

Tritax Symmetry (Hinckley) Limited

## **HINCKLEY NATIONAL RAIL FREIGHT INTERCHANGE**

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### **The Hinckley National Rail Freight Interchange Development Consent Order**

Project reference TR050007

### **Applicant's response to Deadline 7 Submissions [part 7 - Parish Councils]**

Document reference: 18.21

Revision: 01

**8 March 2024**

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Planning Act 2008

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

Note: Sapcote Parish Council formed a joint submission with CPRE which has been responded to in Applicant's Response to Deadline 7 Submissions [part 6 – Non-Statutory Bodies] (document reference: 18.21)

Comments on any additional submissions received by Deadline 6 ELMESTHORPE PARISH COUNCIL 27th February 2024

Number	Elmesthorpe Parish Council Response	Applicant's Response
1.	<p><b>Introduction</b></p> <p>1.1. Elmesthorpe Parish Council has attended all hearings, either in-person or online, and made representations at every opportunity as appropriate.</p> <p>1.2. Please find below our comments in response to items published at Deadline 6.</p>	
2.	<p><b>6.2.8.1D Hinckley NRFI ES Appendix 8.1 Transport Assessment (Part 15 of 20) Sustainable Transport Strategy and Plan Rev 8</b></p>	
2.1	<p>When referring to 'Table 1: STS Commitments': at rows 11, 12 and 13 enhancements have been committed to in consideration of the STS. The aforementioned committed enhancements have been indicatively costed and these alone come in at around £865,000 (£288k + £577k).</p>	<p>Noted.</p>
2.2	<p>With the introduction of these additional commitments alongside the myriad of other additional financial commitments made throughout the Examination period, is the Applicant required to update their Funding Statement accordingly to demonstrate that they can accommodate the numerous increases in project funding required?</p>	<p>The Funding Statement (document reference 4.2A) was updated at Deadline 7 and contains the Applicant's estimate of funding the development. The estimate cost of the development includes the additional commitments made throughout the examination with viability continuously reviewed throughout the process.</p> <p>The Funding Statement demonstrates that the Applicant has access to ample funds through the Tritax Big Box REIT Plc which has a portfolio value of over £5bn.</p>
2.3	<p>Conversely, if these STS commitments are proposed to be funded by Local Authorities/other, can agreements on this be reached in a timely fashion before the end of Examination?</p>	<p>The funding for all commitments within the STS (document reference: 6.2.8.1E, REP7-028) is to be provided by the Applicant.</p>
2.4.	<p>More specifically, referring to appendix 4 Cycle Routes Options Tables <b>(6.2.8.1D Hinckley NRFI ES Appendix 8.1 Transport Assessment (Part 15 of 20) Sustainable Transport Strategy and Plan (Appendices) Rev 7):</b></p>	<p>See below.</p>
2.5.	<p>Enhancement Number 1: 'Toucan crossing over A47 [to enable] Safer access between Barwell and B4668.' Has modelling been done to demonstrate the effect that introducing a set of traffic signals on this approach/exit from this roundabout been undertaken? This is the main roundabout that traffic joining the A47 from the B4668/joining the B4668 from the A47 as a result of the new A47 Link Road will be utilising. The effect of introducing traffic signals could be significant when factoring in the large increase in additional traffic</p>	<p>Modelling has been undertaken for the crossing on the A47. It is reported within Deadline 4 submission Transport Update 2023 (document reference: 18.13.2, REP4-131).</p>
2.6.	<p>Enhancement Number 2: ...'Introduction of gateway feature to provide protection to cyclists rejoining carriageway.' There would absolutely need to be modelling done to investigate the effects of introducing a gateway feature here. Especially when considering the additional introduction of traffic signals as part of Enhancement 1. As previously discussed, traffic on and around this roundabout stands to increase with the introduction of the A47 Link Road, as a crucial part of the HNRFI route. Elements that could create potential delays and traffic queues on this roundabout need thorough assessment and modelling. There should also be attention drawn to the fact that there are notable amounts of parked cars on the carriageway of The Common and introducing a gateway feature could prove problematic for traffic travelling in both northerly and southerly directions.</p>	<p>As set out at point 2.5 modelling of the Common/A47 has been carried out. The enhancement is intended to benefit cyclists to encourage greater mode shift at the HNRFI site and beyond. Full safety audits and agreements with LCC will be carried out prior to its implementation.</p>
2.7.	<p>Enhancement Number 3: 'Provision of formalised crossing between Wilkinson Lane and Bridlepath Road Provision of shared footway/cycleway between Bridlepath Road and A47.' This enhancement</p>	<p>The enhancement was dismissed as it did not provide a significant improvement for cyclists beyond what is already available on the A47. Third party ownerships also limit options available.</p>

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	consideration has been dismissed for various reasons. We appreciate that within the timescales available that this enhancement is unlikely to be reconsidered. Whilst we don't deem this enhancement necessary and agree with the dismissal, in the event that this enhancement is revisited, we would recommend the Applicant engages with Elmesthorpe Parish Council. There are alternative solutions within the same footprint which offer the same benefits and connectivity with less cost, disruption, inconvenience and green land usage. We would also like to remind the Applicant that Bridlepath Road is a privately owned road.	
2.8.	To our knowledge, these enhancements were indicated in November 2023 with them only being more substantially detailed in January 2024. Whilst additions to the Sustainable Travel Strategy are welcomed to start to formulate a meaningful STS, they appear to have come far too late to be properly investigated, assessed and reformulated to reach a meaningful indicative strategy before the close of Examination	The STS was submitted with the full application in March 23. Detailed feedback on the document was not received until the start of the Examination period. The Applicant endeavoured to respond to commentary from all parties and update the STS in line with requirements. It is the Applicant's view that the STS represents an evidence based and proportionate response to the needs for sustainable transport provision at HNRFI.
<b>3. 17.4D Hinckley NRFI HGV Route Management Plan and Strategy Rev 13</b>		
3.1	Table 1: HNRFI HGV Route Management Plan & Strategy Commitments' Elmesthorpe village should be added onto the list of named prohibited B581 routes. Whilst we appreciate that the Applicant feels as though this may be inferred, we feel it is appropriate that Elmesthorpe should be categorically included in this table and specified as a prohibited route, and not just noted as the B581 through Stoney Stanton. This applies to both the 'To/from M1 J20 via:' and 'To/from Leicester via:' categories. The B581 through Stoney Stanton/Elmesthorpe is confirmed as a prohibited route at paragraph 5.16 and therefore perhaps this is just a typographical omission in Table 1.	As per Paragraph 6.17- Elmesthorpe is included within the prohibited routes within the latest version of the HGV Route Management Strategy and Plan (document reference: 17.4E, REP7-055) submitted at Deadline 7.
3.2.	Para 5.26. As per our Deadline 5 representation, we maintain that Elmesthorpe Parish Council must be included in the list Parish Councils who are provided with details for the Travel Plan Coordinator. Whilst we have noted that the contact details of this individual will be available on the HNRFI website, we feel it is essential, that the Applicant facilitates a direct relationship with the nominated individual working on behalf of the Site Management Company. Should the proposal be approved, the proposed HNRFI would create an enormous amount of disruption for the village of Elmesthorpe, and a working relationship is of the utmost importance for all parties involved.	As correctly identified, all parish councils will have the contact details of the Travel Plan Coordinator through the HNRFI website.
3.3.	Para 5.53 'In addition, financial penalties will be incurred for those considered to be persistently or repeatedly breaching the strategy.' What number defines 'persistent' and 'repeated' breaches? It is still ambiguous what the quantitative parameters are for when an occupier will trigger a financial penalty. It is understood that an occupier would fall within the 'private penalty system' for quantities of 6-9 breaches per day (subject to GFA) however how many times can they repeat this behaviour before the penalty is actually actioned? Without this information, it is still unclear how effective this strategy will be	The HGV Route Management Plan and Strategy (document reference: 17.4E, REP7-055) has identified the levels of breaches within table 4 with an example of the division between occupiers based on net plot area. This is based on an averaged daily flow across the three month reporting period. However, instances of higher breaches will be investigated by the Travel Plan Coordinator as they arise.
3.4.	The revision of the numbers in Table 4 is welcome. Elmesthorpe Parish Council would once again like to assert that Elmesthorpe is noted and included this table. It may be appropriate that it is within the same category as Stoney Stanton as presumably the trigger for a Stoney Stanton breach would be captured by ANPR camera location 1 (with ANPR camera location 2 capturing Sapcote breaches). It is important to note that if a Stoney Stanton breach is recorded at ANPR camera 1 then by default it must then have travelled/travel onwards through Elmesthorpe and therefore this is also a breach of a prohibited route through the village of Elmesthorpe.	Noted- Camera 1 will record breaches through Stoney Stanton and Elmesthorpe with the trigger as reported for Stoney Stanton.

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3.5.	The applicant may consider that Elmesthorpe may require its own breach category, which would also be accepted.	See response 3.4 above.
3.6.	Elmesthorpe is the closest settlement to the proposed HNRFI and we deem it appropriate that we are given necessary consideration. It appears to dismiss the impact of HGV breaches on Elmesthorpe residents, on top of the multitude of other major impacts that Elmesthorpe residents will have borne.	The Applicant acknowledges the proximity of the village to the site. However, the new link road to the A47 is forecast to alleviate pressure on the B581. The ANPR monitoring will also discourage HNRFI HGVs from using the route as it is a proscribed route within the HGV Route Management Plan and Strategy (document reference: 17.4E, REP7-055).
3.7.	Paragraph 5.61 and 5.62: the impact of HGVs breaching the HGV Management Plan and travelling through small villages will be felt immediately by residents. The effect will be substantial and quickly realised due to the nature of the constrained village road networks: this will not just be evidenced in altered traffic flows but by road traffic accidents and injuries. Residents of the surrounding communities are not numbers and statistics but human beings whom do not deserve to be subject to potentially life-changing events as a result of the HGV Management Plan being solely a paperwork exercise that is submitted quarterly, with reviews happening once yearly. The HGV Management plan is absolutely essential to maintain safety within the villages and should be actively managed with vigour and interest that displays a genuine appreciation of the impact the HNRFI will have on the surrounding communities. We urge the Applicant to consider implementation of shorter reporting periods, and more frequent reviews/meetings.	<p>Noted- the commitments with the HGV Route Management Plan and Strategy are secured through requirement 18 within the DCO (document reference: 3.1B, REP7-011). The Applicant has to implement the plan to ensure it complies with such requirements.</p> <p>Data will be collected on a quarterly basis and reported to the HGV Strategy Steering Group quarterly for the first year of occupation and annually thereafter for the duration of the HGV Strategy Steering Group.</p> <p>The HGV Strategy Steering Group will meet annually to review the HNRFI HGV Review report findings and agree on any remedial measures needed.</p> <p>The initial quarterly reporting period is reflective of similar strategies used within the Midlands. The HGV Route Management Plan and Strategy also contains provisions for a process for applying dissuasion penalties for HNRFI operators who breach the strategy. Blaby District Council have enforcement abilities in their capacity as Local Authority for failure to comply with the strategy.</p>
<b>4. Visual Impact</b>		
4.1	Elmesthorpe Parish Council have, once again, reviewed the information in <b>Residential Assessment document reference 6.2.11.6</b> . We, once again, note the 'Very High, Major, Long-term, Permanent, Adverse, Significant,' effects on nearly all residential properties in Elmesthorpe.	Noted.
4.2	We question the choice of angles for viewpoints 18 and 48 and believe better angles could have been chosen by the applicant to provide genuine depictions of the current view and therefore meaningful comparisons. Nevertheless, we would be very interested to see photomontages of night-time views for viewpoints 18, 48, 49 and 50, but these don't appear to have been provided despite the proximity of the these viewpoints to both residential properties and the main HNRFI site.	The location of day-time and night-time views has been agreed with the local authorities and been the subject of statutory and non-statutory consultation. Location 18 and 48 demonstrate the lack of a clear view to the site from this direction. If a more open publicly accessible view had been available, it would have been used. Night-time views from Elmesthorpe are represented by Viewpoint 19 and this has been considered an appropriate approach by consultees.
<b>5. General</b>		
5.1	Elmesthorpe Parish Council have noted that in document 18.19 Applicant's response to Deadline 5 Submissions [part 8 – Parish Councils] at 4.5, 'This includes receptors off Billington Road East, which are located closer than receptors within the village of Elmesthorpe.' Responses of a similar note have been received throughout the examination.	The Applicant understands that the residents of these roads are part of the village of Elmesthorpe, the distinction between them by the Applicant's was merely to indicate that those assessed receptors remain the closest to the HNRFI, in comparison to the residents identified as receptors located in the main part of the village further from the HNRFI.
5.2	For the avoidance of any doubt, Billington Road East, Billington Road West and Bridlepath Road are in the village of Elmesthorpe. It is incorrect of the Applicant to state that these receptors (e.g. Billington Road East) are closer than receptors within the village of Elmesthorpe; they are part of the village of Elmesthorpe.	The Applicant understands that the residents of these roads are part of the village of Elmesthorpe, the distinction between them in the Applicant's response was to indicate that those assessed receptors remain the closest to the HNRFI, in comparison to the residents in the main part of the village.

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5.3.	<p>Elmesthorpe Parish Council have noted that in document <b>18.19 Applicant's response to Deadline 5 Submissions [part 8 – Parish Councils]</b> at 7.1 the Applicant has advised that 'the design of HNRFI has endeavoured to minimize the environmental impacts.' Respectfully, this does not address the point raised. Our concern is regarding the effects of the proposal on residents' physical health, mental health and general well being. There is nothing that can be done to mitigate the harmful effects on this entire village of people, due to the overbearing proximity of the proposed site, and constraints of the surrounding infrastructure.</p>	<p>All tangible changes in environmental and socio-economic circumstance directly attributable to the construction and operation of the proposed development have been assessed and addressed through the regulatory planning process to prevent and manage any significant impact, and prevent risk to physical and mental health. Wellbeing has been further considered through consultation and engagement and addressed through design to consider the more intangible and subjective elements important to local communities and individuals. Subject to consent, engagement will continue during construction to further inform and refine mitigation and community support initiatives accordingly.</p>
	<p><b>Summary</b></p> <p><b>At this stage in the Examination, the Parish Council cannot stress enough how much Elmesthorpe will be impacted and damaged by the proposed HNRFI. Elmesthorpe will be permanently overshadowed by the enormous presence of the RFI and there will be absolutely no respite from it. The numerous hearings, deadlines and continually evolving reports have not assuaged our sizeable concerns. Elmesthorpe Parish Council continue to strongly oppose this application.</b></p>	<p>All development brings about some degree of change, particularly on the site itself. Necessarily, by reasoning of the form and scale of national infrastructure, particular for a SRFI, the visual effect and presence extends beyond the site itself. This consequential effect is fully recognised by the Secretary of State in the NPS-NN at paragraph 4.30. Landscaping, including extensive tree planting, cannot and should not visually obscure the form of built development, or the rail port infrastructure by reason of scale and height. The purpose of landscaping is to minimise the effects of the development.</p> <p>The Applicant considers the design of HNRFI will not have an overbearing visual effect, or as suggested by Elmsthorpe Parish Council, the village will be '<i>permanently overshadowed</i>' by HNRFI. It is submitted that the benefits of HNRFI:</p> <ul style="list-style-type: none"> <li>- Comprising critical national infrastructure</li> <li>- For which there is a compelling need</li> <li>- Demonstrably required to be meeting a need for rail related warehouse space in Leicestershire</li> </ul> <p>Together with the other identified benefits, outweighs the residual visual effect (NPS-NN 5.158).</p>