The countryside charity
Leicestershire

Charity Number: 1164985

HINCKLEY RAIL FREIGHT TERMINAL

Comments following Hearings

CPRE Leicestershire

Unique Reference: 20038675

(With Sapcote Parish Council (UR 20039514))

Nov 2023

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1. Introduction

1.1 This note includes a number of comments based on the hearings CPRE Leicestershire and Sapcote Parish Council attended, (ISH 2-4) and has been prepared jointly on their behalf to address a few selected issues where we consider additional comments to our existing statement may be helpful to the examining authority.

2. Transport (ISH2)

2.1 Road Safety Audits

2.1.1 We remain concerned at the lack of a Road Safety Audit and the ability to comment on it at this stage. Such an audit would seem a basic requirement, however, it is still not available, although it is promised.

2.1.2 It is also not clear what scope the RSA would cover, and whether it would address road safety at critical points on the local network, or in those severely impacted villages where an overall road safety, suitability and amenity assessment has not been undertaken.

2.1.3 It is also unclear that data required to meet the checklist of GG119 are available, in particular, the base data to consider the impact on vulnerable users. The following questions, for example, require an understanding of pedestrian/cyclist usage at sensitive locations:

- *Have pedestrian/cyclist routes been provided where required?*
- *Is specific provision required for special and vulnerable groups? (i.e., the young, older users, mobility and visually impaired?)*
- *Have the needs of pedestrians/cyclists been considered especially at junctions and roundabouts?*

2.1.4 A further safety issue may arise in terms of Emergency Access. The issue of battery storage fires (particularly lithium storage) was raised at the hearing and this has been a matter of concern at other locations where CPRE has been involved. Although we understand the Emergency Services were contacted initially, it is unclear that they have assessed the access required, particularly in the case of such an incident, and this would seem necessary confirmation.

2.1.5 There is also an on-going concern that the Emergency Plan is still not available (even in draft) and any RSA would need to take account of that.

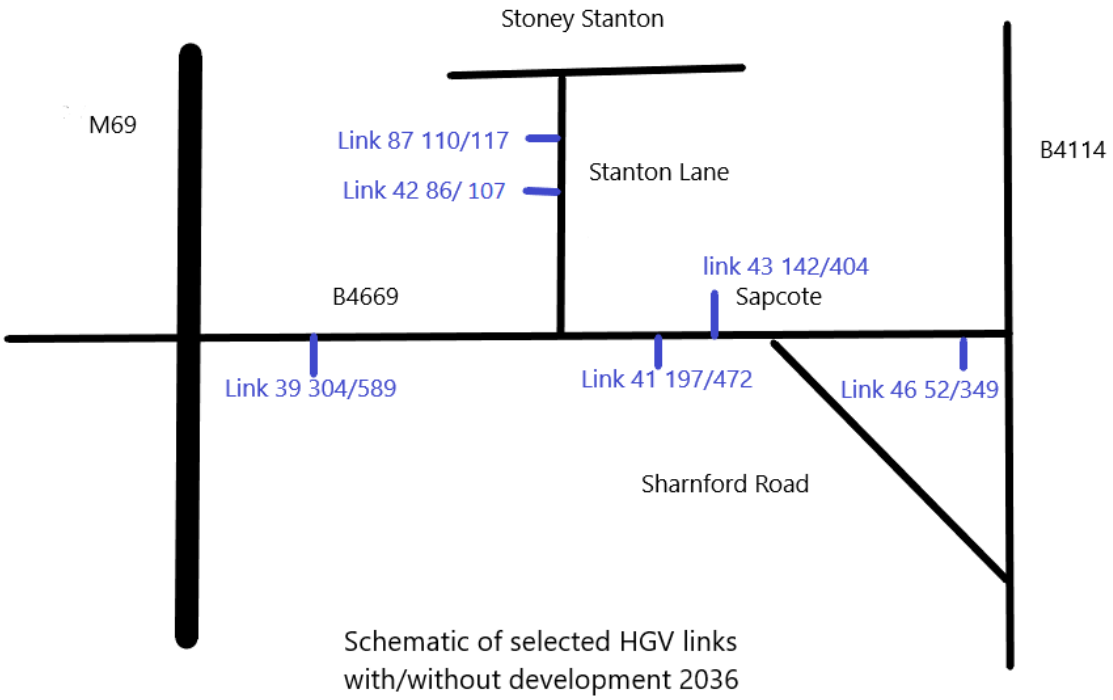
2.1.6 Clearly an RSA is needed and the opportunity for interested parties to comment on its scope, applicability and conclusions.

2.2 HGV Traffic Growth through villages, including Sapcote and Stoney Stanton

2.2.1 The promoter has now finally provided a series of maps showing the links which were modelled in Table 8.19 of the EA.

2.2.2 It was explained at the hearing that the EA uses AADT figures and the TA considers only peak figures. While the use of peak figures is understandable, the inclusion of AADT figures as well in the TA would have allowed easier comparison with the EA.

2.2.3 Indeed, an overall map with bidirectional link data would have given a clearer picture of the model's outputs. That is something we believe would assist the examining body and other interested parties. The schematic (not-to-scale) below may assist in considering this issue for Sapcote, in particular.



Schematic of selected HGV links with/without development 2036

2.2.4 In our view some of these modelled outputs are not entirely credible, particularly with regards to HGVs. For example, if one considers link 42 and 87, both on Stanton Lane (Link Table 21), the number of HGVs on link 87 in the 'without development' case is significantly higher than 42 (110 compared to 87) but there is no obvious reason for this. In the development case both still increase but that HGV difference reduces, (noting, of course, that there is no figure to say if that number would increase following mitigation at the B4669/Stanton Lane Junction)

2.2.5 It may be that this reflects a problem with the model and in particular the use of a strategic model as the basis for calculation local links.

2.2.6 What is more consistent is a comparison of the number of HGVs on the link between the M69 and Stanton Lane (Link 39, Link Table 20) and the split of HGVs on link 41 (B4669 into Sapcote, Link Table 25) and link 42 (to Stoney Stanton). Of the 589 in the 'with development' scenario on Link 39, most (472) continue to Sapcote.

2.2.7 Comparing Link 41 and Link 43 shows that HGVs through Sapcote increase by between 262 and 275 per day.

2.2.8 However, something odd happens if one considers Link 46, which is the link on the B4669 close to the junction with the B4114. HGVs have reduced in the 'without development' case to 52, a reduction of 90 on Link 43. However, in the 'with development' case, they have reduced by only 55. The overall increase on Link 46 is increased to 297.

2.2.9 It is hard to explain a reduction on this link in terms of HGV destinations in Sapcote, which are limited. However, it does imply significant diversion down the very unsuitable Sharnford Road, which is not identified as a link in the model.

2.2.10 One could expect diversion modelled along that route in the 'with development' case to at least reflect a similar split with the B4669 as in the 'without development' case, but it does not.

2.2.11 The extent to which diversion down Sharnford Road would in reality be mitigated by its unsuitability, notwithstanding Satnav and other issues, but clearly either alternative route is undesirable.

2.2.12 All this highlights our concern that the impact of traffic, particularly HGVs through villages such as Sapcote, and on unsuitable roads such as Sharnford Road, is not properly explained (something which might be clearer if the link data on Sapcote shared with the TWG were submitted to assist the examining authority).

2.3 Mitigation for HGV Traffic

2.3.1 Discussion was also had regarding the mitigation of traffic impacts. Stress was placed on three things, 1. the HGV route management strategy (RMS), 2. physical interventions, mainly junction improvements and 3. the provision of Public Transport.

2.3.2 While, we dispute the likelihood that PT provision will be successful, (as set out in our previous representations), it is also clear that they would not impact specifically on the level of HGV usage.

2.3.3 Junction Improvements would also not mitigate HGV growth but allow more HGVs on local routes and other gateway proposals would seem to have limited impact (as stated by LCC).

2.3.4 Considering the RMS itself, it would, we are told, rely on a private system operated by the Site Management Company. Para 5.24 allows that LCC/WCC and Local Parish Councils will have a contact number of they consider breaches have taken place.

2.3.5 Breaches will be reported to the local authorities (Para 5.34) but not Parish Councils to take formal enforcement action. In the case of persistent breaches action may be taken against a tenant, although it is unclear what would constitute a persistent breach and what incentive there would be for such action to be pursued.

2.3.6 No monitoring mechanism is outlined to inform the public (or Local Parish Councils) on whether the RMS is being adhered to.

2.3.7 Nor does the RMS, if enforced, prohibit development HGVs from going through local villages. For Sapcote, as an example, a breach would only be triggered if more than 67 development lorries went through the village (RMS Table 2). According to Table 8.19 of the EA 472 HGV would use Section 41 and 404 Section 43 in the centre of Sapcote, (275 and 262 respectively are additional to the 'without development' scenario.) No more than 26% of the additional HGVs would, therefore, be anticipated to be development traffic. Moreover, development traffic which did not breach the RMS would on its own increase HGVs through the centre of Sapcote by over 50%.

2.3.8 Notably, as well, the RMS would not sanction development HGVs from using unsuitable cut-throughs, such as Sharnford Road. Para 5.15 of the RMS places the ANPR camera between Stanton Lane and Sapcote so that could simply not be enforced.

2.3.9 Furthermore, if the unpublished Emergency Plan allowed lorries to route along the B4669, the figure of 67 may be breached at those times with no repercussions.

2.3.10 One obvious issue for local residents regarding the RMS is that it would be almost impossible for them to identify breaches, even if they monitored HGVs through their village and they would be entirely reliant on the (to them unknown) actions of the management company.

2.3.11 And, even if one accepts the RMS on face value, it clearly could not mitigate against the growth of HGVs unrelated to the development or those falling within the predicted development HGV usage on local roads.

2.3.12 One further option considered at the hearing was some form of HGV ban on the B4669 and potentially other routes. However, this is not being promoted and is not part of the mitigation package. It would have implications for current (and legitimate) local users of the network and its impacts would need to be modelled and presented to the examining authority for proper discussion. We do not consider this can currently be viewed as necessarily desirable or achievable.

2.3.13 We, therefore, conclude that, as things stand, there is no effective mitigation for the growth of HGVs anticipated in Table 8.19 of the EA and that any impacts on local villages such as Sapote, Stoney Stanton and Sharnford, as well as routes through Hinckley itself are unmitigated.

3. Environment (IH3)

3.1 Boswell v Secretary of State for Transport

3.1.1 We note the judgement, and the conclusions on cumulative impacts. We also note that these are being challenged at appeal.

3.1.2 However, as we said at the hearing, whatever the outcome, this does not change the test, set out in the IEMA guidance, of whether a project represents a 'business as usual' approach to GHG emissions (see page 25 of Guidance) or the responsibility of the assessor to consider what is a suitable benchmark to test that against.

3.1.3 In this case, given, as an example, the emphasis on a 20-mile drive time by the proposer, we would call into question the appropriateness of the national carbon target, although we appreciate this may reflect the inconsistent goals being used to justify the project.

3.2 Noise and Vibration Assessment

3.2.1 Following the discussion of the Noise and Vibration Modelling we have reviewed the relevant chapter of the EA and concluded that, despite reassurances given, the modelling does not account for the impact of noise and vibration resulting from non-development traffic (particularly HGV traffic) which is rerouted as a result of the development but only for development traffic itself.

3.2.2 Para 10.217 of the EA is absolutely clear that:

the results of the traffic assessment were used as the basis for determining the change in road traffic noise levels that would result from development generated road traffic on the surrounding roads. (Our emphasis)

3.2.3 Para 10.348 is also clear that this is what is being mitigated for:

The predicted noise impact from development generated traffic with mitigation in place, indicates that there will be between a minor adverse and negligible adverse effect at the majority of NSRs during the daytime in the short-term. The noise impact at NSR1 indicates that there will be a major, adverse effect from development generated road traffic with mitigation in place in the short-term. (Our emphasis)

3.2.4 Para 10.134 explains the approach for construction (vibration is similarly addressed in Table 10.29):

An assessment of construction traffic has been undertaken based on construction traffic data provided by BWB Consulting for the peak year 2026

3.2.5 Para 10.146 explain how this was undertaken for the completed development, and this is further underlined by data in Table 10.30:

Activities associated with HGV movements, the loading/unloading of vehicles onsite, and SRFI operations have been assessed in accordance with BS 4142.

3.2.6 This is then further explained in Para 10.148:

For the daytime and night-time periods, the number of HGVs used within assessment for the whole site is based on the worst-case hour provided by the Transport Consultant.

3.2.7 It is also explained how the overall development HGVs were split-up to allow for B8 and rail port usage. The paragraphs following 10.148 outline the technical details of how each element and type of vehicle was measured.

3.2.8 A number of supporting maps are provided which are clearly labelled *'development generated road traffic'* and show contours where there are noise impacts specifically from development traffic. Figure 10.12 and 10.14 in particular show the resulting changes in noise. These, not surprisingly given the methodology, radiate out from the development site.

3.2.9 For reasons which are unclear to us they include noise increases on the Sharnford Road/Aston Lane and not on the B4669 through Sapcote and roads through other villages.

3.2.10 It is worth also noting that Table 8.19 of the EA projects a rise in traffic on Link 16 (Sharnford Road, Link Table 24) of 2126 vehicles (aadt) and 11 HGVs in the 'with development' case. Whereas Link 41 in Sapcote shows an increase of 4,944 vehicles, including 275 more HGVs (of which as said above only 67 HGVs would be strictly development generated). That is more than double the additional traffic as on the link in the table.

3.2.11 In other words, it is clear from the traffic data that if all traffic, generated and displaced, were included there would be likely to be greater noise and vibration impacts on the B4669 through Sapcote than on the Sharnford Road. Those have not been measured or mapped, which is why Sapcote does not appear (as well as other impacted villages) on the noise maps.

3.2.12 We cannot find any way of reading the evidence before the examining authority which would support an assertion that the noise and vibration impact of diverted traffic, particularly HGVs, has been included in the assessment. Despite being redirected, this change in traffic is a result of the proposals before the panel.

3.2.13 Furthermore, as we pointed out at the hearing, the impact of noise and vibration would be among the factors needed to be considered to determine whether the routing of additional HGVs through Sapcote and other villages was suitable in accordance with the NPPF, as it clearly pertains to NSPNN decisions.

3.2.14 Neither CPRE nor Sapcote Parish Council have the technical ability to comment on the noise methodology before you, and we are aware of the other criticisms of this, but in the case of diverted traffic it appears the work has simply not been done.

4. Need (ISH4)

4.1 Justification for HNRFI

4.1.1 During the need session a number of justifications for the scheme were given. We noted the following potential justifications.

- Allowing for a growth in economic activity for e-commerce companies (for onwards national distribution by road)
- Allowing for rail distribution to other rail terminals
- Meeting needs for logistics in the immediate Leicestershire area
- Interest in sites which had been registered with the proposers
- A shortage of sites for logistics which was hindering growth, nationally and locally, even though, in what seemed to us a contradictory fashion, growth in past years has exceeded growth in other sectors of the economy.

4.1.2 The evidence for much of this seemed to us anecdotal and does not, in our view, override, the need for a balanced approach to logistics need.

4.2 Leicester and Leicestershire Logistics Study

4.2.1 CPRE Leicestershire has been critical of the need case as supported by the Saville's need report. During the sessions it was suggested by the proposers that the Leicestershire and Leicester Logistics Study's (LLLS) lower figures represented a 'base case' calculation.

4.2.2 CPRE Leicestershire has already commented on the LLLS in relation to a number of local plans, most recently, the North West Leicestershire Plan where we raised concerns about double-counting with the HNRFI when it came to the overall quantum of need.

4.2.3 We would, therefore, like to stress that we do not consider the LLLS should be considered a base case.

4.2.4 Para 10.18 of the LLLS is clear that:

Overall, the use of the Replacement & Traffic Growth model for forecasting appears most reasonable going forwards which in this 2020 study equates to 99,000 sqm per annum rising to 122,000 with a margin for flexibility. The ***high replacement demand, higher sensitivity traffic growth figure of 2,571,000*** *is therefore recommended for planning policy development.*

Table 48: Forecast New-Build Rates 2020 to 2041 and Associated Land Requirements including margin (000s sqm) - Leicestershire

Leicestershire	2041 base	5 yr margin	Total
High replacement, forecast traffic growth	1,823	643	2,466
Low replacement, forecast traffic growth	1,418	643	2,061
High replacement, sensitivity test traffic growth	1,928	643	2,571
Low replacement, sensitivity test traffic growth	1,523	643	2,166

Source: GLH

4.2.5 The options are set out in Table 48 of the study (reproduced above). It should be noted that this includes a 5-year margin based on completion trends. The completions trend (which the study also suggests will not continue into the long term) is higher (2,702 sq m) than any of the projections, so this 5-year margin exceeds anticipated growth.

4.2.6 The assumptions behind all these figures are further explained in Para 10.26 and include additional e-commerce growth:

The key assumptions are implicitly covered in the method sections but revisited here:

Low growth (central traffic model)

- *That warehouse units need to be replaced after 40 years of operation.*
- *That traffic growth occurs in line with the central forecasts*

High growth (traffic higher sensitivity)

- *That warehouse units need to be replaced after 30 years of operation.*
- *That traffic growth occurs in line with a 15% increase on central forecasts which allows for faster growth in tonnage shipped which is assumed to be driven by e-commerce requirements and potential stockpiling related to Brexit and COVID-19.*

Completions trends

- *That the 2011/12 to 2019/20 is representative of longer-term need.*

4.2.7 In other words, the study cannot be said to represent a base-case scenario. The consultants have assumed both high-growth and higher traffic growth (assuming such traffic growth is even possible on such a constrained network). They have then added a generous 5-year contingency. We consider it is a high growth scenario, in line with our previous comments.

4.2.8 It is, of course, perfectly reasonable for the promoters to present their own high-growth scenario and to argue that the LLLC figures are mistaken, but, in our view, it is not, in any sense, a base case scenario.