occurring in the vicinity of the Proposed Development. However, detailed surveys have not been carried out for these species. Could the Applicant explain the rationale behind the decision not to carry out surveys for these species?</p>
1.2.2.	The Applicant	It is noted that the list of Local Wildlife Sites (LWS) and proposed Local Wildlife Sites (pLWS) in the vicinity of the Proposed Development presented in Table 5.12 of ES Chapter 5 does not match the list of LWS/pLWS in Table 1 of Appendix 5.1 [APP-136]. Could the Applicant explain this apparent discrepancy? If necessary, the Applicant is requested to report any impacts on LWS/pLWS that may have been overlooked.
1.2.3.	The Applicant	Could the Applicant provide a justification for the search areas specified in Table 5.2 of ES Chapter 5? How do these relate to the zone of influence established for the Proposed Development?
1.2.4.	Natural England	Could Natural England confirm that it is satisfied that there would be no significant adverse effects to the Upper Nene Valley Gravel Pits Site

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
		of Special Scientific Interest from the construction and operation of the Proposed Development?
1.2.5.	The Applicant	Could the Applicant explain the evidence that supports the statement in paragraph 5.5.15 relating to the Junction 15 grassland pLWS that the zone of influence in terms of ecological impacts from an unmitigated increase in airborne dust is typically 100m from the anticipated source?
1.2.6.	The Applicant	Paragraph 5.6.44 states that mature trees will be removed according to a precautionary method statement. However, this method statement is not referred to in either the CEMP or the Landscape Environmental Management Plan. Could the Applicant explain how the delivery of the method statement would be secured?
1.2.7.	The Applicant	Could the Applicant explain, in relation to the description of residual effects on ecological receptors, how reporting an effect of 'adverse significance at a local level' is equivalent to a minor adverse effect of local significance?
1.2.8.	The Applicant	Could the Applicant explain why impacts on sensitive ecological features from increased dust emissions during operation have not been assessed?
1.2.9.	The Applicant	Could the Applicant explain why the measures to protect great crested newts described in paragraphs 5.6.51 – 5.6.52 are not also referred to in the CEMP?
1.2.10.	The Applicant	Could the Applicant respond to the concerns expressed in Natural England's relevant representation about the lack of measures designed to protect the Roade Valley Site of Special Scientific Interest in the



<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
		CEMP? How will measures to protect the SSSI during construction be delivered?
1.2.11.		The Applicant is requested to provide a version of the Landscape and Ecological Management Plan which depicts the areas where habitats would be created and the areas covered by other ecological mitigation measures.
<b>1.3.</b>	<b>Compulsory Acquisition, Temporary Possession and Other Land or Rights Considerations</b>	
1.3.1.	The Applicant	Paragraph 1.11 of the Book of Reference (BoR) [APP-075] indicates that there are parcels of land shown on the Land Plans which are not proposed to be subject to powers of compulsory acquisition but which are included in Part 1 of the BoR. These include land which is existing adopted public highway over which the Applicant proposes to carry out highway works or "street works" under the DCO. Interests are included because there are interests in the subsoil and the land will be "subject to rights to use the land". It is stated that these rights will not be affected. Please explain.
1.3.2.	The Applicant	Paragraph 3.10 of the Statement of Reasons notes that there are some third party rights registered on land adjacent to the Northampton Loop Line (parcels 1/10, 1/11a, 1/11b, 1/30 and 1/30b) which may be inconsistent with the Proposed Development and the Applicant requires the ability to extinguish, suspend or interfere with these rights in the event that they are inconsistent.  Can the Applicant please explain what these rights are and how or why

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
		they may be inconsistent with the Proposed Development?
1.3.3.	The Applicant	Can the Applicant please explain the rationale for the location and quantum of land for which temporary use is sought in relation to the construction of the Roade bypass (Plots 4/2a, 5/2 and 5/3)?
1.3.4.	The Applicant, Ashfield Land and Gazeley GLP	Please fully explain the circumstances surrounding Plots 1/7 and 1/12 within the Proposed Development Main Site where compulsory acquisition is sought. This is in light of the owners' agreement in respect of the potential neighbouring Rail Central proposal and for which it is understood this land would be required for landscape mitigation purposes and the diversion of a Public Right of Way in connection with that project?
1.3.5.	The Applicant	Please provide an update, ideally in tabular form, of negotiations with parties in respect of which voluntary agreements are being sought in terms of acquisition of land and rights. This should list all extant objections.
1.3.6.	The Applicant	Please provide details of the rationale for the width of the corridor for the Roade bypass over which compulsory acquisition and rights are sought given that, in certain sections, the areas of land for which compulsory acquisition is sought appear to be far greater than the area of land needed for the road, junctions and any associated ecological mitigation.
<b>1.4.</b>	<b>Draft Development Consent Order (DCO)</b>	
	Annex E to the Rule 6 Letter of 10 September 2018 provided notice of an Issue Specific Hearing (ISH) on the dDCO which was held on 9 October (ISH1). Table 1 to Annex G to that letter set out a schedule of issues and questions for examination at ISH1.	

ExQ1	Question to:	Question:
		<p>The Applicant responded to those questions in writing prior to ISH1 and their response document has since then been accepted by the ExA as an examination document. Many of those questions were addressed to persons other than the Applicant. To be quite clear, the answers from those other persons are required by <b>Deadline 1 (6 November)</b>. Without setting the questions out again in full, and so as to ensure that they have the same status as First Written Questions, they are incorporated into these First Written Questions by reference.</p> <p>Further questions on the dDCO are set out below.</p>
1.4.1.	The Applicant	<p>There are many items and commitments made in the application documentation (or which need to be made) which need to be secured by a Requirement, s.106 agreement or other mechanism. Please will the Applicant prepare and submit a comprehensive list which states the item or commitment, where the item or commitment is to be found and which Requirement, provision of the s.106 agreement or other mechanism secures each of them? It would be helpful to the ExA if the list could be updated by the Applicant during the course of the Examination.</p>
1.4.2.	The Applicant, IPs and local authorities	<p>Please comment on whether existing Requirements within the dDCO sufficiently secure the 'future-proofing' of the Proposed Development in terms of sustainability having regards to matters such as building design and energy efficiency, power consumption, and transportation including factors such as charging facilities for electric-powered cars.</p>
1.4.3.	The Applicant and IPs	Decommissioning, demolition and removal would be permitted under

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
		<p>the definition of 'maintain' in the dDCO. However, decommissioning, demolition and removal do not appear to have been assessed within the ES and, in particular, Chapter 14 (Waste) notes that decommissioning is not considered as the scheme is designed to be permanent.</p> <p>(i) Can the Applicant please explain the implications of this?            (ii) Without such assessment is it necessary to omit 'decommission', 'demolition' and 'removal' within the definition of 'maintain'?</p>
1.4.4.	The Applicant	Applicant's response to ISH1:6; is it the Applicant's position that it could in, say, 40 years' time when the facilities might have become worn out "replace" the Proposed Development, with a new SRFI of the same size without the need for a new DCO? Would any fresh environmental assessment be needed?
1.4.5.	The Applicant	Applicants' response to ISH1:54; the proposed changes in the references to the County Council and Highways England are noted. Please will the Applicant consider using the statutory functions (e.g. "highway authority for [given types of roads]" rather than "Northampton County Council or successors in function" which, whilst comprehensible at the present, may be less so in, say, 40 years by which time other local government re-organisations may have occurred.
1.4.6.	The Applicant, Ashfield/Gazeley, SNBC,	Responses to ISH1:107A, 107B and 107C. The responses to these questions were largely dealt with by oral exchanges at the ISH. Will the

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
	NBC	Applicant please submit written answers either by way of an answer to this question or in its written submissions of oral answers specified for <b>Deadline 1 (6 November)</b> . Although not mentioned in those questions, the ExA drew attention at the discussion to paragraph 13 of Schedule 2 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 and the Applicant is asked to address that provision as well. Ashfield/Gazeley also contributed to the exchanges and the ExA would be grateful if they could also submit written answers/written submissions of oral answers. Submissions from the County and District Councils would also be welcomed.
<b>1.5.</b>	<b>Geology, soil and groundwater</b>	
1.5.1.	The Applicant	All paragraph and section numbers relate to ES Chapter 6 (Geology, soil and groundwater) [APP-092] unless otherwise stated.  Paragraph 6.5.28 indicates that in relation to soil excavation, if any unforeseen made deposits are encountered than a Materials Management Plan would be required. What are the implications of this?
1.5.2.	The Applicant	Paragraph 6.2.13 states on the issue of local policies that the policies of South Northamptonshire Council have been considered. However, the Proposed Development is in the areas of two district or borough councils). What consideration has been given to the policies of Northampton Borough Council?
1.5.3.	The Applicant	Paragraph 6.2.13 – is the WNJCS relevant? If so, please explain how?

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
1.5.4.	The Applicant	<p>Sterilisation of minerals; in paragraph 6.3.5 it is stated:</p> <p><i>“Based on the detailed discussions held with the Minerals and Waste Planning Authority in 2015 and updated correspondence in 2017, it has been confirmed and agreed that the mineral resource beneath parts of the Main SRFI area of the development is not accessible, and not likely to be commercially viable...            Correspondence appended to this Chapter (RSK letter to NCC dated 20/4/15) addresses the approach to relevant local plan policies on this matter and email correspondence between RSK and NCC (dated 13/9/15 and 15/12/16 and 4/12/17) confirms the agreement reached with the Northamptonshire County Council on this issue. Copies of the relevant correspondence are included within Appendix 6.13.”</i></p> <p>The letters and emails in Appendix 6.13 [APP-181] are (i) RSK to Northamptonshire, 20 April 2015 (ii) Northamptonshire to RSK, 13 September 2016. The dates do not match with paragraph 6.3.5; please can the Applicant explain the position?            The correspondence in Appendix 6.13 refers to a planning application S/2014/2468/EIA. Please can the Applicant explain what that application was for and how it relates to the Proposed Development which is the subject of this application for a DCO?</p> <p>There is no letter dated 13/9/15.</p>
1.5.5.	The Applicant	In relation to the baseline, paragraph 6.4.2 explains that the works to

ExQ1	Question to:	Question:
		<p>six outlying junctions including J15A of the M1 are considered to be minor, “<i>predominantly confined to the highway boundary</i>” and that “<i>no significant measurable disturbance or impact will be made upon the underlying geology, soils or groundwater regime</i>”. Therefore they have been discounted from further assessment. This is based on the statements in para 6.4.2 that:</p> <p>“<i>These works <u>appear to be</u> primarily white line adjustment, kerb line adjustment, signage, signalling, the addition of street furniture and the addition of central splitter islands and lanes as required. The aim of these works is <u>understood to be</u> to increase visibility ...</i>” (underlining added).</p> <p>(i) The underlined words indicate some doubt. Please can the Applicant consider this and state clearly whether or not this is an accurate description of the works in question? If it is not, please indicate how.</p> <p>“<i>Predominantly confined</i>” suggests that there are some works outside the highway boundary.</p> <p>(ii) Is this the case? If so, please can the Applicant indicate to what extent and state the significance?</p> <p>(iii) It is stated these works include additional “<i>lanes as required</i>”. Do those result in works outside the highway</p>

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
		boundary? (iv) Is the highway boundary the right measure? Highway boundaries typically include soft verges and undisturbed land.
1.5.6.	The Applicant	Paragraph 6.5.15 states " <i>Risk assessments will be undertaken to identify main health and safety and environmental risks and indicate suitable mitigation to be put in place to reduce risks to acceptable levels.</i> " Should not this be done now? This is not dissimilar from the issue raised in question ISH1:107C (to be found in the Schedule of Examining Authority issues and questions relating to the dDCO, Table 1 of Annex G to the Rule 6 letter).
1.5.7.	The Applicant	Paragraph 6.5.58 states: " <i>Where materials are required to be imported, the developer will endeavour to utilise recycled inert clean aggregate and soils sourced locally. This might include... </i> ". (i) Has this been taken into account in assessing residual effects? (ii) Why is this not a firm commitment rather than a mere endeavour? What are the implications for the conclusions of the assessment in the ES if these measures are not delivered? (iii) Should not a specification for the materials be added rather than a statement of what they " <i>might</i> " be? What are the implications for the ES if they turn out not to be the substances listed?
1.5.8.	The Applicant	Paragraphs 6.5.57 and 6.5.58; these two paragraphs are under the



<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
		<p>heading “Sustainability” and conclude that the re-profiling and proposals for imported materials “represent a sustainable approach to development”. Is not the question, however, whether the Proposed Development will have any likely significant effects on the environment? Please could the Applicant also explain how these two paragraphs fit into, and can be taken into account in, the assessment of likely significant effects?</p>
1.5.9.	The Applicant	<p>Cumulative impacts; section 6.7 asserts that there will be no cumulative impacts with the committed SUEs and Rail Central. There is, however, no explanation as to how the Applicant comes to this conclusion. Please will the Applicant comment?</p>
<b>1.6.</b>	<b>Historic Environment</b>	
1.6.1.	The Applicant, Historic England	<p>All paragraph numbers relate to ES Chapter 4 (Landscape and Visual Effects) [APP-083] unless otherwise stated.</p> <p>The Grade II listed Courteenhall War Memorial is referred to within paragraph 10.5.12 of ES Chapter 10 (Cultural Heritage) [APP-113] where it is stated that the highway mitigation works to the A508, involving alteration to kerb-lines and provision of a new footway, are not considered to pose any material harm to this asset.</p> <ul style="list-style-type: none"> <li>(i) Can the Applicant please provide justification for this assertion?</li> <li>(ii) Can the Applicant please explain why the war memorial is not mentioned within the Built Heritage Statement (ES Appendix 10.1)?</li> </ul>

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
		(iii) What are the implications of the footpath passing to the rear of the memorial when its inscriptions face the road where there would be no footpath?
1.6.2.	The Applicant, Historic England	<p>Historic England in its letter to the Applicant of 27 November 2017 [AS-003] indicated its position that further information and assessment was required in order to fully demonstrate the impacts of the Proposed Development on designated heritage assets. Amongst other matters, Historic England stated that it wished to see additional photomontages in order to assess the full visual effect and effectiveness of mitigation in respect of certain heritage assets. The ExA notes that suggested photomontages from viewpoints 8 and 15 (within ES Chapter 4) have not been provided.</p> <p>(i) Can Historic England please indicate whether it is now satisfied that sufficient information has been provided within the ES to allow an adequate assessment of impact on the significance of heritage assets, including impact on setting and, if not, what further information does it consider is still required?</p> <p>(ii) Can the Applicant indicate why it has chosen not to provide additional photomontages for viewpoints 8 and 15 and how does this relate to what is said in ES Chapter 4 – that viewpoints and photomontages are agreed with Historic England (see ExQ 1.7.4 below)?</p>
1.6.3.	The Applicant	Paragraph 10.5.8 of ES Chapter 10 (Cultural Heritage) states that the

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
		Roade bypass corridor contains a single recorded designated heritage asset (the grade II Roade Aqueduct) and beyond this there are no other statutory protected heritage assets within the application site. However, Figure 10.1 within ES Chapter 10 shows the Roade Aqueduct lying beyond the bypass corridor, whereas the grade II Courteenhall War Memorial is situated within the application site further north along the A508. Can the Applicant confirm that ES para 10.5.8 requires correcting?
<b>1.7.</b>	<b>Landscape and Visual</b>	
1.7.1.	The Applicant	Paragraph 4.4.3 of ES Chapter 4 (Landscape and Visual Effects) [APP-083] refers to an earthworks strategy and that mitigation mounding proposals for the main site of the proposed development and the Roade bypass corridor " <i>will generally be formed using materials and soils from the adjoining or other nearby development plots</i> ". (i) Can the Applicant please point to where the earthworks strategy may be found? (ii) Please explain what is meant by the use of " <i>materials and soils from adjoining or other nearby development plots</i> ".
1.7.2.	The Applicant	Chapter 4 of the ES contains various drawings showing illustrative cross-sections for the main site of the Proposed Development. However, there is no cross-section through Highgate Wood (which is to be retained) and what would be Unit 7. Can the Applicant please provide such a drawing?
1.7.3.	The Applicant	The cross-section drawings in ES Chapter 4 provide approximate height

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
		measurements (AoD) for the proposed landscape screen bunds. What confidence can the ExA have in the ability of the bunds to perform their mitigation functions, without producing additional adverse effects in themselves, in the absence of maximum and minimum values for the heights of the landscape screening? Can the Applicant please explain the extent to which the assessment of effect is sensitive to the finished level of landscape screen bunds? The ExA notes that the assessment describes 'approximate' heights only and the DCO does not constrain the finished level(s) in any way.
1.7.4.	NBC	ES Chapter 4 contains existing views and selected photomontages showing how the Proposed Development might appear, with viewpoints and photomontages agreed with SNDC and Historic England, but there is no reference to agreement with NBC. Is NBC content with the selection of viewpoints and photomontages?
1.7.5.	The Applicant	It is unclear whether the Proposed Development would be capable of being seen from Viewpoint 22 (ES figure 4.7) [AA-085] since this is simply annotated as " <i>General Direction of the Main Site</i> ". This viewpoint is within the Zone of Theoretical Visibility (ES figure 4.9) [APP-086]. Can the Applicant please indicate what degree of visibility of the Proposed Development there would be from this viewpoint, and the area of Blackymore Park more generally, providing illustrative material as necessary?
1.8.	<b>Noise and Vibration</b>	

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
1.8.1.	The Applicant	<p>All paragraph numbers and Tables referred to are those in ES Chapter 8 (Noise &amp; Vibration) [APP-094].</p> <p>Can the Applicant please explain how the receptors presented in Table 8.12 have been selected, what the acoustic study area is and how it has been defined?</p>
1.8.2.	The Applicant	<p>Road Cutting SSSI and Roade Quarry Local Wildlife Site are not included in Table 8.12 but impacts on these sites have been assessed for some matters. Could the Applicant explain these discrepancies?</p>
1.8.3.	The Applicant	<p>It is not clear which works have been assessed as part of the 'Main Site' and which have been assessed as 'other highways works'.</p> <p>(i) Can the Applicant clarify specifically which works of the Proposed Development have been assessed within the three broad categories 'Main Site', 'Roade Bypass' and 'other highways works'?</p> <p>(ii) Can the Applicant also explain how these terms relate to the Works defined in the dDCO?</p>
1.8.4.	The Applicant	<p>Can the Applicant explain how ground-borne vibration impacts arising from construction have been modelled?</p>
1.8.5.	The Applicant	<p>Can the Applicant explain how the evidence on passenger and freight train activity on the Northampton Loop and West Coast Main Line used to predict operational noise levels has been derived? How has the</p>

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
		Applicant ensured that the worst case scenario has been assessed?
1.8.6.	The Applicant	Can the Applicant explain the nature of the receptors set out in Table 8.12 and explain how the sensitivity of the receptors to road traffic noise in the operational phase of the Proposed Development (including the Roade Cutting SSSI and Roade Quarry Local Wildlife Site) has been determined?
1.8.7.	The Applicant	Can the Applicant confirm if an exceedance of the Significant Observed Adverse Effect Level (SOAEL) threshold values for construction noise at residential buildings (Table 8.1) constitutes a significant effect in EIA terms?
1.8.8.	The Applicant	Chapter 8 states that the shaded boxes with text in bold in Tables 8.4, 8.5, 8.9 and 8.10 indicate a significant adverse effect; however, bold text is not consistently used. Can the Applicant confirm that if the result for a receptor falls in the categories shown by the shaded cells in Tables 8.4, 8.5, 8.9 and 8.10, this indicates that there is a significant adverse effect in EIA terms?
1.8.9.	The Applicant, EA, SNDC and NBC	Annex E.5 of BS 5228-1 states that where construction works involve long-term substantial earthmoving then the activities are more akin to surface mineral extraction than conventional construction activity, and should be treated as such with a suggested limit of 55dB LAeq,1h for daytime construction noise. The Proposed Development will entail bulk earthworks with a proposed duration of 2 years. However, the assessment instead applies the methodology described in Table E.1 of BS 5228-1. Can the Applicant explain why the approach in Annex E.5 was not followed in this respect? Can the Environment Agency, South

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
		Northamptonshire and Northampton District Councils confirm whether they consider the approach taken by the Applicant is adequate in light of the guidance on long-term substantial earthmoving?
1.8.10.	The Applicant	No methodology has been described in the ES for modelling construction vibration impacts. Can the Applicant explain how ground-borne vibration impacts arising from construction have been modelled?
1.8.11.	The Applicant, NCC	The Applicant has not assessed the impacts of road traffic-induced ground vibration arguing that this is mainly caused by vehicles passing over irregularities in the road surface (ES paras 8.3.54 – 55). How will the Applicant ensure that the road traffic associated with the Proposed Development will not lead to significant levels of ground vibration as the road quality deteriorates over the lifetime of the development? Is Northamptonshire County Council, in its capacity as relevant Highways Authority, satisfied with the approach taken by the Applicant in this regard, taking into consideration the likely quality of road surfaces during the lifetime of the project?
1.8.12.	The Applicant, Environment Agency, SNDC and NBC	Having regards to construction vibration at residential buildings, can the Applicant explain why a threshold level of 0.5 mm/s was chosen given that BS 5228-2 Table B1 states that vibration might be just perceptible in residential environments at a level of 0.3mm/s? Can the Environment Agency, SNDC and NBC confirm whether they consider the approach taken by the Applicant is adequate in light of the guidance?
1.8.13.	The Applicant	Can the Applicant explain, for the assessment of effects from

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
		operational SRFI activities at the Main Site, how the difference in noise levels, the resulting absolute levels of sound, and the character of the sound source have been combined to establish the significance of the effects?
1.8.14.	The Applicant	Paragraph 8.5.3 states that noise arising from construction activities assumes the activities are “in relatively close proximity to the receptor”. Can the Applicant define what is meant by close proximity, and explain the extent to which this represents a suitable assessment of the worst case?
1.8.15.	The Applicant	Can the Applicant confirm whether the potential noise effects arising from the demolition of existing farm buildings have been taken into consideration in the assessment of construction noise?
1.8.16.	The Applicant	Can the Applicant provide an estimate of the likely frequency of out-of-hours construction activity for all works?
1.8.17.	The Applicant	Paragraph 8.3.9 states that a qualitative approach will be taken to the assessment of construction noise effects from the “other highway works”. However, paragraph 8.5.21 states that the assessment will be deferred until production of the relevant phase-specific CEMP. Accordingly, it is unclear as to whether the assessment has sufficiently addressed these matters. In the absence of such an assessment, can the Applicant please explain the extent to which it is confident that all likely significant effects have been assessed?
1.8.18.	The Applicant	Can the Applicant provide justification for the conclusions reached regarding the effects of operational railway vibration on ecological receptors at the Roade Cutting SSSI?



<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
1.8.19.	The Applicant	Can the Applicant define the maximum duration of the temporary significant adverse effect to Receptor 27 Blisworth High Street (ES Appendix 8.6) arising from road traffic noise around the Main Site in the 2021 daytime scenario?
1.8.20.	The Applicant	The Applicant relies on the assumption that freight trains will be less noisy in the future to mitigate for the significant adverse effects arising from operational railway noise in the 2043 night-time scenario. Can the Applicant provide information regarding the work being undertaken to reduce train noise, and provide an indication of the certainty that is in place to enable this to be relied upon as mitigation?
1.8.21.	The Applicant	Can the Applicant provide a level of significance for the residual effects in Table 8.21, and include a justification to support the level assigned?
1.8.22.	The Applicant	In paragraphs 8.6.27 and 8.6.28 it is noted that the combined effects of road and rail noise has been assessed for two receptors but it is not clear why only these two receptors have been considered. Can the Applicant explain how the cumulative effects of road and rail noise have been addressed?
1.8.23.	The Applicant	The ES does not assess the cumulative noise and vibration effects of the Proposed Development and the Northampton South Sustainable Urban Extension (SUE), on the grounds that the latter is " <i>primarily residential and is therefore not a development that is expected to generate noise</i> " (paragraph 8.8.4). No quantitative data is provided to scope the construction and operation of this development out of the assessment. Can the Applicant provide further justification for not assessing the cumulative noise and vibration effects of the Proposed

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
		Development and the SUE, especially given the potential for their construction periods to overlap?
1.8.24.	The Applicant	Paragraph 8.6.5 states that the CEMP " <i>may include</i> " a noise monitoring regime. However, the draft CEMP indicates that monitoring will be undertaken. Can the Applicant confirm whether noise monitoring will be undertaken and explain what the consequences would be of a breach in acceptable noise levels?
1.8.25.	The Applicant	The Applicant relies on the use of 'best practicable means' to mitigate the effects of construction noise. Can the Applicant define what is meant by 'best practicable means' as it applies to the assessment?
1.8.26.	The Applicant	The Applicant proposes to mitigate the significant adverse effects from road traffic noise on Receptors R30 (West Lodge Cottages) and R57 (The Lodge) through the implementation of the Noise Implementation Regulations 1975 (as amended 1988). Can the Applicant explain the mechanism by which this mitigation is secured and how it will be delivered?
<b>1.9.</b>	<b>Cumulative impacts and interactions</b>	
1.9.1.	The Applicant	<p>Paragraph numbers are those within ES Chapter 15 (Cumulative impacts) [APP-123] unless otherwise stated.</p> <p>At present, assessments of cumulative and in-combination impacts which take account of the Rail Central proposal have been based on that project's publicly-available pre-application material. There was considerable discussion at the PM of cumulative effects with the Rail Central proposal and these are due to be considered at the cumulative</p>

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
		<p>effects ISH4 on 12 March 2019.</p> <p>The SoCG requested by the ExA at Annex E of the Rule 6 letter, between the Applicant and Ashfield/Gazeley, was originally requested by Deadline 1. Following submissions by the Applicant, the ExA has decided to accept their request that the deadline for its submission should be moved to Deadline 3.</p> <p>Ashfield/Gazeley have requested that an SoCG between Ashfield/Gazeley, the Applicant and Network Rail should be required, to address the operational compatibility between the two schemes – see Osborne Clarke’s letter of 2 October 2018 and submissions made at the PM. The ExA have decided to require this, and that it should be provided by Deadline 3.</p> <p>Separately, please will the Applicant submit an updated cumulative impact assessment, taking into account any further available material in relation to Rail Central, by Deadline 4? The ExA will require all elements of the Applicant’s assessments which incorporate cumulative and in-combination assessment involving Rail Central to be updated. Wherever possible the updated assessment should be quantitative rather than qualitative; where qualitative assessments are relied upon then a justification should be provided as to why this is the case. The assessment should clearly explain the significance of the cumulative effects and explain how the significance of effects has been</p>

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
		<p>determined.</p> <p>The ExA is aware that the timeframe for this may be short. As such, can the Applicant please indicate at Deadline 1, with updates at Deadlines 2 and 3, what mechanisms it aims to put in place by which its cumulative and in-combination impact assessments will be updated?</p>
1.9.2.	The Applicant	<p>Bearing in mind in particular Reg 5(2) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017, and in relation to "impact interactions" as defined in paragraph 15.1.4:</p> <p>i) Can the Applicant please explain how assessment of "impact interactions" as defined in paragraph 15.1.4 of the ES [APP-123] was carried out?</p> <p>ii) Can the Applicant also demonstrate how the methodology has been used to reach the conclusions presented in Tables 15.1 and 15.2?</p> <p>iii) Can the Applicant explain how the receptors listed in Table 15.1 and 15.2 of the ES were identified? Why has the off-site historic environment not been included as a receptor? If necessary, please explain the impact interactions on the off-site historic environment.</p> <p>iv) Can the Applicant describe the methodology used to define and determine significance? The Applicant is requested to provide updated versions of Tables 15.1 and 15.2 which clearly explain how the</p>

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
		<p>methodology has been used to reach the conclusions presented in the tables.</p> <p>v) Paragraph 15.1.8 of the ES states that the impact interactions have been assessed in the relevant topic chapters of the ES. The Applicant is requested to identify the paragraphs in each relevant chapter of the ES that deal specifically with impact interactions.</p> <p>vi) Where is ecology assessed for interactive effects?</p> <p>vii) Please will the Applicant supply a matrix or other explanation showing and assessing the interactions between the factors in Reg 5(2)?</p>
1.9.3.	The Applicant	<p>Paragraph 3.9.11 of Appendix 4 of the Planning Statement [APP-376] indicates that a comparative analysis table of certain aspects of the Proposed Development and the potential Rail Central scheme has been set out. This does not appear to have been included. Could the Applicant please provide this, bearing in mind the need for likely updating (see ExQ 1.9.1 above)?</p>
1.9.4.	The Applicant	<p>ES Chapter 13 (Agricultural land) [APP-117] provides information on cumulative effects of the Proposed Development with other committed and proposed developments nearby. Paragraph 13.7.9 suggests that agricultural land around Northampton is of relatively high quality with significant areas being of Grade 1 and 2, which means that in this wider context and scale the cumulative losses of Best and Most</p>

ExQ1	Question to:	Question:
		Versatile land as a result of the Proposed Development are not considered strategically significant. For the ExA to be able to assess this assertion, can the Applicant please provide further detail of broad agricultural land classifications within an appropriately defined area?
1.9.5.	The Applicant	Reduction in HGV mileage – paragraph 15.2.35; please could the Applicant indicate how significant the reduction referred to here is judged to be and reference it in the relevant topic chapters?
1.9.6.	The Applicant, NCC, NBC, NSDC	Cumulative effects with committed development; have the developments, whether committed or not, with which the application should be assessed cumulatively, been agreed with the two LPAs and the County Council? Please indicate within relevant SoCG.
1.9.7.	Applicant	The ES Transport chapter [APP-116] considers the Proposed Development cumulatively with all of the planned growth in the West Northamptonshire Joint Core Strategy. This is not done for other chapters which deal only with the Northampton South and Brackmills South SUEs. Please can the Applicant explain why this approach of not dealing with all the planned growth is acceptable? The ExA notes paragraphs 15.3.3 and 15.3.8 – 15.3.10 but these explicitly appear to address only cumulative effects with committed developments – the two SUEs.
1.9.8.	Applicant	Paragraph 15.3.8 also states that " <i>there are no likely cumulative effects with the South of Brackmills SUE given proximity from the Proposed Development site</i> ". Is this intended to mean that the South of Brackmills SUE is NOT sufficiently proximate for there to be cumulative effects?

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
1.9.9.	Applicant	In the matrices at the end of Chapter 15 of the ES [APP-123], italic script is used for parts. Please can the Applicant explain the significance of the italics?
<b>1.10.</b>	<b>Socio-economic Effects</b>	
1.10.1.	The Applicant	<p>Paragraph and section references below are to ES Chapter 3 (Socio-economic) [APP-82].</p> <p>Paragraph 3.3.7 categorises effects as major, moderate and minor; it equates major with Regional scale/long-term duration. The other two are related to District/medium-term duration and Local/short to medium-term duration reflecting the geographical expressions "District" and "Local" used for scale in Table 3.1. But that table uses the words "Study area" not "Regional" for the largest area. Should paragraph 3.3.7 also use "Regional"? Are the phrases "Study area" and "Regional" used interchangeably in the chapter? (This does not always appear to be the case, see paragraph 3.3.11.) Please clarify.</p>
1.10.2.	The Applicant	<p>Paragraph 3.3.15 refers to employment densities and uses density to estimate the number of employees. Obviously, significant numbers of workers at this development when completed will need to be on-site.</p> <p>(i) But will there not be some office workers who work wholly or partly from elsewhere or home and are those numbers significant? How does the chapter address them?</p> <p>(ii) Similarly, in a rail freight interchange there will be some whose place of work whilst on site is not indoors. How does</p>

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
		<p>(iii) the chapter address that?            Could the Applicant please explain what difference the answers to (i) and (ii) make to the number of employees and to the conclusions of this chapter?</p>
1.10.3.	The Applicant	Paragraph 3.4.30; please identify clearly the “ <i>wider indicators</i> ” referred to in this paragraph.
1.10.4.	The Applicant	<p>Paragraph 3.5.4 states “<i>If it is assumed that the average permanent job lasts for 10 years, then 10 worker years equate to one permanent job.</i>”</p> <p>How safe is this assumption? Is it “likely”? On what is it based? The assumption appears to underpin much of this chapter of the ES.</p>
1.10.5.	The Applicant	Section 3.5; please explain what will be the effect on the supply of construction workers? Is there an adequate pool, particularly when other developments are considered?
1.10.6.	The Applicant	<p>Paragraphs 3.6.6 and 3.6.7 conclude there will be a major significant economic effect of about £348 million pa (or 7,544 full-time equivalent jobs) from the completed development.</p> <p>(i) Is this the net effect?            (ii) Please explain the derivation of the annual GVA of £46,200 per filled job.            (iii) Are there enough available employees, at the right levels of qualification?            (iv) Will some workers come from other businesses?</p>



<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
		(v) Will other businesses suffer a shortage of labour? (vi) Will labour costs rise? (vii) Is any element of the £348 million already in the economy?
1.10.7.	The Applicant	How do the answers to question 1.10.6 modify the section in Chapter 3 on Additionality? In addition to answering the direct questions above, please also indicate how the conclusion in paragraphs 3.6.6 and 3.6.7 change or should be moderated.
1.10.8.	The Applicant	Please indicate also where the section headed "Additionality" ends. The latter paragraphs up to 3.7 appear to have a significant stand-alone element.
1.10.9.	The Applicant	Paragraph 3.7.7 states " <i>Furthermore, the enhanced [bus] services would connect to areas where a greater concentration of deprivation has been identified (see paragraph 3.6.29 and Figure 3.10).</i> " Does this benefit anyone other than those working at the Proposed Development?
1.10.10.	The Applicant	Employment and labour market; what are " <i>the barriers ... identified above</i> " to which the chapter refers at para 3.7.10? Is it the last sentence of paragraph 3.7.8?
1.10.11.	The Applicant	The effect on housing is stated to be negligible given the future increase in supply – see paragraph 3.7.11. Given, however, that (as the ExA understands from other application documents in this case) the Proposed Development was not in the development plan, will there be adequate capacity if the Proposed Development is added in? What will be the likely significant effect? The same points apply to paragraph 3.8.5. Please could the Applicant deal with both?

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
1.10.12.	The Applicant	Paragraph 3.8.1; please indicate the residual effects in the construction period at Study Area and Local scale.
1.10.13.	The Applicant	Paragraph 3.8.3; Could the Applicant provide a net GVA figure? With what should the GVA be compared?
1.10.14.	IPs, the Applicant	<p>Many relevant representations refer to increased crime statistics in the vicinity of the DIRFT SRFI though the source of these is not stated, with concerns that there could be an increase in crime associated with the Proposed Development.</p> <p>(i) Is it possible to provide the factual evidence in relation to crime in the vicinity of DIRFT and linkage with that facility?</p> <p>(ii) What are the implications in respect of what would be a similar facility at the Proposed Development?</p>
1.10.15.	The Applicant	Please could the Applicant revise the conclusions as appropriate in the light of the answers to the above questions on this chapter? It would be helpful to have the conclusions section with changes tracked as a result.
<b>1.11.</b>	<b>Transportation, Traffic and Rail</b>	
1.11.1.	The Applicant/NCC	<p>Paragraph references below are to ES Chapter 12 (Transport) [APP-116].</p> <p>Chapter 12 refers to the A45/M1 Northampton Growth Management Scheme (NGMS) and a Memorandum of Understanding. Please explain the status of this document and how the Proposed Development relates to the schemes within the NGMS.</p>

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
1.11.2.	Highways England (HE), NCC	Highways England has identified an improvement scheme for the M1 Junction 15 (J15) that could potentially provide increased capacity, but that this would still leave the junction over capacity in certain conditions, with there being no certainty whether an improvement would be delivered (paragraph 12.4.7). Improvements to J15 within the Smart Motorway Project (SMP) have also been excluded (paragraph 12.4.12). Is it therefore the view of HE and the local highway authority that appropriate capacity improvements to J15 are only likely if led and funded by the Proposed Development?
1.11.3.	HE	Is there any update on the proposed phasing of work on the SMP which would provide an indication whether work within 1.5km of M1 J15 is unlikely to commence within six months of the Proposed Development work at J15, and therefore trigger the alternative arrangement for the junction improvements as shown on Application Plans 2.4T [AA-044] and 2.4U [APP-045]?
1.11.4.	Applicant, HE	<p>The SoCG with HE (3 May 2018) indicates the following documents are not yet complete: Final Transport Assessment; Final ES Transport Chapter; and Stage 1 Road Safety Audit Response Report. The SoCG also lists various plans that were not complete at the date of the SoCG. Please provide an update on progress towards finalisation of the above documents and plans, with submission into the Examination of these when finalised.</p> <p>Please provide an updated SoCG when all the above documentation and plans have been finalised which sets out the position relating to this documentation and these plans.</p>

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
1.11.5.	The Applicant, HE	How would work on the M1 J15 junction improvements relate to and be coordinated with work on the SMP to minimise disruption during construction? Is work capable of being simultaneously carried out and how would this be secured?
1.11.6.	The Applicant, NCC	The proposed access to the Main Site would be configured to require all departing HGV traffic to travel north, supported by Automatic Number Plate Recognition, and an enforcement regime to deter U-turning movements at the M1 J15. (i) Please provide details of the envisaged latter enforcement regime and how this would be secured and maintained. (ii) What sanctions would there be against transgressors?
1.11.7.	The Applicant	Paragraph 12.6.10; the height barrier is clearly an important traffic control item. Please will the Applicant confirm that its maintenance and prompt repair is or will be controlled by a requirement or other suitable mechanism, and state where this is to be found? If yet to be drafted, please could the Applicant supply a proposal?
1.11.8.	The Applicant	The Public Transport Strategy [APP-233] within the Transport Assessment seeks to introduce a new bus service specifically for the Proposed Development. It states that funding for public transport improvements will be secured through the DCO. Can the Applicant please indicate where in the current version of the dDCO this is secured?
1.11.9.	The Applicant	The Framework Travel Plan [APP-232] within the Transport Assessment refers (section 9) to funding for travel plans and specific incentives to promote sustainable travel, with specific annual costs enumerated.

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
		What is the mechanism for the provision of the indicated funding?
1.11.10.	The Applicant	Please explain the rationale behind the proposed quantum of dedicated parking for early-arrival lorries within the main site.
1.11.11.	The Applicant	Network Rail has stated that its position on the DCO application is neutral until further detailed rail capacity studies have been carried out. Can the Applicant please set out what further studies are being undertaken and indicate when these would be made available to the Examination?
1.11.12.	The Applicant, Network Rail	The Applicant's Rail Reports [APP-377] suggests rail freight capacity will be boosted by the opening of HS2. Against the background of projected rail freight traffic growth, what are the implications if HS2 is subsequently extended as phase 2 to the north-west and to Yorkshire?
1.11.13.	The Applicant	<p>Requirement 3 of the dDCO provides that a rail terminal capable of handling at least 4 goods trains per day must be constructed and available for use prior to the occupation of any of the rail-served warehousing. However, there is no compulsion for rail to be used.</p> <p>(i) What certainty/guarantee is there that, despite the construction of rail facilities within the Main Site and the requirement for them to be operational, the Proposed Development wouldn't primarily become a road-served warehousing facility?</p> <p>(ii) Is the Applicant able to provide examples from other SRFIs of the actual levels of rail use in relation to the amount of warehousing provided that would point to likely level of use</p>

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
		<p>that might be expected?            (iii) Can the Applicant provide any information at this stage as to a possible operator of the rail terminal?</p>
1.11.14.	The Applicant	<p>The Rail Reports [APP-377] state that Rapid Railfreight is an untested new market, is in its infancy and its future development is not yet clear.            (i) Could the Applicant please fully explain what is meant by "Rapid Railfreight"?            (ii) Does the Applicant have any update as to the demand for, and the likelihood of, the suggested Rapid Railfreight component being provided?            (iii) What are the advantages of such a facility?</p>
1.11.15.	The Applicant and Network Rail	<p>In certain relevant representations concern has been expressed as to the relationship between increased rail freight use associated with the Proposed Development and existing and projected future growth in passenger traffic (and station improvements) and how the latter elements may be adversely impacted in terms of function, capacity and speed. At the PM the Northampton Rail Users Group suggested that the ES does not address the effects of the Proposed Development on rail passengers. Please comment and can the Applicant indicate where in the ES the relevant information can be found and if not provided indicate what the effects would be, or explain why this has not been fully addressed?</p>
1.11.16.	Network Rail, the Applicant	<p>The ExA understands that the current maximum length of a freight train is 775m and the Proposed Development would be capable of</p>

ExQ1	Question to:	Question:
		accommodating trains of this length. Is the permitted maximum length of train likely to increase in the future and, if so, what would be the implications for the design and operation of the Proposed Development?
1.11.17.	The Applicant	A45/M1 Northampton Growth Management Scheme (NGMS); at what date was/were the study/ies described in paragraph 12.3.48 and following carried out?
1.11.18.	The Applicant, HE, NCC	Regulation 123(3) of the Community Infrastructure Levy Regulations 2010, which restricts the number of planning obligations allowed to pool funds, appears to apply. Please comment on how it interacts with the A45/M1 NGMS Memorandum of Understanding and any s.106 or similar agreements proposed in relation to this application.
1.11.19.	The Applicant	Up to paragraph 12.3.63 the chapter reviews and highlights many policies. Paragraph 12.3.63 then concludes that all the relevant policy guidelines and specific requirements for transport are met. The ExA would be helped if the Applicant could please list by each policy the parts of the chapter which address each policy, or provide a table to do that.
1.11.20.	The Applicant	Transport modelling, paragraph 12.5.3; this states no allowance for modal shift has been made. Please will the Applicant explain how this applies in relation to the freight to be transported into and out of the Proposed Development which of course aims to remove some freight from road to rail?
1.11.21.	The Applicant	Paragraph 12.5.7 – “ <i>difference assessment scenarios</i> ” – please confirm (or otherwise explain) that this is a misprint for “ <i>different assessment</i> ”

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
		<i>scenarios</i> ".
1.11.22.	The Applicant	Table 12.3 – Reference case C1 is 2021 DfT 02/2013 Circular compliant (and so on for F1 and I1. According to paragraph 12.3.27 Circular 02/2013 says highway improvements are only considered after travel plan and demand management has been used, which means that to be 02/2013 compliant it is necessary to model those. However, paragraph 12.5.5 notes NSMT2 modelling has been done without the Framework Travel Plan and Public Transport Strategy. Please could the Applicant comment on what is meant therefore in this table by being 02/2013 Circular Compliant? Will that explanation hold good for all other references to 02/2013 compliance?
1.11.23.	The Applicant	Paragraph 12.5.19 states that erosion of capacity where a junction or link continues to perform within capacity is not relevant. Please could the Applicant comment on the relevance and significance of the erosion of that capacity which would otherwise be available for the benefit of other developments or result in a less pleasant and easy driving experience?
1.11.24.	The Applicant, NCC, SNDC and NBC	Paragraph 12.6.8: Please confirm that the financial contribution to NCC will not infringe the Community Infrastructure Regulations 2010, Regulation 123. Please address this issue also in relation to paragraph 12.7.86 and any other contributions to be made by planning obligations or provisions to which Regulation 123 applies.
1.11.25.	The Applicant	Paragraph 12.6.24; is the aim that HGV traffic leaving the SRFI site must take one of three routes; north up the M1, south down the M1, or east on the A45, but in no circumstances west down the A508, even



<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
		after negotiating Junction 15 (except when an official diversion route was in force)?
1.11.26.	The Applicant	How is it envisaged that the Sustainable Transport Working Group will be secured, funded and staffed?
1.11.27.	The Applicant	Is it envisaged that the test in paragraph 12.6.55 be operated and a new bus journey provided every single time that the 100 employee/time window is met? Please could the Applicant also explain how this will interact with the commitment to provide public transport from the outset, described in paragraphs 12.6.60 and 12.6.61?
1.11.28.	The Applicant	Please will the Applicant explain how the bus service provision described in paragraph 12.6.60 is to be secured and funded?
1.11.29.	The Applicant	Residual effects are dependent on certain assumptions being true – see paragraph 12.7.18. Are these realistic and likely? The answer should include a justification as to why the residual effects are realistic and likely.
1.11.30.	The Applicant	<p>Paragraph 12.7.27; construction phase impact is indicated to be temporary adverse moderate significance. This appears to be a greater impact than indicated in paragraphs 12.7.25 - 26.</p> <ul style="list-style-type: none"> <li>(i) Please can the Applicant explain how this conclusion has been reached?</li> <li>(ii) Will the Applicant also please set out the numbers and compare them with the current and predicted no-scheme world.</li> <li>(iii) Where are the results of B1 to J1 in Table 12.3 set out for this issue?</li> </ul>

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
1.11.31.	The Applicant	Paragraph 12.7.37 assumes a maximum capacity of 16 trains per day. (i) Is this a reasonable, realistic and likely assumption? What evidence supports this assumption? (ii) Is that assumption made for all purposes of the ES (note please, the ES as a whole, not just this chapter)?
1.11.32.	The Applicant	Paragraph 12.7.56; in the sentence " <i>The highway mitigation proposals release existing constraints that allow the A508 to accommodate additional traffic and function as intended</i> ", should " <i>that</i> " read " <i>and so</i> "?
1.11.33.	The Applicant	Paragraph 12.7.107 refers to flows being consistent with a high level of driver stress. (i) Is this paragraph describing flows in 2031 with the Proposed Development in place and highway mitigation? Is that what is meant? (ii) In the following paragraphs mitigation is described which it is said reduces driver stress and fear. Is it meant that even with those in place stress is high, albeit less than it would be without them?
1.11.34.	The Applicant	Paragraph 12.8.27 says the respective strategies for public right of way (PRoW) KX17 are incompatible. In the event that both schemes came to fruition, what would the Applicant propose for PRoW KX17, and what would be its effect, and the residual effects of the Proposed Development with the resulting footpath scheme in place?
1.11.35.	Network Rail	Please will Network Rail explain the capacity of the rail system to serve the Proposed Development and provide the data underpinning its

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
		<p>explanation? Please answer this question taking into account not only the West Coast Main Line (including the Northampton Loop) but also other parts, such as for example the alleged bottleneck at Ely to which a number of interested parties have referred in their relevant representations. Please take into account other SRFIs whether in operation now, under construction, or proposed, and other demands on the system, such as rail passengers.</p> <p>On a separate but related point, Network Rail asked for guidance at the PM as to whether it should be providing information to the Applicant and Ashfield/Gazeley on the basis of only one development going ahead or both. In the ExA's view the information should be on the basis of (i) the Proposed Development alone, (ii) and both. Whilst a case might be made that the Rail Central alone position is not relevant to consideration of the Northampton Gateway Application, that information will no doubt be produced to Ashfield/Gazeley and it would be pedantry to exclude it from this examination. Accordingly the ExA suggests that information is also supplied to both applicants who can then decide what information they wish to submit to the Examination. It may also be relevant to the tripartite SoCG requested by Ashfield/Gazeley to which we have referred elsewhere in our Procedural Decisions.</p>
<b>1.12.</b>	<b>Water Environment</b>	
1.12.1.		Paragraph, Table and Section references are to ES Chapter 7 (Drainage & Water Resources) [APP-093].

ExQ1	Question to:	Question:
	The Applicant	Despite some information provided elsewhere (ES Appendices 6.7, 6.8 and 6.9), no information is provided in ES Chapter 7 on the water quality status of the water resources. Could the Applicant explain how it has defined the baseline for water quality of the surface water resources?
1.12.2.	The Applicant	Can the Applicant please explain the methodology used to assess the effects to the bedrock aquifer from changes to rates of infiltration during construction?
1.12.3.	The Applicant	Can the Applicant confirm whether, in the assessment of water resources and drainage, effects assessed as 'moderate' and above are considered 'significant' in EIA terms?
1.12.4.	The Applicant	The assessment in the ES refers to the duration of some effects as being short-term. However, this has not been quantified and is relevant to understanding the overall significance. Can the Applicant please provide a description of the timescales that equate to short-term (as opposed to medium and long) used in the assessment of effects?
1.12.5.	The Applicant	Paragraph 7.5.3 states that construction activity will involve " <i>the stripping of topsoil on parts of the Proposed Development</i> ". This appears to understate the scale of works which the Project Description refers to as 'substantial earthworks', lowering the level of the site and creating bunds. Table 7.3.5 assigns a sensitivity value to each of the relevant receptors. Can the Applicant provide a justification for the level of sensitivity assigned (explaining how the generic descriptions set out in Table 7.3.1 have been applied)?

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
1.12.6.	The Applicant	Section 7.5 (assessment of likely significant effects) and Section 7.6 (mitigation) have assigned a level of magnitude to the impacts assessed. Can the Applicant provide a justification, with reference to the technical appendices where relevant, for the levels of impact magnitude assigned (explaining how the generic descriptions set out in Table 7.3.2 have been applied)?
1.12.7.	The Applicant	Having regards to the 'Rochdale envelope' approach, the ES does not specify a worst case scenario for this aspect. Can the Applicant specify what parameters and scenarios have been applied to assess the likely significant effects from the Proposed Development and justify why these would constitute a worst case? How have the limits of deviation described in Article 4 of Part 2 of the dDCO been incorporated into the flood risk modelling?
1.12.8.	The Applicant	It is noted the Applicant is relying on the Northampton South and South of Brackmills SUEs to adhere to national planning policy and best practice to conclude that no cumulative effects are likely to occur with the Proposed Development. Could the Applicant explain if mitigation measures have been identified for these two projects and, if so, what are they?
1.12.9.	The Applicant, Anglian Water	The SoCG with Anglian Water of May 2018 notes at paragraph 4.7 that a mains infrastructure design was still being progressed. Please provide an update on progress.
<b>1.13.</b>	<b>Agricultural land</b>	
1.13.1.		All paragraph numbers relate to ES Chapter 13 (Agricultural Land)

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
	The Applicant	[APP-117] unless stated otherwise.  Paragraph 13.3.13; is the point being made that provided there is enough topsoil retained to complete all on-site landscaping/greenspace requirements – normally 50% of the current topsoil – the fate of the remainder (normally also 50% of course) is irrelevant? So that if less than 50% is lost that is a minor environmental effect? Could the Applicant clarify this point?
1.13.2.	The Applicant	Table 13.1 refers to effects on three receptors. Paragraph 13.3.1 says the assessment addresses effects on two receptors. Please clarify.
1.13.3.	The Applicant, Natural England	The Proposed Development would result in the loss of some 33.3ha of Best and Most Versatile agricultural land (12% of the Proposed Development area). Given this quantum, has Natural England been consulted?
1.13.4.	The Applicant	Whilst ES Chapter 13 (Agricultural land) provides an analysis of soil type and land quality, no information is provided on the impact of the Proposed Development on the integrity of existing agricultural businesses, land holdings or the current environmental stewardship of the land to be affected, including in relation to the southern part of the Main Site where agricultural use is to be maintained. Can the Applicant please provide information on these factors?
1.13.5.	The Applicant	Paragraphs 13.5.1 and 13.5.2 refer to “section 3.0”. Presumably this is to the table at 13.3, but please could the Applicant confirm (or otherwise)?
1.13.6.	The Applicant	Paragraph 13.5.1 concludes there will be a major permanent adverse

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
		effect by soil loss, but that there are sufficient soils for all proposed landscaping. Please explain this by reference to section 13.3 and the tables in that section. Or is it meant that there would be a major permanent adverse effect without the mitigation later described?
1.13.7.	The Applicant	Paragraph 13.5.2 says approximately 80% of the Proposed Development Site is proposed to accommodate built development and therefore around 20% of the area intended for greenspace, or to be returned to agricultural use post-development, could be compacted if not protected and well managed during construction – described as a moderate adverse effect. Please could the Applicant explain why 20% of the greenspace/agricultural area is “therefore” at risk of compaction? Where does the figure of 20% come from?
1.13.8.	The Applicant	<p>Paragraph 13.7.3 states “<i>Soil functions will be severely compromised over much of the application area through sealing by roads and buildings</i>”.</p> <p>(i) Please could the Applicant explain the relevance of this given that the footnote to Table 13.1 says compaction under buildings is covered by the flood risk and drainage chapter, thus the compaction percentage thresholds in Table 13.1 only relate to greenspace?</p> <p>(ii) Could the Applicant also address and explain the relationship with the statements in paragraph 13.5.1 raised in the earlier question 1.13.6 and with the conclusion in paragraph 13.5.4?</p>
1.13.9.	The Applicant	ES Chapter 13 provides information on cumulative effects of the

ExQ1	Question to:	Question:
		<p>Proposed Development with other committed and proposed developments nearby. Paragraph 13.7.9 suggests that agricultural land around Northampton is of relatively high quality with significant areas of Grade 1 and 2 land, which means that in this wider context and scale the cumulative losses of Best and Most Versatile land as a result of the Proposed Development are not considered strategically significant. For the ExA to be able to assess this assertion, can the Applicant please provide further detail of broad agricultural land classifications within an appropriately defined area?</p>
1.13.10.	The Applicant	<p>Paragraph 13.7.9 refers to the adoption of the WNJCS having addressed soil resources. It did not, however, take the Proposed Development into account according to other examination material. Please could the Applicant explain whether in that light the comment is still relevant and valid?</p>
1.13.11.	The Applicant	<p>In the summary and conclusions it is said at paragraph 13.8.3 that <i>"This is considered a moderate adverse effect, which should be weighed against other sustainability criteria, and considered in the context of the availability of any viable alternatives of lower land quality"</i>.</p> <p>The Applicant is referred to question 1.13.9 where the ExA has asked for assistance in understanding the amount of best and most versatile agricultural land available elsewhere around Northampton.</p> <p>(i) Please can the Applicant explain what are the "other</p>



<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
		(ii) sustainability criteria" referred to in this paragraph? How is it suggested that they affect the assessment of likely significant effects?
<b>1.14</b>	<b>External lighting</b>	
1.14.1	The Applicant	All paragraph numbers and Tables relate to the ES Chapter 11 (External Lighting) [APP-115] unless stated otherwise.  Table 11.4; the examples of a receptor seem to include both what is being observed (eg views over large unlit spaces) and the observer's location (eg astronomical observatories). Please can the Applicant comment and clarify the table, making any comments on the conclusions about the nature and significance of effects reported in the remainder of the chapter?
1.14.2	The Applicant	At paragraph 11.5.5 it is said " <i>This is a visual effect, not an intrusive effect...</i> ". Please could the Applicant explain the difference?
1.14.3	The Applicant	Paragraph 11.6.3 states that Chapter 4 (Landscape and visual) provides fuller details of the visual mitigation measures and residual effects. Please could the Applicant specify the relevant parts of that chapter relied on in relation to lighting effects?
1.14.4	The Applicant	Paragraph 11.6.5 states that whilst the lighting effects of the Roade Bypass can be mitigated by baffles and shields " <i>the design and specification of adoptable lighting on the proposed Roade Bypass would need to be in accordance with Northamptonshire Highways' street lighting policy current at the time of design</i> ". See also Table A11.4.2 –

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
		<p>residual effects during operation, properties Hyde Farm, Northwest of Dovecote Rd, and White House Farm where there is reference to and reliance on industry standards. The provision, level and efficacy of the mitigation are therefore not certain and it is difficult to see how mitigation can be taken into account.</p> <p>(i) Please can the Applicant explain how this can be overcome?</p> <p>(ii) Please explain what the effects would be without the baffles and shields described in the first part of paragraph 11.6.5.</p> <p>(iii) Could the Applicant provide a description of the mitigation that has been taken into account in the assessment of lighting effects? When 'industry standards' are referred to, explain what these standards are and what outcomes they are expected to achieve.</p>
1.14.5	The Applicant	The issue referred to in question 1.14.4 also arises in relation to Appendix 11.3, para A11.3.24 of the lighting strategy – lighting of the M1/A508/A45 grade separated junction. Please would the Applicant address the same questions?
1.14.6	The Applicant	Please could a clear statement of the likely residual effects on the receptors potentially affected by the roundabouts on the Roade Bypass be given?
1.14.7	The Applicant	Table A11.4.1 – residual effects during construction; for lighting effects on ecology, the ExA is referred to Chapter 6. Please could the Applicant specify the relevant parts of that chapter relied on in relation to lighting effects?

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
1.14.8	The Applicant	<p>Cumulative effects with Rail Central. Paragraph 11.8.5. states that cumulative effects with Rail Central are likely to be moderate adverse for many receptors. Please:</p> <ul style="list-style-type: none"> <li>(i) specify which receptors and explain which of the effects of the Proposed Development are engaged; and</li> <li>(ii) explain what is meant when it is said the likely effects "will be visual" (see also the question 1.14.3 above relating to para 11.5.5).</li> </ul>
1.14.9	The Applicant	<p>Paragraph 11.8.6 states that "<i>It is assumed that other types of effect ... would be eliminated ... but even so cumulative effects are likely to be significant ...</i>". Please:</p> <ul style="list-style-type: none"> <li>(i) explain the basis of the assumption;</li> <li>(ii) explain the result if the assumption turns out to be wrong or unwarranted; and</li> <li>(iii) state what cumulative effects not already dealt with in section 11.8 are being referred to.</li> </ul>
1.14.10	The Applicant	<p>Paragraph 11.9.7 states that a detailed lighting strategy will be agreed later in the DCO process. Please state:</p> <ul style="list-style-type: none"> <li>(i) at what stage the lighting strategy will be agreed;</li> <li>(ii) is it anticipated that this will be as a SoCG?; and</li> <li>(iii) at which deadline the strategy will be submitted to the ExA.</li> </ul> <p>If outside the timeframe for the decision on the DCO sought, please will the Applicant indicate how this is consistent with the case law on staged consents.</p>

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
1.15	<b>Waste and resource management</b>	
1.15.1	The Applicant	<p>Paragraph references below are to ES Chapter 14 (Waste) [APP-122].</p> <p>Paragraph 14.2.24; this states that decommissioning is not considered as the scheme is designed to be permanent. However the description of the project in the dDCO includes "maintenance" which includes decommissioning and replacement. Please will the Applicant consider this also in the light particularly of Reg 14(2)(f) and Sch 4 of the Infrastructure Planning Environmental Assessment Regulations 2017 (which require, amongst other things, assessment of significant effects resulting from "the construction and existence of the development, including, where relevant, demolition works") and respond?</p>
	The Applicant	Paragraph 14.3.2; waste from the highways and infrastructure site appears not to be assessed. Is it really the case that there will be no waste from those works?
1.15. 2	The Applicant	Paragraph 14.3.12; please could the Applicant explain how the first bullet point works given that the site at present is in agricultural use; does that produce waste?
1.15.3	The Applicant, EA	Is Table 14.2 agreed with the Environment Agency? Could a SoCG be submitted please?
1.15.4	The Applicant	Paragraph 14.4.7:

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
		(i) Is it realistic to expect this decrease to have continued and to continue? (ii) What evidence supports the assumption that the decrease will continue?
1.15.5	The Applicant	Paragraph 14.4.13; please can the Applicant consider whether this is appropriate in the light of ex parte Hardy – see also ISH1:107C? If it is, how will the waste management options be assessed so as to comply with the law on environmental assessment?
1.15.6	The Applicant	Paragraph 14.5.10 - waste arisings from construction of warehousing, offices and mezzanine; please can the Applicant specify the actual predicted waste arising from these three elements?
1.15.7	The Applicant	Paragraph 14.5.11 - bypass and highway improvements – the point is understood, but should there not be some quantification now of the waste quantum, and assessment of the effect?
1.15.8	The Applicant	Paragraph 14.5.12; could the Applicant confirm that there will be no road shavings, nor any removal of existing road structure(s)?
1.15.9	The Applicant	Paragraph 14.5.15 states there will be no waste arisings from the on-site excavation activities. Please: (i) consider this against the agricultural land chapter, especially but not only paragraph 13.5.1 thereof (which should be read with para 13.3.10 and Table 13.1 which contemplate losses of >80% of topsoil) and comment, and (ii) indicate where the commitment to secure re-use is to be found.
1.15.10	The Applicant	Table 14.3; could the Applicant explain what facilities are available for

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
		the recycling of these quantities of waste and whether there is capacity, also taking other demands on those facilities into account?
1.15.11	The Applicant	Paragraph 14.5.17 relies on 89% re-use/recycling but casts doubt (" <i>if 89% are reused ...</i> ") on whether that will be achieved. Please can the Applicant clarify and if necessary assess a more realistic figure?
1.15.12	The Applicant	<p>Paragraph 14.5.20 – "<i>A recycling rate has been assumed...</i>".</p> <ul style="list-style-type: none"> <li>(i) Please can the Applicant state the basis for the assumption and is it likely?</li> <li>(ii) What would be the case if the assumption does not hold good?</li> <li>(iii) 2009 has been chosen as the source – why that year; is it a valid comparison?</li> </ul>
1.15.13	The Applicant	<p>Paragraph 14.5.22; office workers have been chosen as the representative for the purpose of calculating employee-derived waste. This is on the basis that they are the "most representative and robust category available under the metric provided within BS5906:2005".</p> <ul style="list-style-type: none"> <li>(i) Could the Applicant please explain what the disadvantages of the other categories are?</li> <li>(ii) Does the use of office workers represent the worst case scenario? If it does not, the Applicant is requested to present an assessment which is based on the worst case scenario?</li> </ul>

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
1.15.14	The Applicant	Paragraph 14.5.26 appears to doubt that 52% recycling of C&I waste will be achieved as indicated by the words "If this were achieved ...". The ExA would appreciate clarity on this issue as the doubt raises questions such as whether 52% recycling is realistic, and whether it is likely? And what, if 52% is not achieved, will be the result?
1.15.15	The Applicant	Paragraphs 14.5.27, 14.5.28 and 14.5.29 are all predicated on achieving 52% recycling. In particular, paragraph 14.5.28 states that the amount being sent to landfill " <i>represents the worst case</i> ". Yet there appears to be doubt over whether 52% will be achieved. In which case, the conclusion in paragraph 14.5.29 is undermined. Please will the Applicant revisit these paragraphs and comment?
1.15.16	The Applicant	<p>Paragraph 14.5.20 opens the section on operational phase waste impact and states that operational waste "<i>has the potential to increase the levels of commercial and industrial waste generated in the region beyond the capacity of the local waste management facilities</i>". The assessment relies on recycling of 52% of operational waste.</p> <ul style="list-style-type: none"> <li>(i) The Applicant is asked how this will be achieved given the statement that there is insufficient local waste management capacity, which apparently refers also to a lack of recycling capacity?</li> <li>(ii) Please clarify the available waste management capacity, in each of its relevant aspects (recycling, landfill, energy recovery and so on).</li> <li>(iii) Please comment on and explain the apparent contradiction</li> </ul>

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
		between paragraph 14.5.20 and paragraph 14.5.27 which states that " <i>local and regional landfill capacity is adequate</i> ".
1.15.17	The Applicant	Paragraph 14.5.28: Please will the Applicant explain the significance of the observation " <i>although this is not representative of the whole waste stream</i> " and how it affects the assessment and conclusions, the phrase occurring again in paragraphs 14.8.4 and 14.8.10?
1.15.18	The Applicant	Paragraph 14.6.4 states that opportunities for re-use of on-site structures such as walls etc will be considered. Please could the Applicant say whether this is really likely and realistic and say what will be the difference to the conclusions of the ES if this cannot be achieved?
1.15.19	The Applicant	<p>Paragraph 14.6.6 refers to off-site construction being undertaken "where practicable".</p> <p>(i) Please could the Applicant say if this is practicable or not, and if it is, then to what extent and to what effect? It is difficult to take this into account without quantification.</p> <p>(ii) Could the Applicant please also comment whether this will result in a reduction in waste, or simply a displacement of the waste generated, from the application site to the place of off-site construction; and assess the environmental effect in the latter scenario?</p>
1.15.20	The Applicant	The <i>conditionality behind paragraphs 14.6.5, 14.6.7, 14.6.8 and 14.6.9 ("where possible"; "would")</i> makes it difficult to take these into account, or at least to give them much weight in the EIA process.



ExQ1	Question to:	Question:
		<p>(i) Please can the Applicant comment on this?</p> <p>(ii) It would be useful to know whether and how it is intended to secure these matters (by requirements and so on) and to what extent.</p> <p>(iii) Please can the Applicant also comment on how the "<i>broader sustainability issues</i>" referred to in paragraph 14.6.8 should be taken into account in assessing the environmental effects in the topic of waste, if at all, and specifically how that has been done in this chapter (if that is the case)?</p>
1.15.21	The Applicant	<p>Paragraphs 14.6.10 to 14.6.14; the mitigation measures described in the section appear to rely on the goodwill of the ultimate occupiers or the Proposed Development. For example "<i>Many occupants would as a matter of course ...</i>" have separation systems. This also suggests that unknown numbers, potentially the majority, will not. And commercial waste storage "<i>will be for the individual occupiers to arrange and manage, geared around their own requirements...</i>". Please can the Applicant explain how these have been taken into account in the assessment of effects given the lack of certainty as to what the measures will be, what they will achieve and whether or not they will actually be provided?</p>
1.15.22	The Applicant	<p>Residual effects – section 14.7; the ExA would draw to the Applicant's attention that the conclusions on residual effects rely on assumptions made earlier in the chapter (especially but not exclusively in Tables 14.3 and 14.4) and apparently uncertain mitigation on which the ExA</p>

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
1.15.23	The Applicant	<p>has raised questions above. Please will the Applicant consider the effect of its answers and comments on the residual effects section?</p> <p>Cumulative assessment, paragraph 14.8.4.</p> <p>A. Please could the Applicant:</p> <ul style="list-style-type: none"> <li>(i) explain how the construction waste arisings of &gt;1% (sic) have been calculated;</li> <li>(ii) state by how much they will be greater than 1% and whether the rest of the paragraph holds good in the light of that answer;</li> <li>(iii) explain whether there is sufficient waste management capacity (especially given the statement at paragraph 14.5.20 that the waste from the Proposed Development alone has the potential to increase levels beyond local waste management facilities' capacity); and</li> <li>(iv) explain the significance of the observation that construction wastes would be disposed of locally and some would be subject to landfilling "<i>although this is not representative of the whole waste stream</i>" and how it affects the assessment.</li> </ul> <p>B. The ExA would also be helped if it could be explained which part of the sentence is qualified by the words in inverted commas as there is some ambiguity.</p>

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
1.15.24	The Applicant	<p>Paragraph 14.8.7 on cumulative effects with Rail Central.</p> <ul style="list-style-type: none"> <li>(i) On what basis is it estimated that Rail Central will send &lt;1000m<sup>3</sup> of excavated material off site and whether it will all be for recycling?</li> <li>(ii) The para also states that all excavation material from Northampton Gateway will be used on site. Please will the Applicant see the ExA's questions above on para 14.5.15 (ExQ 1.0.11 and 1.15.11) and comment?</li> </ul>
1.15.25	The Applicant	<p>Cumulative operational waste with Rail Central (paragraphs 14.8.8 to 14.8.11).</p> <ul style="list-style-type: none"> <li>(i) On what basis is the figure of 3,380 cubic metres of waste for RC arrived at in paragraph 14.8.8?</li> <li>(ii) The assessment of minor cumulative impact is underpinned by mitigation and recycling measures which are in turn underpinned by assumptions, mitigation and the delivery of mitigation on which the ExA has asked questions and raised issues above. Please will the Applicant address those same questions in relation to this cumulative assessment?</li> <li>(iii) At paragraph 14.8.11 an assumption is again made about the delivery of mitigation and recycling. If the assumption is not fulfilled then there will be a major cumulative impact (see para 14.8.10). Please will the Applicant comment?</li> </ul>

ExQ1	Question to:	Question:
1.15.26	The Applicant	<p>The following paragraph references are to those in the Framework Waste Management Strategy [APP-302].</p> <p>Paragraph 3.5 – Principal Contractor; is this intended to be the principal contractor for the construction of the entire project or only in relation waste?</p>
1.15.27	The Applicant	<p>Paragraph 3.11 “<i>Waste hierarchy preferential system</i>”: Can the Applicant confirm whether this is a reference to the ‘waste hierarchy’ set out in Article 4 of the revised Waste Framework Directive referenced in Table 1?</p>
1.15.28	The Applicant	<p>Paragraph 5.6 - estimation of construction waste; how does the Applicant propose to ensure that this is consistent with the figures and statements in the ES waste chapter, and how to deal with any excesses?</p>
1.15.29	The Applicant	<p>Paragraph 5.9: Please will the Applicant explain when and how often the Site Waste Management Plan will be updated?</p>
1.15.30	The Applicant	<p>Paragraph 7.5 – approval of bins and bin storage; please will the Applicant submit a requirement to address this. There would appear to be a need for Requirements to address similar issues at paras 7.9 – 7.11. Please could the Applicant supply drafts?</p>