

HINCKLEY NATIONAL RAIL FREIGHT INTERCHANGE

Response to Deadline 1: Written Representations

Leicestershire County Council

October 2023

Planning Inspectorate Reference: TR050007

County Hall, Leicester Rd, Glenfield, Leicester LE3 8RA
<https://www.leicestershire.gov.uk/>

1.0 Introduction

- 1.1 In response to Deadline 1, this document sets out Leicestershire County Council's (LCC) Written Representation on the application for a Development Consent Order (DCO) for the construction of a rail freight interchange and up to 850,000m² of warehousing to the west of the M69, known as 'Hinckley National Rail Freight Interchange' (HNRFI) submitted by Tritax Symmetry (Hinckley) Limited (the Applicant).
- 1.2 LCC is a host authority as the Order Limits fall within its the administrative area. LCC act as the local highways authority, minerals and waste local planning authority and local lead flood authority amongst other functions.
- 1.3 LCC has prepared a Local Impact Report (LIR), which focusses on the potential environmental, social and economic impacts raised by HNRFI. The LIR should be read alongside these representations, and the previously submitted relevant representations.
- 1.4 Whilst the submission of SoCG's is required by Deadline 2, references are made in these representations to the draft Statement of Common Ground (SOCG) that LCC is discussing with the Applicant. LCC are continuing to engage with the Applicant to progress further iterations of the SOCG through the course of the Examination and in accordance with Annex D of the Examining Authority's (ExA) Rule 6 Letter. At the time of drafting these representations, the SOCG does not address matters in relation to Traffic and Transport, which is a principal area of concern for LCC.
- 1.5 Guidance contained within PINS Advice Note 2: The Role of Local Authorities in the Development Consent Process (February 2015) has been used to inform these representations. The guidance states that 'a written representation is the most appropriate document for a local authority to set out its view on the application i.e., whether or not it supports the application and its reasons.' LCC reserve the right to submit further representations during the examination process.

2.0 Summary of Principal Issues

Introduction

- 2.1 These representations are divided into sections based on the Examining Authority’s (ExA) Initial Assessment of Principal Issues (IAPI) relevant to the areas of concern for LCC. These areas include Traffic and Transport; Socio-Economic Considerations; Other Environmental Matters, in respect of Water; Carbon Emissions; the draft DCO and Compulsory Acquisition. In addition, concerns are raised regarding Public Health, Minerals Planning and the overall Planning balance.
- 2.2 LCC note that there is outstanding information to be submitted by the Applicant, principally regarding Traffic and Transport, which may not be available in time for consideration in these representations or LCC’s LIR. Hence these representations are based on the submitted application documents and the publicly available additional submissions as at 22 September 2023.

Traffic and Transport

- 2.3 Leicestershire County Council (LCC) in its statutory capacity as Local Highway Authority (LHA) hereby referred to as LCC LHA has reviewed the submissions supporting the DCO application against relevant national and local policies, including the National Planning Policy Framework (2023) (NPPF), the National Policy Statement for National Networks (2014) (NPSNN), and the Leicestershire Highway Design Guide (LHDG)¹.
- 2.4 Key relevant policy considerations in the NPPF are as follows:
- 2.5 Paragraph 104 states that “Transport issues should be considered from the earliest stages of plan- making and development proposals, so that:

¹ <https://resources.leicestershire.gov.uk/environment-and-planning/planning/leicestershire-highway-design-guide> [accessed 10.10.23]

- a) the potential impacts of development on transport networks can be addressed;
- b) opportunities from existing or proposed transport infrastructure, and changing technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;
- c) opportunities to promote walking, cycling and public transport use are identified and pursued”.

2.6 Paragraph 110 (a) requires that “opportunities to promote sustainable transport modes can be – or have been- taken up, given the type of development and its location”.

2.7 Paragraph 110 (b) states that it should be ensured “safe and suitable access to the site can be achieved for all users”.

2.8 Paragraph 110 (d) states that “any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree”.

2.9 Paragraph 112 states that “applications for development should:

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport”.

2.10 Key relevant policy considerations in the NPSNN are as follows:

2.11 Paragraph 2.44 states that “the aim of a strategic rail freight interchange (SRFI) is to optimise the use of rail in the freight journey”.

- 2.12 Paragraph 3.17 states “there is a direct role for the national road network to play in helping pedestrians and cyclists. The Government expects applicants to use reasonable endeavours to address the needs of cyclists and pedestrians in the design of new schemes”.
- 2.13 Paragraph 5.205 states “applicants should consider reasonable opportunities to support other transport modes in developing infrastructure”.
- 2.14 In respect of Strategic Rail Freight Interchanges paragraph 5.213 states “projects may give rise to impacts on the surrounding transport infrastructure including connecting networks. The Secretary of State should therefore ensure that the applicant has taken reasonable steps to mitigate these impacts”.
- 2.15 The LHA sets out below the reasons why it cannot conclude that the policy requirements set out above have been met by the application submission.

Background

- 2.16 In 2018 LCC LHA were invited by DB Symmetry Ltd to join a Transport Working Group (TWG) to scope transport modelling to support a planning application for a Rail Freight Terminal and associated warehousing at land to the North of the M69 Junction 2 (M69 J2). Other members of the TWG included Leicester City Council (LCiC) (as LHA), National Highways (NH) and Warwickshire County Council (WCC), as well as Blaby District Council and Hinckley and Bosworth Borough Council in their capacity as Local Planning Authorities (LPA’s). The TWG was organised and chaired by Hydrock, transport consultants working on behalf of DB Symmetry Ltd.
- 2.17 LCC LHA were proactive members of the TWG and worked alongside colleagues from LCiC, WCC and NH to agree the scope of transport modelling work, including inputs to the process. Access to the site was proposed directly onto M69 J2 and included new south facing slip roads. Options for mitigation of the development proposals were presented to the Highway Authorities (HA’s). These included an A47 link road (between M69 J2 and B4668), a bypass to the south of

the village of Stoney Stanton (Eastern Villages link Option A) and a bypass to the south of the village of Sapcote (Eastern Villages link Option B).

- 2.18 The purpose of this mitigation was to mitigate the impact of employee trips and re-assigned traffic as a direct consequence of the development proposals in Stoney Stanton, Sapcote and the rural areas and to divert traffic away from sensitive areas and encourage the use of main roads rather than rural routes.
- 2.19 On the basis that the modelled outputs of this suite of mitigation options had not been presented to the HAs for consideration and the impacts of the options remained unknown, the HAs strongly advised DB Symmetry Ltd not to present the schemes of mitigation at a series of public exhibitions between July and September 2019. Nonetheless, the proposals were presented, and details can be found under the Community & Consultation tab on the Tritax Symmetry project website² in the document entitled “HNRFI Off Site Highways Mitigation Background Paper”.
- 2.20 In the submitted Transport Assessment (*APP-138*) it is stated at paragraph 2.17 that the public response to these mitigation proposals was “overwhelmingly negative”. However, this may be a reflection of negativity towards the development proposals themselves, rather than the strategy of mitigation. It is unclear where the results of this consultation and their analysis can be found.
- 2.21 Following the public exhibitions contact ceased on the project until July 2020 when LCC LHA were contacted by BWB Consulting (BWB) appointed as new transport consultants to the project by Tritax Symmetry (the Applicant). At this point there was also a change in the proposed access strategy. Access to the site was proposed via an A47 link road to M69 J2 (rather than direct access to the junction) but continued to include for new south facing slip roads. LCC LHA proactively engaged with the newly formed TWG which now included a representative from Coventry City Council (CCC) in their capacity as LHA.

² <https://tritaxsymmetry.com/projects/hinckley/> [accessed 10.10.23]

- 2.22 The TWG continued to meet on a monthly basis until August 2022 when invitations to meet from Tritax Symmetry/BWB ceased as documented in Table 2-2 of the submitted Transport Assessment (*APP-138*)
- 2.23 In addition, LCC LHA engaged with BWB at fortnightly catch up meetings, and have continued to engage with BWB throughout the submission and Examination process. During this time LCC LHA have agreed several inputs into the strategic modelling process including the selection of the strategic model, trip generation, trip distribution and an uncertainty log. These are discussed below.

Access infrastructure

- 2.24 Access to the site is proposed via an A47 link road between B4668 Leicester Road, Hinckley and the M69 J2 with the inclusion of new south facing slip roads. This change to the access strategy for the site i.e., including a through link to the B4668 was not agreed by the HAs.
- 2.25 The impact of this link is described below in the section entitled “Strategic model outputs”, but in short it enables the A47 to act as an alternative route to the M69 J2/M1 J21 and consequently shows traffic displaced onto the less desirable local road network (LRN) and away from the strategic road network (SRN).
- 2.26 The details of these proposals are shown on Highways Plans (*APP-022, APP-025 and APP-026*). The drawings have been supplied at such a scale (1:2500) that makes design checking extremely difficult and not in line with the basic requirements as set out in the LHDG. From the submitted drawings it is noted that the A47 link road is to be offered to LCC for adoption. However, based on the limited information submitted with the application it is unclear if this road can be designed and delivered in accordance with the adopted design standards of LCC found within the LHDG.
- 2.27 Basic design information appears to be missing from the submission including:

- Vehicle tracking to demonstrate that the proposed designs are safe and appropriate for all traffic, including HGV's, in line with the NPPF paragraph 110;
- Details of structures e.g., bridge over the Nuneaton-Felixstowe railway line, underpass to accommodate diverted Public Right of Way (PRoW) U52 to identify required levels and gradients comply with adopted design standards and ensure safe access can be achieved for all users in line with the NPPF paragraph 110;
- Visibility splays, cross sections, access for private dwellings (e.g. access to Bridge Farm presents concerns in respect of highway safety given potential restricted forward visibility over the proposed railway bridge), maintenance etc to demonstrate the design can comply with adopted design standards and provide safe access for all users in line with the NPPF paragraph 110.

2.28 Furthermore, if the link road and its junctions can be designed to an adoptable standard it is unclear if this can be achieved within the constraints of the red line boundary given that those design changes could require different footprints than those submitted. Of particular concern are the constrained red line boundaries surrounding the proposed access roundabout at B4668 Leicester Road as shown on *APP-022* and the M69 J2 to roundabout 1 as shown on *APP-025*.

2.29 In the absence of a Stage 1 Road Safety Audit (RSA) and Designer's Response, LCC LHA is also unable to confirm that the proposed access will be safe and suitable in accordance with paragraph 110 of the NPPF.

2.30 It can be seen from the submitted drawings that the A47 link road is proposed to be dual carriageway from its junction with M69 J2, to its junction with the third roundabout, and then single carriageway thereafter to the B4668 Leicester Road. The TWG agreed that a sensitivity test of the A47 link road dualled along its entire length should be carried out. This was included in section 5: Model scenarios of the agreed Forecast Modelling Brief (*APP-145*). It is noted that the results of this modelling exercise have not been reported in the submitted Transport Assessment (*APP-138*). Therefore, LCC LHA is unable to conclude if the

development access infrastructure would operate within capacity and with a reduced impact on the wider network if dualled in its entirety. Modelling outputs previously provided to LCC LHA suggest that this could be the case.

- 2.31 In addition, it would appear that no detailed junction assessments of the roundabouts along the route of the link road have been carried out. On the basis that roundabout 3 will provide access to a lorry park and other facilities (see comments below), resulting in cross movements to the main development site, and this will impact the capacity of the link road. Review of the Illustrative Phasing and Works Plans (*APP-050 – APP-055*) would appear to show reliance on cross movements at roundabouts 2 and 3 up to and including the final phase of development when the “Railport Estate Road Link” is proposed to be constructed.
- 2.32 From the scale of the drawings submitted it appears that the link road includes for a 3m footway/cycleway which does not appear to be continuous and would require pedestrians and cyclists to continually cross the road, not always with designated crossing provision. *APP-011* does appear to include for a pegasus crossing and a toucan crossing. However, it remains unclear how these facilities link with footway/cycleway provision. The drawing does not include for connections to existing provision on the B4668 Leicester Road, creating gaps in pedestrian and cycle provision for employees drawn from the villages of Barwell, Earl Shilton and Elmesthorpe.
- 2.33 LCC LHA have reviewed the VISSIM model for M69 J2. LCC LHA note that whilst the model includes for the proposed pegasus crossing it does not account for this being called i.e., being used by pedestrians, equestrians and cyclists. This will clearly impact the capacity of the junction and the link road but does not appear to have been accounted for.
- 2.34 The elevated M69 J2 circulatory is also under the jurisdiction of LCC. No information has been provided to demonstrate that the existing structures are capable of accommodating the provision of slip roads without structural integrity being compromised, and therefore the deliverability of the slip roads is

questioned.

- 2.35 The proposed design as shown on *APP-011* does not appear to include any improvements to walking and cycling provision or any safe controlled crossing points across the existing and proposed slip roads to encourage employees from the eastern villages of Stoney Stanton and Sapcote to walk or cycle to the site. In addition, no walking and cycling improvements are included to the west to encourage employees from Hinckley and Burbage to walk or cycle to the site.
- 2.36 Therefore, LCC LHA is also unable to confirm that the proposed access will be safe and suitable for all users in accordance with paragraph 110 of the NPPF.

Personal Injury Collision (PIC) data

- 2.37 Paragraphs 4.76 – 4.136 of the submitted Transport Assessment (*APP-138*) include for an analysis of PIC data to identify existing patterns and trends of accidents on the LRN and SRN with the intention of demonstrating that the development proposals will not exacerbate these. This appraisal appears incomplete and does not appear to inform the access and mitigation strategy, especially for vulnerable users.
- 2.38 However, the Collision History Study area at Figure 4-10 of the submitted Transport Assessment (*APP-138*) was not agreed with the HAs, nor does it marry with the Area of Influence (Aol) of the development as identified in the Forecast Modelling (*APP-148*). The Collision History Study area should be expanded to reflect the area of impact of the development i.e., the agreed Aol.
- 2.39 Analysis of PIC data should include the latest 5-year period. It is noted that the application submission only includes for analysis of data between 2015-2019. This approach was not agreed with the HAs, nor is it acceptable.
- 2.40 LCC LHA advised BWB some time ago that this would need to be addressed in future revisions of the Transport Assessment. PIC data is a fundamental consideration in the Road Safety Auditing process in line with the requirements

set out in [DMRB GG119](#) and LCC LHA will not sign off the RSA briefs until this has been addressed.

- 2.41 As a consequence, LCC LHA remains concerned about the impact of the development on highway safety contrary to paragraph 110 of the NPPF and paragraphs 4.60 to 4.66 of the NPSNN

Strategic modelling

- 2.42 LCC LHA agreed that the proposed development should be modelled using Leicestershire’s Pan Regional Transport Model (PRTM). The PRTM is a bespoke computer-based transport model that provides consistent transport forecast evidence to the transport planning process across Leicestershire with a regional capability.
- 2.43 PRTM has been built using industry best practice based on Government (Department for Transport) Transport Appraisal Guidance (TAG) and engagement/consultation with relevant stakeholders including NH and the LPA’s. This approach complies with the requirements as set out in the NPSNN.
- 2.44 It is important to note that PRTM assigns traffic based on time and distance and assumes perfect knowledge of the road network. It is also important to note that whilst the model validates and calibrates at a strategic level (its purpose), it does not validate at a local junction level and a further process known as “furnessing” is required before the outputs of PRTM are input into local junction models. Whilst the process as set out in *APP-146* is generally sound, clarification is required on some points. Furthermore, the survey data that is furnished dates between 2017-2019. This is clearly not within the latest 3-year period and pre-dates the Covid-19 pandemic. This introduces uncertainty given that any significant changes that may have occurred to trip patterns and travel behaviour (including timing of trips) since the surveys were undertaken are not reflected in the data. Whilst LCC LHA did cease issuing permits for data collection during the Covid-19 pandemic, access to the LRN for purposes of traffic counts has not

been restricted since April 2021. Therefore, the Applicant has had ample opportunity to collect. Once collected, the updated survey data would require update of the proposed furnishing process.

- 2.45 In February 2022, LCC LHA formally signed off the “Base Year Model Review” (*APP-144*) and in doing so accepted that the model was fit for purpose in its strategic assessment of this development. To model the impact of the development proposals various inputs to the exercise needed to be agreed. This included trip generation, trip distribution, and planning and network assumptions (uncertainty log).
- 2.46 In March and October 2021, LCC LHA formally signed off the “Trip Generation Addendum” Appendix A (*APP-141*). This trip generation calculation was based on 5 “comparable sites”. Comparable sites were identified based upon use class and connection by rail. Employee numbers at these sites were not explicitly identified within the document. It is worthy of note that this comparability exercise dated back to 2018 (using to 2016 survey data) and a number of these sites are now in the process of being built out and occupied. More up to date data should therefore be available.
- 2.47 The submitted Transport Assessment (*APP-138*) states at paragraph 1.4 that the development “is expected to generate around 8,400 jobs”. This figure differs to the 8,000 employees signed off by LCC LHA in the “Forecast Modelling Brief” (*APP-145*).
- 2.48 However, the submitted Land Use and Socio-Economic Effects document (*APP-116*) states at paragraph 7.223 that “it is estimated that the proposal would generate 8,400-10,400 gross on-site jobs. Once leakage, displacement, and multiplier effects have been considered, the proposed development is expected to generate some 10,400-12,900 on and off-site jobs”.
- 2.49 As discussed by the Examining Authority at the Preliminary Meeting, the above discrepancies bring in to question the validity of the submitted transport evidence and consequent environmental assessment parameters under the *Rochdale*

Envelope.

- 2.50 The remainder of these written representations are based on the assumption that the 5 comparable sites identified in the Transport Assessment remain comparable following clarification and confirmation from the Applicant in their promised impending Technical Note. Should the submitted Technical Note not confirm this position then the proposed trip generation and subsequent strategic and local modelling of the development would need to be re-run.
- 2.51 In addition to the above, at no point during our discussions with BWB were the TWG made aware that the development proposals were to include a lorry park to the west of the proposed A47 link road. Indeed, the lorry park and its associated traffic movements did not form part of the strategic or local modelling exercise as can be seen from the agreed Forecast Modelling Brief (*APP-145*). LCC LHA therefore also questions the comparability of the 5 sites on this basis, none of which appear to include for assessment of a lorry park.
- 2.52 As set out above, in March 2021, LCC LHA formally signed off the “Trip Distribution” (*APP-142*). Whilst this was agreed, following discrepancies in employee numbers (and trip generation), and land uses as described above, this may need to be re-considered.
- 2.53 In October 2021, LCC LHA formally signed off version 8 of the uncertainty log (*APP-148*). The uncertainty log details the planning and network assumptions to be included in the modelling exercise i.e., committed development and associated infrastructure. However, in March 2023 it was resolved to grant planning permission to a significant employment development. This development, known as Padge Hall Farm (21/01191/HYB³) takes access directly from the A5 at Hinckley and has not been considered as committed.
- 2.54 This is fundamental for a number of reasons.

³<https://pa.hinckley-bosworth.gov.uk/online-applications/applicationDetails.do?activeTab=externalDocuments&keyVal=QZXJN11I0SL00>
[accessed 10.10.23]

- 2.55 Firstly, the mitigation strategy for Padge Hall Farm, includes for the lowering of the A5 under the Nutts Lane railway bridge. Once delivered, this will allow high sided HGV traffic to use this section of the A5. During the Padge Hall Farm application process it was identified that this could increase HGV traffic on this stretch of the A5 by as much as 20%. This additional HGV traffic has not been accounted for in the modelling exercise.
- 2.56 Secondly, the Padge Hall Farm development includes for mitigation at the A5 Longshoot/Dodwells junction (part of the LCC, NH and WCC network). This has not been accounted for in either the strategic or local modelling.
- 2.57 Thirdly, the Padge Hall Farm development is assessed to have an impact at M69 J1 (in addition to attracting high sided HGVs to the A5) that has also not been accounted for in either the strategic or local modelling.
- 2.58 LCC LHA, NH and WCC requested that BWB undertake a sensitivity test of this development at a meeting held on 9th August 2023. To date this information has not been provided.
- 2.59 In February 2021 LCC LHA signed off the Forecast Modelling Brief (*APP-145*). The contents of this brief and the outputs of the modelling are now brought into question as a consequence of discrepancies in employee numbers (and trip generation), land uses, and planning and network assumptions (uncertainty log) as described above.
- 2.60 In addition, this Forecast Modelling Brief (*APP-145*) at paragraph 5.2 included reference to producing a “phased development timeline and trip generation as part of a separate brief”. To date LCC LHA has not had sight of this brief, nor to our knowledge has any phased strategic modelling been undertaken.
- 2.61 Furthermore, whilst the application is accompanied by an HGV Route Management and Strategy document (*APP-362*), this Strategy was developed after the trip distribution (*APP-142*) and Forecast Modelling brief (*APP-145*) were agreed. Hence, the modelling does not take account of the Strategy. For

example, at paragraph 3.11 the Strategy proposes to restrict development HGV movements “to/from A5 West via link road, B4668, A47”. However, the modelling outputs at Figure 2.2 of the Forecast Modelling (*APP-148*) clearly show development HGV traffic using this route. The strategic impact of the HGV Route Management Strategy therefore remains unknown and is not reflected in either the strategic or local model outputs.

Strategic model outputs

- 2.62 The strategic model outputs as presented in the submitted Transport Assessment (*APP-138*) and the Forecast Modelling (*APP-148*) assess three different scenarios: “without development”, “without development with scheme” (i.e. access infrastructure), and “with development”. On the basis that the access infrastructure would only be delivered in a scenario that includes the on-site development proposals, the true impact of the development can only be identified by comparing the “without development” to the “with development” scenarios.
- 2.63 Notwithstanding the above, LCC LHA has reviewed the strategic model outputs. In August 2022 LCC LHA wrote to BWB raising a number of concerns with the outputs as follows:
- The significant and detrimental impact on the LRN brought about by development impact and congestion at M1 J21/M69 J3.
- 2.64 The modelling outputs confirm LCC LHA understanding that M1 J21/M69 J3 operates significantly over capacity in the base and do minimum scenarios i.e., without development. The introduction of the proposed development of national importance at the adjacent M69 J2 understandably assigns a significant proportion of trips to the SRN.
- 2.65 The impact of this, on a network already exceeding capacity, is re-assignment of existing trips currently using the SRN onto the LRN. Consequently, the modelling only shows a limited impact on the M69 J2 to M1 J21/M69 J3. Indeed, Table 8-6

of the submitted Transport Assessment (*APP-138*) suggests that in the am peak hour with development there will be a reduction in traffic using the M1 J21.

- 2.66 LCC LHA do not consider this output to be reasonable on the basis that all highway users do not benefit from perfect knowledge of the network, nor do all users make their preferred route choice based on distance and time i.e., some drivers will choose to use the SRN regardless of congestion, as this is a preferred route compared to less suitable rural local roads.
- 2.67 This modelling information was provided to the TWG in more detail than appears to have been formally submitted with the application, including zoomable volume/capacity plots which cover the entire Aol of the development.
- 2.68 LCC LHA, NH and WCC suggested that the development be modelled in an unconstrained scenario to establish exactly what development traffic would use the M69 J2 to M1 J21/M69 J3 if it wasn't constrained in its capacity. Following this unconstrained assessment, a true picture of actual demand could be established, and an associated scheme of mitigation designed to accommodate the identified development demand i.e., only mitigate against the impact of the development, not address an existing problem.
- 2.69 LCC LHA went on to advise that this mitigation scheme could then be included in a “with mitigation” model run. This would demonstrate if the traffic displaced onto the LRN as a consequence of the existing capacity constraints at M1 J21/M69 J3 could be attracted back to the SRN in line with the NPSNN paragraph 5.213.
- 2.70 BWB acknowledged that this modelling could be undertaken but declined to carry out the exercise.

The proposed access infrastructure operates over capacity upon implementation

- 2.71 For example, the new link road access roundabout junction with the B4668 Leicester Road is predicted to operate over capacity in the 2036 with development scenarios in both the am and pm peak. This can be seen in Figure

3.19 and Figure 3.21 of the Forecast Modelling (*APP-148*).

Sapcote village impact

- 2.72 Two-way flows through Sapcote village appear to double on the B4669 Leicester Road. This can be seen in Section 3.3 of the Forecast Modelling (*APP-148*). It is worthy of note that the TWG have been provided with a more detailed select link analysis of the village impact by BWB, although this information does not appear to form part of the formal submission. Therefore, LCC LHA is not in a position to identify the severity of the impact.
- 2.73 LCC LHA noted that the B4669 is severely constrained in terms of its width in a number of locations, particularly between its junctions with Buckwell Road and Sharnford Road. LCC LHA had requested further assessment of this sensitive part of the LRN. To date this assessment has not been provided.

Junction assessment criteria

- 2.74 When LCC LHA signed off the Forecast Modelling Brief in February 2021 (*APP-145*) this included how the Aol of the development would be determined. The criteria are set out at Section 6 and follow an industry standard approach.
- 2.75 However, at paragraph 7.39 of the submitted Transport Assessment (*APP-138*) an alternative non-standard approach has been adopted. Not only are alternative criteria set out, but combinations of this criteria have been applied to establish whether the impact of the development on local junctions warrants further investigation. Furthermore, the combinations of criteria do not appear to have been consistently applied. This means that where there is a development impact on the LRN it may not have been identified nor tested, and therefore the mitigation strategy identified may not be comprehensive.
- 2.76 LCC LHA is therefore unable to conclude that significant impacts from the development on the transport network can be mitigated in line with the NPPF

paragraph 110.

- 2.77 Following review of the zoomable plots (as described above, but not forming part of the application submission) the LHA identified 45 junctions as operating over capacity, impacted by the development, and therefore warranted further detailed junction assessment. LCC LHA acknowledge that this list could be reduced further if a scheme of mitigation at M1 J21 was proposed, but this does not form part of the application.
- 2.78 As a consequence of the application of the unagreed assessment criteria, only 21 junctions have been assessed in detail at Table 8-10 in the submitted Transport Assessment (*APP-138*). It is worthy of note that some junctions and arms have been incorrectly labelled and do not marry with the description in the Table.
- 2.79 In addition, the following junction specific errors have been noted:
- Junction 4: A5 Watling Street/A47 Longshoot and Junction 14: A5/B4666/A47 – The TWG have requested a VISSIM model assessment of this junction in line with the modelling protocol for the A5 as agreed by LCC LHA, NH and WCC (Appendix 1).
 - Junction 5: Rugby Road/Brookside; Junction 9: A47/B582 Desford Road; Junction 30: A5/Higham Lane/Nuneaton Lane – all junction assessments missing from Transport Assessment.
 - Junction 26: A5/A426/Gibbet Lane – the assumption in the Transport Assessment is incorrect. NH do not have a committed scheme at this junction. Therefore, the impact of the development has been incorrectly modelled. In addition, BWB have been requested by LCC LHA, NH and WCC to model the junction in the NH VISSIM model. To date this modelling has not been provided.
 - Junction 38: New Road/Long Street/Broughton Road – the Transport Assessment identifies an unmitigated impact at this junction in the centre of the village of Stoney Stanton.

- 2.80 Significantly, LCC LHA note that despite requests from the HAs and LPAs no detailed VISSIM assessment of M1 J21/M69 J3 has been submitted. This would appear to be a fundamental omission given that VISSIM models have been provided for M69 junctions 1 and 2. M1 J21/M69 J3 is fundamental to the safe and appropriate functioning of the LRN and SRN, and the development proposals as a whole. It is worthy of note that in November 2019 Hydrock acting on behalf of DB Symmetry carried out a scoping exercise for a VISSIM assessment of M1 J21/M69 J3 using an existing model.

Rail impacts and the LRN

- 2.81 The development proposals include for up to 16 trains a day serving the rail freight terminal. These trains will pass through the Narborough level crossing and impact the barrier down time (2.5 minutes in the pm peak) as detailed in Forecast Modelling Brief (*APP-145*). This increase in down time will have an impact on all users of the LRN. In respect of pedestrians and cyclists this will increase delay at a crossing with a stepped footbridge i.e., cyclists must dismount and carry their cycles across the footbridge or wait for the barrier to lift, and those with mobility problems are unable to cross until the barrier is lifted.
- 2.82 LCC LHA do not consider that the impact of the additional downtime on traffic has been adequately assessed. The only assessment of this impact has been an adjustment of signal timings in PRTM. LCC LHA hold a VISSIM model of the crossing and local area and have suggested this be used by the Applicant. However, this advice does not appear to have been heeded. Consequently, no mitigation proposals have been included within the application submission. Impacts on other level crossings along the route are covered below in the section entitled “Public Rights of Way Strategy”.
- 2.83 It remains unclear what impact the development proposals will have in respect of capacity on the rail network and wider aspirations to re-introduce passenger rail services between Coventry and Leicester reducing impacts on the LRN and SRN as promoted by Midlands Connect contrary to paragraph 5.213 of the NPSNN.

2.84 Whilst the draft Development Consent Order (DCO) (*APP-085*) includes for a Requirement to complete the rail freight terminal associated with the development before the occupation of 105,000sqm of warehouse floorspace, there does not appear to be any requirement for future occupiers to use the terminal. In addition, LCC LHA is aware of challenges on other NRFI developments (including Northampton Gateway) where such trigger points have subsequently been challenged by developers with the delivery of the rail connection significantly delayed.

Mitigation strategy and proposals

2.85 Of the 54 junctions considered within the Transport Assessment (*APP-138*), the Applicant is proposing schemes of mitigation at six junctions on the LRN and one junction on the SRN.

2.86 As outlined above, LCC LHA does not agree with the Applicant's approach to mitigation, and this position has been documented over a period of time. LCC LHA maintain that the approach to mitigation for this strategic development of national importance should be to mitigate against its own impact at M1 J21/M69 J3 identified through an unconstrained modelling exercise, and then address this impact to encourage traffic displaced onto the LRN by the development to return to the SRN. Furthermore, the focus of mitigation appears to be on road infrastructure, and not on sustainable access and transport, contrary to the NPPF paragraphs 104, 110 and 112 and NPSNN paragraph 5.213.

2.87 At paragraph 8.23 of the submitted Transport Assessment (*APP-138*), this position is accepted but suggests that the traffic that is displaced is local traffic. This is not the case as demonstrated in the Forecast Modelling (*APP-148*). For example, at Figure 3.6 it can be seen that in the with development scenario there is a reduction in traffic on the M1 north of the development (at least to J22), with an associated increase in traffic on the LRN. Furthermore, the assumption that the traffic that is displaced by the development proposals is local would not

appear to be supported by select link analysis outputs from PRTM which would identify the origin and destination of these trips.

- 2.88 The details of the off-site mitigation proposals are shown on Highways Plans (*APP-028 and APP-029*). The drawings have been supplied at such a scale (1:2500) that makes design checking extremely difficult and not in line with the basic requirements as set out in the LHDG.
- 2.89 Basic design information appears to be missing from the submission including topographical surveys, vehicle tracking, highway boundary information, signal equipment etc. It is therefore unclear if this package of mitigation can be delivered to adopted design standards within the constraints of the red line boundary.
- 2.90 In the absence of a Stage 1 RSA and Designer's Response for any of the mitigation proposals, LCC LHA is unable to confirm that the proposals will be safe for all users and mitigate against the impacts of the development in accordance with the NPSNN paragraph 5.213 and paragraph 110 of the NPPF.
- 2.91 Based on the comments above including lack of basic design information, outstanding RSA's, queries on survey data etc, LCC LHA have not carried out any detailed checks of the supporting junction capacity models.
- 2.92 No strategic modelling of the mitigation proposals has been undertaken by the Applicant to demonstrate that the impact of the development will be mitigated, i.e. a modelling scenario of with development plus mitigation
- 2.93 In respect of specific proposals, the agreed uncertainty log included for a committed scheme at Junction 3: B4114 Coventry Road/B581 Broughton Road (Mill on the Soar) junction. Despite the inclusion of this committed scheme in the strategic modelling, the outputs demonstrate that it would operate over capacity with the development. LCC LHA are at a loss to understand why an alternative scheme of mitigation has been proposed that removes widening to the Coventry Road (east) arm of the junction on the basis that the development to which this committed scheme is attached is located on Coventry Road (east) and any traffic

wishing to use the proposed development access infrastructure would continue to travel through this junction. Indeed, it is likely that additional traffic would be drawn through this junction as acknowledged in paragraph 5.104 of the Transport Assessment (*APP-138*).

- 2.94 Proposals for mitigation in the village of Sapcote do not appear to relate to the identified impact i.e., predicted doubling of vehicular traffic. This traffic will include vehicles of all types, including HGV's drawn to the SRN. Whilst it is proposed to control the routing of HGV traffic to/from the development, general HGV traffic will not be controlled and its impacts on the residents of Sapcote remain unknown.
- 2.95 The proposals are limited to a gateway feature and associated road markings, a zebra crossing and associated re-location of a bus stop, and some seating and planters. No evidence appears to have been presented to suggest that there is a speeding issue to the east of the village to justify the proposed gateway feature.
- 2.96 As above, in the absence of a more detailed drawing of a scale that can be checked, and a supporting RSA, it is not possible for LCC LHA to determine whether the proposed zebra crossing is deliverable. However, based on local knowledge this is proposed to be in a part of the village with restricted forward visibility from the east, heavy footfall, and in a location where available carriageway and footway widths are restricted.

HGV Route Management Plan and Strategy

- 2.97 The intention of the submitted HGV Route Management Plan and Strategy (*APP-362*) is to ensure that development HGV traffic uses the most appropriate routes to/from the site. The sentiment of this document is welcome in its acknowledgement that the impact of development HGV traffic on the LRN and Leicestershire residents could be significant. As noted above this Strategy was developed following the strategic modelling being undertaken and therefore the impact of the Strategy has not been tested.

- 2.98 The “undesirable” routes identified in the Strategy have not been agreed with the HA’s, and this is acknowledged in paragraph 5.14 of the document. The term undesirable suggests that routes can still be used by development HGV traffic. Indeed, at paragraph 6.3 the Strategy states “a package of encouragement measures” will assist in formalising HGV movements. This does not provide assurance that HGV routeing to/from the site will be effectively monitored and enforced against a strict routeing plan.
- 2.99 Within the draft DCO (*APP-085*), there is a proposed Requirement to implement the HGV Route Management Plan and Strategy (*APP-362*). However, on the basis that the Strategy acknowledges that it remains subject to further discussions and amendments, it is unclear how this requirement could be discharged. The Strategy uses phrases like “could”, “to be agreed”, “details of implementation will be subject to approval”.
- 2.100 The monitoring and enforcement of the Strategy is intended to be included within tenancy agreements with future occupiers of the development. However, the only control appears to be the loosely worded Requirement as set out above that relates to a Strategy under development.
- 2.101 The Strategy (paragraph 5.34) places onus on LCC and WCC to investigate breaches. This is not something that has been discussed with the HAs. It is unclear what legal powers of investigation and enforcement the HAs hold, and no resource is proposed to be provided to assist. Whilst the Strategy used at Redditch Gateway has frequently been referenced LCC LHA has questioned deliverability, enforcement, implications in respect of GDPR, and the legality of ANPR cameras for private enforcement on the public highway. The Document does not provide these answers, nor does it appear to include for a robust, implementable, enforceable Strategy.
- 2.102 Responsibility for co-ordination and monitoring the Strategy will be the responsibility of the Travel Plan Co-ordinator as set out at paragraph 8.5 of the Framework Site Wide Travel Plan (*APP-159*). However, there appears to be no

commitment in the DCO (*APP-085*) or the s106 Heads of Terms (*APP-351*) to this Travel Plan Co-ordinator post. Moreover, the Framework Site Wide Travel Plan (*APP-159*) states at paragraph 8.3 “the Site Wide Travel Plan Co-ordinator will be in post from the start of construction on the site for a period of 5 years after first occupation of the last unit occupied”. Therefore, LCC LHA question how the Strategy will be co-ordinated and monitored in perpetuity.

Public Rights of Way Strategy (PRoW)

- 2.103 The development proposals will have a significant impact on PRoW both during construction and operation. Given the lack of proposals for new walking and cycling infrastructure as described above and below, there is a reliance on PRoW for providing access to/from the site on foot. There has been very limited engagement with LCC LHA on PRoW despite requests. This has been documented through our formal responses. It is worthy of note that PRoW has not been discussed at the TWG because of it being dealt with by a different consultant to the other highway and transport aspects of the scheme.
- 2.104 However, the Applicant team did approach LCC LHA in August 2023 to discuss the proposed Strategy (*APP-192*). LCC LHA advised the Applicant that there was no evidence submitted in the application to demonstrate that the PRoW proposals are deliverable. *APP-298* and *APP-299* simply show coloured lines on a plan to indicate proposed PRoW. There appears to be no supporting evidence to demonstrate that PRoW along these alignments are deliverable in accordance with the design requirements set out in the LHDG i.e. details of widths, surfacing, gradients, fencing etc. to demonstrate these routes would be safe and appropriate. This information has been requested but to date has not been forthcoming.
- 2.105 Specific comments on the proposed strategy include:
- PRoW - U52
- 2.106 No details have been provided within the application of the proposed A47 link road underpass. Therefore, it is unclear if this will provide sufficient clearance for equestrian users, and indeed how attractive this underpass may be to use. From the submitted drawing (*APP-022*) it is also unclear given significant level differences if this PRoW can connect to the A47 link road footway provision.

PRoW – V35/1

- 2.107 LCC LHA have suggested that this PRoW could be stopped up inside of the red line boundary where duplicated by the proposed bridleway i.e., between M69 J2 and roundabout 3 as shown on *APP-298*. The Applicant disagrees on this point. Should the PRoW remain, LCC LHA is concerned that users will be channelled against acoustic barriers ranging in height from 4-6 metres as shown on *APP-279*.

PRoW – U17

- 2.108 The proposed PRoW diversion in this location to facilitate removal of the existing level crossing as shown on *APP-299* would take users on a route of approximately 440m compared to the existing 20m. The proposed route includes use of the existing footbridge to Thorney Fields Farm. LCC LHA have queried ownership and future maintenance of this structure. No details have been provided, and in the absence of a risk assessment it remains unclear if this is a safe and appropriate alternative.

PRoW – T89/1

- 2.109 The proposed PRoW diversion in this location is shown on *APP-299*. The alternative provision to facilitate removal of the existing level crossing would direct users over the existing road bridge over the railway line on the B581 where the width of the existing footway is restricted. LCC LHA have requested a RSA of this proposal. To date this has not been forthcoming.

PRoW – V23 & U50

- 2.110 LCC LHA is unclear how the alternative provision for these routes will connect to the footway of the A47 link road given level differences between the PRoW, the link road, and considering the constraints of maintaining the existing private access to Bridge Farm. LCC LHA have requested details of this proposal. To

date these have not been forthcoming.

PRoW – U8

- 2.111 The proposed PRoW diversion in this location is shown on *APP-299*. The alternative provision to facilitate removal of the existing level crossing includes for a new footbridge. However, no details of the footbridge design appear to have been provided in the application submission. LCC LHA are therefore unclear if this footbridge will provide access for all users including those that are mobility impaired i.e., be ramped contrary to NPPF paragraph 112 (b). However, given reference to the construction of the footbridge in the Construction Environmental Management Plan (*APP-359*) only refers to steps, it is assumed that unfortunately this is not the case.
- 2.112 In addition, LCC LHA have requested details of future maintenance of this structure, noting that this will not be adopted by LCC and Network Rail in their Relevant Representation to this application have stated the same. Given details of the structure have not been provided LCC LHA remain unclear if the restricted access to this location as identified by the red line boundary will allow for the structure to be installed.

Construction impacts

- 2.113 The application submission includes a Construction Environmental Management Plan (*APP-359*) and a Construction Traffic Management Plan (CTMP) (*APP-364*). Neither document is drafted in any detail. Details of construction traffic routeing and monitoring and enforcement are extremely limited, and details in respect of access from the LRN, haul roads, compounds, contractor parking, methods to prevent detritus being deposited on the public highway etc. have not been provided. Furthermore, the limited details provided do not appear to cross-reference with the Illustrative Phasing and Works Plans (*APP-050 – APP-055*).

- 2.114 Whilst LCC LHA accept that further information would be available following appointment of a Principal Contractor, commitments to providing this information are limited. For example, LCC LHA can find no details of the proposed routeing of construction traffic with the exception of the construction of the M69 slip roads, and no commitment to this information being provided in either the DCO (*APP-085*) or the s106 Heads of Terms (*APP-351*).
- 2.115 Concerningly, the proposal for routeing of construction traffic to construct the slip roads includes for U-turning HGV traffic at M1 J21/M69 J3. Whilst the CTMP (*APP-364*) states at paragraph 1.94 that it will be necessary to impose restrictions on construction movements in the network peak hours, there is no commitment to doing so. Indeed, requirement 16 at page 54 of the DCO (*APP-085*) states that construction works will take place between 07:00 to 19:00 Monday to Saturday with no reference to restrictions on peak hour movements. Given concerns in respect of capacity at this junction as outlined above, it is unclear what additional impact this U-turning construction traffic may have on the displacement of traffic onto the LRN, or indeed any associated impacts on highway safety.
- 2.116 It remains unclear how the Applicant proposes to construct the A47 link road access and where construction vehicles are proposed to route i.e., will it be built out from M69 J2 and all construction traffic routed through the site, or will construction traffic need to route via the A47/Hinckley/Leicester? No reference appears to have been made to construction traffic routeing and management for the construction of off-site mitigation works.

Framework Site Wide Travel Plan and Sustainable Transport Strategy

- 2.117 The submitted Framework Site Wide Travel Plan (*APP-159*) appears to be very limited in content. Moreover, it lacks commitments to the measures identified, incentives to encourage modal shift, monitoring and penalties. It is therefore unclear to LCC LHA how the modal shift target of 10% reduction in single

occupancy car trips (paragraph 3.7) will be achieved.

- 2.118 Paragraph 4.6 of the Framework Site Wide Travel Plan (*APP-159*) acknowledges that “given the location of the site, opportunities to encourage more people to walk to the site are limited”. Paragraph 4.12 also acknowledges that whilst “there is some cycle infrastructure in the area, the access to the site is currently limited”. Despite these statements and acknowledgement that there is an opportunity for residents of local villages to walk and cycle to the site, no improvements to the existing network to facilitate walking and cycling access are proposed. This is in clear contrast to the requirements set out in the NPPF paragraph 110.
- 2.119 Some information in the documents appears to be out of date including reference to the Leicester City E-bike scheme which ceased in February 2023. In addition, there are obvious omissions e.g., reference to EV charging and parking.
- 2.120 The Sustainable Transport Strategy and Plan (*APP-153*) includes for a Bus Strategy at section 7. This relies on the X6 Leicester to Coventry service being diverted to serve the site. However, this service operates with limited stops outside of the City boundaries on a frequency and timetable not conducive to shift working patterns. Details of capacity of the existing service have not been provided and it is unclear if this service was utilised if single deck buses would need to be replaced with double deck buses. It is noted that no discussions have taken place with the operator since April 2022.
- 2.121 The s106 Heads of Terms (*APP-351*), includes for a contribution of £500,000 to LCC for provision of the suggested diverted and enhanced service for a limited period of 5 years. This is not something that LCC LHA have requested. Given the service is limited stop it would provide little benefit to County residents. Moreover, it is unclear how the contribution is calculated, and this is not something that LCC would lead on procuring. The Applicant has been advised to liaise with LCiC in this regard.
- 2.122 The Bus Strategy relies on a Demand Responsive Transport (DRT) proposal for serving surrounding villages. It is important to note that the DRT service

referenced is a trial funded by the Department for Transport. Funding for this service is due to expire in July 2025 i.e., in advance of the modelled opening year of the development of 2026. There is no guarantee that the service will continue after this trial period as has been the experience elsewhere in the County. LCC LHA do not consider that DRT is the most effective provision for an employment site operating on fixed shift working patterns. This would be most suited to a fixed timetable service. Moreover, there appears to be no commitment to providing a DRT service in either the DCO (*APP-085*) or the s106 Heads of Terms (*APP-351*).

2.123 It is also worthy of note that no update to information on existing bus services as set out in paragraphs 4.20-4.29 of the Framework Site Wide Travel Plan (*APP-159*) appears to have been made since October 2022. Some of the services listed have seen timetable and/or routeing changes, and others have been subsequently withdrawn and cannot be relied upon.

2.124 It is understood that the Applicant is undertaking a sensitivity test of the proposed modal split based on employee origins identified by a gravity model assessment. This will require the Applicant to re-consider the appropriateness of the proposed Bus Strategy to ensure that it meets the needs of prospective future employees and the policies as set out in the NPSNN paragraph 5.205 and NPPF paragraph 110.

Conclusion on Traffic and Transport

2.125 LCC LHA concludes that the Applicant has failed to demonstrate that the policy requirements in the NPPF and NPSNN have been met. This conclusion has been reached following a review of submitted documentation and identification of missing/incomplete/out of date information. In order to address the concerns of LCC LHA as described above, the following must be addressed by the Applicant:

- a) Submission of a Technical Note explaining discrepancies in employee numbers, subsequent inclusion of a lorry park and justifying continued use

of “comparable sites”. Consider availability of more recent surveys at comparable sites given the age of the submitted data

- b) Drawings at a scale of 1:500 for the purposes of design checking with topographical survey data, visibility splays, cross sections, signal equipment, highway boundary information, gradients and details of structures added
- c) Vehicle tracking drawings
- d) Submission of Stage 1 Road Safety Audits and Designers Responses
- e) Submit details and assessment undertaken in relation to a fully dualled access link road
- f) Capacity assessment of the link road junctions including identification of the internal site demand and cross-movements to the rail terminal and lorry park which may impact link road capacity
- g) Further consideration of the pedestrian and cycle provision along the link road and B4668 including how this connects into existing infrastructure
- h) Resubmit the M69 J2 VISSIM model to include Pegasus crossing demand
- i) Provide further details and assessment of the structural integrity of the existing M69 J2 overbridge.
- j) Identify and propose improvements to walking and cycling provision to facilitate access from the local area
- k) PIC assessment to match the development Aol and include for the most recently available 5-year period to inform the access and mitigation strategy, especially for vulnerable users.
- l) Undertake up to date baseline traffic surveys
- m) Undertake a sensitivity test including the now committed Padge Hall Farm including a VISSIM assessment of Longshoot/Dodwells junctions

- n) Undertake phased development testing
- o) Strategic assessment of HGV Route Management Strategy
- p) VISSIM assessment of M1 J21/M69 J3
- q) Establish unconstrained demand at M1 J21/M69 J3
- r) Mitigation proposals for M1 J21/M69 J3
- s) Submit detailed select link analysis of village impact, including identifying HGV impact
- t) Agree methodology for further junction capacity analysis
- u) VISSIM assessment of Gibbet roundabout
- v) VISSIM assessment of Narborough level crossing impacts
- w) Consider impacts of future passenger rail provision
- x) Strategic modelling of mitigation proposals
- y) Revisit mitigation proposals for B4114/B581 junction
- z) Revised HGV Route Management Strategy
- aa) Submit details in respect of PRow proposals
- bb) Clarification of future maintenance responsibilities
- cc) Details of construction traffic access proposals, impacts and routeing
- dd) Revised Framework Travel Plan including review of employee modal split
- ee) Revised Sustainable Transport Strategy
- ff) Amend DCO in line with all comments
- gg) Amend s106 Heads of Terms in line with all comments

Socio-Economic Considerations

- 2.126 The Socio-Economic impact of the proposed development is assessed in ES Chapter 7: Land Use and Socio-Economic Effects (Document reference: 6.1.7). Independent consultants have advised all host local authorities (Leicestershire County Council (LCC), Blaby District Council (BDC) & Hinckley & Bosworth Borough Council (HBBC)), on socio-economic matters, and their analysis has fed into the draft SOCG. There are a number of concerns highlighted in the draft SOCG. In summary, these relate primarily to matters of methodology and sources used:

a) Onsite employment is estimated to be 8,400-10,400 FTE once fully occupied (document 6.1.7) calculated on the floorspace available, however, in the Transport and Traffic ES (document 6.1.8) the figure is 8,000 workers onsite, when considering trip generation. Clarification on the use of different methodologies to calculate these figures has been requested by the Examining Authority.

b) The study area adopted for construction employment has been defined as a 30km radius from the main order limits. It is felt that a 30 minute drive time would be more representative of good practice, particularly given that a drive time and gravity model was used in the Transport Assessment (ES Vol 2, Appendix 8.1).

c) In calculating the likely impact of the development on housing, the Leicester and Leicestershire Housing and Economic Development Needs Assessment, 2017 (HEDNA), rather than the more up to date Housing and Economic Needs Assessment, 2022 (HENA) was used.

d) It is concerning that when considering the impact of construction, average levels of employment across the 10 year build period has been used rather, than a full spend profile, which means the housing market impact is inaccurate. There is limited analysis of the skills required, the availability of labour, and impact on health service provision and whether there are any housing affordability implications, including greater demand for shared accommodation.

2.127 LCC support the view of BDC and HBBC that the benefits of construction for local residents and suppliers should be appropriately secured alongside an effective training strategy. Activities to achieve this, including local advertising of roles, Meet the Buyer events, targets for SME engagement and activities to identify appropriate opportunities for prison leavers and former members of the armed forces. These requirements form part of the Skills and Training Plan currently being developed.

2.128 LCC is concerned that differing figures are used within the Environmental Statement for the number of onsite jobs being created such that the full extent of

the potential impact, having regard to the Rochdale Envelope, has not been appropriately tested.

Carbon Emissions

- 2.129 The Carbon Emissions of the proposed development are assessed in ES Chapter 18: Energy and Climate Change (Document reference: 6.1.18). LCC's LIR sets out the energy and climate considerations for Proposed Development. There are a number of matters of dispute within the SOCG.
- 2.130 It remains unclear how much of the modal shift carbon benefit is down to a real shift from road to rail, versus new freight due to growth from additional demand created by the Proposed Development. As a result, the Council is concerned the proposed carbon benefits are overexaggerated.
- 2.131 Local, on-site, energy generation and low carbon solutions have only been considered for office and warehouse use and not for other energy intensive infrastructure on site such as cranes and lighting. The Council strongly recommends the site's full energy system, across all uses, is within scope for renewable and low carbon solutions from the outset of site design and planning.
- 2.132 It is unclear what the justification is for the artificial cap on energy generation proposed by Requirement 17 other than to potentially avoid a separate or combined NSIP process. LCC consider that onsite energy generation should be maximised.
- 2.133 The Council is concerned that not all potentially significant emissions have been analysed and thus mitigated against. For instance, carbon generated by construction waste, and land use, land use change and forestry (LULUCF) and energy used by temporary structures during the 10-year construction period, are not currently accounted for within the Applicant's carbon analysis undertaken. The impact of this could be that the carbon emissions of the site are currently underestimated and would in reality contribute a greater proportion of emissions to the county of Leicestershire and reduce the carbon benefit of the site in regards

to shift of road to rail freight. The Council strongly recommends the development monitor all significant emissions sources through the site's development and take appropriate action to mitigate and reduce these emissions as far as reasonably practical.

- 2.134 A further issue between LCC and this Applicant relates to ground source heat pumps. LCC remain of the view that consideration of ground-source heat pumps should be from the start of development, when they would be at their cheapest and easiest to install.
- 2.135 The proposed development will bring a significant amount of new emissions to Leicestershire that currently either do not exist due to the development leading to growth, or shift emissions from outside of Leicestershire into the county. Therefore, there will be significant growth in Leicestershire's territorial emissions due to the proposed development. The Council strongly encourages the Applicant take note of and act upon the concerns and recommendations mentioned (paragraphs 2.129 – 2.134), to reduce the emissions impact on Leicestershire and support the county's net zero ambitions to the best of the site's ability. Where residual emissions remain and carbon offsetting is considered, the Applicant should prioritise local projects that provide benefit to Leicestershire residents and help contribute to the county's net zero ambitions, i.e carbon sequestration or local renewable energy generation.

Public Health

- 2.136 The Health and Equality Briefing note, appended to the Environmental Statement (APP-137), sets out the work the Applicant has undertaken to assess health impacts. This details an approach to considering the health and wellbeing of communities focused on environmental, socio, cultural and economic precursors protective of the environment and health. The approach and methodology draw on wider determinants of health from key chapters of the Environmental Statement (APP-116 Chapter 7 Land Use and Socio-Economic Effects through

to and including APP-129 Chapter 20 on Cumulative and In-combination Effects).

- 2.137 The approach and methodology which considers the wider determinants of health is generally supported, although the study area chosen around environmental impacts is disputed. However, there are concerns as follows:

Health Impact Assessment

- 2.138 The applicant has addressed health considerations in accordance with the formal Scoping Opinion, however, Leicestershire Public Health team's preference, given the size and nature of the development and location in close proximity to populations experiencing health inequalities is for a full standalone Health Impact Assessment (HIA). This was also requested by statutory consultees, stakeholders and the local community during the pre-application process and has not been undertaken.
- 2.139 The World Health Organisation (WHO) describes HIA as: "a combination of procedures, methods and tools that systematically judges the potential, and sometimes unintended, effects of a policy, plan, programme or project on both, the health of a population and the distribution of those effects within the population. HIA identifies appropriate actions to manage those effects". WHO advocates the use of HIA to judge the potential health effects of a project to maximise the proposal's positive health effects and minimise its negative health effects.
- 2.140 As indicated in APP-137 the project has potential health impacts during both the construction and operational phases through likely impacts on local air quality and noise pollution. A full HIA may have helped to identify potential negative health effects during the construction phase as well as identify potential health considerations for the operational phase of the project including impact on the use of Burbage Common and likely impacts on traffic flow and air quality.

Local data and strategies

- 2.141 APP-137 includes legislative and policy requirements pertinent to the

assessment of health and equality, however, it does not appear to include the Leicestershire 2022-2032 Joint Health and Wellbeing Strategy (JHWS) and the Leicestershire Health Inequalities Joint Strategic Needs Assessment (JSNA 2023), both of which provide robust, up to date, local data.

2.142 The JHWS provides a comprehensive assessment of health and wellbeing in the county, establishes an overall vision for health as well as outlining the strategic priorities for health for Leicestershire. It recognises that the health and wellbeing of residents is generally good compared with England; however, there are significant inequalities and challenges in certain communities.

2.143 In particular, it is noted:

- Inequalities in life expectancy are widening, with increases in life expectancy growing at a faster rate in least deprived compared to most deprived deciles;
- Even though Leicestershire is a relatively affluent county, pockets of significant deprivation exist, with some neighbourhoods falling into the 10% most deprived neighbourhoods in England;
- Data around education, skills and training and barriers to housing and services for Leicestershire indicate a higher number of neighbourhoods in the top 10% deprived nationally compared to other deprivation domains;
- Leicestershire performs significantly worse than England for the adults walking for travel 3x per week (%), access to travel (disabilities or no car);
- Leicestershire performs significantly worse than England for the gap in the employment rate for those in contact with secondary mental health services and the overall employment rate.

Vulnerable population

2.144 The Health Inequalities JSNA (2023) provides context and evidence on current

health inequality priorities within the county. It identifies current groups at risk of facing health inequalities in Leicestershire, including (but not limited to):

- People with a disability, including people with a learning disability
- People living in poverty/deprivation
- Bangladeshi, Pakistani or Gypsy or Irish Traveller groups

2.145 The Health Inequalities JSNA identified groups with a particularly high risk (evidence of years lost from their lives as a result) of facing health inequalities within Leicestershire. Based on the groups of concern identified Gypsies and Travellers could potentially be at higher risk of harm to their health from the HNRFI, and those vulnerable to poor air quality due to traveller site of Aston Firs being in close proximity to the proposed site for development. A consultation with Aston Firs residents was undertaken by the applicant but not included within the APP-137.

2.146 Gypsies and Travellers health is a key concern within the Health Inequalities JSNA. In 2011, 14.1% of Gypsy and Irish Traveller people in England and Wales rated their health as bad or very bad, 17 compared with 5.6% on average for all ethnic groups.⁶² Further research evidences 14% of Gypsy and Traveller people describing their health as ‘bad’ or ‘very bad’, more than twice as high as the White British group. 42% of Gypsy and Traveller people are affected by a long term condition, as opposed to 18% of the general population (Race Disparity Unit, Cabinet Office. Gypsy, Roma and Irish Traveller ethnic group: facts and figures. February 2022)

2.147 The second main Those vulnerable to poor air quality are also potentially at higher risk of harm to their health from the HNRFI. Public Health England (2018, now Office for Health Inequalities and Disparities) recognise although that air pollution can pose harm to everyone, some people are more at risk with most vulnerable populations face multiple disadvantage around exposure and existing health. These groups more affected by air pollution include: Older people, children, individuals with existing CVD or respiratory disease, pregnant women,

communities in areas of higher pollution, such as close to busy roads and low-income communities (Health Matters: Air Pollution 2018). The most vulnerable populations face multiple disadvantage around exposure to air pollution and their existing health. As such mitigation is sought to address potential harm for these groups.

Accessibility

- 2.148 There are potential impacts on the residents of Narborough and Littlethorpe due to the impact of the freight trains and increased barrier down time at Narborough Level Crossing (situated within Blaby District). The level crossing does not currently provide step-free access, therefore, making it inaccessible to people with disabilities or pushchairs. Alongside this, there is potential for additional delays and increased barrier downtime associated with this project, which may cause community severance in the ability to access key services including schools, pharmacies and medical centre for people unable to navigate the stairs at Narborough Data from Office for National Statistics, Census 2021 shows the disability rate Blaby District to be 6.1% of the population to be Disabled under the Equality Act with day to day activities limited a lot. There is a risk that the increase in the level crossing downtime will impact local traffic flow. Ambulance response between Narborough Ambulance Station to incidents in Littlethorpe and surrounding areas may be delayed due to the level crossing impacting traffic flow. A full health impact assessment could identify likely impacts in full and consider mitigation. The study area included in APP-137 does not clearly include these areas

Conclusion for public health considerations

- 2.149 In the absence of consideration of key health inequality groups within the county, set out in the JSNA document, and a set of mitigating factors derived from a full HIA, conclusions such as those made in Chapter 9 (Air quality) that impacts will be negligible require ongoing monitoring to consider the need for mitigation work to protect from risk to health, predominantly through amendments in design.

- 2.150 The Community Fund identified for the project should be apportioned with direct input from the local community and informed by evidence of need explored above. A similar consultative approach needs to be taken around health at work and training support for employees in both construction and operational phases.
- 2.151 As such the following requirements/ mitigation is sought from the Applicant to address these impacts:
- a) Air quality, noise, dust and lighting are monitored on a regular and ongoing basis throughout construction and operation in locations resided by vulnerable groups and wider local communities to ensure air quality does not diminish, and noise, dust and lighting levels increase to unacceptable levels as advised by Environmental Health.
 - b) Financial support is provided for GP support/ out-reach youth workers for children and young people in Earl Shilton and Barwell to help ensure health inequalities do not widen.
 - c) Active travel provision by foot or cycle to, from and across the site is enhanced for all identified vulnerable groups, with severance of existing routes avoided wherever possible.
 - d) Financial support to the Multi-Agency Traveller Unit (MATU, or successor) to assist with advice to the Gypsy and Travellers community at Aston Firs to help ensure health inequalities do not widen and they have a clear, trusted channel to express concerns.
 - e) Sufficient advance notification provided for local communities of forthcoming disruptions (including utilities) and diversions to lessen the impact on daily living.
 - f) Improvements to accessibility at Narborough Train Station step-free alternatives to crossing barrier to reduce disruption for disabled residents in accessing key services and local amenities.

- g) Analysis of impacts to traffic flow due to increased barrier downtime and work with the emergency services to ensure response time is not compromised as a result of more frequent barrier downtime

Minerals Planning

2.152 The LCC SOCG sets out matters in relation to Minerals and Waste. The principal area of concern remaining is in relation to the operation of committed development, in accordance with the Leicestershire Minerals and Waste Plan (2019). It has not been evidenced that Croft Quarry can remain rail served for up to four trains in a 24 hours period during the construction and operation of HNRFI.

Overall Planning Balance & Conclusion

- 2.153 The Secretary of State must consider whether the proposed development is in accordance with the National Policy Statement on National Networks and overall whether or not any adverse impacts do or do not outweigh its benefits.
- 2.154 Whilst the potential benefits of HNRFI, which are primarily economic in nature, are acknowledged having regard to the issues raised through these written representations, it is LCC's view the potential adverse impacts of the Proposed Development, particularly in relation to Traffic and Transport are substantial.
- 2.155 This is on the basis of the assessment that LCC, in its role as local highway authority, has been able to undertake based on the Application Documents. As highlighted previously, there has been significant gaps to the traffic and transport evidence base, including whether the proposed mitigation is effective and deliverable and whether the proposed development represents 'good design'.
- 2.156 Therefore, a precautionary approach has been taken; it is not possible to support the application as proposed due to the lack of information. On this basis, LCC do not consider that the benefits of the proposed development outweigh the potential impacts.

Word Count: 11,922