

Tritax Symmetry (Hinckley) Limited

HINCKLEY NATIONAL RAIL FREIGHT INTERCHANGE

The Hinckley National Rail Freight Interchange Development Consent Order

Project reference TR050007

SoCG Update and Statement of Commonality

Document reference: 19.12B

Revision: 03

9 January 2024

Planning Act 2008

The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations
2009

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1. INTRODUCTION

Purpose of the statement

- 1.1 This statement updates the Examining Authority (ExA) on the current status of Statements of Common Ground (SoCG) at deadline 4 (9 January 2024).
- 1.2 This statement has been prepared in response to a request by the ExA to set out the commonality on specific points between the SoCG agreed between the Applicant and the various bodies where SoCGs have been requested.
- 1.3 It is the intention that as further agreement and commonality through the SoCGs is reached, this document will be updated to reflect the latest position accurately.
- 1.4 For more detailed information on the respective stakeholders' positions, in relation to the topics covered in this statement, please refer to the specific SoCGs (document references 19.1 to 19.11).

Structure of the statement

- 1.5 This statement is structured as follows:
 - Section 2 provides an up to date list of the SoCGs under preparation and the status of these SoCGs; and
 - Section 3 sets out the commonality between the SoCGs at deadline 4.

Background to the SoCGs

- 1.6 To ensure consistency across the SoCGs, a uniform approach has been taken to drafting. Each is generally structured as follows:
 - a) Tables setting out the matters agreed between the Applicant and the stakeholder on each topic;
 - b) Tables setting out the matters not agreed between the Applicant and the stakeholder on each topic, these tables include a traffic light rating system setting out both parties estimation as to the likelihood that disagreement will remain by the end of the examination (low – green, medium – amber, high – red); and
 - c) Where relevant additional appendices are provided to support the discussions on the SoCG and information on the engagement undertaken.
- 1.7 The exception to this approach has been the SoCG prepared with Network Rail, where the approach taken has been led by the preferences of Network Rail.

2. STATEMENTS OF COMMON GROUND UPDATE

2.1 The Applicant's submission contained an intent schedule, setting out those organisations and matters which the Applicant proposed to enter into a SoCG on (document reference 15.1, APP-356). The ExA in their Rule 6 letter issued on 11 August 2023 requested that SoCGs were prepared between the Applicant and the following parties:

- Blaby District Council;
- Hinckley and Bosworth Borough Council;
- Leicestershire County Council;
- Rugby Borough Council;
- Harborough District Council;
- Warwickshire County Council;
- National Highways;
- Network Rail;
- Environment Agency;
- Natural England; and
- Historic England.

2.2 The Applicant has prepared SoCGs with the above listed parties throughout the pre-examination phase of the DCO and continuing during the early stages of the examination. These are based upon discussions which commenced prior to the DCO application submission.

2.3 The table overleaf contains the full list of SoCGs and explains their current status. It also identifies any outstanding issues which are the subject of ongoing discussions and may therefore be the subject of further submissions in due course.

2.4 The Applicant submitted a summary rail report (document reference 18.6.5) at deadline 3 which addresses matters in relation to Network Rail. While the Applicant intended for this to be appended to the Network Rail SoCG to be submitted at deadline 4, it is still in draft form and is likely to be submitted at deadline 5.

2.5 For the sake of brevity, some topics have been excluded from the Council SoCGs where it has been agreed that one Council's position aligns with, or is incorporated into,

another Council's SoCG. These instances are summarised as follows:

- Socio-economics: where the LCC position aligns with the SoCG with BDC;
- Heritage: where the LCC position is incorporated into the SoCG with BDC;
- Ecology: where the LCC position relies on land use consultants through BDC and HBBC;
- Landscape: where the LCC position relies on land use consultants through BDC and HBBC;
- Geology, soils and groundwater: where the BDC position relies on the Environment Agency position; and
- PRoW: where the BDC and HBBC position relies on the LCC position (as part of the Highways SoCG).

2.6 Other topics have been excluded where they are not relevant to a stakeholder.

Document reference no.	Party	Topic	Status	Date of submission/ receipt	Outstanding issues
19.1B	Blaby District Council	Planning	V7	23/10/23	Whether the proposal satisfies the guidance for good design in the NPS with reference to impact on landscape; whether Requirement 10 Rail which supports the construction and occupation of up to 105,000 sqm of logistics floorspace prior to the Rail Port (Phase 1) becoming operational is reasonable, proportionate and accords with paragraph 4.88 of the NPS NN; detailed consideration of Development Plan documents; whether the phasing of development for HNRFI is contrary to paragraphs 4.84 of the draft NPS.
		Lighting	V5	24/10/23	None.
		Climate	V5	10/08/23	Compliance with NPSNN; compliance with NPPF by mitigating and adapting to climate change, including moving to a low carbon economy; compliance with BDC strategic objectives by minimising energy use and use of valuable resources, encouraging renewable energy production in suitable locations, minimising the risk of flooding and encouraging and developing the use of more sustainable forms of transport; that the assessment is sufficient to estimate the effects GHG emissions sources.
		Air quality	V8	14/11/23	Impact of additional queuing traffic as a result of additional 'barrier down' time at Narborough level crossing; requirement for damage cost analysis; requirement of off-site monitoring.
		Acoustics	V9	09/01/24	Acoustic design of illustrative masterplan; operational maximum noise levels; operational noise assessment of off-site road traffic (inclusion of committed development traffic and the cumulative effect); deliverability of acoustic barriers.
		Ecology	V9	21/12/23	Inclusion of phase 2 species specific surveys undertaken to be included in industry standard guidelines within introduction section; inclusion of best practice methodologies in the industry standard guidance section; update methodology to state a 500m dispersal for GCN rather than 250m; incorrect guidance cited regarding biodiversity net gain and

Document reference no.	Party	Topic	Status	Date of submission/receipt	Outstanding issues
					development; absence of inclusion of matrix of effects; provision of an outline decommissioning plan; cumulative effects assessment; feasibility of delivering 10% BNG; duration/detail of LEMP; further consideration of measures such as passes under/over the road; Woodland Access Management Plan; air quality impacts on the Free Holt Ancient Woodland.
		Landscape	V9.1	20/12/23	Landscape assessment conclusions at SCA Elmsthorpe, SCA Burbage Common Rolling Farmland, UCA 9: Barwell; daytime visual assessment conclusions at PVP 3; night-time construction visual assessment at 3. Bridge Farm, 4. Billington Rough, 7. Station Road (Elmesthorpe), 8. Burbage Common Road North, 9. Burbage Common Road (west of railway line), 12. Highgate Lodge Farm and Red Hill Farm, and 17. Gypsy and Traveller site on Smithy Lane; night-time operational visual assessment in Year 15 at PVP 19 – Church Users, PVP 22 – ProW users, PVP 36 – Recreational users of Smenell Field, local community/local residents at 3. Bridge Farm, 4. Billington Rough, 7. Station Road (Elmesthorpe), 8. Burbage Common Road North, 10. Shilton Road and Dawson’s Lane (Barwell), 11. Church Lane (Barwell), 12. Highgate Lodge Farm and Red Hill Farm, and 17. Gypsy and Traveller site on Smithy Lane.
		Heritage (Archaeology & Heritage)	V7	24/10/23	None.
		Contaminated land	V3	15/08/23	None.
		Socio-economics	V8	19/12/23	None.

Document reference no.	Party	Topic	Status	Date of submission/receipt	Outstanding issues
		Health and equalities	V7	14/11/23	Impacts on mental health; health impacts from changes in noise (associated with concerns regarding the noise assessment); alleged breach of the equality act specifically regarding impacts on the travelling community and disabled individuals due to increased down time of the barrier at the Narborough Level Crossing; absence of equality baseline; lack of voluntary Health Impact Assessment; application of significance criteria.
19.2B	Hinckley and Bosworth Borough Council	Planning	V9	24/10/23	Whether the proposal satisfies the guidance for good design in the NPS with reference to impact on landscape; detailed consideration of Development Plan documents; whether the provision of public open space is consistent with the strategic interventions supported by Policy 20 'Green Infrastructure' within the adopted Core Strategy; whether the Parameters Plan is consistent with the guidance in the Good Design SPD; whether construction of the A47 is in conflict with the provision of Core Strategy Policy 6 Green Wedge; visual impact of green wedge; whether the proposal is in conflict with Policy DM6; whether the proposal is in conflict with Policy DM9; whether the phasing of development for HNRFI is contrary to paragraphs 4.84 of the draft NPS.
		Lighting	V2	15/06/23	None.
		Climate	V5	26/07/23	None.
		Air quality	V4	08/08/23	None.
		Acoustics	V9	09/01/24	Acoustic design of illustrative masterplan; operational maximum noise levels; operational noise assessment of off-site road traffic (inclusion of committed development traffic and the cumulative effect); deliverability of acoustic barriers.

Document reference no.	Party	Topic	Status	Date of submission/receipt	Outstanding issues
		Ecology	V5	21/08/23	Inclusion of phase 2 species specific surveys undertaken to be included in industry standard guidelines within introduction section; inclusion of best practice methodologies in the industry standard guidance section; update methodology to state a 500m dispersal for GCN rather than 250m; incorrect guidance cited regarding biodiversity net gain and development; absence of inclusion of matrix of effects; provision of an outline decommissioning plan; cumulative effects assessment; feasibility of delivering 10% BNG; duration/detail of LEMP; further consideration of measures such as passes under/over the road; Woodland Access Management Plan; air quality impacts on the Free Holt Ancient Woodland.
		Landscape	V9.1	20/12/23	Landscape assessment conclusions at SCA Elmsthorpe, SCA Burbage Common Rolling Farmland, UCA 9: Barwell; daytime visual assessment conclusions at PVP 3; night-time construction visual assessment at 3. Bridge Farm, 4. Billington Rough, 7. Station Road (Elmesthorpe), 8. Burbage Common Road North, 9. Burbage Common Road (west of railway line), 12. Highgate Lodge Farm and Red Hill Farm, and 17. Gypsy and Traveller site on Smithy Lane; night-time operational visual assessment in Year 15 at PVP 19 – Church Users, PVP 22 – ProW users, PVP 36 – Recreational users of Smenell Field, local community/local residents at 3. Bridge Farm, 4. Billington Rough, 7. Station Road (Elmesthorpe), 8. Burbage Common Road North, 10. Shilton Road and Dawson’s Lane (Barwell), 11. Church Lane (Barwell), 12. Highgate Lodge Farm and Red Hill Farm, and 17. Gypsy and Traveller site on Smithy Lane.
		Heritage	V3	29/06/23	None.
		Geology, soils and groundwater	V1	18/05/23	None.

Document reference no.	Party	Topic	Status	Date of submission/receipt	Outstanding issues
		Socio-economics	V8	19/12/23	None.
		Health and equalities	V7	14/11/23	Impacts on mental health; health impacts from changes in noise (associated with concerns regarding the noise assessment); alleged breach of the equality act specifically regarding impacts on the travelling community and disabled individuals due to increased down time of the barrier at the Narborough Level Crossing; absence of equality baseline; lack of voluntary Health Impact Assessment; application of significance criteria.
19.3B	Leicestershire County Council	Planning	V7	24/10/23	Appropriate site location; whether the Applicant has set out the alternative considerations in the evolution of the design; design of the access and egress to the site; appropriate consideration of development plan; whether the proposal satisfies the guidance for good design in the NPS with reference to impact on landscape; whether there will be sufficient capacity on the network to serve additional strategic rail freight; that 'greater weight' must be given to the policies and proposals in the relevant development plan documents; that the NRFI could adversely impact on committed or consented operations for minerals extraction or waste management.

Document reference no.	Party	Topic	Status	Date of submission/receipt	Outstanding issues
		Highways (including PRoW)	V3	09/01/24	Trip generation; uncertainty Log V8; assessment of Narborough Level Crossing including VISSIM modelling; base VISSIM modelling M6 J2; furnishing methodology; VISSIM modelling of Longshoot/Dodwells, M1 J21/M69 J3, Gibbet roundabout; ongoing maintenance responsibilities; off-site mitigation strategy; output from PRTM 2.2 Model; off-site junction modelling; access infrastructure for all users; structural integrity of existing M69 J2 bridges; forecast VISSIM modelling J1 and J2 M69; Site Wide Framework Travel Plan; final HGV routing strategy; Sustainable Transport Strategy; CTMP; Road Safety Audits Stage 1; S106 Transport related; DCO; compliance with NPSNN; whether PRoW proposals are deliverable/can be designed fully in accordance standards; details of A47 underpass; details of PRoW connections to link road footway provision; stopping up of duplicated bridleway V35/1; ownership, maintenance and risk assessment of Thorney Fields Farm bridge; RSA of B581 Elmesthorpe railway bridge footway provision; details of private access to Bridge Farm; details of Outwoods footbridge and its future maintenance.
		Waste	V4	13/08/23	None.
		Climate	V4	24/10/23	Encouragement of a modal shift of freight from road to rail; suggestions for adaptations to provide climate change resilience; response regarding generation of 'non-building' energy; consideration of ground source heat pumps; carbon savings; recommendation that the carbon analysis measures, monitors and mitigates wider emissions during construction.
		Air quality	V5	14/11/23	Impact on more vulnerable groups; what bus routes will serve.
		Drainage	V4	06/10/23	None.

Document reference no.	Party	Topic	Status	Date of submission/ receipt	Outstanding issues
		Health and equalities	V7	14/11/23	Potential impacts on mental health; health impacts from changes in noise (associated with concerns regarding the noise assessment); alleged breach of the equality act specifically regarding impacts on the travelling community and disabled individuals due to increased down time of the barrier at the Narborough Level Crossing; absence of equality baseline; lack of voluntary Health Impact Assessment application of significance criteria.
19.4A	Rugby Borough Council	Various	V2	13/10/23	None.
19.5A	Harborough District Council	Various	V2	24/10/23	None.
19.6A	Warwickshire County Council	Drainage	V3	30/06/23	None.
		Highways	V2	09/01/24	Forecast VISSIM modelling J1 M69; Site Wide Framework Travel Plan; Final HGV Routing Strategy including ANPR in WCC area; Sustainable Transport Strategy; Construction Traffic Management Plan; Road Safety Audit Stage 1; Rugby Rural Area Model Outputs; Mitigation on WCC/NH Highways; A5/A426 Gibbet Hill VISSIM modelling; A5 Longshoot/ Dodwells VISSIM modelling; furnessing approach and base data; A5 change to network at Nutts Lane rail bridge and impact on reassignment; design changes and drawings to a suitable scale proposed for Cross-in-Hands junction and identification of any departures; timing for delivery of infrastructure/phasing; mechanism for addressing unforeseen transport impacts on the network; dDCO and mechanism to agree delivery of works (s278 & permits) on WCC network.

Document reference no.	Party	Topic	Status	Date of submission/receipt	Outstanding issues
19.7A	National Highways	Highways	V2	09/01/24	Off-site mitigation strategy and package; output from PRTM 2.2 Model including assignment to J21; preliminary design of access infrastructure; forecast VISSIM modelling J1 and J2 M69; Site Wide Framework Travel Plan; Final HGV Routing Strategy including ANPR; Sustainable Transport Strategy; CTMP; Road Safety Audit Stage 1; base VISSIM modelling audit response J1 and J2 M69; furnishing approach; A5 Longshoot and Dodwells VISSIM modelling methodology and outputs; landscape impacts; biodiversity impacts; air quality impacts; drainage impacts; Environmental Management Plans; landownership matters and compulsory acquisitions; the draft Development Consent Order, including requirements and protective provisions.
19.8	Network Rail	Highways	n/a	n/a	n/a
19.9	Environment Agency	Various	V3	19/10/23	None.
19.10A	Natural England	Various	V9	18/12/23	None.
19.11	Historic England	Heritage	V1	July 2023	None.

3. COMMONALITY

- 3.1 The table set out in overleaf provides a summary of the principal issues covered in the SoCGs and shows the commonality in the topics in discussion with the various parties, based on the current position at deadline 4.
- 3.2 The topics identified principally relate to the topics upon which the ExA have sought SoCG in its procedural decision, contained in the Rule 6 letter issued on 11 August 2023 and reinforced through the Rule 8 letter issued on 22 September 2023.
- 3.3 The table shows the topics covered within the SoCGs with reference to a colour, which demonstrates the status of agreement on that topic as follows:

	Completed, the topic is fully agreed with no areas of disagreement.
	Completed, the topic is partially agreed with some identified areas of disagreement, this represents the final position.
	Completed as an interim SoCG with further identified matters to be addressed through discussion.
	Not completed, discussions are ongoing.
	Not commenced.
	Not applicable – topic not relevant to interested party.

- 3.1 As previously stated, one Council may align with/incorporate their position into another Council's SoCG. Where this is the case, the colour reference has been replicated across both Council rows.

