

Tritax Symmetry (Hinckley) Limited

## **HINCKLEY NATIONAL RAIL FREIGHT INTERCHANGE**

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### **The Hinckley National Rail Freight Interchange Development Consent Order**

Project reference TR050007

### **Written Statement of Oral Case ISH4 [Appendix B - National Policy Options Assessment Note and Alternatives Assessment]**

Document reference: 18.8.2

Revision: 01

**November 2023**

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Planning Act 2008

The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009  
Regulation 5(2)(q)



**PF/9575**

**NPS – NN**

**Options Appraisal**

**Para 4.27**

1. Paragraph 4.27 states:

*‘All projects should be subject to an Options Appraisal.’*

Thereafter, it is stated:

*‘For national road and rail schemes, proportionate options consideration of alternatives will have been undertaken as part of the investment decision-making process.’*

2. Footnote 61 explains that:

*‘Investment decisions on strategic rail freight interchanges will be made in the context of a commercial framework.’*

3. The draft NPS states at paragraph 4.18 that:

*‘National road or rail schemes that have been identified in relevant Road or Rail Investment Strategies will have been subject to an Options Appraisal process where relevant, in line with existing Transport Appraisal Guidance and proportionate to consideration of the alternatives will have been undertaken as part of the investment decision-making process.’*

4. The Applicant has reviewed the Examining Authority’s recommendation reports, and the Secretary of State’s decision for made Development Consent Orders for SFRIs. (Northampton Gateway; West Midlands Interchange (WMI)). The Applicant has not identified any reference to a bespoke options appraisal in relation to those projects.

5. The Applicant considers that the ExA/SoS in those cases had been satisfied that the assessment of alternatives as required under the EIA Regulations, (a particularly relevant consideration in respect of WMI which comprised inappropriate development in the Green Belt necessitating, 'very special circumstances' to be demonstrated by the Applicant) set against the national and local economic policy analysis inherent with 'compelling need' for SFRIs is sufficient to meet the requirements of paragraph 4.27 in the of the provision of Footnote 1 (the commercial framework).
6. It is considered this is a logical conclusion to be drawn in the light of an equivalent of Paragraph 4.27 being omitted from the draft NPS. The draft NPS states at 4.18 that,  
  
*'In some instances it may not be possible at the time of the application for development consent for all aspects of the proposal to have been settled in precise detail. Where this is the case, the applicant should explain in its application which elements of the proposal have yet to be finalised, and the reasons why this is the case.'*
7. The provision of a SRFI does not engage with a Road or Rail Investment Strategy.
8. The draft NPS suggests that SRFIs being brought forward in a commercial framework will not require to be accompanied by an Options Appraisal. The primary basis for the decision-taking on HNRFI is the NPS-NN 2014. The provision of the draft NPS may be considered an '*other matter that is relevant and important to the decision-taking*' (S104 (2) (d)).
9. Due consideration has been given to the '*Transport Analysis Guidance*' May 2018 attached as **Appendix 1**, in the context of the Applicant's approach to the decision to bring forward a SFRI proposal and site selection.

### **Stage 1 Option Development**

10. Stage 1 is described as '*involving the need for intervention and developing options to address a clear set of locally developed objectives. It involves generating a broad range of options, which reflect a range of modern approaches and scales of intervention.*' The

Applicant, TSH, is a subsidiary company within Tritax Symmetry, as a well-established development company, in the provision of large-scale logistics sites throughout the country. TSL has a headquarters based in Northampton.

11. In 2014 TSL became aware that the local planning authorities in the counties, Leicestershire County Council, and the Leicester and Leicestershire Local Enterprise Partnership (LLEP) - forming the Leicester and Leicestershire Housing Planning and Infrastructure Group (HPIG) - had commissioned consultants to undertake a study to examine the strategic distribution sector in the county. The study was undertaken in three phases, namely:

- Part A: Review and Research
- Part B: Planning for Change and Growth, and
- Part C: Developing a strategy for the Distribution Sector in Leicestershire

12. The main study area, the county of Leicestershire, is coincident with the area covered by the LLEP. In November 2014, the Consultants published three reports:

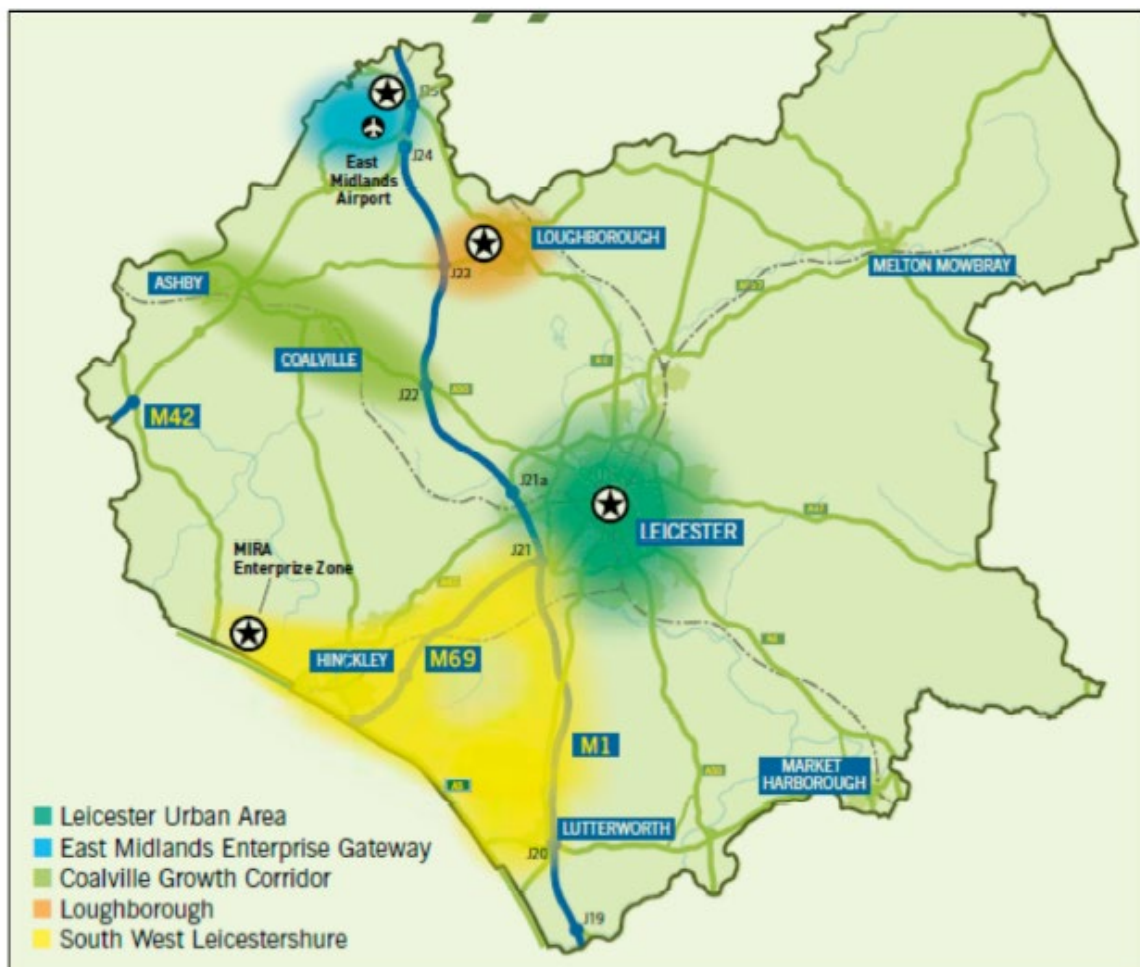
- Part A - Interim Report – which formed the baseline position with regards to the distribution sector in Leicestershire.
- Part B – Interim Report – which concerned planning for change and growth, including forecasting of future land requirements for strategic distribution in Leicestershire.
- A Final Report which covered the following elements:
  - A summary of the key issues, findings and forecasts presented in the Parts A and B Reports.

- Policy advice with respect to identifying new sites and delivering sustainable growth; and
- Provide guidance of a more general nature alongside other practical measures for delivering sustainable growth.

13. The Final Report acknowledged that it was not to be interpreted as planning policy (paragraph 1.7). The Report stated at paragraph 1.8:

*‘It is also important that this document (and the study as a whole) is considered alongside LLEP’s Strategic Economic Plan 2014 – 2020 (SEP). The ambition of the SEP is to create an additional 45,000 jobs, lever £2.5 billion of private investment and increase AVA by £4 billion to 2020. In particular the SEP is promoting five growth areas in Leicestershire as illustrated on the map below.’*

**Map 1.1: The LLEP Growth Areas**



14. The Key study Conclusions (attached as **Appendix 2**) Section 5 stated at paragraph 5.6 – 5.8:

*‘5.6 The key to addressing the above identified challenges to the golden triangle (and by implication Leicestershire), and hence maintaining the established competitive advantage, is the development of new commercially attractive strategic sites in Leicestershire and the East Midlands which will be directly rail-served.*

*5.7 Conversely, the inability to bring forward a range of commercially attractive sites in Leicestershire (and the wider golden triangle) would most likely result in an overall reduction in the region’s total warehouse floor space capacity.*

*5.8 Given the need to maintain and enhance Leicestershire’s competitive position through the continued development of new commercially attractive strategic sites, the Part B report undertook a forecast of future demand for new-build large scale warehousing in the East Midlands region and Leicestershire sub-region up to 2036. The preferred high replacement scenario therefore suggests that, once existing consents and potential sites are accounted for, around 115ha of new land at rail-served sites will need to be brought forward by 2036. This suggests one further Strategic Rail Freight Interchange (SRFI) will need to be brought forward within Leicestershire up to 2036. The preferred high replacement scenario suggests around 153ha of new land at non rail-served sites will need to be brought forward within Leicestershire up to 2036.’*

The Final Report appended extracts from the draft NPS for national networks, which are appended as **Appendix 3**.

15. As stated in the Examination, the findings of the Final Report formed the genesis of a commercial appraisal by TSL to identify a location where the rail-served logistics need, might be suitably located. At that time, the planning team advising TSL comprised Peter J Frampton, Frampton Town Planning Ltd on planning policy issues; David Baker, Baker Rose on logistics and transport (especially rail) and Fiona McKenzie of EDP on environmental matters, particularly in the context of landscape, heritage and biodiversity impacts.
  
16. In the context of Option Development (Stage 1) TSL understood:
  - (1) The direction of the evidence base identifying a substantial spatial need for rail served logistics development.
  
  - (2) The emerging national planning policy context for identifying a compelling need for an expanded network of SFRIs.
  
  - (3) The recognition by the Government that the identification of viable alternative sites would be for the private sector and by reasoning of the locational requirements, the number of suitable locations would be limited.
  
  - (4) With the TSL knowledge of Leicestershire that no suitable site was likely to be available within existing urban areas, as such a location beyond the confines of a settlement would be required.
  
17. With the evidence base for future strategic scale distribution having been identified by consultants on behalf of the HPIG, the commercial judgement was formed, that site identification should be sought within Leicestershire. (No comparable study had been commissioned by the local authorities within the administrative area of Warwickshire).
  
18. The specific objective in the site search was to identify a location which could meet the requirements for a SRFI. While the locational requirements for road access was well understood by TSL (with substantial road-based warehousing developments having



been undertaken elsewhere in the country), the rail access requirements required specialist expertise, which has been provided by David Baker, Baker Rose.

19. In short TSL needed to understand the technical constraints on the rail network in order to facilitate the provision of a rail port, that could meet the operational requirements identified in the draft NPS. (capable of handling a minimum of four 775m trains per day with appropriately configured on-site infrastructure and layout).
20. The expertise provided by David Baker in rail engineering generated seven potential site options within the county of Leicestershire, which are identified at ES Chapter 4 (document reference 6.1.4, APP-113) and which represent the main alternatives considered by the Applicant (see Site Selection and Evolution Map 4.2). The reasons for the choice of site location are summarised in the same document and also the Non-Technical Summary of the ES (document reference 6.4, APP-346). With the 7 locations identified, Fiona McKenzie of EDP was instructed to undertake a high-level assessment of the options, in respect of the following 'main' considerations:
  - The propensity of the location to accommodate the built form, a landscape and visual perspective, whilst recognising that the provision of a rail port and warehousing will necessarily have a substantial impact upon the character and appearance of the site itself and potentially on land beyond the site;
  - The sensitivity of each location within the historic environment in the consideration of the location and the setting of designated heritage assets;
  - The presence of significant ecological constraints within and close to the site; and
  - The agricultural land value of the site.
21. In the knowledge that the Victorian railway network had mainly been constructed along river valleys (so as to minimise gradients in railway engineering), TSH investigated the extent of Flood Zone 3 from the Environment Agency Flood Zone Maps for Planning. In

undertaking an initial sift of the 7 sites, flood risk presented a substantial constraint for all the options, other than Hinckley/Burbage.

22. ES Chapter 4 Site Selection and Evolution (Document No. 6.1.4, APP-113) identifies a RAG assessment of the other options. The provision of road access close to a major trunk road (NPS 2.45) presented a substantial constraint against sites Option 1 – Brooksby; Option 2 – Syston/Junction/Fosseway and Option 3 Buckby Lane. Impact upon the historic environment presented (in addition to flood risk and road access) substantial constraint against Options 1- 3, as above and Option 4 – Whetstone.
23. The options considered are shown in Map 4.2: Location plan of the seven potential SRFI locations appraised by the Applicant and are listed below:
  - Option 1 – Brooksby
  - Option 2 - Syston Junction / Fosse Way
  - Option 3 – Barkby Lane
  - Option 4 – Whetstone
  - Option 5 – Littlethorpe
  - Option 6 – Croft

### **Main Alternatives Considered in the ES**

24. Chapter 4: Site selection and evolution of the ES (document reference 6.1.4) explains how the Applicant identified the site for the HNRFI. It begins by looking at the regional context and outlines the options that the Applicant considered in terms of alternative locations.
25. By definition a SRFI needs direct rail access or spurs, which constrains the site search to railway corridors that were identified originally by the Victorian engineers and surveyors who designed most of the UK's railway network.

26. As ES chapter 4 explains, a list of site selection criteria was drawn up and a RAG review was undertaken for environmental factors, as set out in Table 4.4 Summary of six potential SRFI site options against option 7 at Hinckley/Burbage, covering rail, road, environmental and commercial and economic considerations. Each of the site options were compared with the preferred site. These are described individually in ES Chapter 4.
27. The chosen site to the east of Hinckley is considered to offer an optimum balance of advantages, including:
- an ample area of open level land;
  - sufficient at-grade rail frontage for rail connections to the main line, and space to accommodate trains up to 775m in length;
  - the potential for direct road access to the strategic highway network from M69 Junction 2, with scope to add southbound slips to the junction;
  - separation from existing residential settlements sufficient to avoid significant adverse effects on noise and visual amenity after mitigation;
  - a comparatively low level of environmental constraint, with no designated features of landscape, ecological or cultural heritage interest inside the site;
  - a location within the LLEP's designated South-West Leicestershire Growth Area.
28. Following Stage One of the Options Appraisal, the principal constraints identified of land prone to flood risk (Flood Zone 3); close access to a major trunk road; and the impact upon the historic environment from the form of development required by a SRFI, undermined the commercial confidence of TSL in progressing a development proposal on all the options considered, other than Hinckley/Burbage.
29. A further factor in site selection within a commercial framework, is the ability of the developer to secure land interests, over a significant land area to accommodate the development. The Hinckley/Burbage option comprised few farmsteads, enabling land interests to be acquired over a substantial land area.

## Stage 2 of the Options Appraisal

30. This requires an understanding of:

- Future land uses and policies.
  
- Future changes to the transport system.
  
- Future travel demands and levels of service.

TSL established that the land at Hinckley/Burbage was not subject to any adverse planning policy constraints. It was acknowledged that all land beyond the confines of an existing settlement lies within the designated countryside. In the initial stages of the site evaluation, the land interest was confined to land within the administrative area of Blaby District.

31. The **transport** appraisals undertaken by BWB, revealed the need for a highway link to connect Junction 2 to Leicester Road, principally as a consequence of the reassignment of traffic following the opening up of the south facing slips at M69 Junction 2. The construction of the so termed 'A47 Link' involved land within the administrative area of Hinckley and Bosworth Borough. It was acknowledged that this area of land is designated as a Green Wedge (Policy 6).

32. The initial transport studies included consideration of a so termed 'Eastern Village By-Pass', east of the M69 and to the south of Stoney Stanton and Sapcote. A series of informal consultations with the public were undertaken in 2019 between 29<sup>th</sup> July – 10<sup>th</sup> August 2019. This was for the purposes of ascertaining local opinion upon potential highway schemes, comprising the A47 Link and for the Eastern Villages By-Pass. The Applicant was subsequently advised by the Transportation Consultant, that the provision of the Eastern Villages By-Pass was not necessary to address the transportation impacts of HNRFI.

### **Stage 3 of the Options Appraisal**

33. At this stage, the following should be identified with supporting evidence:

- Current transport related problems.
  
- Future transport related problems.
  
- Underlying causes.

34. The transport modelling exercise led to the consideration of the need for offsite mitigation at a large number of junctions, principally as a consequence of the re-routing of background traffic, re-routing of the road network with the opening of the south facing slips. This modelling exercise revealed the need for the A47 Link to be completed and opened to traffic, upon the opening of the south facing slips at M69 Junction 2.

35. The mitigation for the traffic impacts arising from HNRFI is described at ES Chapter 8 Transport (document reference 6.1.8, APP-117, including the proposals for viable modal alternatives.