

HINCKLEY NATIONAL RAIL FREIGHT INTERCHANGE – LAND WEST OF STONEY STANTON

FINAL COMMENTS ON APPLICANT'S SUBMISSIONS

1. Introduction

1.1. We refer to our following previous submissions:

- (a) our written representations at REP1-217;
- (b) our written statement of Oral Case at CAH2 at REP3-144;
- (c) our response to Deadline 3 submissions at REP4-200;
- (d) our updated technical note from RPS in response to Deadline 4 submissions at REP5-095.

1.2. Despite significant additional information being provided by the applicant in this matter during the course of the examination, our clients' principal concerns remain. Namely:

1.2.1. The level of technical detail in the Environmental Statement and supporting documentation does not allow the Secretary of State to properly assess the likely significant effects of the HNRFI and whether proposed mitigation measures are sufficient with respect to highways, noise, air quality and landscape.

1.2.2. There is inadequate justification for the temporary acquisition of land within Plot 122 identified in the Land Plans.

2. Evidence in support

2.1. We have reviewed the latest information submitted at Deadlines 5, 6 and 7 and our concerns about the adequacy of the highways modelling data and proposed mitigation remain.

2.2. We append a further technical note from RPS, which provides detailed commentary on the latest documentation.

2.3. In summary:

2.3.1. The Transport Assessment does not fully address the basis of assessment or fully consider the necessary mitigation.

2.3.2. Measures proposed for Sapcote and Stoney Stanton do not address the impact of the HNRFI in these settlements and are therefore not acceptable in terms of road safety.

2.3.3. The modelling undertaken in the context of the M1/M69 junction is not appropriate.

2.3.4. The applicant fails to consider and mitigate both the effects of the rerouting of traffic which results from the new infrastructure proposals and also the effects of the development traffic itself. Therefore, it is not possible to assess whether the overall mitigation strategy is adequate.

2.4. In the absence of adequate transport information and mitigation, we consider that the Secretary of State is unable to properly assess the impacts of the HNRFI on noise, air quality and landscape.

3. Justification for temporary acquisition of Plot 122

- 3.1. In the documentation submitted at Deadlines 5, 6 and 7, the applicant has not provided any further justification for the temporary acquisition of land within Plot 122.
- 3.2. In particular, legitimate questions remain over whether the shape and location of Plot 122 for use as a temporary construction compound is reasonable and whether alternative land within the main application site or vicinity is more suitable.
- 3.3. Therefore, our objection set out in our written statement of Oral Case at CAH2 at REP3-144 still stands.

Appendix

Technical note from RPS dated 05.03.24

TECHNICAL NOTE

Project Title: Hinckley NRF Interchange

Report Reference: 794-PLN-TRP-JNY10702-12

Date: 5th March 2024

Review of DCO Transport Assessment following the Deadline 5, 6 and 7 submissions.

Introduction

- 1.1 This Technical Note on highways and transportation matters, has been prepared by RPS on behalf of the Consortium of Landowners / Developers representing the proposed development of land to the West of Stoney Stanton, (east of the M69).
- 1.2 The land to the west of Stoney Stanton forms part of the option testing for the Blaby Local Plan Regulation 18 Assessment and is included within the options which include strategic residential allocations for the period up to 2038. Hence this land could form part of the growth within Blaby for the period up to 2038.
- 1.3 This final review of the Hinckley National Rail Freight Interchange (HNRFI) follows the latest submission of additional documents relating to Deadline 5, 6 and 7, and in advance of the final submissions for the DCO of the 8th March 2024.
- 1.4 In preparing this final review, the Technical Note has not reiterated the issues previously raised as part of the consultation for the scheme, which were submitted as part of the representations provided by Shoosmiths on the 8th April 2022, 23rd June 2023 and 8th February 2024 on behalf of the Consortium. Those matters are still considered to be valid, and those technical notes should be read in conjunction with this final review.
- 1.5 Accordingly set out below is a summary of the matters considered to be still outstanding which impact on the areas to the east of the M69 motorway and which would affect the delivery of strategic development as part of the Blaby Local Plan.

General Matters

- 1.6 RPS maintain their view that as a general matter, the evidence base provided does not readily inform the individual of the effect of the development proposals. It is also noted that in terms of the evidence, the main transport assessment document submitted still identifies that the Transport Assessment is not the final version.
- 1.7 It is understood from the evidence given that National Highways and Leicestershire County Council, both required further PRTM modelling including the modelling of the complete mitigation

measures which has not been provided to date. The above statement in the current TA seems to suggest that this work will be undertaken and hence a further iteration of the TA will be provided.

1.8 Hence without this final completed assessment it can only be concluded that both National Highways and Leicestershire County Council will not agree the overall impact of the development.

1.9 RPS consider that the overall assessment of the development demonstrates the effect of the HNRFI development traffic results in a severe impact on the Local Highway Network specifically to the areas to the east of the M69 motorway and that suitable mitigation has not been provided to address these impacts.

1.10 Overall RPS remain of the view that:

- There is insufficient evidence within the application to be able to determine the impact of the overall development on the study network in the opening and design years.
- There is insufficient evidence to understand the growth factors that have been applied to the network in order to determine how growth within Blaby District has been taken into account and the extent to which traffic associated with the growth within Blaby and specifically at Stoney Stanton development forms part of the general background flows.
- The impact of the development to the east of the motorway is not clearly defined to be able to ensure suitable mitigation is provided. Specifically, the level of traffic predicted to travel through Sapcote and Stoney Stanton varies considerably between the evidence provided in the transport assessment and that included in the transport section of the ES.
- There is also insufficient evidence to consider the impact of the development outside of the network peak hours and at the operational peak of the development.

Specific Matters.

1.11 When considering the specific matters in relation to the areas to the east of the M69 motorway which would affect the delivery of strategic development as part of the Blaby Local Plan, RPS consider that the following issues remain:-

- The impact of the HNRFI development traffic and the provision of suitable mitigation on the B4669 passing through Sapcote.
- The impact of the HNRFI development traffic and the provision of suitable mitigation on the B582 passing through Stoney Stanton.
- The provision of an appropriate assessment of the HNRFI development traffic and the provision of suitable mitigation on Junction 21 of the M1 and M69.

1.12 In the context of the impact of the HNRFI development on Sapcote, it is clear that the measure proposed for Sapcote are not acceptable in terms of Road Safety. This has been confirmed by LCC in their evidence and LCC do not accept the designer's response to the issues raised within the RSA. In practice the measures proposed by HNRFI offer limited benefit to Sapcote when set against the increase in traffic passing through this settlement as a consequence of the DCO application including the works to the M69 junction 2.

- 1.13 Turning to Stoney Stanton, here the measures proposed for Stoney Stanton offer no benefit to address the overall impact of the HNRFI scheme and the effect of traffic re routing as a consequence of the improved junction works to M9 junction 2.
- 1.14 In relation to the junction of New Road and Long Lane, the Transport Assessment submitted as part of the DCO application, simply highlights that due to the land constraints the existing junction is the best performing junction that could be provided. The report state:-
- ‘whilst the existing junction would operate over capacity in all of the 2036 scenarios, the existing form of the junction is the best performing junction that could be provided in this location.’***
- 1.15 Hence whilst the development materially impacts on this junction and shows an 11% impact in the PM peak in 2036, no mitigation is proposed at this junction. This cannot be an acceptable conclusion to the overall impact of the DCO application.
- 1.16 The other junction within Stoney Stanton which is assessed is the New Road / Hinckley Road junction. The proposal for this junction is to remove the existing mini roundabout and replace this with a traffic signalised junction. The assessment of the signalised junction offers little in the way of benefit and the RSA has highlighted issues associated with the operation of the junction.
- 1.17 In response to this LCC have identified in their latest submissions to Deadline 6, that the RSA Designers Responses are not acceptable and hence this junction proposal remains an outstanding matter.
- 1.18 Finally in the context of the M69 / M1 junction, the assessments that have been undertaken for the DCO application do not appropriately assess the nature of this junction. The junction assessments that have been undertaken by the Applicant in the case of the M69 junctions 1 and 2, are assessments using a microsimulation model. This should be the case for the M1 / M69 junction and this has been requested by both NH and LCC.
- 1.19 RPS understands at Deadline 6 this remains an outstanding matter that is not agreed. LCC’s statement on this matter concludes:-
- “The failure to model properly and engage with the impacts and required mitigation at this junction is an intractable problem at the heart of this application. The Applicant chose a strategy to displace traffic onto the local road network and not to address its impacts at this junction, which is already over capacity. It is this early stage strategic choice and a refusal to revisit it which sits at the heart of the many problems with the traffic assessment and impact of this Scheme”.***
- 1.20 RPS have previously set out the level of impact the DCO application has on this junction in previous Technical Notes. RPS remain of the view that a full assessment and mitigation strategy for this junction within a microsimulation model is required as the overall impact of the development on this junction is considered to be severe.

Summary

- 1.21 In summary therefore, the updated information provided as part of Deadline 5, 6 and 7 reinforces the issues RPS have maintained with the HNRFI DCO scheme and the lack of appropriate mitigation.

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- 1.22 The Transport Assessment submitted in support of the application and the various iterations of this document do not fully address the basis of assessment or fully consider the necessary mitigation. Furthermore, these submissions remain incomplete and do not allow the reader to fully review the DCO application.
- 1.23 In relation to the Road Safety Audits undertaken, it is clear that the measures proposed for Sapcote and Stoney Stanton are not acceptable in terms of road safety. The measures proposed offer limited benefit to Sapcote and Stoney Stanton when set against the increase in traffic passing through these settlements as a consequence of the DCO application.
- 1.24 Overall, it is considered that that the measures proposed both within Sapcote and Stoney Stanton do not address the impact of the development within these settlements and that the residual overall cumulative impact will be severe in the context of paragraph 115 of the NPPF (December 2023).
- 1.25 In the context of the M1/ M69 junction, RPS remain of the view that HNRFI have not undertaken any appropriate detailed modelling of this junction, which would need to be undertaken in a microsimulation model. It is understood that this remains the position of LCC and NH as identified in their summary comments at the hearing on the 24 January 2024 and in their Deadline 5, 6 and 7 submissions.
- 1.26 RPS consider that the effects of the overall development must consider and mitigate both the effects of the rerouting of traffic which results from the new infrastructure proposals and also the effects of the development traffic itself. Hence any mitigation strategy must address the full effects of traffic changes resulting from the development proposals on the road network.
- 1.27 In conclusion RPS remain of the view that the information provided as part of the DCO relating to highways and transportation does not demonstrate suitable assessment and mitigation of the scheme proposals.