



NORTHAMPTON
GATEWAY
STRATEGIC RAIL FREIGHT INTERCHANGE

APPLICANT'S RESPONSES TO RAIL CENTRAL'S DEADLINE 5 SUBMISSIONS

DOCUMENT 8.8D

The Northampton Gateway Rail Freight Interchange Order 201X

APPLICANT'S RESPONSES TO RAIL CENTRAL'S
DEADLINE 5 SUBMISSIONS | 19 MARCH 2019

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ROXHILL

THE NORTHAMPTON GATEWAY RAIL FREIGHT INTERCHANGE ORDER 201X

Applicant's Response to Rail Central's Deadline 5 Submissions – Document 8.8D

1. Introduction

- 1.1 This document responds to the **Deadline 5** submissions submitted on behalf of Ashfield Land Management Limited and Gazeley GLP Northampton s.à.r.l (“**Rail Central**”).
- 1.2 This response deals with Rail Central's Response to the Updated Cumulative Impact Assessment (REP5-026) and then with the Rail Central Response to the Updated Comparative Analysis (REP5-027). Before doing so it deals with an overarching issue arising from Rail Central's recent acknowledgement that its scheme will inevitably change.
- 1.3 Where responses to points made previously by Rail Central have already been provided (principally in Document series **8.8 – 8.8C** [REP2-011, REP3-008, REP4-010 and REP5-019]) they are not repeated.

2. Rail Central Scheme Changes

- 2.1 As the ExA are aware, on 11 March 2019, Rail Central wrote to the Planning Inspectorate with a request that the commencement of the Rail Central Examination be delayed. The ExA received a copy of that letter from Rail Central prior to ISH4.
- 2.2 It is apparent from that letter that, as a result of a detailed “strategic review of the package of highway mitigation” there is a need to amend elements of the highway mitigation and that this will result in a need to change the application as submitted. The letter is clear that the “scale and extent of the highway mitigation changes are as yet unknown”¹ and these will not be identified by Rail Central itself prior to mid-April at the earliest and will thereafter be subject to agreement with the relevant highway authorities and wider consultation. From the Process Note provided it seems clear that the information in relation to the revised scheme will not be available for consultation until September at the earliest, based upon, what appears to be, an optimistic timescale².
- 2.3 Based on the letter referred to above the position is as follows:
- 2.3.1 it is not known whether the ExA will agree to a delay in the Examination given that the cause of delay appears to be the realisation of a deficient application rather than a response to an unforeseen change in circumstances;

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² For example, two weeks is provided to agree a revised highway mitigation package with Highways England and Northamptonshire County Council.

- 2.3.2 there is very little agreed with the highway authorities – attached at **Appendix 1** of this note are the written representations of Highways England and Northamptonshire County Council submitted to the Rail Central Examination;
- 2.3.3 the scale and extent of the changes to the highway mitigation package are unknown;
- 2.3.3 the extent of the need to extend the Rail Central Order limits is unknown;
- 2.3.4 the implications for assessment of noise and air quality, which are, to a significant extent, dependent upon transport assessment, are unknown;
- 2.3.5 the physical highway works proposed are now unknown and therefore the implications for the assessment of other impacts in relation to those works, such as landscape and visual impacts are unknown; and
- 2.3.6 in light of the above it is not known whether an acceptable highway mitigation package can be identified for the scale of the development currently proposed and therefore the extent and nature of the development on Rail Central's main site is unknown.
- 2.4 The latest work that the Applicant has done in relation to both cumulative impacts and comparative assessment has been based on Rail Central's application as submitted. What is known is that the submitted application will change. The Applicant has done its best to carry out assessment and comparison on the basis of the only information available to it however it is clear that the work done must now be viewed as wholly provisional given the extent of uncertainty in relation to the Rail Central proposal.
- 2.5 It was acknowledged by Rail Central that a decision on Northampton Gateway will almost certainly have been reached prior to the Rail Central Examination commencing and that, if the Northampton Gateway Order is approved, it will be for Rail Central at that Examination to deal with the cumulative impact assessment of both schemes and demonstrate that it is satisfactory.
- 2.6 The responses set out below to the Rail Central criticisms of the Applicant's Updated CIA and the Comparative Analysis must be considered in the context set out above recognising the extent of uncertainty which now attaches to them.
- 3. Applicant's response to Rail Central's Response to Updated Comparative Analysis.**
- 3.1 The Applicant notes the response submitted by Rail Central to the Applicant's Updated Comparative Analysis of Northampton Gateway and Rail Central. The Applicant is of the view that the Rail Central response fails to acknowledge the important differences between the two sites particularly in relation to their landscape context and visual containment. There are clearly matters of disagreement between the Applicant and Rail Central and the Applicant does not intend to rehearse all of the

judgements it has made in its Comparative Analysis, which it considers remains an appropriate and balanced assessment of the two sites and the schemes proposed.

- 3.2 The Applicant does not agree with the position put forward by Rail Central in relation to road and rail access. In terms of transportation, the differences between the two proposals are significant, with the current Rail Central mitigation scheme (under review) not appropriately mitigating the traffic impact of the scheme and failing to deliver the overarching transport strategy that is suggested. In relation to rail the Applicant considers that the purported benefits of the Rail Central scheme by Rail Central will not provide any functional advantage and indeed the potential additional complexity of the Rail Central rail infrastructure works will make the future delivery of rapid or express rail freight more challenging.
- 3.3 The Applicant is of the view that there are some fundamental differences between the two sites which leads to the conclusion that the Rail Central site is materially inferior to the Northampton Gateway site. The NPSNN recognises that, due to their operational requirements, SRFI's may need to be located in the countryside (para 4.85). Northampton Gateway and Rail Central are both located in the countryside, where there will be loss of countryside. However, Northampton Gateway has a particular context which means the impact of change would be significantly less than Rail Central. The NPSNN makes it clear, at paragraphs 4.29 and 4.34 in particular, that visual appearance is a key factor in considering the design of new infrastructure and that good design can be demonstrated in terms of siting and design measures relative to existing landscape and historical character and function, landscaping permeability, landform and vegetation. These are fundamental site location and scheme design factors which affect the suitability, quality and overall environmental acceptability of development proposals. As a result of the inherent characteristics of the Northampton Gateway site, providing greater opportunity for landscape and visual mitigation, it is a superior location and its development will have less adverse environmental affects, than Rail Central.

4. Applicant's response to Rail Central's Response to Updated Cumulative Analysis.

- 4.1 The following provides a response to the various comments or queries raised by Rail Central in the order, and under the headings, appearing in their Deadline 5 submissions regarding the updated CIA submitted by the Applicant (**Document 8.13** [AS-040]). Where helpful it also includes a response to some of the issues raised in discussion at ISH4.

Purpose and Status of the CIA (paragraphs 3 – 6)

- 4.2 Rail Central query the scope and starting point for the CIA Update. They suggest that the updated CIA is required to revisit and amend the submitted assessment of cumulative impacts with all projects – i.e. that it should cover Rail Central plus all relevant committed developments, as well as intra-project effects ('impact

interactions'). Rail Central suggest the scope of the updated CIA is inappropriately narrow on focusing only on the potential cumulative impacts of Northampton Gateway with Rail Central.

- 4.3 The request for an updated CIA came from the ExA via ExQ1.9.1 – the principle request was:

“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 question says this update should incorporate (emphasis added) *“all elements of the Applicant's assessments which incorporate cumulative and in-combination assessment **involving Rail Central**”*.

This request directly informed the approach taken to the updated CIA.

- 4.4 The original CIA of Northampton Gateway with Rail Central, as submitted with the Northampton Gateway application in 2018, was provided via separate topic specific sections in each relevant chapter, plus an over-arching summary included in Chapter 15 of the ES. The updated CIA has pulled together in one report updated assessments, by ES topic, of the likely impacts of Northampton Gateway with committed development, and with Rail Central (updated), as submitted to the Secretary of State in November 2018. Therefore, the premise of part of Rail Central's criticism is inaccurate - the updated CIA does include consideration of the potential cumulative impacts of Northampton Gateway with appropriate committed developments, as well as with Rail Central. However, as neither the Proposed Development, nor the committed developments, have changed, neither has that element of the assessment. Only Rail Central was subject to change since the original CIA, and as discussed at ISH4 and above, is now subject to further and ongoing change and uncertainty.
- 4.5 As the submitted assessment of 'impact interactions' of Northampton Gateway on a range of receptors did not include consideration of the potential impacts of Rail Central, and because the Northampton Gateway proposals have not been amended since submission, this element of ES Chapter 15 has not been updated.
- 4.6 Rail Central also argue that the CIA is not correct, or up to date, and in making this point refers to the tabular summary of residual effects requested by the ExA through the first written question 1.0.3. Rail Central is of the view that these residual effects tables have implications for the CIA, and suggest the two are inconsistent – and that the summary of residual effects makes the updated CIA unreliable.
- 4.7 This issue was also discussed at ISH4 when representatives for Rail Central referred to their understanding that there were updated or changed conclusions, with verbal reference made to Tables 5.1 and 5.2.

- 4.8 At ISH4 the Applicant queried the basis of this line of argument. The summary of residual effects submitted as Appendix 2 of **Document 8.2** [REP1-020 and REP1-021] was requested by the ExA to ensure it has a single source of information regarding conclusions from each ES chapter, in a common format, setting out Northampton Gateway's assessment of the likely residual effects post mitigation. The results of that table, submitted for **Deadline 1**, did not change the information which formed the basis of the submitted (original) CIA – it is a summary of part of the information contained in the submitted ES which helped feed into the original CIA (that being the likely residual effects of the Northampton Gateway scheme).
- 4.9 It remains unclear why Rail Central considers the presentation of a summary of the residual effects from the Northampton Gateway ES has implications on the reliability of the updated CIA. The verbal references at ISH4 by Rail Central to Tables 5.1 and 5.2 of the ES have not helped to clarify this.
- 4.10 Written material submitted by Rail Central on 13 March 2019³ after ISH4, provided contrary views on some of the judgements and assessments by Northampton Gateway included in the Landscape and Visual Tables which formed Appendix 2 of the updated CIA. The Northampton Gateway team entirely rejects the suggestion that views were 'cherry-picked' for the updated CIA, including in the appended LVIA related Tables.
- 4.11 The updated assessment provides a well-rounded and proportionate assessment that identifies the likely significant cumulative landscape and visual effects. The differences between Northampton Gateway's assessment, and that of Rail Central, are partly due to what Northampton Gateway would consider to be flawed judgements by Rail Central. Rail Central refer to the potential impacts on Willow Lodge on Northampton Road, and consider the impact of Rail Central alone as 'minor adverse'. That property is located in the middle of the proposed Rail Central development site and the outlook from the property will change dramatically in all directions, with views highly curtailed. Even with mitigation measures proposed by Rail Central, this high susceptibility receptor will patently experience significant change, even if that specific property on Northampton Road does not experience views of both Rail Central and Northampton Gateway.
- 4.12 Rail Central suggest that a further 'screening' exercise should have been undertaken to identify if any other/additional relevant developments have come forward for the assessment of likely effects of Northampton Gateway with committed developments. Rail Central is critical of Northampton Gateway for not having undertaken such a process, and implies the updated CIA is deficient due to the absence of any evidence of this additional screening.
- 4.13 There is no specific requirement to undertake additional or ongoing screening. However, the Applicant has been in regular contact and dialogue with the local planning authorities throughout (and preceding) the Northampton Gateway

³

E mail From Rail Central to ExA 13 March 14:29

Examination process. Were any new major developments of relevance to have come forward with potential implications on shared receptors the Applicant feels confident the RPAs would have raised this issue through our extensive discussions, including those through which the SoCGs were agreed.

- 4.14 Importantly, Rail Central does not suggest any additional new developments which might be of relevance, and in response to a direct question at ISH4 confirmed that they are aware of no such new or additional development which they consider to be of relevance.

Information available (paragraphs 7 – 9)

- 4.15 See paragraphs 2.1 to 2.6 above.

Separation of Cumulative and Comparative assessments (paragraphs 10 – 13)

- 4.16 Rail Central considers the CIA to inappropriately 'blur' the cumulative and comparative assessments, and as a result suggests that the approach taken is flawed because it refers to examples where Rail Central might have a larger impact than Northampton Gateway on the same receptors. It considers the emphasis and role of the CIA process should be "*what is the impact of the two (or more) sites together, and whether that cumulative effect creates an acceptable environmental impact as a whole.*"
- 4.17 Rail Central's submission claims that the updated CIA has only focused on Northampton Gateway and Rail Central together "*and not other committed development*".
- 4.18 In undertaking the CIA, the Applicant had direct regard to PINS Advice note 17 (dated December 2015). This provides a suggested methodology and approach to undertaking the assessment, and is clear about the relevance and appropriateness of considering:
- "the apportionment of effect between the proposed NSIP and the 'other development' e.g. is the contribution to the effect demonstrably related to one development or is there an equal contribution from either development. This will require professional judgement..."*
- (PINS Advice Note 17, Table 1, page 4, describing 'Stage 4: Assessment').
- 4.19 Therefore, in accordance with this advice, the inclusion of judgements about the relative impacts and effects of one or both projects is considered entirely appropriate and relevant in the updated CIA.
- 4.20 The CIA is clear about the assessment made of the likely impact of the sites together, and is clear about the extent to which that cumulative effect is acceptable. The updated CIA confirms the position of the original CIA that, combined, the two sites would be likely to have a number of significant adverse impacts.

4.21 Rail Central paragraph 11 is incorrect – the updated CIA updates the assessment of Northampton Gateway having considered the impacts of Northampton Gateway with committed development. Rail Central is not committed, and necessarily, given the status of the proposals, is in a different category to approved or allocated sites. This approach is clearly set out in paragraph 1.5 of the Updated CIA report. Given that neither Northampton Gateway, nor the committed developments, have changed since the original CIA – unlike the Rail Central proposals about which there is now some considerable uncertainty with regard to transport and traffic impacts and mitigation. Given the scope and focus of ExA question 1.9.1, this approach is considered entirely logical.

Appropriate CIA Methodology (paragraphs 14 and 15)

4.22 Rail Central suggest there is uncertainty given a number of technical or methodological issues. These focus on issues regarding the identification and selection of sites for the assessment of Northampton Gateway with committed development. Specific queries from Rail Central include:

- Why so few sites were identified?;
- Criticisms of the answers given by Northampton Gateway to earlier points or questions about similar issues;
- Assertions that limited confidence can be had in the assessment undertaken of Northampton Gateway with committed development;
- How suggestions of committed sites made by other bodies (including LPAs) were considered and/or assessed.

4.23 The Rail Central commentary includes confirmation that their consideration of 35 potential cumulative projects resulted in 'more than 10' contributing to the overall cumulative effects considered by the Rail Central team, and also confirmed that none of those 10 projects would result in any significant cumulative effects on shared receptors with Rail Central.

4.44 Rail Central has made its views on the approach taken to the Northampton Gateway ES known at every stage of the Northampton Gateway Examination, and many of these points have been discussed either through ISH's or via written questions and answers. Northampton Gateway has a different approach to the rigid highly structured approach taken by Rail Central.

4.45 The ES Scoping exercise of October 2016 followed the approach set out in the PINS Advice Note 17 (dated December 2015), including use of the matrices to identify committed sites or projects of relevance within an appropriate 'zone of influence' from the Northampton Gateway application. These matrices were included in the ES Scoping report and include a list of proposed committed developments likely to share environmental receptors with the Northampton Gateway application. The 'Zone of Influence' adopted to identify likely committed developments varied across the ES topics as required, and was informed by judgements and professional experience of

the ES team – but the focus on the likelihood of the Northampton Gateway application sharing receptors was key to this process. In this regard the confirmation from Rail Central that their process based on 35 potential projects resulted in no significant cumulative impacts being identified is highly relevant and confirmatory.

- 4.46 It is common sense, and proportionate, to take the view that sites to the north of Northampton, close to Daventry, or to the south of Towcester, are very unlikely to share receptors with the proposed development. Based on dialogue held with the relevant local authorities at the ES Scoping Stage, including after they had submitted scoping responses which included suggestions of commitments further afield, it was clear that they shared this view.
- 4.47 The exception to this is with regard to Transport where projects and schemes across a wider area can have cumulative impacts with regard to increased traffic, or a different distribution or flows of traffic. As a result, a much more comprehensive approach was taken to the spatial scope of the CIA with regard to transport – the ES Scoping Report of October 2016 included reference to the Northampton Gateway Transport Working Group which led the process of agreeing the scope and methodology of the TA. In practice, through use of the NSTM2 model, the TA considers a comprehensive list of committed development (allocations and approvals) across the Northampton and the County as a whole, and also takes into account strategic growth planned beyond the County. This ensures that the TA and ES has considered the proposed development's additional traffic in addition to the traffic growth forecast as a result of the strategic growth and development planned through the Joint Core Strategy, and other relevant strategic growth.
- 4.48 The Applicant would accept that there could have been a more transparent approach to responding to suggestions of additional commitments which might be added to the ES Scoping process, but which were not included by the Applicant. However, through dialogue held at that time with the local authorities (NBC and SNC) it was clear that the concern regarding the sites suggested further afield was to ensure that the cumulative transport impacts were taken into account. The approach taken to the TA, as described above, ensured that they were.
- 4.49 As referred to in the Rail Central representations, the SUE south of Brackmills was included in the assessment within the ES at the request of NBC as it was relatively close to (albeit beyond) the proposed zone of influence for many ES topics.

Technical Cumulative Issues (paragraphs 16 - 34)

Points of Agreement (paragraphs 16 – 18)

- 4.50 Rail Central confirms **no fundamental disagreement** with the Northampton Gateway updated CIA with regards to 9 of the relevant 12 topics, being:
- Socio-economics
 - Ground conditions and contamination

- Air quality (excluding traffic)
- Hydrology, drainage and flood-risk
- Agricultural land
- Archaeology
- Waste and resource efficiency
- Biodiversity/ecology
- Built Heritage

4.51 Rail Central's agreement with the majority of the conclusions reached across the ES topics about the likely cumulative impacts is noted.

Omissions from NG UCIA (paragraph 19)

4.52 Rail Central suggest that the Northampton Gateway CIA has not addressed climate change, and point to the beneficial and significant residual effects identified by Rail Central in this regard.

4.53 Any omission of the climate change benefits of the two SRFI in the CIA was unintentional. The role of SRFIs in delivering beneficial impacts with regard to mitigation of the causes of climate change through mode shift, is referred to in many places within the ES along with other relevant impacts on climate change, but not referred to under a single heading of climate change. To assist, the Applicant has prepared a note on the assessment of the Northampton Gateway proposal in relation to climate change which has been separately submitted at **Deadline 6 (Document 8.22)**. The note includes reference to the potentially beneficial cumulative impacts of both schemes. The note also responds to previous criticisms by Rail Central that the Northampton Gateway ES does not adequately deal with climate change as an identified topic.

Points of Disagreement (paragraphs 20 – 34)

4.54 Rail Central sets out the reasons for its disagreement on the three remaining ES topic areas:

Landscape and Visual

Key points are:

- A cumulative effect can't be created by one scheme in isolation – i.e. where Rail Central would block or screen views of Northampton Gateway.
- The CIA fails to identify any receptors where Northampton Gateway would form the greater impact on a cumulative view (e.g. Collingtree). The 'cherry-picking' of views doesn't provide a rounded CIA.
- The Northampton Gateway CIA does not properly consider embedded or adaptive mitigation proposed by Rail Central.

4.55 It is accepted by the Applicant that one scheme may have more of an effect than the other, and, as referred to above the PINS advice on Cumulative Effects Assessment

also recognises this. However, the focus has been on shared receptors – a prudent and proportionate approach was taken based on those receptors which could experience a combined effect. Northampton Gateway would have a more direct effect on some local receptors, such as those in Collingtree, and Northampton Gateway recognises that from some such receptors, there may be limited if any significant cumulative effects with Rail Central not likely to be particularly visible.

- 4.56 However, it was considered important to consider the likely possible residual effects from both schemes, and this may well include more of an effect from one not the other, or even only an impact from one once implemented and established. It is considered hard to undertake a meaningful assessment of the likely impacts on these shared receptors without taking this approach.

Noise and vibration (paragraphs 27 – 31)

Key points are:

- The CIA "*substantially underestimates the noise sources and levels generated by the NG SRFI site*", meaning that the assessment cannot be relied upon.
- The assumptions made regarding the cumulative assessment of railway noise are unclear (e.g. regarding routes, timings, phasing of rail growth etc), and if different assumptions had been made, different conclusions may have been reached.

- 4.57 As discussed at ISH4, the Applicant does not agree that noise from the Northampton Gateway SRFI has been underestimated. For example, the noise levels used to represent certain sources that Rail Central suggested were too low, such as the gantry cranes and associated movement alarms, were based on measurements of similar units made at an active port. Therefore, these levels are considered to be reliable and representative. Requirement 23(1) of the dDCO ensures that an assessment of noise from mechanical and mobile plant associated with specific units/occupiers will be undertaken at the detailed design stage when sufficient information is available, using a methodology to be agreed by the Local Planning Authority, to demonstrate compliance with Government and local policy on noise.

- 4.58 The assessment of operational noise from the SRFIs also requires the determination of the existing levels of background sound at the relevant noise-sensitive receptors. The differences between the background sound levels used in the Northampton Gateway and Rail Central assessments were discussed at ISH4. The values used by Northampton Gateway were lower, resulting in a relatively greater impact being shown than would have been the case if using the Rail Central values. This issue is discussed in more detail in a separate response appended to the Applicant's Post Hearing Submissions (Appendix 3 **Document 8.20**), but the Applicant considers their approach to be robust.

- 4.59 The cumulative assessment of railway noise was simply based on the available information assuming that both developments operate as indicated in the respective

Environmental Statements. The Applicant recognises that this may result in an overestimate of the cumulative impacts, however, there is currently no basis upon which to adopt any alternative scenario. The prediction methodology used is the same as that described in the Northampton Gateway ES when considering the potential impacts of that scheme alone as Rail Central produced no predictions of railway noise. Requirements 23(2) and 23(3) of the dDCO make provision for the monitoring of railway noise during the night-time period to provide the necessary safeguard should the likely significant adverse effects not be avoided by quieter rolling stock becoming available as expected.

Lighting (paragraphs 32 – 34)

Key points are:

- Unclear why the CIA addressed this topic as likely to produce significant effects as the Rail Central ES shows negligible effects for Rail Central alone.
- The CIA does not follow standard guidance, or take account of the Rail Central mitigation proposed.

- 4.60 The technical and methodological issues were discussed at ISH4. The updated CIA methodology follows the same as that used for the Northampton Gateway ES, and essentially treats the two SRFIs as a large, single development to identify the potential cumulative impacts. This appears to be a very similar approach to that taken by Rail Central in their ES.
- 4.61 Of the three shared receptors likely to experience significant visual effects, two (Blisworth and 63 Collingtree Rd) were not covered by Rail Central's assessment, so the suggestion that we have overlooked or ignored their 'negligible' conclusion does not apply to those receptors. . For the third receptor, south-east fringe of Milton Malsor, Northampton Gateway simply disagrees with the original Rai Central assessment (their Appendix 15.6, VP18, p.36-7). This is for two main reasons: (a) the upper parts of buildings will be visible until at least year 7, while sky glow will be a permanent feature and much more evident than Rail Central acknowledge; and (b) the extent of these effects is seen right across the field of view, not just in one direction.
- 4.62 Northampton Gateway strongly disagrees that the assessment exaggerates the likely magnitude of effects. It is stating the obvious that closer proximity of receptors to lit development generally means increased effects, and also residential receptors in a rural and largely unlit environment cannot be classed as 'low sensitivity' (as implied by Rail Central) as this suggests occupiers and residents are indifferent to their night time environment. That is clearly not correct.

Appendix 1

HIGHWAYS ENGLAND AND NORTHAMPTONSHIRE COUNTY COUNCIL RELEVANT REPRESENTATIONS TO RAIL CENTRAL

Rail Central (Strategic Rail Freight Interchange)

Received **11 January 2019**

From **Highways England**

Representation

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Highways England submits this relevant representation and wishes to register as an interested party in respect of this application by Ashfield Land Management Limited and Gazeley GLP Northampton for a Development Consent Order for a Strategic Rail Freight Interchange known as Rail Central.

Highways England is a strategic road authority appointed by the Secretary of State as the highway authority, traffic authority and street authority for the strategic road network (SRN). In respect of the application our particular interest is in the M1 Motorway and A43 Trunk road.

The Secretary of State's policy in respect of the SRN and the delivery of sustainable development is set out in Department for Transport Circular 02/2013.

Highways England has been engaged with the applicant since 2015 with a view to ensuring that the proposed development will not have a severe and detrimental impact on the SRN. Whilst there have been a number of meetings, Highways England have not reached an agreement on a number of matters, which include but are not limited to the following matters.

Traffic Modelling

To date the applicants have undertaken the strategic modelling and some detailed modelling work. There are a number of issues with the outputs of the strategic modelling work which have not been agreed and need to be resolved.

Once these issues are resolved Highways England would then need to agree with the applicants what junctions need to be assessed in detail using individual junction modelling work. We have identified a number of junctions that would require detailed junction modelling.

Whilst some detailed modelling work has been undertaken, we have not received any additional or revised modelling work since September 2018 where we provided comments regarding the modelling work.

To move forward the applicants will need to agree on strategic modelling flows first before proceeding to junction capacity assessments to avoid abortive works.

Mitigation works on SRN

At this stage the mitigation works required on the SRN have not been agreed. Whilst there have been some discussions with applicants regarding mitigation and design, these cannot be confirmed as acceptable forms of mitigation until we have received appropriate modelling work to indicate that the schemes work as per the requirements of the Circular 02/2013. In addition, there may be other junctions that would need to be mitigated once the modelling issues have been resolved.

Protective Provisions

Highways England will require that adequate protective provisions are in place to ensure that works are carried out to appropriate standards to safeguard Highways England's position as highway authority both now and in the future. Highways England is in discussion with the applicant in relation to these provisions but to date these matters have not been agreed.

Drainage

At this stage the applicant has not demonstrated to our satisfaction that the SRN highway drainage system will not be subject to adverse increases in flow and subsequent unacceptable liabilities on Highway England.

Statement of Common Ground

At present there is no Statement of Common Ground between the applicants and Highways England.

Highways England will continue to engage with the applicant with the expectation of resolving these matters positively. However until such time that all matters have been satisfactorily agreed we are not in a position to support the application at this time and therefore issue this response to indicate our concerns with the application as submitted for Examination.

We can confirm that our current intention is to appear as an interested party at the Examination Hearings.

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Rail Central (Strategic Rail Freight Interchange)

Received **15 January 2019**

From **Northamptonshire County Council**

Representation

I have set out below the topic areas on which the County Council is likely to wish to make representations.

Landowner

The County Council wishes to ensure that any proposals for compulsory acquisition of land which it owns or in which it has interests, do not compromise our statutory functions.

While will examine the Books of Reference in more detail, our initial review indicates that the only such land affected is highway land. Given that, as noted below, we have not yet agreed any of the proposals for highway mitigation with the developer, we are concerned whether the land boundaries identified are correct.

Archaeology

The County Council wishes to ensure that appropriate investigation has been undertaken so that any impacts on archaeology within the proposed development can be mitigated.

We are broadly content with the scale of archaeological investigation undertaken by the developer, but may wish to raise some detailed comments once we have fully reviewed the submitted information.

Broadband and Gigabit capability

The County Council seeks to ensure that, in line with emerging Government policy, new developments are digitally connected. In response to the developer's phase 2 consultation we drew their attention to our vision for superfast broadband and the desire for new commercial development to be served by high quality fibre networks

Fire and Rescue Service

On behalf of the Northamptonshire Fire & Rescue Service, the County Council wishes to ensure that the development makes appropriate provision for fire safety, including the provision of appropriate water mains, hydrants and sprinklers, and that suitable access routes are available for fire appliances and other emergency services vehicles.

In response to the developer's phase 2 consultation, we highlighted the need for this provision and will be reviewing the submitted plans to ensure that the proposed development meets the requirements.

Flood and Water Management

As Lead Local Flood Authority, the County Council wishes to ensure that the development mitigates any impacts on local authority.

Discussions have been held with the developer since September 2017. In January 2018 we advised the developer that submission of the following details was required to inform a Statement of Common Ground:

- 1) Proposed Drainage Catchment Plan
- 2) Greenfield Runoff Calculations
- 3) Attenuation Basin Calculations
- 4) Drainage Discharge Strategy
- 5) Maintenance Strategy

The requested details have not yet been submitted.

Highways

As Local Highway Authority, the County Council will be interested in ensuring that any impacts on the highway network (including public rights of way) are mitigated, and that any proposed changes to those networks are safe and fit for purpose.

Our discussions with the developer to date have agreed some of the key parameters used in the Transport Assessment. However, we have not agreed the full scope of junctions to be assessed and therefore cannot confirm if junctions not currently assessed will require mitigation or not. In addition, mitigation currently proposed has not been agreed.

As such, the extent of land required for mitigation works (whether currently proposed or associated with junctions which have not as yet been assessed with agreed mitigation) cannot be confirmed and we therefore have concerns about whether the 'red line' boundaries for highway improvements will be correct and that parties affected by works at junctions for which mitigation will be required may not be fully engaged in this matter.

We also note that the Applicant has previously promoted greater mitigation at more locations than has been submitted with this Development Consent Order.

Other highway matters including, but not limited to weight restrictions, traffic routing, stopping up of highway, dedication of new highway, signage, speed restrictions, travel plan, compliance with technical standards, walking, cycling, and horse riding assessment, safety audits and other such detailed considerations have not been agreed.

We are, however, expecting further submissions and technical reports from the developer in due course and will review these once they are submitted.

Transport

As Local Transport Authority, the County Council wishes to ensure that the developer makes appropriate provision to their development by all modes, including bus services, walking and cycling in order to reduce the impact of the development in line with the policies of our Local Transport Plan and the West Northamptonshire Joint Core Strategy.

We have not agreed the full scope of extent of mitigation in respect of public transport, walking, cycling and public rights of way.

As Local Transport Authority, we will also wish to ensure that the proposed development does not have a detrimental impact on the passenger rail network. We have raised our concerns with these matters in the developers' previous consultations.

Development Consent Order

We anticipate that we will wish to make representations in relation to the wording of the Development Consent Order.

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