



The countryside charity  
Leicestershire

Charity Number: 1164985

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## HINCKLEY RAIL FREIGHT TERMINAL

Comments for Deadline 6

CPRE Leicestershire

Unique Reference: 20038675

(With Sapcote Parish Council (UR 20039514))

February 2024

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### 1. Introduction

1.1 This note includes a number of comments following submissions to Deadline 5 by CPRE Leicestershire and Sapcote Parish Council attended.

1.2 It has been prepared jointly to address a few selected issues where we consider additional comments to our existing statement may be helpful to the examining authority.

1.3 We have already made some comments in relation to the four issues below and do not seek to repeat those in detail but to address new material.

1.4 We would also ask the Inspectors to note that none of these documents address our original concerns.

### 2. HGV Routing

*TR050007-002151-17.4C Hinckley NRFI HGV Route Management Plan and Strategy*

*TR050007-002149-17.4C Hinckley NRFI HGV Route Management Plan and Strategy (Appendices)*

2.1 The Deadline 5 submission include a new Route Management Strategy (RMS) and an appendix which shows updated camera locations.

2.2 There are a number of further changes to the previous RMS (which we commented on at Deadline 4) which give us concern about whether in practice

HGVs will be prevented from using unsuitable roads and what opportunity local residents will have to prevent a rise in HGVs in villages such as Sapcote.

2.3 The first significant change is in Para 5.1 where Parish Councils will no longer be on the steering group that monitors the RMS but '*Reports can be forwarded to parish councils as appropriate*'. The term '*as appropriate*' is not defined so it is not clear that parish council will receive information which will allow them to fully assess the impact of development and diverted HGVs.

2.4 They will also be one step removed from any discussion of measures to deal with HGVs going through their villages unless they are included in the steering group.

2.5 Then, according to Para 5.19:

*The system will compare all number plates of vehicles from the seven off-site ANPR cameras with those at each HGV entrance to HNRFI.*

2.6 This has been raised from four but the additional cameras are some way off, close to Magna Park. Indeed, some may actually be existing cameras.

2.7 In terms of the Eastern Villages there would be a single camera location on the B581 and one on the B4669. However, the camera on the B4669 is between the M69 and Stanton Lane. The modelling suggests a significant number of HGVs would use Stanton Lane (as we have previously discussed) making it hard to definitively show from camera data the number of HGVs going through Sapcote.

2.8 According to Para 5.24:

*In addition to the local Planning and Highway Authorities, the parish councils of Sapcote, Stoney Stanton, Wolvey and Pailton will also be provided with the contact details of the nominated individual working on behalf of the Site Management Company- the Travel Plan Coordinator to enable specific concerns to be raised and investigated. The contact details for this nominated individual will be displayed on the HNRFI website, along with reporting mechanisms at the County Councils.*

2.9 Para 5.25 goes on to say:

*In addition to the monitoring of HGVs to and from the development, overall HGV traffic will be measured on the B581 through Stoney Stanton and the B4669 through Sapcote using the ANPR cameras. This will be undertaken on a quarterly basis and reported as part of the HGV Route Management Plan & Strategy.*

2.10 However, without clear evidence of how many HGVs are actually going through Sapcote and with no certainty what information Parish Councils will be given, this does not provide us with reassurance, especially since, as discussed below, averages are now proposed.

2.11 Para 5.51 considers where breach points occur and what will happen.

*The sum of the HNRFI peak hour trips is approximately 10.2% of the daily generation. This has been used to estimate daily flows in the villages based on PRTM peak hour flows. These have then been used to set out suggested trigger points for the HNRFI in terms of daily breaches. The maximum one-way HGV flows that could use routes through Sapcote, Stoney Stanton, Wolvey and Pailton on a typical weekday when the whole development has been built out have been considered and are shown in Table 4. Based on these figures, the HGV Routing Strategy will be considered to have failed if more than those breaches are recorded on an average day. The process will then be escalated to Stage 3 and the Strategy Panel will assess the HGV Routing Strategy and revise it.<sup>1</sup>*

2.12 The expected HGVs through the villages has not changed according to Table 4, but the level of breach appears to have been reduced dramatically to 10 HGVs in all the villages. However, such a comparison would be misleading because Para 5.51 has critically changed the criteria from a single breach to an average breach.

2.13 The new Para 5.54 explains that:

*The thresholds need to be breached on an averaged daily flow across the reporting period to be escalated to the next stage.*

2.14 From this, we can assume the average period would be, in accordance with Para 5.25, over the quarterly monitoring period although the text is not specific about that.

2.15 That would imply taking an average over 90 days which potentially waters down any issues. One would expect breaches to be much more likely during congested periods, for example weekdays. More serious breaches would also be particularly likely if there is congestion or a restriction on the strategic highway network. In other words, averaging breaches, means that there may be days when there are very serious breaches which are masked by the average.

2.16 A second problem then arises in how average breaches will be counted if they are only being considered over the reporting period. If the breach average is only counted once it would take 2.5 years to reach 10 breaches in Sapcote based on an 'average' breach every quarter.

2.17 Furthermore, if applying this as a restraint on an individual company there is the further consideration that they may use the B4669 on specific days but not others, so may send high numbers of HGVs down that route on one day a week or month, but not meet the average criteria because they do not do it every day.

2.18 In other words, the use of averages, the camera location and the uncertainty in the role of Parish Councils, as well as the already discussed limitations on local

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<sup>1</sup> We note that the use of peak HGVs flows to approximate for daily flows is inherently problematic as they will not represent an average hour across the day. Nor is it entirely clear why the flows are so much higher in one direction.

authority enforcement powers and time, give us continued cause for concern about whether it will be possible for local people to effectively raise concerns about development HGVs through the villages, let alone non-development HGVs diverted through villages, such as Sapcote, as a result of the changes to the road network.

2.19 And, even if the problem is acknowledged, it remains unclear what, if anything, will be done about it. Assessing the HGV Routing Strategy and revising it does not guarantee that an effective solution is available.

2.20 These most recent changes to the RMS have not, in our view, resolved the issues we raised in our Deadline 4 submission, but may have made it harder for any effective action to be taken to control HGV breaches.

2.21 This is, of course, a matter of serious concern to villagers on local road, particularly Sapcote residents who are predicted to see large increases in traffic, particularly HGVs, as a result of these proposals or by the construction of the slip roads necessitated by them.

2.22 In this regard it is also important to stress that the relevant requirement in NPPF is that access routes are 'safe and suitable'. This applies on all occasions while an activity is in operation. This was well-articulated in the conclusions of the Planning Inspector at the Roseacre Exploratory site<sup>2</sup> who refused permission on traffic grounds:

*Whilst the actual duration of the highest HGV flows would be relatively short, the volume and percentage increases in HGV traffic, in particular the OGV2 vehicles, that would arise at those times would be high. This, combined with the deficiencies of the route, would be likely to result in a real and unacceptable risk to the safety of people using the public highway, including vulnerable road users. The selected route is therefore unsuitable for its intended purpose. (Para 12.449)*

2.23 While clearly the matters at issue were very different in that case, the conclusion in principle was clear that high HGV flows on a route with safety deficiencies which at the same time represented a risk to the safety of the public (and particularly vulnerable users), would fail the NPPF test.

2.24 We contend that the deficiencies in Sapcote and the failures in mitigation mean the route breaches that NPPF test and reliance on average testing only accentuates those inadequacies.

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<sup>2</sup> See appendix, extract from decision on: APPEAL MADE BY CUADRILLA ELSWICK LIMITED EXPLORATION SITE ON AGRICULTURAL LAND THAT FORMS PART OF ROSEACRE HALL, TO THE WEST, NORTH AND EAST OF ROSEACRE WOOD AND LAND THAT FORMS PART OF THE DEFENCE HIGH FREQUENCY COMMUNICATIONS SERVICE (DHFCS) SITE BETWEEN ROSEACRE ROAD AND INSKIP ROAD, OFF ROSEACRE ROAD AND INSKIP ROAD, ROSEACRE AND WHARLES, PRESTON, LANCASHIRE (APPLICATION REF: LCC/2014/0101) APP/Q2371/W/15/3134385

### 3. Sustainable Transport

*TR050007-002143-6.2.8.1C Hinckley NRFI ES Appendix 8.1 Transport Assessment [Part 15 of 20] Sustainable Transport Strategy and Plan*

*TR050007-002146-6.2.8.2C Hinckley NRFI ES Appendix 8.2 Framework Site Wide Travel Plan [part 1 of 4]*

3.1 The updated Sustainable Transport Strategy includes a new opening section entitle commitments:

3.2 Para 1.9 states that:

*Many options are already available to cyclists travelling to Hinckley, Barwell and Earl Shilton, however the enhancements identified provide alternatives and additional options for cyclists. The STS satisfies National policy for sustainable travel without these additional enhancements however the applicant in seeking to work collaboratively with the LHA have explored further cycle enhancements and identified three schemes which can be progressed through this Sustainable Transport Strategy.*

3.3 This is echoed in the new Para 8.1 of the Travel Plan:

*8.1. As can be seen from Figure 5-4 many options are already available to cyclists travelling to/from Hinckley, Barwell and Earl Shilton. Three viable enhancements have been identified over and above the proposed infrastructure that could be delivered within public highway, but are subject to post DCO consent detailed design, being within highway boundary and technical approval. The enhancements identified provide alternatives and additional options for cyclists. The STS satisfies National policy for sustainable travel without these additional enhancements however the applicant in seeking to work collaboratively with the LHA.*

8.2. *These additional enhancements are:*

- Option 1 - Enhancement to Barwell, Toucan crossing on A47*
- Option 2 - Enhancement to Barwell, Gateway at The Common*
- Option 8 - Enhancement to Hinckley and Burbage,*

3.4 A number of options have been identified and the STRAVA data (as previously discussed) supports those but the new options are limited, especially in relation to the Eastern villages. What the text still does not acknowledge is the disincentive to cycle on routes where there are significant traffic increases.

3.5 Both paragraphs refer to these ‘*additional enhancements*’ but not increased actual cycling.

3.6 We consider the result of these proposals will be a significant disincentive to cycle on more-congested routes.

#### **4. Modelling**

*TR050007-002127-18.18 Hinckley NRFI M1 J21 Modelling Note*

4.1 This note takes flows derived from a traffic model that is designed to take account of the limited capacity of links and junctions. The modelled flows therefore reflect this by showing very minor changes where congestion is severe. It notes that background traffic will have been displaced to other routes.

4.2 It refers to recent traffic counts of observed traffic. Observed traffic counts will also reflect the congested nature of the junction and obviously do not take account of any currently displaced traffic or the traffic that will be added to the road network in future years as a consequence of existing commitments and other factors.

4.3 There are no known proposals to change the M1, the M69 or Junction 21. Previous proposals are not being progressed.

As a result, this latest modelling still does not give us comfort about the operation of this junction or surrounding roads.

#### **5. Rail Report**

*TR050007-002158-NRIL - Summary Rail Report v4.2*

5.1 We note that this report (prepared and approved in October 2023) still only looks at the section of railway between Wigston and Nuneaton which means it cannot address constraints beyond that.

5.2 Para 7.9.4 refers to a Midland Connect report which says there is consideration of a 53km section of the A5 between M1 and M6. It says it understands that this has completed the Strategic Outline Business Case (SOBC) stage.

5.3 Para 7.9.5 states that the form of this scheme is unclear but it assumes this is likely to be a dual carriageway. However, CPRE is not aware of any proposals to reconstruct the A5 Watling Street railway bridge near Padge Farm with the capability to take a dual carriageway.

5.4 Anyway, the existing M69 Junction 2 and many other roads would become very congested if the A5 was dualled.

5.5 In Para 9.2.5 the report:

*Recognises the aspirations to improve capacity in the Leicester corridor over time. This includes 4 tracking through the corridor, grade separation at Wigston, doubling of Syston south chord. This work is not currently a committed scheme and is undated.*

5.6 In other words, the report fails to consider whether crossing the busy MML at Leicester and the ECML at Peterborough are likely to be a problem. We suggest this may need to be reconsidered in the light of recent decisions regarding HS2.