Rail Central
Northamptonshire

The Rail Central Rail Freight Interchange

Northampton Gateway Examination

Comments on Deadline 1 Responses on behalf of Ashfield Management Limited and Gazeley GLP Northampton s.a.r.l.

Northampton Gateway PINS Reference Number:
TR050006

20 November 2018

Introduction

This submission is made on behalf of Ashfield Land Management Limited and Gazeley GLP Northampton s.à.r.l. (together "the Applicant for Rail Central") in relation to the Application by Roxhill (Junction 15) Limited ("the applicant") for a Development Consent Order for the Northampton Gateway Strategic Rail Freight Interchange ("Northampton Gateway"). It comprises comments in respect of:

- Responses by Roxhill (Junction 15) Limited and other parties to the Examining Authority ("ExA") First Written Questions ("ExQ1");
- Documents submitted by the Applicant as part of the Deadline 1 submission; and
- Written Representations by the Applicant and other parties.

The Rail Central DCO was formally confirmed as being accepted on 15 November 2018 (PINS ref. TR050004). Section 56 consultation is currently being prepared. It is envisaged that consultation will run from mid-December 2018 through to mid-January 2019.

The Applicant for Rail Central's Comments

The Applicant for Rail Central has set out its comments on responses to the ExQ1 in the schedule. Comments on the Written Representations and other submitted documents are set out below.

The Applicant for Rail Central would reserve their position in that where they have not commented on all questions directed to the Applicant or other Interested Parties, or on documents submitted at Deadline 1 they can comment on subsequent responses.

Comments of the Applicant for Rail Central on Documents and Responses submitted for Deadline 1

Submitting Party	Document	Response from the Applicant for Rail Central
Roxhill (Junction 15) Limited	Doc 6.4A Draft Section 106 Agreement	It is our view that the community fund is unlikely to be compliant with Regulation 122 of the Community Infrastructure Regulations 2010 (as amended) unless that community fund is attached to some sort of impact identified through EIA. We have seen no evidence of any identified impact and, in fact, the amount of the community fund contribution is left blank in the draft S106 agreement. Until further information to justify the community fund contribution is provide by the Applicant, it is our view this obligation is not compliant with Regulation 122 of the Community Infrastructure Regulations 2010. The same principle applies to the Bus Service Fund. The Applicant should justify the impact identified through EIA and how the sum proposed in the Bus Service Fund will address that impact.
Roxhill (Junction 15) Limited	Doc 7.8 Archaeology SoCG (agreed but not signed by Northampton County Council)	It is noted that the SOCG relating to archaeology, indicates South Northamptonshire Council's Archaeological Advisor (SNC) has concerns that insufficient trenching has been carried out, and that more archaeological evaluation trenching is required to have sufficient information to determine the application. SNC disagrees with the Applicant's consultant that the desk-based assessment undertaken should be used to identify the significance of any archaeological activity present within the development area, and that the limited extent of trenching undertaken does not preclude the potential survival of undesignated heritage assets of equivalent status to designated assets. Therefore there is insufficient information to provide an informed assessment of the archaeological potential of the development area, and therefore determine whether mitigation prior to construction is appropriate. This issue reflects the concerns that the Rail Central team have expressed to the Examining Authority, regarding the "deferring" of both assessment and identification of detailed mitigation, throughout the Northampton Gateway ES (e.g. response to ExA Questions 1.0.2, 1.0.4, 1.0.15 and 1.5.6 at Deadline 1). The issue here is that the failure to undertake a detailed fieldwork evaluation (see the extent of fieldwork undertaken below (and by comparison in the Rail Central scheme)) means that there is insufficient evidence to establish how widespread archaeological remains across the site are likely to be. As a result, the importance of the development area from an archaeological perspective remains unknown – so the significance of its loss through development is also unknown. There is consequently insufficient information to determine whether or not there could be a significant impact on the environment as a result of the proposed development. Albeit loss of any archaeological assets could potentially be "mitigated" through excavation and recording during development – the extent and appropriateness of this mitigation requires a proper and informed understanding of the resource (for example, where best to focus any mitigation in "core areas" across the site). It is noted that the trenching undertaken for the 155ha Northampton Gateway site totalled 58 trenches, each of approximately 50m (presumably x 1.8m as is standard) – a total excavation of approximately 5220m2. This amounts to only 0.3% of the entire site, and focussed only on areas where the preceding geophysical survey had positively indicated potential archaeology. Although archaeological finds were identified in these areas, there were also finds in areas where nothing was indicated by the geophysical survey. There is therefore no reason to suggest that other un-trenched areas of the site would not result in similar finds. In contrast, the Rail Central trial trenching programme (developed in consultation with NCC Archaeology) totalled 733 trenches – at a density of approximately 3% or 4% of the Main SRFI Site (293ha) with the lower density comprising targeted trenches in areas where important archaeological remains had been located through geophysical survey, to characterise but not adversely affect the archaeological resource. These trenches were generally laid out on a grid pattern, covering the entirety of the Main SRFI Site, and not just in areas highlighted by the geophysical survey. The Rail Central programme of trial trenching also established that archaeological remains are present in areas where no obvious remains were indicated by geophysical survey. This trenching programme provided a large enough sampling profile to establish the overall archaeological potential of the site, and therefore to inform an appropriate programme of mitigation for the development going forward. It is considered that generally a 2-3% sample of a site is the minimum to provide a reasonably reliable indicator of archaeological potential. Lesser sampling volumes would be much more likely to provide a less reliable conclusion as to the archaeological potential. Following the Rail Central trial trenching (between Feb 2017 and Nov 2017), the archaeological advisors of the planning authority advised that (post-consent) mitigation must include the following:

Submitting Party	Document	Response from the Applicant for Rail Central
		• Excavation of 'core areas' identified from evaluation. • A programme of strip map and sample to be undertaken in areas of possible agricultural activity and in areas of less concentrated archaeological activity. Based on that advice, Rail Central has committed to a programme of further embedded mitigation, to be carried out post consent. A Written Scheme of Investigation has been submitted in an Appendix to the Rail Central ES. This approach has been agreed with the archaeological advisors of the planning authority, who have been updated as to the rolling programme of field assessment (geophysical and trial trenching) over a 2.5 year period.
Roxhill (Junction 15) Limited	Doc 7.10 Statement of Common Ground with Northampton Borough Council (Various Matters)	The Rail Central submission documents acknowledge that there is some overlap between the two sites (RC and NG) creating interrelationships, but such interrelationships can be managed and accommodated, should both schemes be consented and implemented. Therefore it is misleading to assert that the two schemes are physically incompatible.
Roxhill (Junction 15) Limited	Doc 8.2 - Responses to the ExA's Written Questions (Part 1)	See separate schedule for comments on responses to relevant Written Questions (Appendix 1 of this document)
Roxhill (Junction 15) Limited	Responses to the ExA's Written Questions (Part 2)	See separate schedule for comments on responses to relevant Written Questions (Appendix 1 of this document)
Roxhill (Junction 15) Limited	Doc 8.3 Comments on Relevant Representations (RR)	**Response to Applicant's comments on the Applicant for Rail Central's Written Representations (RR-638 and RR-645)** The Applicant will note that the final Rail Central DCO application has been submitted to and accepted by PINS for examination. As noted in the response to relevant representations, the Applicant should now revisit the comparative analysis and update it accordingly. In doing so, the Applicant is also encouraged to revisit the comments at Section 13 and Appendix 11 of the Written Representations prepared by Ashfield Land Management Limited and Gazeley GLP Northampton s.à.r.l **Response to Applicant's comments on Cumulative Effects with Proposed Rail Central SRFI (paragraphs 2.56 to 2.61 of Document 8.3 Part 2)** Rail Central has raised concerns with the cumulative assessment undertaken by the Applicant. These concerns are outlined in our Written Representation (in particular the six issues outlined in paragraph 8.8 of that document which are not repeated here). We understand that the Applicant had not had sight of the Rail Central application at the time their cumulative assessment was prepared and that an updated cumulative assessment is under preparation and necessary to inform the examination. In summary, the following are the key concerns with the current cumulative assessment. 1. Insufficient consideration of relevant projects in-combination. 2. Limited methodology to support the assessment of cumulative effects. 3. Limited identification of sensitive receptors and therefore lack of understanding in their conclusions. 4. Conclusions often not supported by assumptions, evaluation or evidence. This includes premature conclusions in relation to Rail Central in regard a number of topics including landscape, noise and traffic. 5. Limited consideration of the beneficial cumulative effects of Rail Central including a range of socioeconomic benefits, potential reduction in greenhouse gas emissions and flood alleviation benefits to the Wootton Brook catchment.
Roxhill (Junction 15) Limited	Doc 8.5 Draft S106 Confirmation and Compliance Document	It is our view that the community fund is unlikely to be compliant with Regulation 122 of the Community Infrastructure Regulations 2010 (as amended) unless that community fund is attached to some sort of impact identified through EIA. We have seen no evidence of any identified impact and, in fact, the amount of the community fund contribution is left blank in the draft S106 agreement. Until further information to justify the community fund contribution is provide by the Applicant, it is our view this obligation is not compliant with Regulation 122 of the Community

Submitting Party	Document	Response from the Applicant for Rail Central
		Infrastructure Regulations 2010. The same principle applies to the Bus Service Fund. The Applicant should justify the impact identified through EIA and how the sum proposed in the Bus Service Fund will address that impact.
Roxhill (Junction 15) Limited	Nominations of suggested locations and justifications of Site inspections for consideration by the ExA	The Applicant for Rail Central would suggest two additional locations for the Site Inspection: • At the intersection of the Public Rights of Way network immediately south of location 15. This location is an elevated position which affords good views of the Rail Central site. • Bilsworth Lodge (west of location 15).
South Northamptonshire Council	Written Representation	The NPSNN does not set out any policy restriction or geographical restraint on the number of SRFIs required across the country or across specific regions to meet demand. Indeed the Government could have limited a number of SRFIs through the NPSNN but it chose not to. Instead the NPSNN expects the market to determine the viability of particular proposals (paragraph 2.58) and accepts that there will be limited locations which would be considered suitable locations for SRFI development. The potential co-location of SRFIs is not unique to Rail Central and Northampton Gateway. As we explain in our Written Representations (paragraph 5.9, page 5), elsewhere SRFIs and Rail Freight Interchanges ("RFIs" already operate alongside each other, and in some cases collaborate operationally despite being run by separate and otherwise commercial operations.

Appendix 1: Responses of the Applicant for Rail Central to the Examining Authority's written questions (ExQ1) on the Application by Roxhill (Junction 15) Limited for a Development Consent Order (DCO) for the Northampton Gateway Strategic Rail Freight Interchange (PINS Ref. TR050006)

Responses of Ashfield Land Management and Gazeley GLP Northampton s.a.r.l. to the Examining Authority's written questions (ExQ1) on the Application by Roxhill (Junction 15) Limited for a Development Consent Order (DCO) for the Northampton Gateway Strategic Rail Freight Interchange (PINS Ref. TR050006)

ExA Reference	Roxhill Response to EXA Q1	Response on behalf of Ashfield Land and Gazeley GLP Northampton
1.0.2	The Commitments Tracker provided with the Application (**Document 6.11**, APP-381) includes the information requested.	The commitments tracker provided indicates how select mitigation measures will be delivered. However, it does not make clear what is intended as embedded or adaptive mitigation, and therefore what has been assumed in the ES. For example, the commitments tracker indicates that no mitigation is required for "Chapter 2" implying that there is no "embedded mitigation" . Measures such as the requirements for earthworks and mounding, and the stated phasing of the SRFI, for example are listed under Chapter 4 (LVIA) - but it is not clear that these measures are taken into account across the ES as a whole. The consolidated/ summary table of residual significances for Chapter 4 (LVIA) states it is not appropriate to assess a "pre-mitigation" effect for landscape due to the incorporation of primary (or embedded) mitigation. However, if this is so, it is not just mitigation for landscape, but a commitment as part of the proposed development which will also affect the assessment of ecology, noise, air quality, water resources and other environmental factors. There is also uncertainty in the delivery of some mitigation - for example what will be included within the P-CEMPS, and therefore how successful they will be.
1.0.3	Please refer to Appendix 2.	The consolidated table is a helpful summary of the ES assessments. However it suffers from omissions in the chapters themselves, in that it is not always clear that a reasonable "pre-mitigation" assessment has been made (i.e. identifying potential effects, and their magnitude on receptors of a given sensitivity), or that the residual level of significance (minor adverse etc.) is clearly and logically reached. The lack of confidence in mitigation, including what (if anything) is assumed in the "pre-mitigation" assessment, creates uncertainties as to the accuracy of the identified residual effects.
1.0.10	The arising's are included for in the year two calculations. The amount of material generated in year two is:	As stated in our response to this question at Deadline 1, if this information forms "embedded mitigation" (i.e. it is part of the proposed development that all material will be site-won, and there will be no export from the site), it should be included in Chapter 2 of the ES, and it must be clear that it has been assessed (where relevant) across the whole ES. Chapter 2 of the ES will need to be updated so it is clear what has been assessed in the ES.
1.0.14	The Rail Terminal Plan (**Document 2.8**, APP-060) is Illustrative (however, as identified in the response to ExQ1.0.12), a fully operational terminal is committed prior to any occupation of any warehousing).	The approach taken is not helpful in establishing the "Rochdale Envelope" for the ES - the illustrative plan appears to have been assumed in the assessments, where it is clear from this response that this is not actually what is proposed. The revised ES should make clear which assessments have been based on the illustrative material, and confirm whether this is a "realistic worst case" for that technical topic.
1.0.15	The EIA law on multi stage consent is enshrined in The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regs). The inclusion in the EIA Regs of provisions governing the approval of subsequent applications is designed to deal with the position where a subsequent application gives rise to a change to the authorised development which may have significant adverse effects on the environment. That will apply to any subsequent approvals which are provided for under this dDCO.	Rail Central's summary of oral representations made at ISH1 in relation to 107A, B and C stand in response to this question. The Applicant's response however has not addressed the key issue that the mitigation proposed (i.e. p CEMPs developed in accordance with the overarching CEMP) has not apparently taken account of the reasonable worst case for the SRFI - therefore not all potential mitigation has been assessed. This is because residual effects may have been underestimated due to flaws in methodology used, insufficient baseline surveys and use of illustrative material in assessments rather than parameters. The applicant states that "The approval of detailed P-CEMPS, which are to accord with the principles in the overarching CEMP, does not automatically engage EIA Development. The P-CEMPS are able to take account of the specific circumstances at the time of construction... The content of the P-CEMPS will not however be outside the scope of what has been assessed, given the requirement to comply with the overarching CEMP." This is a correct interpretation, in the view of the Rail Central team. However, in order for this to be the case, the overarching CEMP needs to have been prepared on the basis of the "reasonable worst case" - as (as implied in the Applicant's response) additional mitigation cannot be included in the P-CEMP that is not allowed for in the Overarching CEMP, and therefore assessed in the ES. It is Rail Central's view that this is not the case here. It is not clear that all the measures assumed within the residual assessments are appropriately delivered through the overarching CEMP at present, or indeed that the measures included within the overarching CEMP are sufficient to mitigate potential environmental effects caused by the SRFI.
	The existence of the need for some aspects of a development to be subject to subsequent approval as provided for in requirements is therefore expected, and expressly dealt with in the EIA Regs.	
	However, the principle governing the EIA law on multi stage consent (where matters fall to be approved following a decision permitting the principle) is that the likely significant effects on the environment should normally be identified and assessed when the decision relating to the principle is made.	
	The Environmental Statement and EIA process for this scheme identifies the likely significant effects of the proposed development. The parameters identified on the parameters plan and the requirements in Schedule 2 of the dDCO, as with planning conditions, ensure that the development that has been assessed is the development that is taken forward.	
	If there is doubt as to whether or not an approval required under a requirement is consistent with the development assessed then Regulations 4 and 8(2) provide the appropriate mechanism for addressing that situation.	
	Regulation 4 of the EIA Regs provides a prohibition on the approval of subsequent applications for EIA development without an EIA being carried out.	

	Accordingly, a mechanism is included in Regulation 8 of the regulations whereby it can be determined whether or not a “subsequent application” (being an application to the relevant authority pursuant to a requirement for an approval which must be obtained before all or part of the development may begin) would give rise to the need for an updated environmental assessment.	
1.0.17	Chapter 7 of the Transport Assessment (TA) describes the work undertaken to establish the highway mitigation strategy. Paragraphs 7.5 to 7.15 deal specifically with the proposed dualling of the section of the A508 between the site access roundabout and M1 Junction 15. Paragraphs 7.16 to 7.38 deal specifically with the proposed M1 Junction 15 and A45 major upgrade, which includes improvements to the A508 node at the junction. Paragraphs 7.39 to 7.61 deal specifically with the proposed Roade Bypass.	The applicant here reiterates their previous statements and provide no new justification to address the question.
1.1.10	The reference to “will” in this sentence is confusing, but is referring to the fact that the assessment is dealt with later in the chapter - an operational dust assessment has been undertaken. See paragraphs 9.5.41 – 9.5.47.	Our comment remains relevant - there should be a methodology section to outline what has been done. The basis of the operational assessment is not clear, and any mitigation informing the residual dust effects is unclear.
1.1.19	This is, unfortunately, out of date and is an error. The modelling has been done and is contained in Appendix 9.11 to the Chapter. Impacts from construction traffic were predicted to be negligible, which is not significant. No mitigation measures are, therefore, required. Construction traffic generation on key routes are too small to have a significant impact on air quality.	The justification for construction traffic resulting in a negligible effect are unclear, as figures are not provided so it is unclear where "embedded" mitigation has been allowed for within the assessment, and why it would not be feasible to reduce effects further with additional mitigation. As construction traffic would be running in parallel with operational traffic beyond first operation, it is not clear that the combined effects have been addressed.
	Moving the aggregates terminal to the NGSRFI will increase the distance to the terminal to the closest residential receptors, situated more than 250m. These receptors will also be upwind of the site as well. The new site will have dust suppression systems, monitor site and weather conditions, keep a daily log and respond to any issues quickly. The potential dust emission magnitude from the new aggregate terminal should be similar to current values as: • The number of vehicles on-site will be similar, with a potential 5% maximum increase; • The quantity of aggregate being processed on site will be similar, with a potential 5% maximum increase; • The type of aggregate being processed will remain the same; and • No conveyor system will be in place that will result in higher stockpiles (higher stockpiles have a higher potential for dust release).	(also in response to Q1.1.51) The Applicant suggests in their response that the mitigation applied by the aggregates terminal has been used to inform the residual effects (or possibly the "pre-mitigation" effects given the confusion relating to reliance on mitigation in the assessment). If this is relied on to inform the residual effects, there needs to be a commitment to this mitigation. At present, the commitments tracker indicates "The aggregates terminal will include best practice measures, such as water based suppression systems, and vehicle wheel washing, as part of the design of the terminal to prevent potential issues with dust" which is dealt with by the requirement relating to detailed design. This commitment appears to exclude the requirements for monitoring, keeping the activities similar as at present and limiting stockpiles, which are mentioned in the Applicant's response. It is considered that all mitigation relied on must be included in the commitment, or limited weight can be placed on the conclusions.

	Paragraph 9.5.3 states: “some demolition will be required for scattered farm buildings and other structures, plus the breakup of existing road surfaces around Junction 15” The breakup of road surfaces is more akin to the earthworks, which is assigned a Large dust emission magnitude in the assessment, as demolition refers only to buildings and structures in this guidance. Using professional judgment, we have considered the impact of demolition to be negligible as there are no sensitive receptors within 350m of locations where demolition will take place (i.e. the scattered farm buildings on the main site). It is accepted that this line of reasoning may not be adequately explained in the ES. Regardless of whether the impact of demolition is considered to be low risk or negligible risk, demolition mitigation measures have been recommended for ‘medium risk’ sites as best practice at all locations. This has fed into the CEMP and will feed into the P-CEMP. There is no difference in the mitigation measures for low risk sites and medium risk sites (for demolition). As such, the recommendations are robust and appropriate.	The applicant's response is an example of the methodology chosen not being clearly explained in the ES itself. The mitigation proposed requires to be site-specific and there requires to be a commitment to it, which is not clear from the approach taken.
1.1.33	The Applicant has been in discussion with Northampton Borough Council and provide an Air Quality mitigation proposal in line with the Northampton Low Emission Strategy (LES) guidance (2018). The mitigations required under the LES to be provided by the SRFI separately from the DCO include: - 5% of the total car parking spaces provided will include electric charging points, with passive provision provided for a further 5% of the total provision. - Framework Travel Plan; o The FTP includes the appointment of a Travel Plan Co-ordinator (TPC) and a Sustainable Transport Working Group. o The FTP is supporting objectives and SMART targets are put in place to help achieve this aim with a specific target of achieving a 20% reduction in single occupancy car journeys, from 92% in the baseline to 74% by 2031. - Public Transport Strategy; - Measures to support cycling and walking infrastructure; o The proposed development will provide new walking and cycling infrastructure connecting the SRFI site with the existing networks in Collingtree, Northampton and Roade. - Construction Environmental Management Plan (CEMP); and	If the "LES" measures are used to inform the residual effects within the ES, there requires to be a commitment to them. At present the "commitments tracker" states "Site specific low emissions strategy measures to help minimise impacts on air quality, including such proposals as encouraging and enabling electric vehicle use and through carbon/resource efficient buildings". It is unclear whether it is this commitment alone which has informed the residual effects in the ES, or the 5% value stated in the response. Similarly whether the residual effects depend on the commitment to a Framework Travel Plan, or specifically 8% car sharing etc.

	Car sharing scheme; o As part of the FTP,car sharing will be actively promoted and to encourage this 8% of the total car parking spaces would be marked for those car sharing. - Minimum Euro VI shuttle bus service; Phased Express bus service as the development grows Bus infrastructure Stops and laybys on routes into NGSRFI S106 contributions (approx. £250,000) will be provided for. o Northampton Electric Vehicle Plan; and o Low emission infrastructure Mitigation measures proposed during the construction phase such as the J15 improvements will support reductions in traffic emissions within the AQMAs due to the re-direction of traffic away from the AQMAs. The combined effect of mitigation measures will help reduce emissions through modal shift, lessening congestion at major junctions and encourage the early uptake of Ultra Low Emission Vehicles (ULEVs). These measures will support NBC in delivering improvements in air quality at the current AQMAs including AQMA 4. The J15 improvements will be in place before 2021 with other mitigation measures proposed to be phased in during the post construction phase from opening of the SRFI as the development grows from 2021. The delivery of measures will be secured through conditions and s106 agreement.	
1.1.36	Guidance on the sensitivity of receptors to nuisance dust soiling is provided in IAQM's 'Guidance on the assessment of dust from demolition and construction'. Places of work are considered to be medium sensitivity to dust soiling impacts as workers would expect to enjoy a reasonable level of amenity but not the same level of amenity as in their homes. The judgment of overall sensitivity is based on the number of sensitive receptors within distance bands. The number of highly sensitive human receptors within 350m meets the criteria for an area of low sensitivity. The number of medium sensitivity receptors within 350m meets the criteria for low sensitivity.	This methodology is not described in the ES. There is no information provided as to how many "medium sensitivity receptors" are proposed in the operational SRFI - presumably a substantial number.

1.1.50	As detailed at Technical Note 12, which forms Appendix 12.2 of the Environmental Statement, the Transport Working Group supported the view that the absence of final information from Rail Central was not an acceptable reason to delay the Northampton Gateway DCO application. Therefore, to ensure the submission of the Northampton Gateway DCO application was not unduly delayed, preparations were made to assess the cumulative impact of the Northampton Gateway and Rail Central schemes based on the most up to date publicly available information regarding the Rail Central proposals, which was the information contained within their 'Transport and Access' 24 May 2017 Local Liaison Group Meeting presentation. It was agreed with the Transport Working Group that the cumulative impact scenario J3 model should include the following highway mitigation: - The proposed Rail Central grade-separated site access junction onto the A43, as per the Rail Central presentation of 24 May 2017; - The proposed Rail Central improvement scheme at M1 J15A, as per the Rail Central presentation of 24 May 2017. This is instead of the proposed Northampton Gateway SRFI improvement at this junction; - The proposed Rail Central improvement scheme at A43/Trove roundabout, as per the Rail Central presentation of 24 May 2017; - All Northampton Gateway highway mitigation (other than M1 J15A); - The Rail Central proposals at the A45 Queen Eleanor Interchange, as per the Rail Central presentation of 24 May 2017, were excluded as NCC are known to be preparing their own scheme at this location.	The Applicant's cumulative assessment requires to be updated in line with the Rail Central application which has been substantially modified since May 2017.
1.2.6	As indicated in the CEMP at Paragraph 15.32, it is the intention that each P-CEMP be informed by pre- commencement bat surveys that will ascertain whether potential bat roost habitat is present (with regard to trees or buildings). Based on up to date understanding of the context for specific works any required mitigation where bats or suitable features for bats are present, such as sensitive felling measures, would be detailed within the P-CEMP. The CEMP will be amended to refer explicitly to the potential use of a precautionary method statement where bats, or a high potential for bats, is identified. It is proposed to submit a revised CEMP for Deadline 3.	Application of the "precautionary approach" in the amended CEMP will require to feed through to the amended assessment within the ES. If it is relied on as secondary mitigation and informs the residual effects, this needs to be made clear in the assessment.
1.4.1	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.	See response to 1.0.2

1.4.2	Requirement 8 (1) requires, amongst other things, that each component of the authorised development on the main site must be in general accordance with the Design and Access Statement (Document 6.9, APP-379). The Design and Access Statement includes at Section 5.0, design and access requirements which includes sections on building design, sustainability (including power consumption) and accessibility (including changing facilities).	General comments raised by Rail Central at Deadline 1 relating to the failure of Chapter 2 of the ES to include many details of the proposed development (such as details on building design/ energy efficiency/ charging facilities etc.) are relevant here. it is not sufficient to rely on the DAS alone, as much of that document is aspirational. Their omission from the ES leads to uncertainty as to whether they have been assessed within the technical assessments.
	Requirement 8(2) part (e) requires details of the built development design including external materials and sustainable energy measures, to be submitted to and approved in writing by the planning authority. Requirement 16 building sustainability requires a BREEAM pre-Assessment Report to be submitted prior to the development of a warehouse, demonstrating that the unit is expected to achieve at least BREEAM 2018 'very good' rating. The Government's Building Regulations set standards for building construction including the Governments requirement for building sustainability and future proofing. A building constructed to BREEAM 'very good' rating and in general accordance with the design and access requirements set out in the Design and Access Statement, will greatly exceed the Building Regulation standards and therefore demonstrates a committed by the applicant to exceeding minimum standards. In relation to charging facilities for electric-powered cars, in addition to the controls described above, the S106 obligations include the requirement to establish a Sustainable Transport Working Group to discharge the functions of that Group set out in the Framework Travel Plan and Public Transport Strategy. The Framework Travel Plan at paragraph 6.3 and Table 4, sets out the Travel Plan measures that will be implemented to achieve the aims, objectives and targets of the Travel Plan. This includes the provision of electric vehicle charging points at each B8 unit. Having regard to these matters it is considered that the requirements, together with the S106 obligations, will sufficiently secure the 'future-proofing' of the Proposed Development.	The applicant has targeted a BREEAM Very Good rating (2014) and an 8.8% carbon emission reduction from regulated energy use through the use of renewable energy technologies and energy efficiency measures. The commitments addressed in this response do not provide sufficient confidence that these measures will be delivered; nor is it evident that the wider SRFI will reduce carbon emissions in line with the NPS NN. By contrast Rail Central has committed to a BREEAM Excellent rating, a 20% reduction in carbon from the buildings, the installation of both passive and active EV charging points with a wide range of additional commitments presented within the Sustainability Statement accompanying the Rail Central application. The Rail Central application has also demonstrated that, through modal shift of road to rail, there will be a 384% reduction in GHG emissions between 2019-2050 when compared to the baseline.
1.4.6	Responses to ISH1:107A, 107B and 107C. The responses to these questions were largely dealt with by oral exchanges at the ISH. Will the Applicant please submit written answers either by way of an answer to this question or in its written submissions of oral answers specified for **Deadline 1 (6 November).** 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.	This is addressed in the Applicant for Rail Central's Written Representations and Appendix 2 to its Response to ExA's Questions (ExQ1) (page. 10, 27 to 30). Q107A & B - Please refer to our previous response to this question in the Written Representations. We will review the revised draft DCO submitted by Northampton Gateway and will comment on it in accordance with the timetable.

1.5.6	The risk assessments referred to in paragraph 6.5.15 relate to the those assessments that are carried out by the Main Contractors when preparing their construction method statements which are used to inform the construction methodology. Such documents are prepared following the appointment of a contractor and immediately prior to the commencement of development when all relevant factors are known. They are governed and controlled by the Health and Safety at Work Act 1974 and The Construction (Design and Management) Regulations 2015.	This response does not address the key element of concerns raised at Deadline 1 - that any mitigation that could be required to be put in place by the contractors should be assessed within the ES. This has not been completed throughout the ES.
1.5.8	See response to ExQ1.5.7. In terms of geology, soils and groundwater assessments there is an earthworks cut and fill balance which will achieve complete reuse of materials. This is a positive sustainable approach to development which reduces the need to export materials to landfill which would have a negative effect in terms of overall environmental impact due to lorry movement and emissions and loss of landfill void space. It also will avoid the need to import clean natural materials from off-site which would also have a negative impact by virtue of loss of natural resources and lorry movement. Therefore it is considered that there is a neutral environmental impact on the geology, soils and groundwater.	The contents of this response will be required to form part of the amended ES - either as "embedded" (primary) mitigation in Chapter 2, or adaptive (secondary) mitigation in the relevant chapter and commitments tracker. It is not clear as it stands that the contents of this response have been relied on in the assessment.
1.5.9	The development of the site will not have any impact upon the nearby SUE or Rail Central sites geology or soils by virtue that it will not disturb them at all or impact upon their stability as there are no significant earthworks that will affect adjacent sites. With respect to groundwater no significant groundwater contamination risks or sources of pollution have been identified in the baseline studies. The new development design will comprise mainly buildings with highways, carparks, freight and service yard hard standing with managed drainage systems to control surface waters. All new proposed development and buildings will be designed in accordance with controlled by current building & pollution control regulations and requirements. Therefore the development of the site will not impact upon groundwater quality. Therefore in conclusion there are not considered to be any cumulative impacts upon the site or adjacent or nearby sites including Rail Central and the committed SUE's.	The response is unclear - it refers to "no significant earthworks that will affect adjacent sites" - yet effects do not necessarily require to be significant in themselves for there to be a significant cumulative effect. There are in fact earthworks proposed within the Order Limits for Rail Central - albeit the interrelationship proposed would likely mean this is acceptable. However, it has not been taken into account within this assessment.
1.6.1	(I) The significance of the war memorial is primarily derived from the architectural and historic interest embodied in its form and fabric as a commemorative structure intended to mark the sacrifice made by members of the local community who lost their lives during the First World War. Only very minor changes are proposed within the wider setting of the structure. The wider setting makes minimal contribution to the significance of the memorial. The changes primarily involve the construction of a cycleway/footway some distance to the rear of the memorial, which is an area of lower sensitivity, largely concealed by mature hedging. No works are proposed to the memorial itself, ensuring that its special interest will be preserved. Consequently, the proposals are not considered to pose any material harm to the significance of the war memorial.	The explanation as to the impact upon the significance of the War Memorial is relatively broad but does provide some clarity / confirmation as to the potential effects. There is however no evidence or assessment work on the setting of the listed structure to substantiate this. It is noted that the setting 'makes a minimal contribution' to the significance but there is no assessment to show how the applicant has come to this conclusion. The Rail Central team would expect to see an updated ES and Built Heritage Statement to include this and the other points raised.

1.7.1	(I) The Earthworks Strategy is referenced in Chapter 6 (Geology, Soils and Groundwater), with specific references at 6.5.24 - 6.5.31. As also detailed at 6.5.9 (see requirement 13), an Earthworks Strategy and specification relating to the management and reuse of strata within earthworks cut and fill works, will form one of a number of documents and plans to be provided subject to and following DCO approval. The Main Site Phasing Plan (Ref Doc 5.2 (ES) Figure 2.3) illustrates the approach to and phasing of the earthworks.	The comment raised by Rail Central at Deadline 1 still stands - in that it is unclear how much certainty and reliance is placed on the bund heights.
1.7.3	The landscape cross sections illustrate the design principles to be adopted for the landscape mounding relative to the proposed buildings and rail terminal to be screened and mitigated. The Parameters Plan (Document 2.10, APP-065) includes 'Notes' confirming that the parameters established for the landscape bunds cover their height, relative to the buildings they screen and are to be in accordance with the principles shown on and established by the landscape cross sections. The landscape cross sections depict the maximum building heights (in metres Above Ordnance Datum (AOD)) as detailed on ES Figure 2.1. The mitigation mounding depicted on the cross sections is also shown at the 'approximate' maximum heights. Consequently, should the buildings ultimately be lower than the maximum building heights, then the height of the mounding may also be reduced, subject to maintaining the design and visual screening principles illustrated on the cross sections. The ability of the 'bunds' to perform their mitigation functions is demonstrated in landscape and visual terms through the landscape cross sections and photomontages. The effects of the bunds themselves has been assessed as part of the landscape and visual impact assessment. The assessment of landscape and visual effects is sensitive to the finished level of the mounding to varying degrees for the different landscape and visual receptors. The proposed development parameters, including the principles shown on the landscape cross sections do however take account of this sensitivity and have been devised accordingly to mitigate the potential effects.	The applicant's response refers to "approximate maximum heights" and it is in no way made clear that the assessment therefore has assessed the reasonable worst case in terms of the parameters plan/ Rochdale Envelope. The approach to lowering bunds only if building height is lowered requires to be formalised within a requirement in the DCO. An explanation of this approach would be required within Chapter 2, as this approach to the project description is not explained. It is unclear, for example, if there is a commitment to providing a minimum level of screening through the installation of bunds and how a varying bund height could affect the visual receptors. For example, it is possible that the bund height won't screen buildings as shown on the sections if specific parameters are not defined. It is also unclear if potentially varying bund height would fully mitigate any proposed gantry cranes and flood lighting.
1.8.1	The receptors were selected to be representative of those noise-sensitive properties that might be affected by the noise impact from the scheme.	Paragraph 8.3.43 of the ES suggests that 'triggered data links' were assessed on the 'wider network' and states that these links were identified 'primarily' on flow increases of more than 25% between the DM and DS scenarios. This indicates other factors were also taken into account but no detail is given as to what these are. The assessment methodology needs to be clarified. Further clarification is also needed on the definition/extent of the 'wider network', on which only six road links have been identified as having increases in flow of 25%, as it currently appears to only be an arbitrary choice of nearby roads. Additionally, no assessment of long term (2031 DS - 2021 DM) road traffic noise level changes has been carried out, as per the methodology set out in the Design Manual for Roads and Bridges (DMRB). Road links should also be considered ('triggered') for assessment where long term increases of 50% are predicted, not just for short term increases of 25%, which only considers traffic flows in the opening year before the development is fully built out and operational. This has not been done. The critical long term impact of road traffic noise has, therefore, not been assessed in accordance with current guidance.
	The majority of the receptors shown had previously been presented in the draft ES of October 2017 and following consultation, no additional receptors were requested by any respondents. The project added further receptors between the draft and final ES to address the potential impact from the highway mitigation measures (referred to as the other highway works in chapter 8 of the ES). The term acoustic study area appears only in Paragraphs 8.3.42 and 8.3.43 of the ES and refers to the area within which roads were identified where material changes in traffic flow or road alignment as a result of the project are expected and the noise impact from them determined.	

1.8.6	The receptors set out in Table 8.12 of Chapter 8 of the ES are residential apart from the inclusion of one school. They have been regarded as having the same degree of noise sensitivity. As mentioned in the response to ExQ1.1.2, the Roade Cutting SSSI and the Roade Quarry Local Wildlife Site have a different, and, in fact, lower, sensitivity to noise. Current policy requires only the determination of the degree of adverse impacts and effects on affected locations. That process intrinsically takes account of the receptor sensitivity.	Almost all receptors are residential, as confirmed by the Applicant in their response. However, no attempt has been made to define sensitivity and no assessment has been carried out to recreational receptors such as footpaths. The relationship assumed between impacts and effects should be made clear.
1.8.7	Yes. Where this is predicted to occur, mitigation is required to be considered in order to avoid those impacts as required by policy, but taking account of what is reasonably practical.	The Rail Central team strongly disagrees with the Applicant's response. We consider the suggested construction noise significance thresholds to be at least 10dB too high and not in line with current guidance (BS 5228). The thresholds cited relate to the eligibility for noise insulation, not significant effect, and would only apply where all best practicable means to the provision of mitigation had been applied and in spite of any Section 61 consents under the Control of Pollution Act 1974. We consider the Applicant's response to this question inadequate. Our previous submission to this question at Deadline 1 still stands.
1.8.9	Annex E of BS 5228-1 is an “informative” annex and does not constitute a formal part of the standard. Therefore, there is no obligation on any project to follow the guidance in Annex E. However, as set out in Paragraph 8.3.8 of Chapter 8 of the ES, guidance from Annex E.3.2 of BS 5228-1 has been used to assist in defining the threshold values for LOAEL and SOAEL. The Technical Guidance quoted in Annex E.5 of BS 5228-1 has now been superseded by the Planning Practice Guidance for Mineral Extraction. Similar values are quoted in that guidance. However, those values originated over 20 years ago and tend to reflect exposures which are now regarded as being at or around LOAEL. This of course means that higher levels can occur, and the relevant policy requirements still be met.	The Applicant has not satisfactorily answered the question. Although, Annex E of BS 5228-1 is an 'informative', it is well established as the de facto guidance used for construction noise assessment in this country, in the absence of other guidance. It was last revised in 2014 and, therefore, must be considered up-to-date and valid, not 20 years out of date as the Applicant is trying to suggest. Additionally, and as SNC have stated, the threshold of 'significant effect' as set out in BS 5228 Table E.1 cannot be equated with the LOAEL, as the Applicant has assumed in their assessment. This is clearly and unambiguously the SOAEL. The outcome of the Applicant's construction noise assessment cannot be relied on. There remains an obligation above the LOAEL to mitigate noise and, therefore, the LOAEL must be determined accurately.
1.8.12	As noted in the question, according to BS 5228-2, a level of 0.3 mm/s PPV might just be perceptible in residential environments. So even the standard acknowledges that there is some uncertainty about whether or not a level of 0.3 mm/s would be perceptible. Perceptibility itself is not an adverse effect, hence the LOAEL has been defined at a level a little above 0.3 mm/s. This approach was discussed with SNC after the publication of the draft ES and they did not disagree with it.	The Rail Central team disagrees with the Applicant's response. We agree with SNC that the LOAEL should be 0.3mm/s. This is as per our earlier response at Deadline 1. The argument that perception does not equate with adverse effect makes sense in relation to noise, as noise is ubiquitous and may always be perceived. However, vibration in residential dwellings is rarely felt, if at all, under normal circumstances. It is considered that any perceived vibration in a residential dwelling may, therefore, have a potential adverse effect.
1.8.13	The methodology that was used is described in Paragraphs 8.3.64 to 8.3.72 of Chapter 8 of the ES. It is based on BS 4142:2014, which includes taking account of the difference in sound levels, the resulting absolute levels of the sound, and the character of the sound source.	This question has not been adequately addressed and comments made at Deadline 1 still stand. The Applicant has taken the BS 4142 Rating Level (only valid as an external noise indicator), attempted to convert this to an internal rating level (for which there is no precedent, guidance or Standard), and has then compared this with BS 8233 criteria (which is not appropriate in this context). BS 4142 states that 'the standard is not intended to be applied to the derivation of indoor sound levels arising from sound levels outside, or the assessment of indoor sound levels'. BS 8233 criteria for internal noise levels are only appropriate for 'anonymous' noise and not appropriate for noise with character, such as from the proposed development. The Applicant is applying a methodology that is not supported by current guidance and Standards, and in doing so, indicating only adverse effects that would otherwise have been determined to be significant. The results of the assessment cannot be relied on.

1.8.14	“In relatively close proximity to the receptor” means assuming that the works activity being considered is occurring near to the site boundary which is closest to the relevant receptor. It represents a likely worst-case as the dominant factor affecting the noise impact at a particular receptor would be the distance between the receptor and the works activity.	This question has not been adequately addressed. The Applicant has defined 'relatively close proximity' as 'near'. This is wholly inadequate and suggests a potential fundamental flaw in their assessment. What set back distance from the site boundary do they consider to be a 'likely worst case'? This must be defined. Without it, the assessment cannot be relied on as the assumption might be that unrealistically large setback distances are being relied on.
1.8.16	The extent of out of hours construction activity will depend upon several variables including the contractor/contractors appointed and their construction methodology and the approach to the construction of the highway works agreed with the highway authorities at the time. There is also likely to be construction affecting the Northampton Loop Line which is likely to be during possessions of the track, normally out of hours. At this stage it is not possible to provide an estimate other than to say it will be a small percentage of the working hours. There are many drivers to minimising out of hours working over and above the desire to minimise environmental impact; one of the most significant of these being cost.	It is not clear this has been allowed for in the assessment, or whether limits are placed on such work in terms of disturbance to receptors.
1.8.17	Paragraph 8.3.9 of Chapter 8 of the ES states that a qualitative assessment has been made of the potential noise effects of the other highway works where a sensitive receptor is located within 300 m of the works based on the information available. The conclusion of the qualitative assessment is described in Paragraph 8.5.22 of Chapter 8 where it states that these works could result in some adverse noise effects. Bearing in mind that there is a duration element to the threshold for SOAEL as described in Table 8.1 of the ES, it is felt unlikely that significant effects will occur. Both these conclusions are based on experience of similar works elsewhere and are therefore considered to be robust. Please also see the response to ExQ1.0.15.	An assessment can and should be carried out using assumptions for the likely construction equipment to be used.
1.8.20	For ten years, the rail sector across Europe have been establishing technical specifications for interoperability (TSI). These TSIs include expected performance levels including those associated with noise emissions. In the UK, these requirements are set out in the Railways (Interoperability) Regulations 2011. New rolling stock will have to meet these standards and, as a result will be less noisy than the current fleet.	The performance levels require to be specified if relied on as mitigation.

1.8.21	Paragraph 5.186 of the NPSNN makes reference to the Government's policy on noise being set out in the Noise Policy Statement for England. Paragraph 5.193 states that due regard must be given to the relevant sections of the Noise Policy Statement for England, the National Planning Policy Framework and the Government's associated planning guidance on noise. In all those Government documents, effects are defined as being ⍰ no effect; ⍰ an adverse effect; ⍰ a significant adverse effect; or ⍰ an unacceptable adverse effect. The focus for noise management policy is on the latter three effects. Therefore, whether or not an effect is significant, depends on whether the effect is such that it is above the threshold set for it being classified as significantly adverse. In none of these Government documents is there classification of degrees of significance. The adverse effect is either significant or not. A level of significance is not therefore relevant to the methodology used.	The Applicant has not indicated what the residual effects are using the terminology they cite in Government policy and guidance (i.e. no effect/adverse effect/significant adverse effect). There is no clear statement setting out the residual effects. We strongly believe that the Applicant cannot draw any conclusions either about residual effects or the cumulative effects during operations on the SRFI site. They have omitted key noise sources such as warehouse mechanical ventilation and chilling plant, HGV mounted chillers, and also underestimated noise from gantry cranes and their movement alarms. They have elevated LOAELs with the consequence that mitigation is not considered when it should be. Apart from earth bunds, there is no mitigation proposed at all for the main SRFI sites.
1.9.1	The Applicant has instructed its team to review the Rail Central application, (an electronic copy of the application submitted on 29 October was received on 30 October and is being copied and distributed to the relevant consultants.) Once the application has been reviewed a comprehensive update to the cumulative impact assessment can be undertaken and presented. The Applicant intends to provide updates on the progress of this work, as requested, at Deadlines 2 and 3. However, the Applicant understands that transport modelling work is being undertaken by Rail Central to assess the cumulative effects of the Rail Central scheme and Northampton Gateway having regard to the mitigation measures proposed as part of both applications. The Applicant was initially informed by Rail Central that this modelling work would not be completed and made available until at least mid-November 2018. The Applicant is now being advised by Rail Central that "this work is still ongoing and it is expected to be towards Christmas before this can be released".	There remains no reason why non-traffic cumulative effects cannot be updated - e.g. identification of relevant projects, and consideration of landscape, heritage, agricultural land etc. in line with the revised methodology. The cumulative traffic assessment is subject to issues being resolved with the applicant prior to undertaking the revised cumulative traffic modelling.
	I) and ii) - The assessment of impact interactions was undertaken based on a review of the ES as a whole, and using representative receptors (as described in Section 15.2 of the ES (Chapter 15). Use of the term 'impact interactions' is to differentiate between the consideration of wider cumulative effects from the Proposed Development with other sites and commitments – the two parts of paragraph 15.1.4. Chapter 15 seeks to identify likely overall impacts across all aspects of the ES topics on key, representative receptors. In this regard 'impacts' is the same as 'effects' which feature throughout the ES. The assessment in Chapter 15 does not seek to assess potential cumulative effects on every receptor. Topic specific chapters of the ES provide an assessment of the likely effects (including likely 'impacts' on a topic by topic basis) of the Proposed Development on a wide range of specific receptors. The methodology used in Chapter 15 is to assess the likely effects presented in each topic specific chapter on a selected number of key receptors and to arrive at a judgment, based on this cumulative review, of the effects of these receptors. An overall judgment of these interactions is reached (provided in the bottom line of Table 15.1 for the construction phase, and Table 15.2 for the operational phase).	The criteria for selection of "representative receptors" is not clear. For example, it is not clear why all receptors identified in the relevant assessments are not considered - or at least groups of receptors.

	iii) The representative receptors were identified based on consideration of a range of issues, but essentially with a view to identifying representative receptors which would be likely to experience a range of different effects from the Proposed Development which could cumulatively be significant. A judgment was reached that because these identified receptors are most likely to experience the most significant cumulative effects, the effects at other receptors would be less significant. The Historic Environment is not included as this receptor, although broad in its scope, is not likely to experience a range of different effects from the Proposal that are not assessed already in Chapter 10. Paragraph 15.2.2 refers to on-site heritage (archaeology) features in this context. The effects on heritage are primarily linked to landscape and visual effects (including in the context of setting), with effects tied directly to the significance of the heritage assets affected by construction and operation – those issues are dealt with in Chapter 10. There are limited other interactions between the Heritage assets and other elements of the ES.	The methodology requires to be followed in a logical consistent manner for confidence in conclusions to be reached. It is not clear why heritage receptors would not be anticipated to be affected by landscape and visual changes as a result of the development.
	vi) Please see Chapter 5 of the ES. On-site ecology is included in the Tables (15.1 and 15.2) as one of the 'representative receptors' used – this reflects the fact that Ecology can experience a range of different effects through habitat change or loss, and new habitat provision, as well as from air quality, lighting and noise effects. vii) Please see answer to v) above. Chapter 15 provides a narrative intended to help explain some of the judgments and conclusions reached in the Tables, as well as providing a wider assessment of a number cumulative effects. The narrative which follows the Tables includes headed sections on 'Human Health', and on 'Climate' which seek to provide an overview of how the Proposed Development as a whole relates to those topics which are part of Regulation 5(2).	Human health and climate change have not been assessed individually, so there is no data on which to base a cumulative assessment on. Here they are being addressed as single receptors rather than as features of the environment that can themselves affect the proposed development.
1.9.4	Please see Appendix 19 and the Agricultural Land Classification information contained via the hyperlink below: http://publications.naturalengland.org.uk/publication/143027 ?category=5954148537204736	This response does not take into account the potential for much greater cumulative agricultural land loss should a wider cumulative projects be considered.
1.11.10	Secure HGV loading and waiting spaces at the Proposed Development would be provided at each warehouse unit in accordance with NCC's adopted parking standards (Northamptonshire Parking Standard, September 2016). The illustrative masterplan shows a total of 1,223 loading and waiting HGV spaces at the Proposed Development. This is sufficient to accommodate the needs of the Development.	From this response, it is not clear if the illustrative masterplan or the Parameters Plan is used for the assessments in the ES. in addition, the response does not really give an explanation for the proposed quantum other than saying 10% of the proposed parking is a proportionate response.
	The additional early-arrival HGV parking was proposed following consultation with the Police, who were concerned that the originally proposed unsecured HGV parking at laybys along the Proposed Development spine road for early- arrival HGV could be a target for organised crime. No standards are provided for early-arrival spaces. However, the proposed 120 HGV additional parking spaces would equate to approximately 10% of the overall HGV parking provision at the Proposed Development. This would be provided in the form of a secure dedicated HGV parking area with welfare facilities. This is felt to be a proportionate response to the concerns of the Police.	

1.11.29	The construction period given at 12.7.18 is consistent with the Indicative Master Programme for the scheme that is provided at Appendix 1 of the CEMP (Appendix 2.1 of the ES, Doc 5.2). The Indicative Master Programme was prepared by the Applicant using their considerable experience in the development and construction of large- scale warehousing developments. This includes recent experience at East Midlands Gateway SRFI, which provides a good comparison being of similar scale development, including significant off-site highway works at M1 J24A and J24, the construction of a new site access junction on the A453, and construction of an off-line bypass to the south of Kegworth. The 5.5 year construction period reflects the typical build rate for large scale warehousing, which is approximately 1 million sqft of development per year. The construction period is therefore realistic and likely. The 10-hour working day is based on typical contractor working practices, with a working day of 7am to 7pm Monday to Friday. Some seasonal variation in this would be expected and certain construction operations are weather dependent and therefore assessment is made of the basis of 49 working weeks. In addition, and as noted at paragraph 12.7.20 of the ES, assessment of the daily construction traffic movements has been estimated based on a 5 day working work week. Contractors would be able, and do, also work on Saturday mornings, between 7am and 1pm. However, assessing the construction traffic movements over a shorter 5 day period, rather than a 5.5 day period, adds additional robustness to the assessment, as it results in a slightly higher figure of daily construction traffic movements. The assumptions regarding the working periods are therefore also considered realistic and likely within the context of the assessment undertaken. In should be noted that the impacts during construction are temporary and therefore residual effects associated with disruption due to construction are none/negligible.	There should be a "sensitivity test" undertaken as to potential effects on the environment should faster or slower development be achieved. It is very specific as it stands, and not clear that a worst case for all environmental effects is assumed.
1.11.34	This question is answered in advance of the opportunity to review the detail of the Rail Central proposal, which was re- submitted to the Planning Inspectorate on 29 October 2018. The last sentence of paragraph 12.8.7 should have referred to KX13. not KX 17. It is thought therefore that this question is directed at KX13 rather than KX17. The incompatibility arises from the inclusion of part of the main site of Northampton Gateway within the Rail Central Order limits for the purposes of landscaping and a public right of way. In the event of the Northampton Gateway Order being approved, and then Rail Central then being approved, then it will be for Rail Central to adjust its proposals accordingly. There would be no effect on the Northampton Gateway proposals.	Rail Central has proposed a means by which the two developments could work together in the interrelationship report before the examination. The DCO for Northampton Gateway could therefore have provision for both projects being brought forward.
1.13.1	The point being made (see para 13.3.10) is that enough topsoil of suitable quality should be retained for re-use (i.e. use as topsoil in greenspaces). The origin of the 50% figure is unknown, (requirements vary between the type of development). Paragraph 13.3.10 seeks to explain that the objective is to protect sufficient topsoil to complete all on-site landscaping, and that a loss of topsoil below 50% would be considered a minor environmental effect. Section 13.7 of the ES Chapter confirms that the residual effect after implementation of mitigation would be minor adverse with regard to the soil resource.	The response has not clarified the point. The 50% figure is the applicant's own, so the response is still that the loss of half of the soils on site is irrelevant.
1.13.2	This is an error. Table 13.1 should state that the assessment addresses effects on two receptors, as identified in paragraph 13.3.1.	This response confirms that the comment made by the Rail Central team at Deadline 1 to this question is correct - that the assessment is not based on the scoping opinion, and no justification for this is provided.
1.13.3	Natural England were a consultee and have been consulted at every stage of the pre-app consultation process and on submission.	It appears therefore that Natural England's scoping opinion was therefore not taken account of.

1.13.4	The vast majority of the main site comprises land in the ownership of the Courteenhall Estate which includes a very significant estate beyond the site which will continue to be farmed, and the loss of the land on the main site will not affect that as an agricultural business or any environmental stewardship of the land to be retained. The bypass corridor has implications for relatively small parts of a number of different land holdings and ownerships, but is not of such a scale as to affect significantly the viability or profitability of any agricultural businesses.	The response suggests that an assessment on farm businesses may have taken place but has not been reported.
1.13.9	Please see Appendix 19 and the Agricultural Land Classification information contained via the hyperlink below: http://publications.naturalengland.org.uk/publication/143027 ?category=5954148537204736	This response does not address the issue that very few cumulative projects have been identified, so the response does not fully address the potential cumulative effect in the region.
[Blank reference]	As noted in para 14.3.2 “highways and infrastructure related sites” comprise all of the works that are not the Main Site. The Main Site is works nos. 1 to 6, and hence the “highways and infrastructure related sites” are Works nos. 7 to 17. All of these are highway works except for Works no. 10 which is the foul drainage outfall. The highway works and foul drainage outfall would produce negligible waste during the operational phase. Therefore, these are only considered in relation to the construction phase. Waste from the construction phase of highway works has been assessed as per paragraphs 14.5.11-13 and is considered negligible. The foul drainage outfall (works no. 10) is a relatively small element of the scheme and the waste produced would be the same as that for highway works i.e. excavated material, which would be reused within the wider scheme. Hence construction waste from this would also be negligible.	It is not clear on what basis the waste quantities for highways (and drainage works) have been calculated.
1.15.7	As noted in our response to (previously unnumbered) ExQ1.15.1A above, there is considered to be a negligible quantum of waste arising's from the construction of the highway works. This is on the basis of the following: • The highway works will be undertaken such that there is a cut and fill balance of earthworks, and the Roade Bypass and works at the A508 / Rookery Lane junction have been assessed to confirm that this will be the case; • Vegetation and timber will be incorporated into the landscaping proposal, for example by producing chippings; • Bituminous planning's will be recycled and reused within the works as sub-base or capping material; • Any existing concrete or hard-core materials will be crushed and reused within the works as earthworks fill material or capping; and • There will be incidental arising's from above ground assets to be removed such as signs and lighting columns, and that any such items would be recycled.	If these are relied on as mitigation to produce "negligible" waste, there needs to be a requirement for this.
1.15.20	(I) As specifics regarding how waste was to be segregated on site is not known, this language was used to ensure flexibility of approach.	Where flexibility is required, the worst case needs to be assumed. It is not clear that this has been carried out for this assessment.

1.15.21	It can be seen from Table 14.5 that the scoring and therefore the assessment of residual effects does not rely on the mitigation measures at paras 14.6.10 to 14.6.14, as the score of 16 in this table is the same as that given at para 14.5.28. It is within the future operators' commercial interests to ensure that waste arising's are reduced during the operational phase so as to avoid high landfill tax payments. Requirement 27 requires a scheme for waste management to be approved prior to a component being brought into use.	If the mitigation cannot be relied on, it cannot form part of the assessment (as correctly stated here).