

Tritax Symmetry (Hinckley) Limited

HINCKLEY NATIONAL RAIL FREIGHT INTERCHANGE

The Hinckley National Rail Freight Interchange Development Consent Order

Project reference TR050007

Statement of Commonality on Statement of Common Ground

Document reference: 19.12C

Revision: 04

27 February 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 7 (27 February 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 7.

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.

2.4 It should be noted that while deadline 7 constitutes the final submission of SoCGs to the ExA, information relating to highways are still being reviewed by National Highways, Leicestershire County Council and Warwickshire County Council. Therefore, some matters in these SoCGs which are currently not agreed may become agreed after the deadline.

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:

- 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
19.1C	Blaby District Council	Planning	V8	21/02/24	Whether the proposal satisfies the guidance for good design in the NPSNN with reference to impact on landscape; proposed changes to Requirement 10; detailed consideration of Development Plan documents; whether the phasing of development for HNRFI is contrary to paragraphs 4.84 of the draft NPSNN.
		Lighting	V6	21/02/24	None.
		Climate	V6	21/02/24	None.
		Air quality	V9	21/02/24	None.
		Acoustics	V11	23/02/24	Operational maximum noise levels from 'soft dock' technology; deliverability of acoustic barriers without significant removal of existing vegetation.
		Ecology	V12	27/02/24	That the full survey results with reference to water vole, otter and badger should be provided separately; barbastelle search radii; absence of inclusion of matrix of effects; provision of an outline decommissioning plan; cumulative effects assessment; feasibility of delivering 10% BNG; further consideration of measures such as passes under/over the road in the LEMP.
		Landscape	V10	23/02/24	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

Document reference no.	Party	Topic	Status	Date of submission/receipt	Outstanding issues
					(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)	V8	23/02/24	None.
		Contaminated land	V4	23/02/24	None.
		Socio-economics	V11	23/02/24	None.
		Health and equalities	V10	23/02/24	A health impact assessment should have been completed for an application of this size and complexity; approach to addressing impacts on mental health.
19.2C	Hinckley and Bosworth Borough Council	Planning	V9	24/10/23	Whether the proposal satisfies the guidance for good design in the NPSNN with reference to impact on landscape; proposed changes to Requirement 10; 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 NPSNN.
		Lighting	V3	22/01/24	None.
		Climate	V5	26/07/23	None.

Document reference no.	Party	Topic	Status	Date of submission/receipt	Outstanding issues
		Air quality	V4	08/08/23	None.
		Acoustics	V8	20/12/23	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	V12	27/02/24	That the full survey results with reference to water vole, otter and badger should be provided separately; barbastelle search radii; absence of inclusion of matrix of effects; provision of an outline decommissioning plan; cumulative effects assessment; feasibility of delivering 10% BNG; further consideration of measures such as passes under/over the road in the LEMP.
		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	28/06/23	None.
		Geology, soils and groundwater	V1	18/05/23	None.

Document reference no.	Party	Topic	Status	Date of submission/receipt	Outstanding issues
		Socio-economics	V11	23/02/24	None.
		Health and equalities	V10	23/02/24	A health impact assessment should have been completed for an application of this size and complexity; approach to addressing impacts on mental health.
19.3C	Leicestershire County Council	Planning	V7	09/02/24	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; 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.

Document reference no.	Party	Topic	Status	Date of submission/receipt	Outstanding issues
		Highways (including PRow)	V5	27/02/24	<p><u>Highways</u> Compliance with NPSNN; PRTM inputs (trip generation; uncertainty Log V8 omission of Padge Hall Farm); PRTM outputs (no sensitivity testing of a fully dualled link road; no modelling of an unconstrained scenario at M1 J21/M69 J3; no sensitivity test for Padge Hall Farm; off-site mitigation strategy); assessment of impact of Narborough Level Crossing downtime including VISSIM modelling; furnessing methodology; VISSIM modelling (A5 Longshoot/Dodwells; M1 J21/M69 J3; Gibbet roundabout; M69 J1; M69 J2); ongoing maintenance responsibilities in respect of A47 link road bridge; off-site local junction modelling; provision of adequate infrastructure to the site for all users; Stage 1 Road Safety Audits and Designer's Responses (for access arrangements and off site junction improvements; for responses for active travel proposals); Site Wide Framework Travel Plan; HGV routing strategy including ANPR; Sustainable Transport Strategy and Plan.</p> <p><u>PRow</u> 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; risk assessment of Thorney Fields Farm bridge; Stage 1 Road Safety Audit of B581 Elmesthorpe railway bridge footway provision; details of private access to Bridge Farm.</p>
		Waste	V5	05/02/24	None.

Document reference no.	Party	Topic	Status	Date of submission/receipt	Outstanding issues
		Climate	V5	09/02/24	That the development encourages a modal shift of freight from road to rail; that the development has been designed to avoid increased vulnerability to the range of impacts arising from climate change / helps to reduce greenhouse gas emissions; that the development has been designed to help increase the use and supply of renewable and low carbon energy and heat; that the assessment methodology has been accepted; that the development proposes a suite of transport and access improvements which will help reduce GHG emissions associated with the transport of operational employees.
		Drainage	V5	09/02/24	None.
		Socio-economics	V8	09/02/24	None.
		Health and equalities	V8	09/02/24	Potential impacts on mental health from noise, vibration and landscape/visual effects; how good quality open space will be achieved, accessed by the public and maintained.
19.4A	Rugby Borough Council	Various	V2	13/10/23	None.
19.5C	Harborough District Council	Various	V2	24/10/23	None.
19.6B	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

Document reference no.	Party	Topic	Status	Date of submission/receipt	Outstanding issues
					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.
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 7.
- 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.

