

Tritax Symmetry (Hinckley) Limited

HINCKLEY NATIONAL RAIL FREIGHT INTERCHANGE

The Hinckley National Rail Freight Interchange Development Consent Order

Project reference TR050007

Applicant's Response to Deadline 4 Submissions [part 10 – Residents Businesses]

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Planning Act 2008

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

	Matter	Applicant's Response
1	<p>Catherine Bass</p> <p>As a resident of Bostock Close as well as sharing the concerns raised by many in the recent days, I would also like to raise concerns that due to the location of the boundary of dco no mitigation is planned along the rail track that sits behind Bostock close. It was discussed on Tuesday that the trains will be slowing well before they reach Bostock to speed of around 25 miles an hour in order to enter the rail terminal at an Even slower speed , at a length of 775 metres the time it will take each train to pass the area will increase and with that we will see an increase in air pollution and noise, these trains will be operating day and night in addition to the passenger trains that will continue to use this track this will greatly impact our overall quality of life and enjoyment of our own home and gardens.</p>	<p>It is understood that the additional freight trains may run regardless of whether HNRFI comes forward as the line has the pathing and capacity necessary to run trains over and above the HNRFI proposals. In terms of noise, a train travelling at a slower speed will result in lower noise levels than a train travelling at a higher speed. Although trains will take longer to pass, the overall noise level experienced by residents is likely to be lower overall.</p> <p>With regards to air quality, Paragraph 9.158 - 9.165 in ES Chapter 9 – Air Quality (document reference: 6.1.9, APP-118) provides the screening assessment undertaken in relation to both stationary and moving locomotives as a result of the HNRFI, in accordance with Defra TG22 guidance. In accordance with Defra TG22 guidance, consideration was given to both the NO2 annual mean and the sulphur dioxide (SO2) 15- minute mean air quality objectives for England. It was determined that the HNRFI would not exceed any of the screening criteria therefore the impacts from diesel locomotives was deemed to be negligible and not significant, therefore no mitigation is deemed necessary.</p>

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	<p>Myself and my neighbors are required to regularly clear the stream that runs across the back of Bostock Close between the houses and the rail track , as with heavy rainfall the water level rises up to the back of the properties , I am concerned that any changes in the water course up stream may have a critical impact on the levels of water that Bostock Close experiences. Should this occur our houses are at risk of flooding and with the increase of flooding not only locally but in the wider area in recent years, it's a real fear that we will have to live with should this development go ahead .</p>	<p>The proposed scheme includes a surface water drainage strategy that will manage the runoff from the development so that it does not adversely affect the downstream conditions. The surface water runoff from the development will continue to be discharged to the downstream watercourses, but the discharge rate will be limited to the greenfield (pre-development) annual average runoff rate (QBAR) – i.e.: the post-development discharge rate will be equivalent to the current runoff rate from the site. This will ensure that under normal rainfall conditions there is no increase in the rate of water leaving the development site when compared to the current conditions. In larger storm events this will represent a reduction in the peak flow leaving the development.</p> <p>The development will seek to maintain similar drainage catchments to existing, so that the overall distribution of surface water leaving the site is not adversely altered.</p> <p>A watercourse present within the Main HNRFI Site is to be realigned to flow along the southern boundary. The realigned watercourse will flow along a corridor that will be designed to contain the predicted flood flows; this will include an allowance for future climate change. Due to the surface water attenuated storage offered in the development, it is anticipated that a reduction in equivalent downstream flood levels on this watercourse will be offered.</p>

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		<p>The proposed A47 Link Road will cross the floodplain and several watercourses. It will include a series of culverts beneath the carriageway that will preserve watercourse and floodplain connectivity, which will ensure that flood risk to land outside of the Order Limits is not negatively affected.</p>
2	<p>Bryan Lees</p> <p>During the examination the applicant has confirmed (Doc 18.6.2 dated 14-11-2023) :- Plans for the storage of initially 4,200 TEU, then 6,800 TEU. Later construction of the “returns area” adds another 4,900 TEU storage ? Not dependant on the number of trains ? A plan for container storage rather than delivery and return ? Applicant's presentation indicating plans for container "marshalling" - the sorting and further onward rail movement requiring at least two rail paths to get from A to B, which may be convenient for a particular operator, but is wasteful use of the limited capacity on this East to West rail sector when the priority is to increase the proportion of total container movement by rail. Within the desired 20 mile radius, I would suggest the best rail site for such “marshalling” is in Leicester.</p>	<p>Container storage is a variable factor depending on number of trains and dwell time. Dwell time relates to the period the customer leaves the container at the terminal before collection. This can be driven by seasonal stock building, building resilience into supply chains and global shipping patterns requiring a large stock to be delivered at once to a terminal and drawn down over days. Returns are needed for backloading of exports and to be returned to ports for return to a port of origin and reuse. Where emptied containers can be utilised immediately, they would be, but inevitably there needs to be a place for those not immediately required to be made available for an export load or go back as an empty return when there is space on a train.</p> <p>The combination is a comprehensive plan and facility for delivery and return to suit the market needs, including seasonal peaks, which will necessitate space for containers to dwell; and empties to be stored pending re-use.</p> <p>The proposition to act as a hub is not to create a marshalling yard. There is no duplication of train paths, only the opportunity for HNRFI to be connected to more regional</p>

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		<p>terminals and ports and allow some of them to operate services that would not be viable, because they do not have enough traffic alone to run from A to B.</p> <p>It is effectively a container version of the highly successful pallet networks, where each operator does a shorter run and ends back at base. With the shorter runs it will be possible to operate one train set for two round trips in a day to a number of locations, helping with staffing and significantly improving the viability to use rail.</p>
	<p>“Humberstone Rd Sidings” is the title on the current Network Rail System.</p>	<p>The hub principle will mean the local market to HNRFI should have access to more locations, with smaller container volumes needed than is traditionally required, to be commercially viable. It is not a rail marshalling service, it is an intrinsic service offer of the intermodal rail terminal of this SRFI. The Humberstone Road Sidings are not suitable for this purpose.</p>
	<p>The applicant still has varying responses to the question of the 517mm pipeline (ST) going along and across the mainline railtrack within the proposed site boundaries. It is not a watermain. Away from the actual rail crossing the likely existing ground cover of 1.5 metres includes areas now planned for 6 metre excavation. I have seen no confirmation this pipeline is to be diverted before the earthworks start ? The applicants responses during the consultation exercise and subsequent examination have failed to recognise the responsibility involved in placing a major commercial project within a conserved rural location</p>	<p>The pipe in question is a Severn Trent Foul Sewer Rising Main. The Applicant is aware of it and has already commenced detailed discussions with Severn Trent and Network Rail to divert and upgrade this pipe.</p>
	<p>At the simplest level this would be an outer ring of landscaped buildings, rear elevations, with the work and transport noise elements screened on the inside. The site chosen, with 30 metre level changes (20 metre after</p>	<p>As set out in Chapter 10 Noise and Vibration (document reference: 6.1.10A, REP4-039), noise associated with the proposed operational phase, which has included noise</p>

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	<p>suggested earthworks) is an expensive solution, with construction risks. The proposed plans for the sidings, cranes and access roads has little or no effective noise screening for close neighbours - people or wildlife.</p>	<p>associated with HGV loading/unloading activities and SRFI operations, has been considered at nearby receptors. The results of the assessment indicate that with mitigation in place, noise levels from the development will be reduced and significant adverse noise effects are unlikely.</p>
	<p>The intention for BNG is desirable, but the loss of hedgerows with mature trees, particularly oaks, cannot be quickly replaced locally or further away.</p>	<p>The losses and gains of hedgerows and associated mature trees has been assessed through the Defra scoring metric, which also takes account of temporal factors. These losses have been fully accounted for within the designs, with significant net gains in hedgerows and woodland planting proposed.</p>
3	<p>Alberto Costa</p> <p>Thank you for scheduling a further Issue Specific Hearing on Wednesday 24th January. It is evident from the hearings and written submissions so far that there are significant flaws in the Applicant's long-term assessment of traffic and noise.</p> <p>In light of the recent and severe flooding across Leicestershire, can I request that the Examining Authority lend renewed scrutiny to the drainage infrastructure proposed to manage surface water by the Applicant and that this be considered in the context of the most recent flood data in the area to ensure that any proposals will not leave nearby areas exposed to greater flood risk.</p>	<p>The Flood Risk Assessment and Surface Water Drainage Strategy considered flood and storm events to the design standards required by national and local policy. This includes consideration of future climate change. The Environment Agency and Lead Local Flood Authority have confirmed that they are satisfied with the proposals, and that the proposed scheme will not detrimentally affect flood risk in the surrounding area.</p>
	<p>Modelling by the applicant remains insufficient on HGV movements from Junction 1 of the M6 and, the impact on Gibbet Hill roundabout which is already at capacity. With Magna Park, DIRFT and the expanding logistics operations in Rugby/M6 Junction, the congestion and safety implications of</p>	<p>Discussions with NH have been ongoing, impacts at Gibbett Hill from the development are proportionately low and a contribution is being agreed with the authorities to implement an NH scheme already designed.</p>

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	<p>even more HGV movements remains a major concern for my constituents.</p> <p>I share the concerns of many constituents who have written to me over the construction of the actual railway port to Hinckley National Rail Freight Interchange and the suggestion that it will not start until 105,000 sq. metres of warehouse space has been built. If the applicant is allowed to build and operate warehouses before the rail port is built, this will only cement in my constituents' minds that this development is a fig-leaf for more warehousing for HGVs and not rail freight. A concern that was repeatedly raised by constituents in my parliamentary surveys.</p>	<p>The Applicants Needs Case and Government Policy to grow rail freight make it very clear that this rail terminal is of considerable importance. The requirement is not that work will not start on the terminal until 105,000 sq metres has been built. It is that no more than 105,000 sq metres of warehouse space can be occupied before the rail freight terminal which is capable of handling a minimum of four 775m trains per day and any associated rail infrastructure has been completed. This approach has been approved in previous SRFI DCO decisions and in the revised draft NNNPS, as necessary, to reduce risk associated with the practical delivery of, for example, mainline connections. East Midlands Gateway was developed on this principle. It is fully let and all the occupiers are using the rail service.</p>
	<p>There also remain significant deficiencies in the Applicant's assessment of traffic and barrier downtime at Narborough Level Crossing. What the applicant states is as an "acceptable" barrier down-time does not take in to account the levels of car-traffic congestion on the roads of Narborough and Littlethorpe which is already excessive at peak times.</p> <p>The lack of "worst case scenario" modelling adds to concerns that incidents and delays on the South Leicestershire rail line are not being factored into the application. I am concerned about the increased the probability of rail incidents and delays with HNRFI. As John Harrison, and the wonderful volunteers at Friends of Narborough Station have pointed out, the South Leicestershire Line is not a main line.</p> <p>"There are no refuges, no passing loops and no facilities for bi-directional</p>	<p>A detailed review of the clearance times at Narborough has been completed and updated at Deadline 4 (document reference: 18.6.8A, REP4-118) to include for revised surveys. The conclusions are that the development will not materially exacerbate the queuing experienced as a result of level crossing downtimes.</p>

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	<p>working. Put simply, it means that any breakdown or other incident, could close the line for hours or days.</p> <p>No adequate mitigations have been proposed to address this, and further delays are serious matter for road users in Narborough and Littlethorpe and also for parents on the school run with young children and pushchairs, and for people with disabilities.</p>	
	<p>There are clearly numerous issues with the Applicant's rail movement modelling which are coming to light. In the Noise and Vibration Assessment, an example of one issue, is that the Applicant has clearly overstated the sound produced by current rail passes. As Dr David Moore has highlighted, the applicant therefore understates the increase in noise which would be caused by the proposals, leading to an understatement of the severity of the change because the report is assessing severity on the basis of a wrongly inflated baseline level.</p> <p>Thank you and I look forward to making further representations.</p>	<p>As stated within Chapter 10 Noise and Vibration (document reference: 6.1.10A, REP4-039) and confirmed by Network Rail, there is capacity on the existing line to run the additional trains. These routes could be used by Network Rail at any time regardless of whether HNRFI comes forward. Notwithstanding this, the assessment shows that the effect of additional trains using the existing line is likely to be permanent, negligible adverse and therefore not significant. However, there is no requirement for noise and/or vibration from off-site rail movements to be a material consideration of this development, and an assessment has been provided within Chapter 10 (document reference: 6.1.10A, REP4-039) for completeness.</p> <p>It is not appropriate to simply apply a distance correction to noise from the rail line in isolation as this does not take into account the contribution of road traffic noise at distances further away from the rail line.</p> <p>Further analysis has shown that the ambient noise levels adopted within the context assessment are representative</p>

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		<p>and therefore the results and conclusions of the Noise and Vibration assessment remain valid.</p> <p>Furthermore, the off-site rail noise and vibration assessment, and operational phase noise assessment is agreed through the Statement of Common Ground with BDC and HBBC.</p>
4	<p>Sharon Scott</p> <p>Comment on Late Submission - Written Statement of Oral Case ISH4 (Appendix D – Market Need Note) Tritax continue to cite the Leicester and Leicestershire Strategic Distribution Sector Study (November 2014) as the instigation of their search for a site. However, this report assumed a 'high replacement scenario' to determine future freight needs. This is based (as per paragraph 2.36) on the assumption of:</p> <ol style="list-style-type: none"> 1. The obsolescence of older buildings 2. The need for larger distribution centres 3. The need for warehouses to be located at rail-served sites. Paragraph 2.40 goes on to state that most existing sites are not and cannot be rail-linked <p>As I stated at ISH4, it was decided subsequent to this report by Harborough District Council that putting in a short road freight shuttle between Magna Park and DIRFT would provide rail linkage for Magna Park, and Magna Park was allowed to expand significantly. This scenario was clearly not foreseen in the 2014 report. The possibility of demolishing existing warehouses and rebuilding them to modern specifications is also not included within the high replacement scenario. A significant proportion of these older</p>	<p>The Applicant is aware of various suggestions that have been made for linking Magna Park by rail, but they all fail to deal with the capacity constraints of the West Coast Main Line, particularly through Rugby; and the cost of constructing a rail link without any enabling development, with a need to acquire all the necessary land along the route.</p> <p>The road shuttle between Magna Park and DIRFT will work for flows that are suited to the rail routes that DIRFT can serve most readily.</p> <p>The Applicant has carried out its own research and considered alternative sites and this has been evidenced.</p>

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	<p>warehouses are at Magna Park (which was first opened in the 1980's.) It is unlikely that operators such as Gazeley will just abandon obsolete warehousing and far more likely that they will demolish them and rebuild.</p> <p>The report also fails to provide any evidence to support the contention that most existing sites cannot be rail-linked. I have sought independent advice confirming that a rail link between Magna Park and WCML would be prima facie viable. (I cannot provide the document as it was prepared specifically for my personal use.) I therefore do not believe that the 2014 study bears any relevance to the current market need case. I would also have expected that Tritax would have carried out their own research and investigation of sites rather than relying on a report which was not prepared for this purpose.</p>	
	<p>Had this been the case, Tritax might have identified more appropriate sites for their stated Coventry market in Warwickshire. Tritax also cite the GL Hearn report 'Warehousing and Logistics in Leicestershire and Leicestershire: managing growth and change (April 2021 amended March 2022). However, as stated in my earlier representation and as discussed at ISH4, this report cannot have any real credibility in the current examination, given that Tritax and their advisors were major consultees.</p> <p>The various councils have agreed to the contents of this report in their Statements of Common Ground, but having commissioned and paid for the report, (unaware that GL Hearn would consult Tritax and their advisors, as I understand it) they are left with little option but to do so. Tritax state in paragraph 1.22 of their note that Leicestershire County Council accepts the need for a SRFI to be located in South Leicestershire, but this does not mean that it should be HNRFI. A far more sensible option would be to</p>	<p>DIRFT is not well connected for East to West traffic, particularly not Felixstowe, the UK's largest deep-sea port. It is not able to readily act as a hub, unlike HNRFI, and its core business is more domestic and European (it was designed as a Channel Tunnel terminal). The new rail layout and intensity of current use for domestic routes limits its capacity to add more services.</p> <p>The fact that a route can be identified that is physically capable of taking intermodal trains with a cleared gauge of W10 does not make them commercially viable. Whilst attempts have been made to serve Felixstowe via DIRFT, this has never proven successful.</p>

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	<p>create a SRFI in South Leicestershire by rail-linking Magna Park.</p> <p>Tritax state in paragraph 1.65 of their note that: 'HNRFI will serve Coventry through to Leicester South, including Magna Park for deep sea / east coast, west coast and domestic time sensitive flows.' 'DIRFT will serve Northants Fast Moving Consumer Goods National Distribution Centres and Magna Park for short sea, domestic and Channel Tunnel flows.' The Examiners' Report prepared by PINS on 7 April 2014 for DIRFT III states 'A range of the country's most significant deep sea container ports - Felixstowe, Southampton, Tilbury, and Liverpool – can access DIRFT by rail on W10 cleared routes.' (Paragraph 4.11). It is also evident from looking at the website for the DIRFT freight operator (Malcolm Group) that this is the case. It is therefore clearly incorrect for Tritax to say that DIRFT can only serve Magna Park for short sea, domestic and Channel Tunnel flows. DIRFT uses the all-electric railway line round London to bring in freight from Felixstowe, which is far more environmentally friendly than the diesel Felixstowe to Nuneaton Line on which HNRFI is situated. It also avoids the constraints around Water Orton, which Tritax cite as a major obstacle. Tritax also state that 'Northampton Gateway will serve a similar market to DIRFT' but they have made no attempt to clarify DIRFT's existing geographical market.</p> <p>Given the location of DIRFT, it seems far more likely that it serves areas such as Coventry and South Leicester. At ISH4, Tritax stated that their key market was the automotive industry, but other than Caterpillar in Desford, I am not aware of any motor manufacturers in Coventry or South Leicester. This also flies in the face of Tritax's contention at ISH4 that HNRFI's situation on an East / West axis would work best for the motor industry. In</p>	<p>Traffic from Felixstowe, London Gateway and Liverpool to HNRFI would not need to pass through Water Orton.</p> <p>The HNRFI location is of considerable importance to both Felixstowe and DP World's ports at London Gateway and Southampton, as reinforced in their own letters provided at Deadline 4, following the Government's announcement of the Rail Freight Growth Target. (see Market Needs Assessment Source Document Schedule 16.1.8, REP4-103).</p>

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	paragraph 1.63 of their note, Tritax state that HNRFI is not being developed to take market share from other terminals or SRFI developments, but they have still not provided any hard data to support this. It seems highly likely that there will be significant overlap between DIRFT and HNRFI	