

9 February 2024



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By Electronic Submission only

Dear Ms Norris

**Planning Act 2008
Tritax Symmetry (Hinckley) Limited**

This letter accompanies a suite of documents submitted on behalf of Tritax Symmetry (Hinckley) Limited pursuant to the information requested by the ExA for submission at deadline 5 of the examination, the letter also addresses matters raised through the further written questions (ExQ2) published by the ExA on 19 January 2024 and the Actions List following ISH6 published on 24 January 2024.

In addition to the requests from the ExA, the Applicant has updated a number of further documents, we set out below the documents that have been updated and provide an explanation to the ExA the reasons behind these updates.

The Applicant also wishes to update the ExA on a number of matters related to the application, and again these are set out in the sections below.

Narborough Level Crossing Traffic Modelling (Appendices) (document reference 18.6.8B)

As stated by the Applicant in ISH6 and further documented in our Written Statement of Oral Case ISH6 (document reference 18.15), the Appendices that accompany the Narborough Level Crossing Traffic Modelling submitted at deadline 4, were omitted in error from the version submitted to the ExA. The Applicant can confirm that these appendices were shared with the highways authorities on 12 January 2024, and has submitted these into the examination at deadline 5.

Network Rail Statement of Common Ground (document reference 19.8)

Following an administrative delay in signing the SoCG from Network Rail, the Applicant is pleased to submit a completed SoCG at deadline 5, with all matters agreed.

Sustainable Transport Strategy (document reference 6.2.8.1C)

Following discussions at ISH6 and through further discussions with the highways authorities, the Applicant has updated the Sustainable Transport Strategy in line with the points set out in the Applicant's Written Statement of Oral Case ISH6 (document reference 18.15). The appendices that accompany the Sustainable Transport Strategy have not been updated at this deadline but are resubmitted for completeness to keep the package together to aid the ExA. Following a request from LCC, the Applicant has included a commitments tracker to outline all of the measures that are secured through the strategy.

Offices and associates throughout the Americas, Europe, Asia Pacific, Africa and the Middle East.

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HGV Route Management Plan and Strategy (document reference 17.4C)

Following discussions at ISH6 and through further discussions with the highways authorities, the Applicant has updated the HGV Route Management Plan and Strategy in line with the points set out in the Applicant's Written Statement of Oral Case ISH6 (document reference 18.15). Following a request from LCC, the Applicant has included a commitments tracker to outline all of the measures that are secured through the strategy.

The Applicant has today been provided with a copy of BDC's Deadline 5 submissions and notes the comments in that submission in relation to enforcement of the HGV Route Management Plan and Strategy (paragraphs 3.1 - 3.11, pages 53 – 55). The Applicant does not agree with BDC's position on enforcement and notes that it has not presented any proposed drafting alternatives to the requirement for the Applicant to consider. The Applicant would welcome BDC's proposed amendments and is always open to discussions to address their concerns. The Applicant has not made BDC's amendments to the HGV Route Management Plan and Strategy at this time on this point but will respond fully to BDC's submissions at Deadline 6.

Highways plan and GDSR (document reference 2.4H and 2.29B)

Following the updates to the traffic modelling detailed in the 2023 Transport Update (document reference 18.13.2, REP4-131) and further to conversations held with the relevant highway authorities, the required mitigation at the Cross in Hands roundabout on the A5 has reduced. As a result, Highway Plan sheet 8 (document reference 2.4H) and the GDSR document and appended layout and vehicle tracking drawings (document reference 2.29B) have been updated to show mitigation to the Coal Pit Lane and B4027 arms of this roundabout only.

ES Figure 11.14 Public Rights of Way and Informal Open Space Strategy (document reference 6.3.11.14B)

ES Figure 11.14 has been updated for Deadline 5 to clarify the position in relation to permissive paths and adopted paths.

Response to Actions List from ISH6

In order to assist the ExA in reviewing the documents at deadline 5, the Applicant has prepared a table (as an Annex to this letter) setting out how the Applicant has addressed the actions assigned to them and signposting where this information can be located in the submission.

Approach taken in response to deadline 4 submissions from interested parties

The Applicant wishes to highlight the approach that has been taken in responding to deadline 4 submissions from other interested parties. In order to ensure that the response documents are not unnecessarily lengthy, the Applicant has only responded to those comments, where it feels that a full response is required. Therefore where the Applicant has not directly responded to a comment, it can be taken that the Applicant notes the comment and has nothing further to address in the comment. In particular, the Applicant wishes to highlight that as a result of this streamlined approach, there are no responses to comments received from the Environment Agency, Network Rail and the Defence Infrastructure Organisation (DIO). The Applicant has seen the comments received from these parties and all points are noted.

Update on SoCG progress

The Applicant notes that the examination programme does not require submission of SoCGs at deadline 5 and therefore with the exception of the SoCG noted above, the Applicant has not submitted any further SoCGs at this deadline. However, considerable progress has been made on SoCGs and the Applicant is keen to highlight that agreement has been reached on all but one of the matters related to noise with BDC and HBBC and the Applicant remains confident that the outstanding matter can be resolved through further discussion with the parties.

Submission of information for deadline 5 of the HNRFI examination

The deadline 5 submission on behalf of the Applicant consists of the following documents (with document references provided where relevant):

1. Application information

1.3 E Document index (deadline 5 update)

2. Plans / drawings / sections

2.4H Hinckley NRFI Highway Plans [sheet 8 of 8]
 2.29A Hinckley NRFI Geometric Design Strategy Record
 2.31 Hinckley NRFI M69 Junction 2 Overbridge Structural Record Drawings
 2.32 Hinckley NRFI Outwood Level Crossing Footbridge – Illustrative Design

3. Other documents

6.2.7.2C Hinckley NRFI ES Appendix 7.2 Equalities Impact Assessment Statement
 6.2.8.1C Hinckley NRFI ES Appendix 8.1 Transport Assessment [Part 15 of 20] Sustainable Transport Strategy and Plan
 6.2.8.1C Hinckley NRFI ES Appendix 8.1 Transport Assessment [Part 15 of 20] Sustainable Transport Strategy and Plan (Appendices)
 6.2.8.2C Hinckley NRFI ES Appendix 8.2 Framework Site Wide Travel Plan [part 1 of 4]
 6.2.11.2C Hinckley NRFI ES Appendix Public Rights of Way Appraisal and Strategy
 6.2.21.1A Hinckley NRFI ES Appendix 21.1 Register of Environmental Actions and Commitments (REAC)
 6.3.11.14B Hinckley NRFI ES Figure 11.14 Public Rights of Way and Informal Open Space Strategy
 9.1B Hinckley NRFI DCO Obligation S106 Agreement
 9.1B Hinckley NRFI DCO Obligation S106 Agreement (Appendices)
 9.2 Hinckley NRFI Unilateral Undertaking
 17.4C Hinckley NRFI HGV Route Management Plan and Strategy
 17.4C Hinckley NRFI HGV Route Management Plan and Strategy (Appendices)
 18.6.8B Appendix H – Narborough Level Crossing Traffic Modelling (Appendices)
 18.7.8A Hinckley NRFI Note on Archaeological Mitigation Strategy for Non-Designated Assets
 18.13.2 Applicant's response to deadline 3 submissions [Appendix B – Transport 2023 Update] (Appendices)
 18.18 Hinckley NRFI M1 J21 Modelling Note
 18.18 Hinckley NRFI M1 J21 Modelling Note (Appendices)

4. Written Statement of Oral Case ISH6

18.15 Applicant's Written Statement of Oral Case ISH6
 18.15.1 Applicant's Written Statement of Oral Case ISH6 [Appendix A – J1 Sensitivity Padge Hall Farm]
 18.15.2 Applicant's Written Statement of Oral Case ISH6 [Appendix B – Note on modelling of overheight HGVs]
 18.15.3 Applicant's Written Statement of Oral Case ISH6 [Appendix C – Note on A47 link road footway/cycleway design]
 18.15.4 Applicant's Written Statement of Oral Case ISH6 [Appendix D – Natural England Letters of No Impediment – Badgers and Bats]
 18.15.5 Applicant's Written Statement of Oral Case ISH6 [Appendix E – Survey of Wheel Rail Noise on Tight Curves – Hydrock 12 June 2019]

5. Response to Further Written Questions

- 18.16 Applicant's Response to ExA's Further Written Questions
- 18.16.1 Applicant's Response to ExA's Further Written Questions [Appendix A – S106 table]
- 18.16.2 Applicant's Response to ExA's Further Written Questions [Appendix B – Protective Provisions position table]
- 18.16.3 Applicant's Response to ExA's Further Written Questions [Appendix C – Response to Q2.9.2]

6. Response to Deadline 4 information

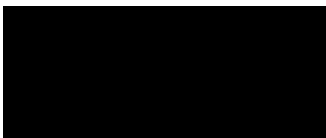
- 18.17 Applicant's Response to deadline 3 submissions [Part 1 – BDC]
- 18.17 Applicant's Response to deadline 3 submissions [Part 2 – HBBC]
- 18.17 Applicant's Response to deadline 3 submissions [Part 3 – LCC]
- 18.17 Applicant's Response to deadline 3 submissions [Part 4 – WCC]
- 18.17 Applicant's Response to deadline 3 submissions [Part 5 – LCiC]
- 18.17 Applicant's Response to deadline 3 submissions [Part 6 – Statutory Bodies]
- 18.17 Applicant's Response to deadline 3 submissions [Part 7 – Action Groups]
- 18.17 Applicant's Response to deadline 3 submissions [Part 8 – Parish Councils]
- 18.17 Applicant's Response to deadline 3 submissions [Part 9 – Land Owners]
- 18.17 Applicant's Response to deadline 3 submissions [Part 10 – Residents Businesses]
- 18.17 Applicant's Response to deadline 3 submissions [Part 11 – Response to Mr Moore and Dr Moore]

7. Statements of Common Ground

- 19.8 SoCG between the Applicant and Network Rail

We trust that this addresses the Applicant's responsibilities for deadline 5, if any further assistance is required please do not hesitate to contact myself using the contacts at the start of this letter.

Yours sincerely



Erin Banks
Associate Director

cc. Sinead Turnbull - Tritax Symmetry (Hinckley) Ltd.
Laura-Beth Hutton - Eversheds Sutherland

Annex ExA Action List ISH6 – Applicant's signposting table

ISH6 Wednesday 24 January 2024 – Traffic and Transport

AP No.	Action	Action By:	Response Due By:	How this has been addressed by the Applicant
Furnessing				
123.	Continuous review of local junction models and engagement with Applicant, with particular regard to furnessing.	The Applicant National Highways Relevant County Council's	On-going with update at D5 (9 February 2024)	The Applicant has responded to this matter in their Written Statement of Oral Case ISH6 (document reference 18.15) under the matters discussed for agenda point 3a.
Overheight HGVs				
124.	The Applicant to hold discussions with National Highways in relation to modelling concerning overheight HGVs. Data in this regard will be provided to relevant highway authorities as soon as practicable for written response.	The Applicant National Highways	On-going, written response provided at D5 (9 February 2024)	The Applicant has prepared a note on modelling of overheight HGVs, this forms part of the deadline 5 submission (document reference 18.15.2).
Road Works				
125.	Confirmation of the nature of road works at the A5 and M69 roundabout.	National Highways	D5 (9 February 2024)	N/A
M69 Junction 2				

AP No.	Action	Action By:	Response Due By:	How this has been addressed by the Applicant
126.	The Applicant to provide record drawings for features over the M69 to relevant highway authorities to provide assurances in relation to structural integrity.	The Applicant	D5 (9 February 2024)	The Applicant provided these directly to LCC shortly after ISH6. The Applicant has submitted the plans as part of its deadline 5 submission (document reference 2.31).
M1 Junction 21/ M69 junction 3				
127.	Leicestershire County Council to provide details of Lutterworth Urban Extension, including when it was granted and what its implementation triggers are.	Leicestershire County Council	D5 (9 February 2024)	N/A
Narborough Level Crossing				
128.	The Applicant to provide additional raw survey data, including queue length details, for Narborough Level Crossing. This is to be shared with relevant authorities for comment.	The Applicant Relevant Authorities	D5 (9 February 2024)	The Applicant shared this data with the highway authorities on 12 th January 2024 (shortly after deadline 4), due to an administrative error these were not included in the version submitted to the ExA. The full appendices have been submitted to the ExA at deadline 5 (document reference 18.6.8B).
HGV Routing, Monitoring and Enforcement				
129.	The Applicant to provide clarification as to where the ANPR cameras are and the mechanism to secure and monitor them.	The Applicant	D5 (9 February 2024)	The Applicant has provided detail and plans in regard to the proposed location of ANPR cameras as an appendix to the Sustainable Transport Strategy. An updated Sustainable Transport Strategy (including appendices) is submitted at deadline 5 (document reference

AP No.	Action	Action By:	Response Due By:	How this has been addressed by the Applicant
				6.2.8.1C).
130.	The Applicant to withdraw and re- issue its HGV Route Management Plan and Strategy – with corrections and clarifications in relation to fines from utilising prohibited routes and further updates as necessary.	The Applicant	D5 (9 February 2024)	The Applicant has submitted an updated Sustainable Transport Strategy (including appendices) that includes amendments to address this action point (document reference 6.2.8.1C).
131.	Warwickshire County Council to clarify how ANPR monitoring was secured for the Richborough Gateway Scheme in terms of HGV routing. The Applicant is to clarify how such monitoring would be secured for this Proposed Development.	The Applicant Warwickshire County Council	D5 (9 February 2024)	The Applicant has responded to this matter in their Written Statement of Oral Case ISH6 (document reference 18.15) under the matters discussed for agenda point 3j.
132.	Blaby District Council to provide written clarification in terms of its concerns in relation to its role in enforcing HGV routing breaches, should these still exist following further discussions with the Applicant on this point.	The Applicant Blaby District Council	D5 (9 February 2024)	The Applicant has responded to this matter in their Written Statement of Oral Case ISH6 (document reference 18.15) under the matters discussed for agenda point 3j.
Traffic Modelling				

AP No.	Action	Action By:	Response Due By:	How this has been addressed by the Applicant
133.	The Applicant is to elaborate on the nature of 'managers' in the traffic model and how they are included.	The Applicant	D5 (9 February 2024)	The Applicant has responded to this matter in their Written Statement of Oral Case ISH6 (document reference 18.15) under the matters discussed for agenda point 3l.
Sustainable Travel Connections				
134.	The Applicant is to illustrate design, delivery and maintenance responsibilities for the Outwoods bridge.	The Applicant	D5 (9 February 2024)	The Applicant has submitted an illustrative design for the Outwood Level Crossing Footbridge at deadline 5 (document reference 2.32).
135.	Further discussions between Leicestershire County Council and the Applicant in relation to the design of the footway/ cycleway adjacent to the A47 link road to take place, with clarification in this regard submitted into the examination.	The Applicant Leicestershire County Council	D5 (9 February 2024)	The Applicant has responded to this matter in their Written Statement of Oral Case ISH6 (document reference 18.15) under the matters discussed for agenda point 5b.
136.	The Applicant is to update its Sustainable Transport Strategy in terms providing a table of commitments to be secured.	The Applicant	D5 (9 February 2024)	The Applicant has submitted an updated Sustainable Transport Strategy (including appendices) that includes amendments to address this action point (document reference 6.2.8.1C).

AP No.	Action	Action By:	Response Due By:	How this has been addressed by the Applicant
137.	The Applicant is to provide a comprehensive response to Mr Moore's D4 submission [REP4- 204] addressing each of the 8 points in relation to traffic noise used in lieu of unattenuated rail noise.	The Applicant	D5 (9 February 2024)	The Applicant has responded to this matter in their Written Statement of Oral Case ISH6 (document reference 18.15) under the matters discussed for agenda point 6a.
138.	The Applicant to clarify and signpost where the effect of changes in the noise environment in Burbage Common on biodiversity has been assessed.	The Applicant	D5 (9 February 2024)	The Applicant has responded to this in their Written Statement of Oral Case ISH6 (document reference 18.15) under the matters discussed for agenda point 6a. Further the Applicant has submitted copies of Letters of No Impediment from Natural England in relation to Badgers and Bats at deadline 5 (document reference 18.15.3).
139.	The Applicant to provide a sensitivity assessment in relation to committed development and effect on the overall model.	The Applicant	D5 (9 February 2024)	The Applicant has responded to this in their Written Statement of Oral Case ISH6 (document reference 18.15) under the matters discussed for agenda point 6a.
140.	The Applicant to provide information on 'soft dock' technology and how it would be utilised on the site, information on how this has fed into the assessments and how it would be secured.	The Applicant	D5 (9 February 2024)	The Applicant has responded to this matter in their Written Statement of Oral Case ISH6 (document reference 18.15) under the matters discussed for agenda point 6d.

AP No.	Action	Action By:	Response Due By:	How this has been addressed by the Applicant
141.	The Applicant to set out the distance of NMP4 from the railway track in precise terms.	The Applicant	D5 (9 February 2024)	The Applicant has responded to this in their Written Statement of Oral Case ISH6 (document reference 18.15) under the matters discussed for agenda point 6a.
142.	The Applicant to set out a discussion on rating penalties in relation to methodologies and those used in other rail freight interchanges.	The Applicant	D5 (9 February 2024)	The Applicant has responded to this in their Written Statement of Oral Case ISH6 (document reference 18.15) under the matters discussed for agenda point 6g.