

Tritax Symmetry (Hinckley) Limited

HINCKLEY NATIONAL RAIL FREIGHT INTERCHANGE

The Hinckley National Rail Freight Interchange Development Consent Order

Project reference TR050007

Appendix 4 - Aston Firs Technical Note

Revision: 01

December 2024

Planning Act 2008

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

Applicant's Response to matters raised by the SoS in relation to Aston Firs

ASTON FIRS – APPLICANT'S RESPONSE

- 1.1 This document describes the response prepared by the Applicant to address the matters raised by the Secretary of State in relation to Aston Firs. Its purpose is to introduce and to be read alongside the material that it introduces and refers to.
- 1.2 Paragraph 16 of the SoS letter states: *'The Secretary of State notes that the ExA also concluded that the Proposed Development would lead to a harmful effect on the living conditions of the occupiers of the Aston Firs Travellers site due to the proximity of the proposed acoustic barrier.'*

Paragraph 107 of the letter states *'The Secretary of State notes that requirement 6 of the ExA's recommended Order (Detailed design approval) requires the Applicant to submit, before the commencement of construction, the height, position, form, construction and appearance of the acoustic barriers including provision for landscaping between the acoustic barrier and the Aston Firs Travellers site and between the acoustic barrier and the site boundary of the junction of the A47 link road with the B4668 Leicester Road. The Secretary of State asks the Applicant whether it is able to provide any details of the acoustic barrier design now so that she is able to determine whether the negative impacts identified by the ExA can be avoided or mitigated. If the Applicant is able to submit details of the acoustic barrier design, the Secretary of State requests that the Applicant also provide evidence to justify how the harm identified by the ExA will be avoided or mitigated through the proposed design. The Secretary of State also invites the Applicant to submit details of any further measures that might be included in the Order to avoid or mitigate the potential harm to the Aston Firs Travellers site.'*

- 1.3 The design of the acoustic barrier and the associated landscaping are matters that are proposed to be subject to further detailed approval pursuant to Requirement 41 prior to commencement of construction. However, in response to the request made in the SoS letter, the Applicant has developed the design of the acoustic barrier, highway and landscaping in this area, to address the concerns of the ExA.
- 1.4 The Design Code (document reference: 13.1D) has been updated to include a set of design commitments for that section of the A47 Link Road which runs from M69 J2 adjacent to Aston Firs. The detailed design must accord with the Design Code by virtue of Requirement 4. In overview, the Applicant has substantially reduced the visual impact arising from the southern section of the 6m acoustic barrier proposed along the south-eastern boundary of Aston Firs by moving it further away from that boundary and reducing its height. This would be achieved by realigning the section of the A47 Link Road between M69 J2 and the first Link Road roundabout eastwards away from the Aston Firs site, and reducing the finished levels of the road by up to 1.5 m in cut between Junction 2 and the first Link Road

¹ Requirement 4 in the Applicant's draft DCO submitted alongside this response is the equivalent to requirement 6 in the ExA's recommended Order

roundabout². This enables the provision of an amenity preservation buffer zone of at least a 12m stand-off distance from the boundary of the Aston Firs Gypsy and Traveller site as identified at figure 6.3.10.10A. Within this zone no acoustic barriers will be constructed in order to preserve the visual amenity of the residents of Aston Firs.

- The northern section of the acoustic barrier which runs along the south-east boundary of the site adjacent to the proposed A47 Link Road carriageway due to the redesign of the carriageway and layout in this part of the site enables the barrier height to be reduced to 3m along this section. The acoustic barrier between the approximate points B and C on ES Figure 6.3.10.10A must be located no more than 5 metres from the ‘A47 Link Road’ carriageway.
- 1.5 Associated realignment of the Public Right of Way and amended landscaping in this area are also proposed. This means that the field boundary along the south-eastern edge of the Aston Firs site is unaffected.³ As a result, there would not be an effect on the living conditions of residents, as identified by the ExA.
 - 1.6 A section of the 3m high noise barrier is brought back close to the eastern boundary of the Aston Firs site in the vicinity of the Pegasus crossing, leaving an open space for the bridleway and PRoW to pass through. The proposed 4m high fence along the northern boundary is retained as the ExA had confirmed that this was acceptable, noting its distance from dwellings within the site. This detail is also reflected in the updated Hinckley NRFI ES Figure 11.20 - Illustrative Landscape Strategy (document reference: 6.3.11.20D), which also shows the route of the bridleway in blue, which provides easy access through the newly landscaped area, separated from the Link Road by planting and topography, connecting to the existing PRoW (the orange dashed line), which is currently inaccessible through the Aston Firs site.
 - 1.7 The realigned noise barrier is shown at Appendix A and B in the form of a fence option and in the form of a gabion wall option. The plans show the new 3m high acoustic barrier repositioned along the edge of the link road and extended to the south (which has the additional benefit of screening existing noise from the M69/M69 J2). The realignment of the A47 Link Road as described above can be accommodated within the existing limits of deviation proposed. However, the dDCO now includes an amended description of Work no.9 to include express provision for an acoustic barrier in this works area. The Applicant considers that such works would fall within the definition of Further Works described in Schedule 1 to the dDCO in any event, but has made this change for consistency with other Work descriptions (e.g Work no 7).
 - 1.9 The Applicant has prepared a series of illustrative cross sections detailing the amended location[s] of the proposed acoustic barrier, landscaping and highway design (Hinckley NRFI ES Figure 11.24 Illustrative Sections) through Aston Firs Boundary. An alternative design option, utilising a gabion wall to provide an equivalent acoustic barrier of the same finished height and acoustic specification is also shown in Appendix B to this technical note on figure

² The Link road ties in at grade to J2 and then falls to the north to a finished level 1.5 m lower than its former level. This helps with noise attenuation and forms the basis of the revised noise assessment.

³ See document ref 6.3.11.24A Hinckley NRFI ES Figure 11.24 Illustrative Sections through Aston Firs Boundary

11.24 - Illustrative Sections through Astons Firs Boundary. The fence and gabion wall options have been explained in the Design Code (document reference 13.1D). The following plans have also been updated accordingly:

- Hinckley NRFI Highway Plans [Sheet 4 of 8],
- Hinckley NRFI Works Plans [sheet 4 of 8] and
- Hinckley NRFI Parameters Plan have been updated accordingly.

- 1.10 6.3.11.23 Hinckley NRFI ES Figure 11.23 - Photomontages from Astons Firs Gypsy and Travellers Site provides photomontages facing north (towards the unchanged barrier) and east (towards the revised barrier) from the Aston Firs site, with the acoustic barrier illustrated by the yellow dashed line, which indicates that it would not be visible from the location of the photograph. From the edge of the site it would be difficult to obtain even glimpsed views of the realigned acoustic barrier.
- 1.11 Appendix C containing the Hinckley NRFI Aston Firs Technical Note Acoustic Barrier Noise Modelling Note and the addendum to ES Chapter 10 Noise confirms that the performance of the realigned acoustic barrier is equivalent to the original design and gives an acceptable amenity in acoustic terms for residents of the Aston Firs Gypsy and Travellers Site.
- 1.12 The acoustic barriers would provide sufficient sound reduction from the A47 Link Road so that noise levels within the boundary of the Aston Firs Traveller Site do not exceed those detailed in ES Figure 6.3.10.11A Short-term Development Generated Road Traffic Assessment with Mitigation and ES Figure 6.3.10.13A Long-term Development Generated Road Traffic Assessment with Mitigation, as a result of noise from the A47 Link Road. This principle is secured in the Design Code.
- 1.13 Having re-positioned the noise barrier to be adjacent to the A47 Link Road, a suitable set back from the carriageway of up to 5m to allow signage, lighting and maintenance access is proposed, and indicative layouts of these are on the Hinckley NRFI Aston Firs Technical Note [Appendix X (part 3) A47 Link Road Acoustic Fence Maintenance and Vehicle Tracking] plan.
- 1.14 The Applicant has undertaken RRRAP assessments on the new acoustic barrier location for both the B4669 and the new link road, these assessments are attached at Appendix D. The amended road and acoustic fence alignments have been provided to the road safety audit team who have updated their original report on this section of the works stating that the changes made do not introduce any additional safety concerns. The RSA1 is attached at Appendix E.
- 1.15 The previously proposed acoustic barrier, located against the western boundary of the site at the southern end of the A47 Link Road, did not solicit any specific ecological concerns from either the Applicant or consultees, as reflected within the ES Chapter 12 Ecology and Biodiversity (PINS reference REP7-024) and the ecology SoCGs for BDC (PINS reference 19.1B) or the HBBC (PINS reference 19.2B). This was primarily due to the positioning of the fencing, which would have only discouraged wildlife crossing between the green infrastructure and into the adjacent traveller site, field and woodland (or vice versa), for only a short duration, rather than having prevented it entirely.

- 1.16 The latest proposals will see the barrier situated within the same area of green infrastructure, no longer immediately adjacent the Site boundary but now off-set into the green infrastructure itself. Again, no significant ecological impacts are considered likely following this design amendment. As before, the designs do not inhibit wildlife movement across the Site, and now have the added potential benefit of directing some wildlife movement from Hinckley Road into the wider green infrastructure and away from the M69 junction 2 roundabout. As such, the proposal poses no significant barriers to connectivity or dispersal and no significant impacts are anticipated.
- 1.17 Given the short length of the acoustic barrier, any encouraged redirection of wildlife is still considered likely to be short in duration, and so wildlife passage points are not considered necessary. However, designs have been explored with the engineers to facilitate wildlife crossings should this be deemed appropriate at the detailed design stage. If a gabion wall is the preferred design rather than a fence, this will have additional habitat benefits, particularly for invertebrates.
- 1.18 Lowering the road by 1.5m will mean the generation of approximately an additional 10,000m³ of material. Due to the scale of the development this additional material can be incorporated into one of the two development plateaus by increasing the level by 15mm which would be within the assessed parameters for the development. Should the gabion wall option be selected for the treatment of the site entrance a substantial proportion of this material could sit behind the gabion wall on its western side.
- 1.19 In conclusion, the Applicant has committed to a number of design principles set out in the Design Code (document reference 13.1D) and now included an express reference within Requirement 4 preventing the acoustic barrier from exceeding the maximum barrier heights shown and being constructed within the buffer zone shown on Fig 10.10A. In securing these commitments the Applicant believes that it has also addressed the concerns of the SoS in relation to matters arising under the Equality Act 2010 in relation to such impacts. The application of the PSED in this regard is addressed more fully in the Applicant's response letter.
- 1.20 The Aston Firs Liaison Officer has confirmed that the revised layout and design of the acoustic barrier is acceptable to residents [Hinckley NRFI Appendix 4 – Aston Firs Gypsy and Traveller Liaison Officers and Residents Response]
- 1.21 The following documents are new additions (shown in bold) or amended to reflect these updates (non-bold).

Applicant's response.

1.16 Hinckley NRFI Appendix 4 - Parameters Plan [Sheet 2]

1.17 Hinckley NRFI Appendix 4 - Highway Plans [Sheet 4 of 8]

1.18 Hinckley NRFI Appendix 4 - Works Plans [sheet 4 of 8]

1.19 Hinckley NRFI Appendix 4 - Illustrative Masterplan

1.20 Hinckley NRFI Appendix 4 - Illustrative Context Masterplan

1.21 Hinckley NRFI Appendix 4 - Acoustic Fence Repositioning Rev C (Masterplan Inset)

1.22 Hinckley NRFI Appendix 4 - Design and Access Statement

1.23 Hinckley NRFI Appendix 4 - Design Code

1.24 Hinckley NRFI Aston Firs Technical Note

Hinckley NRFI Aston Firs Technical Note [Appendix 4 (A) Acoustic Fence Option]

1.25 Hinckley NRFI Aston Firs Technical Note [Appendix A (part 1) Work No. 7 A47 Link Road Acoustic Fence Location]

1.26 Hinckley NRFI Aston Firs Technical Note [Appendix A (part 2) Work No 7 A47 Link Road Roundabout 1 Realignment Cross Sections (Acoustic Fence)]

1.27 Hinckley NRFI Aston Firs Technical Note [Appendix A (part 3) A47 Link Road Acoustic Fence Maintenance and Vehicle Tracking]

HNRFI Aston Firs Technical Note [Appendix 4 (B) Acoustic Gabion Wall Option]

1.28 Hinckley NRFI Aston Firs Technical Note [Appendix B (part 1) Work No. 7 A47 Link Road Gabion Wall Option Location]

1.29 Hinckley NRFI Aston Firs Technical Note [Appendix B (part 2) Acoustic Barrier Sections Gabion Option]

1.30 Hinckley NRFI Aston Firs Technical Note [Appendix B (part 3) Gabion wall tracking and maintenance access]

Hinckley NRFI Aston Firs Technical Note [Appendix 4 (C) Noise modelling]

1.31 Hinckley NRFI Aston Firs Technical Note [Appendix C Acoustic Barrier Noise Modelling Note]

Hinckley NRFI Aston Firs Technical Note [Appendix 4 (D) Road Restraint Risk Assessment Process (RRRAP)]

- 1.32 Hinckley NRFI Aston Firs Technical Note [Appendix D (part 1) A47 North Bound RRRAP]**
- 1.33 Hinckley NRFI Aston Firs Technical Note [Appendix D (part 2) A47 North Bound RRRAP (Gabion Option)]**
- 1.34 Hinckley NRFI Aston Firs Technical Note [Appendix D (part 3) A47 South Bound RRRAP]**
- 1.35 Hinckley NRFI Aston Firs Technical Note [Appendix D (part 4) B4669 East Bound RRRAP]**
- 1.36 Hinckley NRFI Aston Firs Technical Note [Appendix D (part 5) B4669 East Bound RRRAP (Gabion Option)]**

Hinckley NRFI Aston Firs Technical Note [Appendix 4 (E) Road Safety Audit 1 (RSA1)]

- 1.37 Hinckley NRFI Aston Firs Technical Note [Appendix E RSA1 Aston Firs]**

Hinckley NRFI Aston Firs Technical Note [Appendix 4 (F) Aston Firs Gypsy and Traveller Liaison Officer and Residents Response]

- 1.38 Hinckley NRFI Aston Firs Technical Note [Appendix (F) Aston Firs Liaison Officer and Residents Response]**