

# **SCOPING OPINION:**

## **Proposed Hinckley National Rail Freight Interchange**

**Case Reference: TR050007**

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Adopted by the Planning Inspectorate (on behalf of the Secretary of State for Housing, Communities and Local Government) pursuant to Regulation 10 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017

**April 2018**

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## 1. INTRODUCTION

### 1.1 Background

- 1.1.1 On 14 March 2018, the Planning Inspectorate (the Inspectorate) on behalf of the Secretary of State (SoS) received a scoping request from DB Symmetry (Hinckley) Limited (the Applicant) under Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) for the proposed Hinckley National Rail Freight Interchange (the Proposed Development).
- 1.1.2 In accordance with Regulation 10 of the EIA Regulations, an Applicant may ask the SoS to state in writing its opinion *'as to the scope, and level of detail, of the information to be provided in the environmental statement'*.
- 1.1.3 This document is the Scoping Opinion (the Opinion) provided by the Inspectorate on behalf of the SoS in respect of the Proposed Development. It is made on the basis of the information provided in the Applicant's report entitled 'Hinckley National Rail Freight Interchange: application for an EIA scoping opinion' (the Scoping Report). This Opinion can only reflect the proposals as currently described by the Applicant. The Scoping Opinion should be read in conjunction with the Applicant's Scoping Report.
- 1.1.4 The Applicant has notified the SoS under Regulation 8(1)(b) of the EIA Regulations that they propose to provide an Environmental Statement (ES) in respect of the Proposed Development. Therefore, in accordance with Regulation 6(2)(a) of the EIA Regulations, the Proposed Development is EIA development.
- 1.1.5 Regulation 10(9) of the EIA Regulations requires that before adopting a scoping opinion the Inspectorate must take into account:
- (a) *any information provided about the proposed development;*
  - (b) *the specific characteristics of the development;*
  - (c) *the likely significant effects of the development on the environment;*  
*and*
  - (d) *in the case of a subsequent application, the environmental statement submitted with the original application.*
- 1.1.6 This Opinion has taken into account the requirements of the EIA Regulations as well as current best practice towards preparation of an ES.
- 1.1.7 The Inspectorate has consulted on the Applicant's Scoping Report and the responses received from the consultation bodies have been taken into account in adopting this Opinion (see Appendix 2).
- 1.1.8 The points addressed by the Applicant in the Scoping Report have been carefully considered and use has been made of professional judgement

and experience in order to adopt this Opinion. It should be noted that when it comes to consider the ES, the Inspectorate will take account of relevant legislation and guidelines. The Inspectorate will not be precluded from requiring additional information if it is considered necessary in connection with the ES submitted with the application for a Development Consent Order (DCO).

- 1.1.9 This Opinion should not be construed as implying that the Inspectorate agrees with the information or comments provided by the Applicant in their request for an opinion from the Inspectorate. In particular, comments from the Inspectorate in this Opinion are without prejudice to any later decisions taken (eg on submission of the application) that any development identified by the Applicant is necessarily to be treated as part of a Nationally Significant Infrastructure Project (NSIP) or Associated Development or development that does not require development consent.
- 1.1.10 Regulation 10(3) of the EIA Regulations states that a request for a scoping opinion must include:
- (a) *a plan sufficient to identify the land;*
  - (b) *a description of the proposed development, including its location and technical capacity;*
  - (c) *an explanation of the likely significant effects of the development on the environment; and*
  - (d) *such other information or representations as the person making the request may wish to provide or make.*
- 1.1.11 The Inspectorate considers that this has been provided in the Applicant's Scoping Report. The Inspectorate is satisfied that the Scoping Report encompasses the relevant aspects identified in the EIA Regulations.
- 1.1.12 In accordance with Regulation 14(3)(a), where a scoping opinion has been issued in accordance with Regulation 10 an ES accompanying an application for an order granting development consent should be based on '*the most recent scoping opinion adopted (so far as the proposed development remains materially the same as the proposed development which was subject to that opinion)*'.
- 1.1.13 The Inspectorate notes the potential need to carry out an assessment under The Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations). This assessment must be co-ordinated with the EIA in accordance with Regulation 26 of the EIA Regulations. The Applicant's ES should therefore be co-ordinated with any assessment made under the Habitats Regulations.

## **1.2 The Planning Inspectorate's Consultation**

- 1.2.1 In accordance with Regulation 10(6) of the EIA Regulations the Inspectorate has consulted the consultation bodies before adopting a scoping opinion. A list of the consultation bodies formally consulted by

the Inspectorate is provided at Appendix 1. The consultation bodies have been notified under Regulation 11(1)(a) of the duty imposed on them by Regulation 11(3) of the EIA Regulations to make information available to the Applicant relevant to the preparation of the ES. The Applicant should note that whilst the list can inform their consultation, it should not be relied upon for that purpose.

- 1.2.2 The list of respondents who replied within the statutory timeframe and whose comments have been taken into account in the preparation of this Opinion is provided, along with copies of their comments, at Appendix 2, to which the Applicant should refer in preparing their ES.
- 1.2.3 The ES submitted by the Applicant should demonstrate consideration of the points raised by the consultation bodies. It is recommended that a table is provided in the ES summarising the scoping responses from the consultation bodies and how they are, or are not, addressed in the ES.
- 1.2.4 Any consultation responses received after the statutory deadline for receipt of comments will not be taken into account within this Opinion. Late responses will be forwarded to the Applicant and will be made available on the Inspectorate's website. The Applicant should also give due consideration to those comments in preparing their ES.

### **1.3 Article 50 of the Treaty on European Union**

- 1.3.1 On 23 June 2016, the United Kingdom (UK) held a referendum and voted to leave the European Union (EU). On 29 March 2017 the Prime Minister triggered Article 50 of the Treaty on European Union, which commenced a two year period of negotiations regarding the UK's exit from the EU. There is no immediate change to legislation or policy affecting national infrastructure. Relevant EU Directives have been transposed into UK law and those are unchanged until amended by Parliament.

## **2. THE PROPOSED DEVELOPMENT**

### **2.1 Introduction**

2.1.1 The following is a summary of the information on the Proposed Development and its site and surroundings prepared by the Applicant and included in their Scoping Report. The information has not been verified and it has been assumed that the information provided reflects the existing knowledge of the Proposed Development and the potential receptors/ resources.

### **2.2 Description of the Proposed Development**

2.2.1 The Applicant's description of the Proposed Development, its location and technical capacity (where relevant) are provided in Scoping Report paragraphs S7 – S8, 1.10 – 1.18 and 2.20 – 2.32.

2.2.2 The Proposed Development consists of railway sidings and freight transfer area alongside the rail line between Hinckley and Leicester to enable transfer of freight between road and rail. There would be a dedicated road access to Junction 2 of the M69 motorway which would require the addition of northbound off-slip and southbound on-slip roads to the junction. Up to 225.57 hectares (ha) of land would be covered by a rail port for the loading and unloading of trains and storage and logistics buildings. Figure 2.1 provides an illustrative master plan of the Proposed Development.

2.2.3 The proposed application site is in south-west Leicestershire, to the north-west of M69 Junction 2, between Coventry, Nuneaton and Leicester. The Nuneaton to Felixstowe railway forms the north-western boundary of the site, and the south-eastern boundary is formed by the M69 motorway. To the south-west are blocks of woodland and two gypsy and traveller community sites, and to the north-east lies the village of Elmesthorpe on the B581. A site location plan is provided at Figure 1.1.

2.2.4 The existing land use is agricultural, comprising both arable farming and grazing, with hedgerows and fences along field boundaries. A large farmstead, Woodhouse Farm, sits at the centre of the site. Burbage Common Road crosses the site, connecting Woodhouse Farm with the B581 to the north and the A47 to the west.

### **2.3 The Planning Inspectorate's Comments**

#### **Description of the Proposed Development**

2.3.1 The ES should include the following:

- a description of the Proposed Development comprising at least the information on the site, design, size and other relevant features of the development; and



- a description of the location of the development and description of the physical characteristics of the whole development, including any requisite demolition works and the land-use requirements during construction and operation phases

- 2.3.2 Figure 10.1 of the Scoping Report shows a number of Public Rights of Way crossing the site. Paragraph 2.26 of the Scoping Report states that pedestrian, cycle and horseback access to the site of the Proposed Development would be maintained. The ES should explain how this will be achieved, supported by figures showing the routes for pedestrians, cyclists and horse riders across the site.
- 2.3.3 Paragraph 5.58 of the Scoping Report states that the nature and timing of any decommissioning process is difficult to forecast in any meaningful way. It is not clear from this statement whether the DCO would seek powers to decommission the Proposed Development. If this is the case the ES should include an assessment of the effects of decommissioning on the relevant aspects of the environment.
- 2.3.4 The Scoping Report provides little detail on the nature and scale of anticipated rail freight and lorry freight operations. Additionally, it is not explicit about the clearance and preparation of the site and the demolition requirements. The Applicant must ensure that the ES includes a comprehensive description of the Proposed Development and describe the component parts.
- 2.3.5 The responses from National Grid and Aston Flamville Parish Council (see Appendix 2 of this Opinion) suggest that the Proposed Development could affect a high voltage overhead transmission line located close to junction 2 of the M69. If the Proposed Development necessitates works to this line (or to protect it during construction and operation), these should be included in the project description in the ES; any significant effects to the environment associated with these works should be assessed in the ES.

### **Alternatives**

- 2.3.6 The EIA Regulations require that the Applicant provide 'A description of the reasonable alternatives (for example in terms of development design, technology, location, size and scale) studied by the developer, which are relevant to the proposed project and its specific characteristics, and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects'.
- 2.3.7 The Inspectorate acknowledges the Applicant's intention to consider alternatives within the ES (paragraph 3.27 of the Scoping Report). The Inspectorate would expect to see a discrete section in the ES that provides details of the reasonable alternatives studied and the reasoning for the selection of the chosen option(s), including a comparison of the environmental effects.

### **Flexibility**

- 2.3.8 The Inspectorate notes the Applicant's desire to incorporate flexibility into their draft DCO (dDCO) and its intention to apply a Rochdale Envelope approach for this purpose. Where the details of the Proposed Development cannot be defined precisely, the Applicant will apply a worst case scenario. The Inspectorate welcomes the reference to Planning Inspectorate Advice Note nine 'Using the 'Rochdale Envelope' in this regard.
- 2.3.9 The Applicant should make every attempt to narrow the range of options and explain clearly in the ES which elements of the Proposed Development have yet to be finalised and provide the reasons. At the time of application, any Proposed Development parameters should not be so wide-ranging as to represent effectively different developments. The development parameters will need to be clearly defined in the dDCO and in the accompanying ES. It would be helpful for the ES to include a parameters plan to make it clear which parameters have been taken into account in the assessments. It is a matter for the Applicant, in preparing an ES, to consider whether it is possible to robustly assess a range of impacts resulting from a large number of undecided parameters. The description of the Proposed Development in the ES must not be so wide that it is insufficiently certain to comply with the requirements of Regulation 14 of the EIA Regulations.
- 2.3.10 It should be noted that if the Proposed Development materially changes prior to submission of the DCO application, the Applicant may wish to consider requesting a new scoping opinion.

## **3. ES APPROACH**

### **3.1 Introduction**

- 3.1.1 This section contains the Inspectorate's specific comments on the scope and level of detail of information to be provided in the Applicant's ES. General advice on the presentation of an ES is provided in the Inspectorate's Advice Note Seven 'Environmental Impact Assessment: Process, Preliminary Environmental Information and Environmental Statements'<sup>1</sup> and associated appendices.
- 3.1.2 Aspects/ matters (as defined in Advice Note Seven) are not scoped out unless specifically addressed and justified by the Applicant, and confirmed as being scoped out by the Inspectorate. The ES should be based on the Scoping Opinion in so far as the Proposed Development remains materially the same as the Proposed Development described in the Applicant's Scoping Report.
- 3.1.3 The Inspectorate has set out in this Opinion where it has/ has not agreed to scope out certain aspects/ matters on the basis of the information available at this time. The Inspectorate is content that the receipt of a Scoping Opinion should not prevent the Applicant from subsequently agreeing with the relevant consultees to scope such aspects/ matters out of the ES, where further evidence has been provided to justify this approach. However, in order to demonstrate that the aspects/ matters have been appropriately addressed, the ES should explain the reasoning for scoping them out and justify the approach taken.
- 3.1.4 Where relevant, the ES should provide reference to how the delivery of measures proposed to prevent/ minimise adverse effects is secured through DCO requirements (or other suitably robust methods) and whether relevant consultees agree on the adequacy of the measures proposed.

### **3.2 Relevant National Policy Statements (NPSs)**

- 3.2.1 Sector-specific NPSs are produced by the relevant Government Departments and set out national policy for NSIPs. They provide the framework within which the Examining Authority (ExA) will make their recommendation to the SoS and include the Government's objectives for the development of NSIPs. The NPSs may include environmental requirements for NSIPs, which Applicants should address within their ES.

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<sup>1</sup> Advice Note Seven: Environmental Impact Assessment: Process, Preliminary Environmental Information and Environmental Statements and annex. Available from: <https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

3.2.2 The designated NPS relevant to the Proposed Development is the National Policy Statement for National Networks (NPSNN).

### **3.3 Scope of Assessment**

#### **General**

3.3.1 The Inspectorate recommends that in order to assist the decision-making process, the Applicant uses tables:

- to demonstrate how the assessment has taken account of this Opinion;
- to identify and collate the residual effects after mitigation for each of the aspect chapters, including the relevant interrelationships and cumulative effects;
- to set out the proposed mitigation and/ or monitoring measures including cross-reference to the means of securing such measures (eg a dDCO requirement);
- to describe any remedial measures that are identified as being necessary following monitoring; and
- to identify where details are contained in the Habitats Regulations Assessment (HRA report) (where relevant), such as descriptions of European sites and their locations, together with any mitigation or compensation measures, are to be found in the ES.

3.3.2 The Scoping Report includes a number of terms such as 'high-bay storage...buildings' and 'gross internal area' which are not defined in the text. The ES should include a glossary which provides definitions of technical terms to aid the understanding of the general reader.

#### **Baseline Scenario**

3.3.3 The ES should include a description of the baseline scenario with and without implementation of the development as far as natural changes from the baseline scenario can be assessed with reasonable effort on the basis of the availability of environmental information and scientific knowledge.

3.3.4 For the different aspects of the environment covered by the Scoping Report, either the study area has not yet been defined, or where a study area has been defined, no justification has been provided to support the extent of that study area. The ES must describe the chosen study areas used in the assessments and explain the reasons that support the choice made. Individual comments for the different aspect chapters are provided in section 4 of this Opinion.

#### **Forecasting Methods or Evidence**

3.3.5 The ES should contain the timescales upon which the surveys which underpin the technical assessments have been based. For clarity, this information should be provided either in the introductory chapters of the

ES (with confirmation that these timescales apply to all chapters), or in each aspect chapter.

- 3.3.6 The Inspectorate expects the ES to include a chapter setting out the overarching methodology for the assessment, which clearly distinguishes effects that are 'significant' from 'non-significant' effects. Any departure from that methodology should be described in individual aspect assessment chapters.
- 3.3.7 The ES should include details of difficulties (for example technical deficiencies or lack of knowledge) encountered compiling the required information and the main uncertainties involved.

### **Residues and Emissions**

- 3.3.8 The EIA Regulations require an estimate, by type and quantity, of expected residues and emissions. Specific reference should be made to water, air, soil and subsoil pollution, noise, vibration, light, heat, radiation and quantities and types of waste produced during the construction and operation phases, where relevant. This information should be provided in a clear and consistent fashion and may be integrated into the relevant aspect assessments.

### **Mitigation**

- 3.3.9 Any mitigation relied upon for the purposes of the assessment should be explained in detail within the ES. The likely efficacy of the mitigation proposed should be explained with reference to residual effects. The ES should also address how any mitigation proposed is secured, with reference to specific DCO requirements or other legally binding agreements.

### **Risks of Major Accidents and/or Disasters**

- 3.3.10 The ES should include a description and assessment (where relevant) of the likely significant effects resulting from accidents and disasters applicable to the Proposed Development. The Applicant should make use of appropriate guidance (e.g. that referenced in the Health and Safety Executives (HSE) Annex to Advice Note 11) to better understand the likelihood of an occurrence and the Proposed Development's susceptibility to potential major accidents and hazards. The description and assessment should consider the vulnerability of the Proposed Development to a potential accident or disaster and also the Proposed Development's potential to cause an accident or disaster. The assessment should specifically assess significant effects resulting from the risks to human health, cultural heritage or the environment. Any measures that will be employed to prevent and control significant effects should be presented in the ES.
- 3.3.11 Relevant information available and obtained through risk assessments pursuant to European Union legislation such as Directive 2012/18/EU of the European Parliament and of the Council or Council Directive

2009/71/Euratom or relevant assessments carried out pursuant to national legislation may be used for this purpose provided that the requirements of this Directive are met. Where appropriate, this description should include measures envisaged to prevent or mitigate the significant adverse effects of such events on the environment and details of the preparedness for and proposed response to such emergencies.

### **Climate and Climate Change**

- 3.3.12 The ES should include a description and assessment (where relevant) of the likely significant effects the Proposed Development has on climate (for example having regard to the nature and magnitude of greenhouse gas emissions) and the vulnerability of the project to climate change. Where relevant, the ES should describe and assess the adaptive capacity that has been incorporated into the design of the Proposed Development. This may include, for example, alternative measures such as changes in the use of materials or construction and design techniques that will be more resilient to risks from climate change.

### **Transboundary Effects**

- 3.3.13 Schedule 4 Part 5 of the EIA Regulations requires a description of the likely significant transboundary effects to be provided in an ES. The Scoping Report has not indicated whether the Proposed Development is likely to have significant impacts on another European Economic Area (EEA) State.
- 3.3.14 Regulation 32 of the EIA Regulations inter alia requires the Inspectorate to publicise a DCO application on behalf of the SoS if it is of the view that the proposal is likely to have significant effects on the environment of another EEA state, and where relevant, to consult with the EEA state affected.
- 3.3.15 The Inspectorate considers that where Regulation 32 applies, this is likely to have implications for the examination of a DCO application. The Inspectorate recommends that the ES should identify whether the Proposed Development has the potential for significant transboundary impacts and if so, what these are and which EEA States would be affected.

### **A Reference List**

- 3.3.16 A reference list detailing the sources used for the descriptions and assessments must be included in the ES.

## **3.4 Confidential Information**

- 3.4.1 In some circumstances it will be appropriate for information to be kept confidential. In particular, this may relate to information about the presence and locations of rare or sensitive species such as badgers, rare birds and plants where disturbance, damage, persecution or commercial exploitation may result from publication of the information. Where

documents are intended to remain confidential the Applicant should provide these as separate paper and electronic documents with their confidential nature clearly indicated in the title, and watermarked as such on each page. The information should not be incorporated within other documents that are intended for publication or which the Inspectorate would be required to disclose under the Environmental Information Regulations 2014.

## 4. ASPECT BASED SCOPING TABLES

### 4.1 Land use and socio-economic effects

(Scoping Report section 6)

| ID | Ref | Applicant's proposed matters to scope out | Inspectorate's comments   |
|----|-----|---|---|
| 1  | n/a | n/a                                       | No matters have been proposed to be scoped out of the assessment. |

| ID | Para                               | Other points        | Inspectorate's comments   |
|----|------------------------------------|---------------------|---|
| 2  | 6.3 - 6.4<br>See also<br>Chapter 7 | Community severance | Paragraph 6.16 of the Scoping Report states that community severance will be assessed in the transport and traffic chapter of the ES, and if significant adverse effects cannot be mitigated by design these will be assessed in the socio-economic chapter. However it is not explained in either chapter how the impacts on this matter will be assessed. If significant effects on socio-economic receptors are likely to occur then an assessment of these needs to be included in the ES and the Applicant should ensure that the methodology and approach to the assessment in the ES is clearly established. |
| 3  | 6.17, 6.26<br>and 6.30             | Guidance            | The Scoping Report states that the assessment will be consistent with the Treasury Green Book Guidance. Additional "best practice guidance" is referred to in paragraphs 6.26 and 6.30 but it is not clear what guidance is being relied on here. All guidance followed should be clearly referenced in the ES.   |



| ID | Para          | Other points                               | Inspectorate's comments   |
|----|---------------|--|---|
| 4  | 6.14 and 6.29 | Assessment approach – community facilities | The Scoping Report proposes to assess the impacts from increased worker population on the demand for housing within commuting distance of the Proposed Development. The Inspectorate considers that the ES should also assess impacts to other community facilities (eg healthcare providers, schools, etc).  |
| 5  | 6.19          | Study area                                 | The Scoping Report defines four different study areas for matters relevant to the aspect assessment. However, the Scoping Report does not clearly attribute the chosen study areas to the matters proposed to be assessed. The ES must clearly define the study area applied for each matter assessed, and include a clear justification in support of the study areas particularly if they are based on professional judgement rather than recognised guidance. The ES should also ensure that study areas are depicted on corresponding figures to aid understanding. |

## 4.2 Transport and traffic

(Scoping Report section 7)

| ID | Ref | Applicant's proposed matters to scope out | Inspectorate's comments   |
|----|-----|---|---|
| 1  | n/a | n/a                                       | No matters have been proposed to be scoped out of the assessment. |

| ID | Para | Other points                          | Inspectorate's comments   |
|----|------|---------------------------------------|---|
| 2  | 7.3  | Guidance to be used in the assessment | The Applicant is reminded of the requirement in the NPSNN for the transport assessment (TA) to be based on the WebTAG methodology stipulated in Department for Transport guidance. The Applicant should seek agreement with Highways England (HE) and Leicestershire County Council (LCC) over the approach to producing the TA.  |
| 3  | 7.21 | Guidance                              | The Scoping Report states that the assessment will be undertaken in compliance with a number of pieces of best practice guidance; however it does not provide or clearly reference this information. Generally guidance is inconsistently referenced throughout this chapter of the Scoping Report. The Applicant should ensure that the methodology and approach to the assessment in the ES is clearly established and that any guidance relied upon is clearly referenced and readily available. |
| 4  | 7.23 | Development traffic                   | The Scoping Report states that trip generation relevant to the assessment of impacts from traffic and transport will be calculated using methodologies agreed and applied in respect of other planning applications. The Applicant should seek to agree the approach to trip generation calculation and the assessment more   |

| ID | Para        | Other points               | Inspectorate's comments  |
|----|-------------|----------------------------|--|
|    |             |                            | <p>generally with relevant statutory consultees.</p> <p>The Scoping Report does not explicitly state that rail freight trips will be included in the assessment of transport and traffic. The Inspectorate expects these to be included in the assessment and for potentially significant environmental effects arising from these movements to be assessed in the ES.</p>   |
| 5  | 7.24 – 7.26 | Anticipated traffic growth | <p>The Scoping Report states that known committed developments in the vicinity will be included in the assessments and the inclusion of any additional development within the assessment will be agreed with the Local Highway Authority. The Applicant should agree the developments to be included with LCC. Predictions of traffic growth should also take account of relevant local plans.</p> <p>It is likely that the proposed changes to junction 2 of the M69 will result in alterations to the current traffic distribution. The assessment should assess impacts resulting from changes to traffic distribution where significant effects may occur. The predictions of traffic growth in the ES should be consistent with any TA and should include predictive increases in demand on the road network affected by the Proposed Development as a result of this re-distribution. The Applicant should seek to agree their approach to predicting demand with relevant statutory consultees.</p> |
| 6  | 7.27        | Study area                 | <p>The Scoping Report states that the extent of the study area will be determined based on a model of changes in traffic flows on the network; however it does not explain what criteria will be used to determine the size of the area. The ES must clearly explain the methodologies used in the assessment and why they have been used. It must also clearly define the extent of the road network likely to be affected by the Proposed Development. The chosen study area should be sufficient to encompass the extent of</p>   |

| ID | Para      | Other points                       | Inspectorate's comments  |
|----|-----------|------------------------------------|--|
|    |           |                                    | impacts where significant effects are likely to occur this may include areas beyond Leicestershire and into adjacent counties. The Applicant should make effort to agree the study area with relevant statutory consultees.  |
| 7  | 7.30      | Assessment of accidents and safety | The Scoping Report includes a commitment to assess impacts on road safety. The assessment in the ES must address the potential impacts highlighted by Sapcote and Stoney Stanton Parish Councils (see Appendix 2 of this Opinion). If significant effects are likely to occur these should be presented in the ES.   |
| 8  | 7.35      | Percentage change in traffic flows | The Scoping Report states that average hourly 18 hour flows will be considered rather than peak hour percentage increases to prevent minor changes on links with low baseline flows from being considered significant. The Applicant should seek agreement with the relevant statutory consultees on this approach and provide a justification in the ES for using it. |
| 9  | Table 7.5 | Potential effects                  | The Scoping Report identifies the potential for impacts on pedestrians' journey times and amenity. It does not identify potential effects on other non-motorised users such as cyclists or equestrians. The ES should include an assessment of these matters where significant effects are likely to occur.  |

### 4.3 Air quality

(Scoping Report section 8)

| ID | Ref | Applicant's proposed matters to scope out | Inspectorate's comments   |
|----|-----|---|---|
| 1  | n/a |   | No matters have been proposed to be scoped out of the assessment. |

| ID | Para | Other points                      | Inspectorate's comments   |
|----|------|-----------------------------------|---|
| 2  | 8.8  | Baseline data                     | The Scoping Report includes details of the background concentrations for pollutants within 1km of the Proposed Development but does not explain if this is the baseline data that will be used in the assessment or if additional data will be collected. The ES must present the baseline data and explain how this has been collected. The baseline data should include the updated information for Air Quality Management Areas (AQMAs) 1 and 6, as referred to in Blaby District Council's response (see Appendix 2 of this Opinion).   |
| 3  | 8.12 | Proposed scope of the development | The Scoping Report does not explain how the study area for the assessment will be defined or how sensitive receptors will be identified. The Applicant should make efforts to agree the chosen study area, methodology and receptors with the relevant statutory consultees. The intention to consult Blaby District Council (BDC) is welcomed. The Applicant should also consult Hinckley and Bosworth District Council (HBDC). The Scoping Report indicates potential for impacts from changes in air quality on ecological receptors, including the Site of Special Scientific Interest (SSSI) adjacent to the Proposed Development. The |

| ID | Para | Other points           | Inspectorate's comments   |
|----|------|------------------------|---|
|    |      |                        | Applicant should make effort to agree with Natural England (NE) and LCC the approach to assessing impacts from changes in air quality on ecological receptors.  |
| 4  | 8.14 | Air Quality Assessment | There is no reference in the Scoping Report to any assessment of the effects on air quality from emissions associated with rail transport. The ES should assess impacts to air quality associated with rail transport where significant effects are likely. |

## 4.4 Noise and vibration

(Scoping Report section 9)

| ID | Ref | Applicant's proposed matters to scope out | Inspectorate's comments   |
|----|-----|---|---|
| 1  | n/a | n/a                                       | No matters have been proposed to be scoped out of the assessment. |

| ID | Para        | Other points                 | Inspectorate's comments  |
|----|-------------|------------------------------|--|
| 2  | 9.7         | Study area                   | The Scoping Report has not provided detailed justification in support of utilising a 500m study area. Within the ES, the study area should be clearly defined, justified and reflect the anticipated extent of potential impacts.  |
| 3  | 9.8         | Receptors                    | The Applicant should make efforts to agree the list of noise sensitive receptors, with the relevant statutory consultees. The location of the receptors should be depicted on a figure in the ES.  |
| 4  | 9.12 – 9.13 | Road traffic noise           | The Scoping Report does not clearly state whether the ES will assess road traffic noise during construction and operation or just during operation. The ES should assess impacts associated with road traffic noise where significant effects are likely to occur.   |
| 5  | 9.30        | Temporal scope of assessment | The Scoping Report states that assessments will be carried out for the baseline year and the future assessment year but does not explain what the future assessment year would be. The ES should ensure that the choice of future assessment year is based on a worst case scenario ie when the noise generated by operation would be at its highest levels. The ES should also assess impacts |

| ID | Para | Other points               | Inspectorate's comments   |
|----|------|----------------------------|---|
|    |      |                            | associated with construction and operation during day and at night (see also the response from BDC in Appendix 2 of this Opinion).  |
| 6  | 9.46 | Assessment of significance | The ES must clearly explain how Unacceptable Adverse Effect Levels, Significant Observed Adverse Effect Levels and Lowest Observed Adverse Effect Levels have been defined and applied to the assessment. |



## 4.5 Landscape and visual effects

(Scoping Report section 10)

| ID | Ref | Applicant's proposed matters to scope out | Inspectorate's comments   |
|----|-----|---|---|
| 1  | n/a | n/a                                       | No matters have been proposed to be scoped out of the assessment. |

| ID | Para          | Other points        | Inspectorate's comments   |
|----|---------------|---------------------|---|
| 2  | 10.4          | Study area          | The Scoping Report refers to a 5km search area for the landscape baseline assessment but provides no justification in support of the extent of this study area. The study areas for the landscape and the visual assessments in the ES should be applicable to the extent of the likely impacts. The ES should include justification in support of the study area and effort should be made to agree the approach with BDC, HBDC and LCC. |
| 3  | 10.20         | Guidance            | In addition to BS5837:2012 the assessment of trees should take into account the Forestry Commission (FC) and NE's 'Standing Advice for Ancient Woodland and Veteran trees (amended January 2018) <sup>2</sup> '.  |
| 4  | 10.32 – 10.39 | Scope of assessment | The visual impact assessment in the ES should include impacts during both day and night. This point is also made in the   |

<sup>2</sup> <https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences>

| ID | Para       | Other points        | Inspectorate's comments   |
|----|------------|---------------------|---|
|    |            |                     | <p>response from BDC in Appendix 2 of this Opinion. The predicted light levels at the site and its vicinity should be clearly identified and the ES should explain any assumptions that the prediction of light levels has been based on.</p> <p>The ES should include landscape and visual impact assessments for the winter months when the screening provided by vegetation is reduced, to ensure that the full range of effects has been covered. This point is also made in the advice from LCC in Appendix 2.</p>   |
| 5  | Table 10.1 | Proposed viewpoints | <p>It is noted that the landscape and visual impact assessment has already begun. However the Applicant should still make effort to agree the approach to the assessment including the location of proposed viewpoints with BDC, HBDC and LCC.</p>  |
| 6  | 10.36      | Mitigation          | <p>Landscaping measures are proposed to provide mitigation for the Proposed Development. The Applicant should make effort to agree the planting specification/species mix with BDC, HBDC and LCC. An appropriate aftercare period for the proposed landscaping should also be agreed. It should be clear how the proposed landscaping would mitigate the impacts on landscape and visual receptors, and how these impacts would change with seasonal variation and as the proposed planting matures. Interactions with other ES aspects, for example beneficial impacts on local ecology, should be included in the assessment.</p> |
| 7  | 10.36      | Design              | <p>The ES should explain any assumptions made regarding the design and materials applicable to new structures. The ES should also explain how the assumptions made in the assessment are to be secured and the effect they have on minimise the potential landscape and visual impacts. This point is also made in the</p>  |

| ID | Para  | Other points                       | Inspectorate's comments  |
|----|-------|------------------------------------|--|
|    |       |                                    | advice from BDC in Appendix 2 of this Opinion.   |
| 8  | 10.37 | Significance                       | The Scoping Report does not specify what criteria will be used to determine the sensitivity of receptors or the magnitude of change. The ES should specify the assessment methodology to be applied and the criteria used to determine the significance of effects.  |
| 9  | 10.37 | Scope of assessment - construction | The Scoping Report states that the assessment of residual effects will be considered for Year 1 and Year 15. The Inspectorate understands this to be referring to operational years. The assessment should also assess impacts at other stages applicable to the Proposed Development including during construction, and if significant effects are likely to occur. |

## 4.6 Ecology and biodiversity

(Scoping Report section 11)

| ID | Ref   | Applicant's proposed matters to scope out | Inspectorate's comments  |
|----|-------|---|--|
| 1  | 11.22 | Targeted surveys for invertebrates        | The Scoping Report states that although targeted surveys will be scoped out, an invertebrate habitat quality survey will be carried out in April/May 2018 to establish if further more specialised surveys would be required. These statements appear to contradict each other and it is unclear what is actually proposed in terms of further survey. The Inspectorate advises that the results of the habitat quality survey should be presented in the ES. If the habitat quality survey indicates the need for further targeted surveys then they should be carried out and the information used to inform the assessment in the ES where significant effects are likely to occur. |

| ID | Para  | Other points                 | Inspectorate's comments  |
|----|-------|------------------------------|--|
| 2  | 11.9  | Study area for baseline data | It is not clear from the Scoping Report how the study area has been defined. The ES should clearly explain how the study area has been defined and how it relates to the potential zone of influence of the Proposed Development.              |
| 3  | 11.18 | Extended Phase 1 survey      | The full results of the extended Phase 1 survey should be presented in the ES. It should be clear when this and any other surveys presented in the ES, were carried out and any limitations (such as weather conditions) should be identified. |
| 4  | 11.21 | Wintering birds              | The Scoping Report states that the number of surveys will be   |

| ID | Para          | Other points                                | Inspectorate's comments   |
|----|---------------|---|---|
|    |               |   | confirmed through consultation with the Inspectorate and the local authority ecologist. The approach to and need for targeted species surveys should be discussed and ideally agreed with relevant consultees. The ES should contain sufficient background information regarding the receiving environment to ensure all likely significant effects associated with the Proposed Development have been assessed.  |
| 5  | 11.23 – 11.29 | Potential environmental impacts and effects | The Scoping Report provides a high level description of the impacts and effects that may be associated with the Proposed Development. The ES must contain a detailed and where appropriate, a quantitative assessment of the effects generated by the Proposed Development.   |
| 6  | 11.34         | Mitigation                                  | The Scoping Report states that the assessment of 'pre-mitigation' effects will take account of measures included in the draft Ecological Construction Method Statement and any 'embedded mitigation'. The ES should make it clear exactly which measures have been taken into account in reaching conclusions on the significance of effects from the Proposed Development.   |
| 7  | 11.36         | Statutory designated sites                  | The Inspectorate notes the commitment made in the Scoping Report to fully consider and appropriately safeguard nationally designated sites within the zone of influence of the Proposed Development. However, there is little detail within the Scoping Report explaining the approach in this regard. The responses from NE and the FC (see Appendix 2 of this Scoping Opinion) highlight the location of Burbage Wood and Aston Firs SSSI immediately adjacent to the red line boundary for the Proposed Development. The ES must clearly identify the likely impacts from the Proposed Development during the construction and operation phases, explaining any necessary mitigation and any residual impacts. This point is also made by the responses from |

| ID | Para  | Other points                                | Inspectorate's comments  |
|----|-------|---|--|
|    |       |   | NE and FC in Appendix 2.   |
| 8  | 11.38 | Definition of important habitats or species | <p>The Scoping Report makes reference to the potential for loss and damage of important habitats and species but there is no definition of what qualifies as an important habitat or species. The Inspectorate considers that the ES must assess impacts to sensitive receptors including ancient woodland, habitats and species of principal importance within the zone of influence where significant effects from the Proposed Development are likely to occur. This point is also made by in the responses from NE and FC in Appendix 2 of this Opinion.</p> |

## 4.7 Cultural heritage

(Scoping Report section 12)

| ID | Ref | Applicant's proposed matters to scope out | Inspectorate's comments   |
|----|-----|---|---|
| 1  | n/a | n/a                                       | No matters have been proposed to be scoped out of the assessment. |

| ID | Para | Other points | Inspectorate's comments  |
|----|------|--------------|--|
| 2  |      | Guidance     | The Inspectorate draws the Applicant's attention to the revised Historic England Good Practice Advice note 3, which was updated in December 2017 <sup>3</sup> . The ES should also refer to the guidance notes highlighted in the advice from Historic England (His E) in Appendix 2 of this Opinion.  |
| 3  | n/a  | Study area   | The Scoping Report is inconsistent in its description of how the study area for the assessment will be defined. The ES must clearly explain how the study area has been defined. The study area should include both designated and non-designated heritage assets that would experience impacts from the Proposed Development and where significant effects are likely to occur. The Applicant should make efforts to agree the study area and relevant heritage assets with the statutory consultees. |

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<sup>3</sup> [Good Practice Advice on Planning Note 3 - The Setting of Heritage Assets](#) (Historic England, 2017)

| ID | Para                       | Other points                                       | Inspectorate's comments  |
|----|----------------------------|--|--|
| 4  | 12.2                       | Baseline assessment                                | <p>The Scoping Report refers to proposals to undertake investigative fieldwork which may include geophysical survey and trial trenching as agreed with relevant consultees but also states in paragraph 12.16 that archaeological remains on the site are likely to be heavily compromised by later agricultural activity. The Applicant should ensure that the information provided in the ES is sufficient to provide an assessment of the likely significant effects associated with the Proposed Development and includes effects to archaeological remains. The Applicant should make effort to agree the approach to gathering baseline information and the need for intrusive works with relevant consultees.</p> |
| 5  | Tables 12.1, 12.2 and 12.3 | Criteria used to determine significance of effects | <p>The Inspectorate notes that the Applicant proposes to define the significance of effects on the basis of the criteria set out in tables 12.1, 12.2 and 12.3 of the Scoping Report. The Applicant should also have regard to the recommendations made by His E in Appendix 2 of this Opinion and seek to agree the approach to determining the significance of effects with relevant consultees.</p>   |



## 4.8 Surface water and flood risk

(Scoping Report section 13)

| ID | Ref | Applicant's proposed matters to scope out | Inspectorate's comments  |
|----|-----|---|--|
| 1  | n/a | n/a                                       | No matters have been proposed to be scoped out of the assessment |

| ID | Para  | Other points        | Inspectorate's comments  |
|----|-------|---------------------|--|
| 2  | n/a   | Roads               | The Inspectorate notes that the Scoping Report omits reference to the new access road and alterations to the M69. The ES should include an assessment of how the construction of the access road and the alteration of existing roads will affect the assessment of impacts from surface water and flood risk. The approach to this assessment should be discussed with relevant consultees taking into account applicable guidance such as that found within the DRMB HD45 /09 <sup>4</sup> . |
| 3  | 13.11 | Flood risk receptor | The Scoping Report states that 'a small portion of the site adjacent to the northern boundary is shown to be in Flood Zone 2' but Figure 13.1 of the Scoping Report shows this area is in Flood Zone 3. The Applicant should ensure that information provided within the ES is accurate and consistent.  |
| 4  | 13.16 | Study area          | The Scoping Report describes the study area as extending 'to the   |

<sup>4</sup> DMRB Volume 11, Section3, Part 10 – Road Drainage and the Water Environment.

|   |       |                               |  |
|---|-------|-------------------------------|--|
|   |       |                               | relevant natural and man-made water resource catchments where necessary' but the location of the catchments has not been stated. Within the ES, the study area should be clearly defined, justified and reflect the anticipated extent of potential impacts.   |
| 5 | 13.22 | Receptors                     | The list of receptors within the Scoping Report includes flood risk, quantity and quality of surface water, quantity and quality of foul water associated with the Proposed Development and the potential demand on potable water supply. The Scoping Report does not explain how effects on key receptors including existing infrastructure, habitats/sites of ecological value or local residents would be considered. The ES should seek to agree receptors with relevant statutory consultees including the Environment Agency (EA). |
| 6 | -     | Determination of significance | The Scoping Report does not explain how the significance of effects will be determined. The ES should explain and justify the criteria used to determine the significance of the effects from the Proposed Development on the water environment.   |

## 4.9 Hydrogeology

(Scoping Report section 14)

| ID | Ref | Applicant's proposed matters to scope out | Inspectorate's comments  |
|----|-----|---|--|
| 1  | n/a | n/a                                       | No matters have been proposed to be scoped out of the assessment |

| ID | Para | Other points        | Inspectorate's comments   |
|----|------|---------------------|---|
| 2  | n/a  | Study area          | The Inspectorate notes that a description of the study area is omitted from the aspect chapter. Within the ES, the study area should be clearly defined, justified and reflect the anticipated extent of potential impacts.   |
| 3  | n/a  | Operational effects | The aspect chapter makes no reference to potential hydrogeological impacts during the Proposed Development's operational phase. The Applicant should ensure the ES assesses impacts to hydrogeology during all phases of the Proposed Development including during operation, if significant effects are likely.  |
| 4  | 14.8 | Baseline assessment | <p>The Scoping Report provides inconsistent information relating to the status of aquifers in the vicinity of the Proposed Development. The ES should be consistent and clearly state the classifications of the aquifers.</p> <p>The ES should also include a figure to depict location of the aquifers likely to be affected by the Proposed Development.</p> |

| ID | Para  | Other points | Inspectorate's comments   |
|----|-------|--------------|---|
| 5  | 14.24 | Summary      | <p>The Scoping Report states that site remediation may be necessary, although the specific need for such measures has not been previously highlighted in the chapter. If site remediation is necessary, then this should be taken into account in the assessment and details of the proposed remediation should be included within the ES along with a description about how such measures are secured.</p> |

## 4.10 Geology, soils and contaminated land

(Scoping Report section 15)

| ID | Ref | Applicant's proposed matters to scope out | Inspectorate's comments   |
|----|-----|---|---|
| 1  | n/a | n/a                                       | No matter have been proposed of be scoped out of the assessment |

| ID | Para | Other points           | Inspectorate's comments   |
|----|------|------------------------|---|
| 2  | n/a  | Study area             | The Scoping Report does not describe the study area for the assessment of geology, soils and contaminated land. Within the ES, the study area should be clearly defined, justified and reflect the anticipated extent of potential impacts.   |
| 3  | n/a  | Consultation           | The Inspectorate notes that no consultation with other parties has been proposed. The Inspectorate is concerned that information relevant to the baseline may be missed unless all the relevant parties are consulted (for instance the EA may have records of old/ abandoned land fill sites which have the potential to be a source of contaminants). The Applicant should ensure that all relevant statutory consultees have been contacted to ensure that the baseline is robust. |
| 4  | 15.6 | Professional judgement | The Scoping Report states that 'professional judgement' will be used to evaluate all the hazards in terms of possible contaminant linkages. The ES should explain how professional judgement was used to evaluate the hazards and why it is appropriate to do so. Furthermore, the Inspectorate requests that a figure is included in   |

| ID | Para            | Other points                          | Inspectorate's comments  |
|----|-----------------|---------------------------------------|--|
|    |                 |                                       | the ES to depict the location of known areas of contamination.   |
| 5  | 15.7            | Agricultural land baseline assessment | The intention to assess the soil quality is noted. The ES should assess the degree to which soils are going to be disturbed or harmed as a result of the Proposed Development and the extent of any Best and Most Versatile land that would be lost or affected by the Proposed Development.   |
| 6  | 15.10           | Receptors                             | The descriptions of the receptors within the aspect chapter lacks sufficient detail and it is unclear where 'offsite occupiers of remaining land', 'properties/ buildings' and 'ecological receptors' are located. The ES should include a detailed list of receptors and a figure to clearly depict the locations of the receptors. |
| 7  | 15.12;<br>15.13 | Methodology                           | The Inspectorate notes that a full assessment methodology has not been included within this aspect chapter but reference to other methodologies within certain guidance is included. Within the ES, a complete assessment methodology should be included which clearly explains how significance of effect will be derived.          |

## 4.11 Materials and waste

(Scoping Report section 16)

| ID | Ref | Applicant's proposed matters to scope out | Inspectorate's comments  |
|----|-----|---|--|
| 1  | n/a | n/a                                       | No matters have been proposed to be scoped out of the assessment |

| ID | Para | Other points | Inspectorate's comments   |
|----|------|--------------|---|
| 2  | n/a  | Study area   | The Scoping Report has not described the study area for the assessment of materials and waste. Within the ES, the study area should be clearly defined, justified and reflect the anticipated extent of potential impacts.  |
| 3  | n/a  | Methodology  | The Inspectorate notes that this aspect chapter in the Scoping Report has not outlined or referenced an assessment methodology. The ES should include a complete assessment methodology explaining how significance of effect is derived.   |
| 4  | 16.3 | Introduction | The Scoping Report does not explain what approach will be used to determine if arisings generated during construction will be classed as waste or not. The ES should ensure that any waste arisings likely to occur and with the potential to result in impacts leasing to significant effects are identified and assessed. |
| 5  | 16.5 | Introduction | The Scoping Report states that to characterise soils a 'proprietary web-based tool' will be used but no reference to the web-based tool or further information regarding how it will characterise soils is provided. Within the ES, the method used to characterise soils   |

| ID | Para  | Other points                    | Inspectorate's comments  |
|----|-------|---------------------------------|--|
|    |       |                                 | for the assessment should be clearly explained and with sufficient information to explain the approach to the reader.  |
| 6  | 16.9  | Baseline assessment             | There is no reference in the Scoping Report to a baseline assessment of the waste infrastructure capacity in the region. The ES should describe and assess the impact the Proposed Development will have on the capacity of regional waste infrastructure during construction.   |
| 7  | 16.9  | Baseline assessment             | The aspect chapter has not defined the term 'surrounding area' when describing the extent of the baseline assessment. It is therefore unclear how far the baseline assessment will extend. The ES should explain how the area covered by the assessment has been defined.  |
| 8  | 16.9  | Baseline assessment             | The location and dimensions of the waste storage facilities have not been included within this aspect chapter or on the Illustrative Masterplan (Figure 2.1). The ES should state the location and dimension of the storage facilities and ensure that an assessment of the facilities is included within other aspect chapters, such as the Landscape and Visual Effects chapter. |
| 9  | 16.16 | Potential environmental effects | The Inspectorate notes that as 'the site is a mixture of farmland, small holdings and private dwellings' the small holdings and private dwellings will potentially need to be demolished. If demolition is required, the ES should assess the associated impacts. Furthermore, an estimate of the waste produced from the demolition should be included within the ES.             |
| 10 | 16.28 | Transporting waste              | The ES should explain how waste generated during construction will be transported off site and assess the impacts associated with  |



| ID | Para  | Other points            | Inspectorate's comments  |
|----|-------|-------------------------|--|
|    |       |                         | this approach.   |
| 11 | 16.31 | Significance of effects | The Scoping Report does not explain how the significance of effects would be assessed. The ES must explain the criteria used to determine the significance of effects. |

## 4.12 Energy and climate change

(Scoping Report section 17)

| ID | Ref | Applicant's proposed matters to scope out | Inspectorate's comments   |
|----|-----|---|---|
| 1  | n/a |   | No matters have been proposed to be scoped out of the assessment. |

| ID | Para | Other points        | Inspectorate's comments   |
|----|------|---------------------|---|
| 2  | 17.5 | Baseline assessment | The Scoping Report does not explain how the study area(s) for the assessment will be defined. The ES must explain and justify the study area(s) used in the assessment.   |
| 3  | 17.5 | Baseline assessment | It is not clear from the Scoping Report whether the proposed energy and sustainability assessment will be qualitative or quantitative or how it will deal with the inherent uncertainties around the generation of greenhouse gases over the lifetime of the Proposed Development. Paragraphs 17.17 and 17.18 of the Scoping Report state that the strategy will be included within a separate document to the ES with the environmental impacts relating to air, land, noise, light and water resulting from buildings and energy generation equipment to be covered under other relevant aspect chapters of the ES. However, elsewhere in the Scoping Report there is no reference to how impacts from the Proposed Development to climate will be assessed. As advised in section 3 of this Scoping Opinion, the ES must assess the effects of the Proposed Development on climate and the vulnerability of the project to climate change. It must clearly explain the reasoning and assumptions behind conclusions reached. It must |

| ID | Para          | Other points  | Inspectorate's comments   |
|----|---------------|---|---|
|    |               |   | explain the significance of effect and the criteria used to determine significance. Wherever possible the assessments should be quantitative rather than qualitative.   |
| 4  | 17.12         | Use of UKCP09 High Emissions Scenario                   | The ES should take into account the potential impacts of climate change using the latest UK Climate Projections, this should include the anticipated UKCP18 projections where appropriate.  |
| 5  | 17:14 – 17:15 | Scope of energy and carbon dioxide emissions assessment | The Scoping Report states that the scope of the energy and carbon dioxide (CO <sub>2</sub> ) emissions assessment will cover all building and process loads. It is not clear whether this will include emissions during construction or from the traffic movements associated with the operation of the Proposed Development. The ES should include an assessment of the effects of the project on climate where significant effects are likely to occur. |

## 4.13 Cumulative and transboundary effects

(Scoping Report section 18)

| ID | Ref | Applicant's proposed matters to scope out | Inspectorate's comments  |
|----|-----|---|--|
| 1  | n/a |   | No matters have been proposed to be scoped out of the assessment |

| ID | Para  | Other points  | Inspectorate's comments   |
|----|-------|---|---|
| 1  | 18.10 | Establishing Zones of Influence                                 | The Inspectorate welcomes the intention to follow the methodology in Advice Note 17 as far as possible. However, as previously noted in the aspect tables above, the Inspectorate has some concerns about the way the study areas have been defined and whether these reflect the zones of influence of the Proposed Development. The ES must clearly explain and justify the zones of influence used in the cumulative effects assessment (CEA). |
| 1  | 18.12 | Inclusion of other rail freight interchange projects in the CEA | The Scoping Report lists several rail freight interchange projects which will be included in the Stage 2 shortlist of the CEA but does not explain the criteria that were used to determine which projects should be included. The ES should explain and justify the approach to the inclusion of other rail projects in the CEA.   |
| 1  | -     | Interrelated effects  | The Scoping Report does not explicitly refer to the consideration of interrelationships between the various aspects of the environment which could be affected by the Proposed Development. The ES should, in each aspect chapter, cross-refer to other aspect chapters where necessary. The ES should also assess the effects on receptors (including human and ecological   |

| ID | Para | Other points | Inspectorate's comments   |
|----|------|--------------|---|
|    |      |              | <p>receptors) within the zone of influence of the Proposed Development where they may experience multiple effects from different elements of the Proposed Development eg noise, changes to air quality and potential severance on the local community from alterations to traffic flow.</p> |

## 5. INFORMATION SOURCES

5.0.1 The Inspectorate's National Infrastructure Planning website includes links to a range of advice regarding the making of applications and environmental procedures, these include:

- Pre-application prospectus<sup>5</sup>
- Planning Inspectorate advice notes<sup>6</sup>:
  - Advice Note Three: EIA Notification and Consultation;
  - Advice Note Four: Section 52: Obtaining information about interests in land (Planning Act 2008);
  - Advice Note Five: Section 53: Rights of Entry (Planning Act 2008);
  - Advice Note Seven: Environmental Impact Assessment: Process, Preliminary Environmental Information and Environmental Statements;
  - Advice Note Nine: Using the 'Rochdale Envelope';
  - Advice Note Ten: Habitat Regulations Assessment relevant to nationally significant infrastructure projects (includes discussion of Evidence Plan process);
  - Advice Note Twelve: Transboundary Impacts;
  - Advice Note Seventeen: Cumulative Effects Assessment; and
  - Advice Note Eighteen: The Water Framework Directive.

5.0.2 Applicants are also advised to review the list of information required to be submitted within an application for Development as set out in The Infrastructure Planning (Applications: Prescribed Forms and Procedures) Regulations 2009 (as amended).

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<sup>5</sup> The Planning Inspectorate's pre-application services for applicants. Available from: <https://infrastructure.planninginspectorate.gov.uk/application-process/pre-application-service-for-applicants/>

<sup>6</sup> The Planning Inspectorate's series of advice notes in relation to the Planning Act 2008 process. Available from: <https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

## APPENDIX 1: CONSULTATION BODIES FORMALLY CONSULTED

**TABLE A1: PRESCRIBED CONSULTATION BODIES<sup>7</sup>**

| <b>SCHEDULE 1 DESCRIPTION</b>  | <b>ORGANISATION</b>                              |
|--|--|
| The Health and Safety Executive  | Health and Safety Executive                      |
| The National Health Service Commissioning Board                        | NHS England                                      |
| The relevant Clinical Commissioning Group                              | West Leicestershire Clinical Commissioning Group |
| Natural England  | Natural England                                  |
| The Historic Buildings and Monuments Commission for England            | Historic England - East Midlands                 |
| The relevant fire and rescue authority                                 | Leicestershire Fire and Rescue Service           |
| The relevant police and crime commissioner                             | Police and Crime Commissioner for Leicestershire |
| The relevant parish council(s)   | Burbage Parish Council                           |
|  | Aston Flamville Parish council                   |
|  | Sapcote Parish Council                           |
|  | Stoney Stanton Parish Council                    |
|  | Elmesthorpe Parish Council                       |
| The Environment Agency   | The Environment Agency - East Midlands           |
| The Civil Aviation Authority   | Civil Aviation Authority                         |
| The Relevant Highways Authority  | Leicestershire County Council                    |
| The relevant strategic highways company                                | Highways England - Midlands                      |
| Public Health England, an executive agency of the Department of Health | Public Health England                            |
| The Crown Estate Commissioners   | The Crown Estate                                 |
| The Forestry Commission  | Forestry Commission - East and East Midlands     |
| The Secretary of State for Defence                                     | Ministry of Defence                              |

**TABLE A2: RELEVANT STATUTORY UNDERTAKERS<sup>8</sup>**

<sup>7</sup> Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended) (the 'APFP Regulations')

<sup>8</sup> 'Statutory Undertaker' is defined in the APFP Regulations as having the same meaning as in Section 127 of the Planning Act 2008 (as amended)

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| <b>STATUTORY UNDERTAKER</b>                                | <b>ORGANISATION</b>                              |
|--|--|
| The relevant Clinical Commissioning Group                  | West Leicestershire Clinical Commissioning Group |
| The National Health Service Commissioning Board            | NHS England                                      |
| The relevant NHS Trust                                     | East Midlands Ambulance Service NHS Trust        |
| Railways   | Network Rail Infrastructure Ltd                  |
| Railways   | Highways England Historical Railways Estate      |
| Civil Aviation Authority                                   | Civil Aviation Authority                         |
| Licence Holder (Chapter 1 Of Part 1 Of Transport Act 2000) | NATS En-Route Safeguarding                       |
| Universal Service Provider                                 | Royal Mail Group                                 |
| Homes and Communities Agency                               | Homes England                                    |
| The relevant Environment Agency                            | Environment Agency - East Midlands               |
| The relevant water and sewage undertaker                   | Severn Trent                                     |
| The relevant public gas transporter                        | Cadent Gas Limited                               |
|  | Energetics Gas Limited                           |
|  | Energy Assets Pipelines Limited                  |
|  | ES Pipelines Ltd                                 |
|  | ESP Connections Ltd                              |
|  | ESP Networks Ltd                                 |
|  | ESP Pipelines Ltd                                |
|  | Fulcrum Pipelines Limited                        |
|  | GTC Pipelines Limited                            |
|  | Independent Pipelines Limited                    |
|  | Indigo Pipelines Limited                         |
|  | Quadrant Pipelines Limited                       |
|  | National Grid Gas Plc                            |
|  | National Grid Gas Plc                            |
|  | Scotland Gas Networks Plc                        |
| Southern Gas Networks Plc                                  |  |
| Wales and West Utilities Ltd                               |  |
| The relevant electricity distributor with CPO Powers       | Energetics Electricity Limited                   |
|  | Energy Assets Power Networks                     |
|  | Fulcrum Electricity Assets Limited               |
|  | ESP Electricity Limited                          |
|  | G2 Energy IDNO Limited                           |
|  | Harlaxton Energy Networks Limited                |
|  | Independent Power Networks Limited               |
|  | Murphy Power Distribution Limited                |
|  | Leep Electricity Networks Limited                |
|  | The Electricity Network Company Limited          |
| UK Power Distribution Limited                              |  |



| <b>STATUTORY UNDERTAKER</b>                          | <b>ORGANISATION</b>                        |
|--|--|
|  | Utility Assets Limited                     |
|  | Vattenfall Networks Limited                |
|  | Utility Distribution Networks Limited      |
| The relevant electricity transmitter with CPO Powers | National Grid Electricity Transmission Plc |

**TABLE A3: SECTION 43 CONSULTEES (FOR THE PURPOSES OF SECTION 42(1)(B))<sup>9</sup>**

| <b>LOCAL AUTHORITY<sup>10</sup></b>        |
|--|
| Hinckley and Bosworth Borough Council      |
| Blaby District Council                     |
| North West Leicestershire District Council |
| Harborough District Council                |
| Charnwood Borough Council                  |
| Oadby and Wigston Borough council          |
| Rugby Borough Council                      |
| Nuneaton and Bedworth Borough Council      |
| North Warwickshire Borough Council         |
| Leicester city Council                     |
| Leicestershire County Council              |
| Lincolnshire County Council                |
| Northamptonshire County Council            |
| Staffordshire County Council               |
| Warwickshire County Council                |
| Rutland County Council                     |
| Nottinghamshire County Council             |
| Derbyshire County Council                  |

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<sup>9</sup> Sections 43 and 42(B) of the PA2008

<sup>10</sup> As defined in Section 43(3) of the PA2008



## **APPENDIX 2: RESPONDENTS TO CONSULTATION AND COPIES OF REPLIES**

Consultation bodies who replied by the statutory deadline:

|                                       |
|---------------------------------------|
| Aston Flamville Parish Meeting        |
| Blaby District Council                |
| Burbage Parish Council                |
| Elmesthorpe Parish Council            |
| Environment Agency                    |
| ESP Utilities Group                   |
| Forestry Commission                   |
| Fulcrum Pipelines                     |
| Health and Safety Executive           |
| Highways England                      |
| Hinckley and Bosworth Borough Council |
| Historic England                      |
| Leicestershire County Council         |
| National Grid                         |
| NATS En-Route Safeguarding            |
| Natural England                       |
| North Warwickshire Borough Council    |
| Nuneaton and Bedworth Borough Council |
| Public Health England                 |
| Royal Mail Group Ltd                  |
| Rugby Borough Council                 |
| Sapcote Parish Council                |

Stoney Stanton Parish Council

# ASTON FLAMVILLE PARISH MEETING

Chairman: Robin Wilson

1, Manor House Close, Aston Flamville, Hinckley, Leicestershire. LE10 3AU

Tel 01455 230104 email [robin.wilson14@btinternet.com](mailto:robin.wilson14@btinternet.com)

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10<sup>th</sup> April 2018

Your Ref TR050007-000004

Dear Ms Lancaster,

**Planning Act 2008(as amended) and The Infrastructure Planning(Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) -Regulations 10 and 11**

**Application by DB Symmetry (Hinckley) Limited for an Order granting Development Consent for the Hinckley National Rail Freight Interchange.**

Further to your letter dated the 15<sup>th</sup> March 2018, this letter constitutes the view of the Aston Flamville Parish Meeting in relationship to what we believe should be included in the Environmental Impact Assessment Statement relating to the afore mentioned project.

Firstly, we fully endorse all the points raised in the Sapcote Parish Council response dated 6<sup>th</sup> April 2018 (copy attached) .

In addition the following three points should be addressed in the Environmental Statement:

High Voltage Overhead Cables /Pylons are in close proximity to the proposed southern access/egress slip roads at M69 Jcn 2 and re-routing of these cables may be necessary. The Environmental Statement should examine how this can be safely achieved without detriment to the Aston Flamville Conservation Area or surrounding countryside.

The proposed northbound exit at Junction 2 of the M69 borders a natural fishing pool and wildlife area, the environmental statement needs to address how this area will be protected.

The southern most point of the project includes the bridge over the M69, carrying the Hinckley Road, which links Sharnford to Sapcote Rd, Burbage , via Aston Flamville. Traffic impact assessments/resultant pollution must be included not just for day to day activity, with a large shift-based commuting workforce, but also for when main arterial roads are blocked (A5/M69/M1/M6) .Aston Flamville is a Conservation Area and this route traverses the Conservation Area. The Environmental Statement should address how traffic/emissions/noise/vibration will be regulated on all secondary routes and in particular how Aston Flamville Conservation Area will be protected.

We request that the all the above items are included in the Environmental Impact Assessment Statement and trust that they will be fully investigated.

Yours faithfully,

*Robin Wilson*

Robin Wilson

Chairman of Aston Flamville Parish Meeting.



The Planning Inspectorate  
3D Eagle Wing  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN

Date: 10th April 2018  
Your Ref: TR050007-000004  
Our Ref: 18/03/EIASCO  
Contact: Georgina Isherwood  
Telephone: 0116 272 7564  
Email: [georgina.isherwood@blaby.gov.uk](mailto:georgina.isherwood@blaby.gov.uk)

**FAO Helen Lancaster**

Dear Ms Lancaster

**Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11**  
**EIA Scoping Opinion in Respect of Proposed Hinckley National Rail Freight Interchange**  
**Proposal by DB Symmetry**

Thank you for your letter dated 15<sup>th</sup> March 2018 regarding the above.

Blaby District Council considers that the Scoping Report broadly identifies the significant environmental impacts likely to arise as a result of the proposed development and that it forms an appropriate basis for undertaking an Environmental Impact Assessment. However, a number of specific comments regarding the scope of the Assessment are set out below which should be addressed in preparing the Environmental Statement.

**Socio Economic Effects**

The types of jobs generated should be considered in the context of the available workforce in the area, for both the construction and operational stages.

**Air Quality**

The effects of dust generation should be considered in the assessment of the impacts for the construction phase. Air quality and dust levels should be considered not only on site but also off site, including along access roads, local footpaths and other PROW.

Any mitigation measures necessary to deal with adverse impacts and identify any residual effects should be clearly described. Consideration should be given to monitoring dust complaints.

**VAT No. GB1153322-15**

Cat Hartley, Planning & Economic Development Group Manager  
Blaby District Council, Council Offices, Desford Road, Narborough, Leicestershire, LE19 2EP  
Telephone: 0116 275 0555 Fax: 0116 275 0368 Minicom: 0116 2849786 Web: [www.blaby.gov.uk](http://www.blaby.gov.uk)



## **Noise and Vibration**

The methodology and choice of noise receptors should be agreed with the Environmental Health Department of Blaby District Council.

Noise impacts on people should be specifically addressed and particularly any noise disturbance at night and other unsocial hours such as weekends and public holidays.

The Environmental statement should consider the effects for construction and operational phases of the proposed development for both night and day. It should state how noise generated by each element of the proposed development has been evaluated. Any assumptions underlying the evaluation of potential impacts should be stated. Noise contour maps would be welcomed to report the assessment of noise generation.

Consideration should be given to monitoring noise complaints during construction and when the development is operational.

## **Landscape and Visual Effects**

For both the construction and operational phases the effects of lighting and seasonal variations must be detailed.

The consideration of mitigation where significant adverse effects cannot be avoided through design should also be implemented. Consideration on its own is not sufficient.

The long term management of any landscaping and planting areas along with any other retained planting must be considered.

Taking in to account the size and height of the development it is considered that the landscape and visual impact assessment should include photomontages of the proposed developments. The viewpoints for photomontages should be agreed with stakeholders, including local planning authorities.

Careful consideration should be given to the form, siting and use of materials and colours given the size of the structures. This should be in terms of minimising the adverse visual impact of them.

As there will clearly be a visual impact at night as well as day, the relationship between the effects assessed in this chapter and any chapter dealing with lighting should be clearly stated to make it clear that the full range of visual effects have been assessed.

## **Energy and Climate Change**

Blaby District Council does not own any housing stock as detailed within the Scoping Report, page 170, paragraph 17.8.

## **Cumulative and Transboundary Effects**

Blaby District Council has recently amended the boundaries of AQMA1 and declared a new AQMA6 in Enderby. These changes should be considered.

Given the nature, scale and operation times (24hours, 7 days a week) of the proposed project, the inclusion of a standalone chapter on lighting within the Environmental Statement would be welcomed. Where lighting could have an impact on surrounding villages and towns these impacts should be fully explored through the EIA process and suitable mitigation included.



Please let me know if you wish to discuss or seek further clarification on the contents of this response.

Yours Sincerely

*Georgina Isherwood*

**Georgina Isherwood  
Major Schemes Officer**



**Debbie Perry**  
Principal Officer  
[www.burbage-council.co.uk](http://www.burbage-council.co.uk)



**Burbage Millennium Hall  
Britannia Road  
Burbage  
Leicestershire  
LE10 2HF**

Reference TR050007-000004

**PINS RECEIVED**

10<sup>th</sup> April 2018

16 APR 2018

Helen Lancaster  
The Planning Inspectorate,  
Temple Quay House,  
Temple Quay,  
Bristol,  
BS1 6PN

Dear Ms Lancaster

**Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) Regulation 10 and 11**

**Application by DB Symmetry (Hinckley) Limited for an Order granting Development Consent for the Hinckley National Rail Freight Interchange**

Thank you for your letter of 15 March 2018 asking that we inform the Planning Inspectorate of information we consider should be included within the Environment Statement (ES) to be provided by the applicant relating to the Proposed Development.

The applicant has stated that the ES shall include *"a description of the reasonable alternatives studied by the applicant, which are relevant to the proposed development and its specific characteristics, and an indication of the main reasons for the option chosen, taking into account the effects of the development on the environment"*. Chapter 3 – Alternatives of their report gives no details of serious consideration given to other locations in which a creditable balance could be made against these options and those for the proposed site at Hinckley. **This should be rectified prior to the ES being submitted.**

The applicant has suggested the ES should consider several topics and we have listed the information we believe should be included under each heading;

#### ENVIRONMENTAL IMPACT ASSESSMENT

- Whilst the applicant has claimed there will be no impact to Health due to the processes employed at the site, we believe a wider review of the quality of life and impact upon health of the development should be undertaken. This review should specifically include the nearby residents in approximately 180 mobile homes who will be immediately dominated by the development.

**The ES should assess the environmental and psychological issues of the residents being located so close to, and dominated by, the warehousing.**

**The ES should also assess the quality of life impacts in the residents of the surrounding villages of Burbage, Aston Flamville, Sapcote, Stoney Stanton & Elmesthorpe.**

## LAND USE AND SOCIO-ECONOMIC EFFECTS

- The applicant should clearly set-out the nature of the activities proposed at the Interchange and the interconnection between the Rail Connected buildings and other warehouses proposed on the site. The applicant in their earlier discussions with The Planning Inspectorate stated "The site is within approximately four hours drive time of 80% of the UK population". This stated benefit for the site seems to be contrary to the aims of a rail interchange by moving products as close as possible by rail to the end destination.

**The ES should include estimated travel flows and patterns to demonstrate substantial elements of the movements will be to local destinations and demonstrate the linkage of all warehouses planned for the site.**

## TRANSPORT AND TRAFFIC

- Whilst the applicant has suggested that all traffic will enter and leave the site via the M69, given the proposed 8,400 employees on site there will be significant impact upon the local roads. Local traffic congestion is of extreme concern. Of particular note, is the constraints to the narrow road layout in Sapcote village centre.

**The ES should consider how employee traffic has been considered in all traffic impacts.**

**The ES should include assessment of how any prohibition of traffic using certain routes will be enforced.**

**The ES should include a specific statement of how site traffic will be prevented from using Burbage Common Road.**

- The assessment of traffic impact should take into account proposals in the draft Strategic Growth Plan for Leicester & Leicestershire for a new A46 expressway which will link the M69 and M1. One possible route would see this road also joining at Junction 2 of the M69. Both proposals must be considered with the resulting interactions and cumulative traffic impacts.
- The applicant has noted the access the site gives to the A5 in addition to the M69. This would significantly impact upon the A5/M69 junction south of Burbage. Full impact of this additional traffic should be made, which should take account of the planned introduction of the DPD depot on the A5.

**The ES should include a full traffic assessment of the cumulative impact of all known developments in the area, together with the knock-on impacts on feeder roads.**

- Public transport can provide a major contribution to the reduction of overall traffic impact. Bus services can play one part in these services, but rail services by means of a new station could provide considerable additional benefits.

**The ES should include a review of all public transport services which can be provided as part of the development, including options for new rail services.**

## AIR QUALITY

- During the development of LCC LTP3 transport in 2007, the levels of nitrous oxides and diesel particulates were both identified as being "Very High" and at levels that damage health. This situation will have markedly worsened in the last 11 years, and the development of this site with major volumes of HGV's in continuous use will radically worsen pollution levels, which already exceed legally defined limits at the site location.

**The ES should include a full study of the impact assessment of increased traffic on local air quality. The study should include the impact of traffic congestion upon air quality.**

## NOISE AND VIBRATION

- It is likely there will be considerable noise generated by operations at the site, including but not limited to steady beeping of reversing vehicles.

**The ES should include the results of a full study all such noise pollution, which should specifically include the impact upon;**

- Immediate residents of the proposed development,
- Members of the public enjoying the amenity space of Burbage Common, woods and surrounding areas.

## LANDSCAPE AND VISUAL EFFECTS

- The landform across the area is very gently rolling with localised topography influenced by small streams around settlements, which are often on localised plateaux. The land use is predominantly agricultural and primarily arable with relatively long-distance views. Buildings are low rise and blend into the landscape.
- The Applicant has listed Landscape Designations in the area which does not include Burbage Common. The Applicant states "no Registered Parks and Gardens lie within the 5km search area". This clearly shows no consideration of Burbage Common has been made. This is an important asset to the local community and should have specific safeguarding references built into the ES.

*Note: Burbage Common is Hinckley & Bosworth Borough Council's largest countryside site and is located on the edge of Hinckley. Great for walkers, and dog lovers alike, a mix of semi-natural woodland and unspoilt grassland is 200 acres in size. In addition, the Common is well used for horses, along the trails and open landscape. There are also several paddocks and corrals along Burbage Common Road, and other livestock. The Common is immediately adjacent to the proposed site.*

**The ES should consider the impacts of light, noise and vista change upon the Common and surrounding areas and state the mitigation proposed on these impacts.**

**The ES should consider the impacts on horse riding in the immediate area around the proposed development.**

**The ES should ensure Burbage Parish Council is involved in the visual assessment process and determining appropriate viewpoints in addition to those listed in the Scoping Report.**

- It is noted in the Scoping Document that the Applicant may propose diversion of footpaths and rights of way running across the development site. Some of these diversions may be via underpasses.

**The ES should include an assessment of the impact on amenity value of footpath diversions, and will include provision for the assessment of risks to pedestrians using such routes.**

## ECOLOGY AND BIODIVERSITY

- It is noted that the Scoping Report has recognised the importance of the Burbage Wood and Aston Firs SSSI. This area of woodland is immediately adjacent to the proposed development and the development could pose a severe threat to the wellbeing of this area

**The ES should assess the full impact of the development upon the SSSI including knock-on ecological impacts of removing such a large area of farming land immediately adjacent to the woodland.**

#### CULTURAL HERITAGE

- As noted above, the applicant has not acknowledged any Cultural significance to Burbage Common.

**The ES should specifically consider the cultural heritage of the common and associated woods.**

#### SURFACE WATER AND FLOOD RISK

- The site is known to be frequently waterlogged and has very poor natural drainage, particularly alongside the railway where sustained flooding/standing water is commonplace.

**The ES should include assessments of the impact of increased flooding on local watercourses, with associated mitigations.**

#### HYDROGEOLOGY

- No additional requirements above those listed by the applicant have been identified.

#### GEOLOGY, SOILS AND CONTAMINATED LAND

- No additional requirements above those listed by the applicant have been identified.

#### MATERIALS AND WASTE

- No additional requirements above those listed by the applicant have been identified.

#### ENERGY AND CLIMATE CHANGE

- No additional requirements above those listed by the applicant have been identified.

#### CUMULATIVE AND TRANSBOUNDARY EFFECTS

- No additional requirements above those listed by the applicant have been identified.

**CONSTRUCTION PHASE** Specific full assessments should be made for the construction phase of the site.

**The ES should include a specific chapter on Construction issues, timescales, mitigations and controls**

Burbage Parish Council would be pleased if you could consider the above comments.

Yours sincerely,

  
Debbie Perry

Principal Officer



## **ELMESTHORPE PARISH COUNCIL**

The Village Hall, Wilkinson Lane, Elmesthorpe LE9 7SP

Email: [clerk.elmesthorpe@hotmail.com](mailto:clerk.elmesthorpe@hotmail.com)

Telephone: 07528 077240

Helen Lancaster  
Senior EIA and Land Rights Advisor  
The Planning Inspectorate  
3D Eagle Wing  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN

Your Ref: TR050007-000004

11 April 2018

Dear Ms Lancaster

**Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11**

**Application by DB Symmetry (Hinckley) Limited (the Applicant) for an Order granting Development Consent for the Hinckley National Rail Freight Interchange Proposed Development**

Thank you for your letter of 15 March 2018 offering Elmesthorpe Parish Council the opportunity to comment on the information which it considers should be included in the Environmental Statement for the above proposed development.

By way of background, Elmesthorpe is a small village extending back from the B581 and the majority of the land involved in this application is located within Elmesthorpe Parish.

Where possible, we have sought to put forward our comments in the same order as matters are dealt with in the EIA Scoping Report provided by DB Symmetry and to cross reference them to the Report.

**1. Reference 1.17.iv. page 22 – Introduction – Location - Local**

The Applicant's Report states "In order to ensure that the proposed development is deliverable, the preliminary DCO boundary also includes the following....

- iv). The northern stretch of Burbage Common Road connecting the main body of the proposed site to the B581 Station Road Elmesthorpe (for the avoidance of doubt, this road is included only in case it is required for emergency access and is not proposed for use in connection with the operation of the HNRFI)."

However the Report makes no reference to what appears to be, judging by the outline shape, a proposal for the installation of a roundabout or mini roundabout at the junction of Burbage Common Road with the B581 (Stanton Road/Station Road, Elmesthorpe). The Report also makes no reference to the loss of land on either side of the B581 to accommodate the roundabout/mini roundabout. Burbage Common Road itself is a single track road with a few roadside passing bays, some residential properties and livery stables.

In these circumstances, we would ask that the Environmental Statement should include:

- specific details of the proposals for the future of Burbage Common Road, including any proposals for its widening, and an assessment of the impact on the amenity of all the properties on or off the northern section of Burbage Common Road,
- specific details of the proposals for the junction of Burbage Common Road and B581 (Stanton Road/Station Road, Elmesthorpe),
- an assessment of the impact on the amenity of all the properties on Stanton Road/Station Road situated between the M69 and the B581 railway bridge, plus Home Farm which is immediately opposite the Burbage Common Road junction, the Wentworth Arms public house, and the business premises located between the Wentworth Arms and the B581 railway bridge, plus the agricultural and equine land occupation off the old Stanton Road.

## 2. Reference 2.27 page 35 – Project Description – Access

The Applicant states “Pedestrian, cycle and horseback access across the site would be maintained.”

The application site land is crossed by a number rights of way including footpaths U50, U52, U53, V23 and V35, and also bridleway V29. In addition, Burbage Common Road is used by a number of horse riders for access to Burbage Woods.

In these circumstances, we would ask that the Environmental Statement include:

- specific details of any proposals for the alteration of the route of these 5 footpaths and the bridleway, including whether the current routes at which U50 and V23 cross the railway line are to be maintained and if not, where any replacement crossing points will be sited. We would also like details of the proposed route for those riders who currently use Burbage Common Road and the Burbage Common railway bridge as a means of access to Burbage Woods to be set out in the Environmental Statement.
- an assessment of the loss of amenity to those members of the public who currently use the rights of way as we anticipate there may be some proposed re-routing of these rights of way across the development site.

## 3. Reference 6.15 page 64 – Land Use & Socio Economic Effects – Agricultural Businesses

The Applicant is currently proposing to carry out an assessment of the socio economic effects on only those agricultural businesses which are within the application site, whilst at reference 6.29 page 67, the Applicant refers to “the potential significant environmental effects from a socio-economic perspective are anticipated to be as follows.....

- impact on existing agricultural businesses resulting from change in land use.”

We would suggest that the proposed change in land use of the development site from agricultural use to a National Rail Freight Interchange will have socio economic effect on a far wider spread of businesses than those contained within the development site, as well as



potentially impacting on the amenity of residential properties, due to the noise and lighting emanating from the site once it is operational.

Accordingly, we would suggest that the proposed assessment of agricultural businesses within the development site only is insufficient, particularly bearing in mind the close proximity of a number of livery stables to the site and also other agricultural businesses which by virtue of the type of farming enterprise will also be impacted by the noise and lighting levels of the development site which the Applicant confirms at paragraph 2.21 “would operate on a 24 hours a day / seven days a week basis and would be lit throughout the night.”

Also, at paragraph 2.29 Landscape and Habitats page 36, it is stated “The HNRFI site as a whole will be surrounded by a landscape buffer that will incorporate bunds, tree and shrub planting and water features. These will be provided with a view to providing biodiverse wildlife habitats.” However there is no reference to the bunding having been designed to limit either the noise from the site, or light pollution from the high level lighting at the site, and their impact on nearby properties.

In these circumstances, we would ask that the potential impact on existing livery stables and agricultural businesses in the vicinity of the proposed development be assessed to include any livery, or agricultural businesses, sited on or off Burbage Common Road, Billington Road East and West, and the lower part of Bridle Path Road. There are also agricultural businesses immediately across the motorway from the development site which may be affected and the potential impact on these should also be considered.

We would also ask that the socio economic effects on residential properties where the occupiers will either be able to hear the noise from the development site, or see the high level lighting, should also be assessed in the Environmental Statement.

#### 4. Reference 7.9 page 74 – Transport and Traffic – Pedestrian Access

The Applicant states “The B581 and B4668, which are located at either end of Burbage Common Road, both have footways running alongside their carriageways.”

The footway alongside the B581 Station Road through Elmesthorpe is very narrow and it is not on both sides of the road. The Parish Council has received numerous complaints from residents regarding the inadequacy of the width of the footway in comparison to the speed of vehicles using Station Road, as it is not possible in places to walk two abreast, or for two people to pass each other without one stepping into the road.

In the circumstances, we would like the Environmental Assessment to address any proposed improvements to the width of the footways alongside the B581 or other road safety measures proposed by the Applicant.

#### 5. Section 8 Air Quality

We note at Section 8 that the Environmental Statement will include forecasts of the Air Quality in the area of the development. However in Table 8.2 page 87, the closest Diffusion Tube to the residential areas of Elmesthorpe used in the monitoring process is located on the A47 Earl Shilton bypass and the residential areas of Elmesthorpe are located between the development site and A47 Earl Shilton bypass. In these circumstances, we would ask that the Environmental Statement should include results which are an appropriate assessment of the current and future air quality for the residents of Elmesthorpe, not just the results from the A47 trunk road which is further from the site than the residential properties in Elmesthorpe.

We also note that at paragraph 8.13 page 88, the Report states “The main purpose of the assessment is to determine the current conditions in the area and what effects future increases in vehicle movements might have on existing sensitive receptors. In addition, concentrations at the development site after it has been constructed will be assessed for exceedances of the NAQO.” If as suggested in the Report, road freight is to enter and leave the site close to the M69, then the greater impact on air quality in Elmesthorpe would be likely to be from the vehicle movements and emissions within the site. It does not seem appropriate that emissions within the site should only be assessed after development has taken place, and we would wish to see a proper assessment undertaken of the predicted impact on air quality within the village before the planning application is determined.

#### 6. Reference 9 page 89 – Noise and Vibration

The Report states the proposed development has the potential to generate adverse noise and vibration effects during site clearance, preparation and construction phases, and once the development is completed, noise associated with road and rail traffic movements, employment operations and externally located and externally exhausting fixed plant have the potential to have adverse effects on noise sensitive receptors located in the immediate vicinity.

At paragraph 9.8 page 90, the Report identifies only 7 specific “noise sensitive receptors” which we believe to be an inadequate assessment of the number of the residential properties, liveries and agricultural businesses which potentially will be affected by the noise levels generated by the proposed development, and we would wish to see the noise assessments carried out over a far wider area for the purpose of this Environmental Statement.

The importance of extending the “noise sensitive receptors” beyond the 7 properties identified by the Applicant can be seen at paragraph 9.50 page 99, where the Report states the magnitude of the impact is to be assessed against the identified receptors, but there does not appear to be provision for an assessment of the wider impact of noise levels. This is of particular concern in terms of the absence of acoustic bunding on the boundaries of the development site.

#### 7. Reference 10.25 page 105 – Landscaping & Visual Amenity – Visual Amenity

The Report states that “Open views of the site are largely limited to those from Burbage Common Road as it passes through the site, the various PRow which cross the site and the M69 although roadside vegetation provides some interruption and the speed and nature of travel limit the availability of views.”

In view of the proposed height of the buildings and the lighting on the development site, we would ask that the Environmental Statement should also include an assessment of the visual impact of the development on the amenity of all the properties on Burbage Common Road, not simply those included within the development site, plus any properties on the B581 Stanton/Station Road which may overlook the development site, and those properties on the other side of the M69, or the other side of the railway line which have a direct and uninterrupted view of the site.

To support this request, we would refer to Figure 10.2 Zone of Theoretical Visibility – Ground Level on page 113 which shows a wide area of visibility.

#### 8. Reference 12.5 page 135 – Cultural Heritage – Designated Heritage Assets

The Wentworth Arms & Stables and Wortley Cottages are situated on the B581 Stanton Road/Station Road and are Grade II Listed Buildings within 2km of the site. They have been omitted from Reference 12.5 of the Report, though they do appear on Figure 12.1 page 143 “Known Heritage Assets”.

The Wentworth Arms is located immediately adjacent to the proposed alterations to the Burbage Common Road/B581 junction. In these circumstances, we would ask that the Environmental Statement include an assessment of the impact of the proposed development on the setting of The Wentworth Arms.

#### 9. Surface Water and Flood Risk – pages 145 – 151 and Figures 13.1 and 13.2

The Report identifies at reference 13.7 page 146 that currently the site is not understood to be served by a positive surface water drainage system, and any run off currently generated will likely be directed to existing on-site surface water bodies and ultimately into the tributary of the Thurlaston Brook.

We can confirm that there has been surface flooding within the development site over this past winter and we are concerned that any increase in surface water attributable to the development will result in the flooding of adjoining land currently in use for horsiculture and agriculture. Looking at the wider environment, there are also concerns that by virtue of the use of the Thurlaston Brook and its tributaries as the main means of disposal of surface water, there will be an increase in water levels at the Watery Gate and an increase in flooding across the road at Huncote.

We note that the Applicant intends to address these issues in the Environmental Statement, and the Report states at paragraph 13.16 page 149 that “The study area for this assessment will principally comprise the site, but will extend to the relevant natural and man-made water resource catchments where necessary.”

We would ask that the Environmental Statement specifically cover the impact of the development in terms of flood risk, surface water quantity and surface water quality, on the Thurlaston Brook, its tributaries and surrounding land, not simply the development site.

#### 10. Summary

In conclusion, the Parish Council’s principal concerns are:

- the impact of the 24 hour noise from the development on the amenity of residents and the operation of businesses
- the impact of the 24 hour high level lighting at the development on the amenity of residents and the operation of businesses
- the proposed alterations to the Burbage Common Road/B581 junction and its impact on nearby properties
- the increase in traffic on the local road networks arising from the anticipated 8,400 employees at the development site, site deliveries, as well as substantial construction traffic.
- the impact of the road freight on the B581 and other roads in the area. We would ask that the Environmental Statement include more prescriptive proposals for the routes which can be used by heavy goods vehicles, as most of the villages in the area already struggle to cope with the current level of HGV use, and due to the sharp bend


in the B581/Station Road railway bridge in Elmesthorpe, it is impossible for HGVs travelling in opposite directions to pass over the bridge at the same time.

- the impact on the local environment including Burbage Wood which adjoins Elmesthorpe Parish, and Elmesthorpe Plantation which is within the Parish and is part of Aston Firs.

We would ask that all these matters, plus the specific areas that we have identified above, are covered in the Applicant's Environmental Statement.

Please do not hesitate to let us know if you would like any further explanation of the points that we have raised.

Yours sincerely

A solid black rectangular box redacting the signature of Julie Gent.

Julie Gent  
Parish Clerk

Planning Inspectorate  
National Infrastructure Planning  
Temple Quay House (2 The Square)  
Temple Quay  
Bristol  
Avon  
BS1 6PN

**Our ref:** LT/2018/123145/01-L01  
**Your ref:** TR050007-000004  
**Date:** 03 April 2018

Dear Sir/Madam

**HINCKLEY NATIONAL RAIL FREIGHT INTERCHANGE LAND 3KM NE OF  
HINCKLEY AND TO THE NORTH WEST OF J2 M69**

**Scoping Consultation and notification of the Applicant's contact details**

Thank you for your letter of 15<sup>th</sup> March 2018 in respect of the above.

I have reviewed the application for an EIA scoping opinion within the context of the remit of the Environment Agency.

I can confirm that I agree with the topics that are to be scoped in and to the level of detail stated within the scoping opinion.

Yours faithfully

**MR GEOFF PLATTS**  
**Planning Specialist Sustainable Places**

Direct dial 0203 0253242  
Direct e-mail [geoff.platts@environment-agency.gov.uk](mailto:geoff.platts@environment-agency.gov.uk)

Environment Agency  
Trentside Offices, Scarrington Road, West Bridgford, Nottingham, NG2 5FA.  
Customer services line: 03708 506 506  
[www.gov.uk/environment-agency](http://www.gov.uk/environment-agency)  
End



**From:** [ESP Utilities Group Ltd](#)  
**To:** [Hinckley SRF1](#)  
**Subject:** Your Reference: TR050007-000004 . Our Reference: PE135042. Plant Not Affected Notice from ES Pipelines  
**Date:** 16 March 2018 16:30:02

---

Hinckley National Rail Freight Interchange  
The Planning Inspectorate

16 March 2018

Reference: TR050007-000004

Dear Sir/Madam,

Thank you for your recent plant enquiry at (TR050007-000004).

I can confirm that ESP Gas Group Ltd has no gas or electricity apparatus in the vicinity of this site address and will not be affected by your proposed works.

ESP are continually laying new gas and electricity networks and this notification is valid for 90 days from the date of this letter. If your proposed works start after this period of time, please re-submit your enquiry.

**Important Notice**

Please be advised that any enquiries for ESP Connections Ltd, formerly known as British Gas Connections Ltd, should be sent directly to us at the address shown above or alternatively you can email us at: [PlantResponses@espipelines.com](mailto:PlantResponses@espipelines.com)

Yours faithfully,

Alan Slee  
**Operations Manager**



Bluebird House  
Mole Business Park  
Leatherhead  
KT22 7BA

☎ 01372 587500 📠 01372 377996

<http://www.espug.com>

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**East & East Midlands**  
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Area Director  
Steve Scott

Helen Lancaster  
3D Eagle Wing  
Temple Quay House  
2 The Square  
Bristol, BS1 6PN

Your Ref: TR050007-000004

Date: March 27<sup>th</sup> 2018

Dear Miss/Mrs Lancaster,

## **Hinckley National Rail Freight Interchange (the Proposed Development) Environmental Impact Scoping consultation**

Thank you for consulting the Forestry Commission on the scoping consultation for this proposal.

The Forestry Commission has a number of points to make which concern the Ancient Woodland namely Burbage Wood, Aston Firs, Freeholt Wood and Sheepy Wood ( Burbage wood and Aston Firs are also SSSIs) although outside the site these are adjacent and likely impacts of this development on them need to be considered

Ancient Woodland should be considered within two chapters of the draft statement that is: both as a landscape element and as an irreplaceable habitat under chapter 11, Ecology and Biodiversity. The treatment of the woods needs to be considered in both these respects.

Where Paragraph 10.20 (page 104) states: *In addition to reviewing the above documents, the assessment will take heed of the guidance provided in relation to trees, provided in BS 5837:2012 Trees in Relation to Design, Demolition and Construction (BSI, 2012).*

The Forestry Commission suggests that the assessment also needs to take account of the recently amended [Standing Advice for Ancient Woodland and Veteran Trees](#), (amended Jan 2018).

The draft quotes National Planning Policy, however equally important is paragraph 118:-

**Paragraph 118** – *“planning permission should be refused for development resulting in the loss or **deterioration**(our emphasis) of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss”.*

As this is an irreplaceable habitat it needs to be weighted sufficiently in considerations and the Forestry Commission would expect to see in the environmental statement indications of how the developer will attempt to:

- a) Place development as far from the woodland as possible.
  - b) Include a buffer, there appears to be scope for additional woodland planting between any development and the ancient woodland at least 15 metres from canopy edge (roots can extend further).
  - c) Follow the Standing Advice with reference to minimising impact through dust/lighting and so forth and consider Ancient Woodland as an ecological receptor for the purposes of 15.10 (page 158).
  - d) Recognise that development will, in effect, prevent any further expansion of the woodland, therefore any further planting as part of the development would be beneficial and contribute to a nett biodiversity gain.
- a) The Forestry Commission also recommends that ancient woodlands and veteran trees be included in all future habitats and species surveys in relation to the Scheme and should include surveys on Ancient Woodlands with a 2km area of search, reflecting good practice established on other NISPs.
  - b) Biosecurity is not mentioned within the document; however appropriate measures need to be taken to avoid the spread of pests & diseases and also a consideration of the handling of soil and contractor plant and machinery. We refer you to the latest Biosecurity advice from the Forestry Commission at [www.forestry.gov.uk/pestsanddiseases](http://www.forestry.gov.uk/pestsanddiseases) and <https://www.forestry.gov.uk/england-keepitclean> for more detailed advice and guidance.

The Standing Advice website will provide links to the [Natural England's Ancient Woodland Inventory, assessment guides](#) and other tools to assist the developer in assessing potential impacts. The assessment guides sets out a series of questions to help planners/developers assess the impact of the proposed development on the ancient woodland. **Case Decisions** demonstrates how certain previous planning decisions have taken planning policy into account when considering the impact of proposed developments on ancient woodland. These documents can be found on our [website](#).

A summary of Government policy on ancient woodland can be found in the information section on the Standing Advice page on Gov.uk.

Where there is an intention to plant trees the Forestry Commission can provide advice on species choice both in relation to potential climate change implications and tree pests and diseases.

Yours sincerely,



Corinne Meakins  
Local Partnership Advisor

**From:** [THOMAS Matt](#)  
**To:** [Hinckley SRF1](#)  
**Subject:** TR050007-000004  
**Date:** 26 March 2018 09:49:22

---

Good morning,

Regarding your letter Ref: TR050007-000004 I can confirm that we have no comment.



MATT THOMAS | Head of Asset Management

Mobile: 07522233368 | Direct: 0114 280 4128

Email: [matt.thomas@fulcrum.co.uk](mailto:matt.thomas@fulcrum.co.uk) | Web: [www.fulcrum.co.uk](http://www.fulcrum.co.uk)

**FULCRUM**

Address: Fulcrum Pipelines, 2 Europa View, Sheffield Business Park, Sheffield, S9 1XH. Tel: 03330 146 455



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*Fulcrum creates one of the UK's leading gas and electrical infrastructure services groups with £22m acquisition of Dunamis Group [Read more](#)*

*Fulcrum brings gas to Chivas Brothers' distillery ahead of schedule. [Read more](#)*

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CEMHD Policy - Land Use Planning  
NSIP Consultations  
Building 2.2, Redgrave Court  
Merton Road, Bootle  
Merseyside, L20 7HS

Your ref: TR050007  
Our ref: 4.2.1.6330  
HSE email: [NSIP.applications@hse.gov.uk](mailto:NSIP.applications@hse.gov.uk)

FAO Helen Lancaster  
The Planning Inspectorate  
Bristol  
BS1 6PN  
By e-mail

06/04/2018

Dear Ms Lancaster

**PROPOSED Hinckley National Rail Freight Interchange (the project)  
PROPOSAL BY DB Symmetry (Hinckley) Limited (the applicant)  
INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 (as amended)  
– Regulations 10 and 11**

Thank you for your letter of 15<sup>th</sup> March 2018 regarding the information to be provided in an environmental statement relating to the above project. HSE does not comment on EIA Scoping Reports but the following information is likely to be useful to the applicant.

**HSE's land use planning advice**

Will the proposed development fall within any of HSE's consultation distances?

There are currently no major accident hazard sites or pipelines within the development. If in the intervening period we are notified of a change to this situation the applicant would need to seek advice from us.

Hazardous Substance Consent

The presence of hazardous substances on, over or under land at or above set threshold quantities (Controlled Quantities) will probably require Hazardous Substances Consent (HSC) under the Planning (Hazardous Substances) Act 1990 as amended. The substances, alone or when aggregated with others for which HSC is required, and the associated Controlled Quantities, are set out in The Planning (Hazardous Substances) Regulations 2015.

Hazardous Substances Consent would be required to store or use any of the Named Hazardous Substances or Categories of Substances at or above the controlled quantities set out in schedule 1 of these Regulations.

Further information on HSC should be sought from the relevant Hazardous Substances Authority.

Explosives sites

HSE has no comment to make as there are no licensed explosives sites in the vicinity.

**Electrical Safety**

No comment from a planning perspective.

Please send any further electronic communication on this project directly to the HSE's designated e-mail account for NSIP applications. Alternatively any hard copy correspondence should be sent to:

Mr Dave Adams (MHPD)  
NSIP Consultations  
2.2 Redgrave Court  
Merton Road, Bootle,

Merseyside L20 7HS

Yours sincerely,



Marion Davies

PP  
Dave Adams  
(CEMHD4 Policy)

Your ref: TR050007-000004

Helen Lancaster  
The Planning Inspectorate  
3D Eagle Wing  
Temple Quay House  
2 The Square  
Bristol, BS1 6PN

Scarlett Griffiths  
Highways England  
The Cube  
199 Wharfside Street  
Birmingham  
B1 1RN

Direct Line: 0300 470 3034

3 April 2018

Dear Helen,

### **Hinckley National Rail Freight Interchange, application for Development Consent Order (DCO) – EIA Scoping Opinion**

Thank you for inviting Highways England to provide comments on the scope of an Environmental Impact Assessment prepared by DB Symmetry (Hinckley) Limited in support of an application for an Order granting Development Consent for the Hinckley National Rail Freight Interchange (NRFI) to the northwest of M69 Junction 2, Hinckley, Leicestershire.

The applicant's transport consultants, Hydrock, first consulted Highways England in December 2015 regarding this site. Since then, we have been in ongoing discussions with Hydrock, providing comments on the assessment work that is being undertaken in support of the proposal.

Notwithstanding this, Highways England has set out below both the general and specific areas of concern that we would wish to see considered as part of an Environmental Impact Assessment (EIA). The comments relate specifically to matters arising from the Highways England responsibilities to manage and maintain the Strategic Road Network (SRN) in England.

Comments relating to the local road network should be sought from the appropriate local highway authority.

General aspects to be addressed in all cases include:

- An assessment of transport related impacts of the proposal should be carried out and reported as described in the Department for Transport 'Guidance on Transport Assessment' and 'Circular 02/2013: Strategic road network and the delivery of sustainable development'. It is noted that 'Guidance on Transport Assessment' has been archived, however still provides a good practice guide in preparing a Transport Assessment. In addition, the Department for Communities

and Local Government (DCLG) also provide guidance on preparing Transport Assessments (TA).

- Environmental impact arising from any disruption during construction, traffic volume, composition or routing change and transport infrastructure modification should be fully assessed and reported.
- Adverse change to noise and air quality should be particularly considered, including in relation to compliance with the European air quality limit values and/or in local authority designated Air Quality Management Areas (AQMAs).

Highways England recommends the following site specific consideration should inform the final EIA:

- The nearest point of impact of development traffic on the SRN will be Junction 2 of the M69 Motorway, which is located to the southeast of the proposed site.
- Based on the indicative information presented to date, we consider that M69 Junction 2 should be assessed for the opening year scenario in line with Circular 02/2013.
- It has been agreed with Hydrock that the impact of the development is to be assessed using the Leicester and Leicestershire Integrated Transport Model (LLITM) and VISSIM. The outputs from this modelling work should therefore be used to inform the TA.

The junction capacity assessment must be carried out for the following scenarios:

- Opening Year Scenario (the year in which the development is expected to be opened);
- Opening Year Plus Committed Development Scenario; and
- 'Opening Year Scenario Test' - Opening Year plus Committed Development plus the proposed development, which will determine whether any mitigation is required for the SRN.

The impact of the development should also be assessed for 10 years after the year the application is registered or the plan end period (whichever is greater). This is for information so that Highways England can inform their programme of works for the future. Please note that all committed developments and infrastructure on the surroundings of the site should be included in the opening year scenario assessment. We recommend liaising with relevant local planning authorities to determine the consented developments to be incorporated in the assessment.

As the proposed site shares a common boundary with the M69 Motorway, any changes to the boundary, particularly regarding earthworks and surface water drainage, must be agreed with Highways England.

We finally recommend that the Transport Assessment is agreed in a staged approach and that the overall methodology and elements such as assessment years, trip generation and distribution be agreed prior to further assessment work being carried out. This approach should avoid any abortive work.

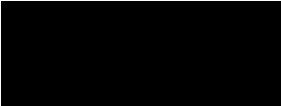




These comments are only advisory, as the responsibility for determining the final scope of the Environmental Statement would rest with the Local Planning Authority.

These comments imply no pre-determined view as to the acceptability of the proposed development in traffic, environmental or highway terms. Should the applicant wish to discuss the merits of the proposal in terms of the likely impact on the SRN please contact me on 0300 470 3034 or [scarlett.griffiths@highwaysengland.co.uk](mailto:scarlett.griffiths@highwaysengland.co.uk)

Yours sincerely



Scarlett Griffiths  
Assistant Spatial Planning & Economic Development Manager  
Email: [scarlett.griffiths@highwaysengland.co.uk](mailto:scarlett.griffiths@highwaysengland.co.uk)



**Bill Cullen** MBA (ISM), BA(Hons) MRTPI  
*Chief Executive*

**Please Ask For:** Rhiannon Hill  
**Direct Dial/Ext:** 01455 255656  
**Email:** [planning@hinckley-bosworth.gov.uk](mailto:planning@hinckley-bosworth.gov.uk)  
**Your Ref:**  
**Our Ref:** 18/10051/NAC  
**Date:** 10 April 2018



**Hinckley & Bosworth  
Borough Council**

FAO: Helen Lancaster

Dear Sir/Madam

**Proposal: Consultation from Secretary of State for comment on Scoping Opinion under Infrastructure Planning (Environmental Impact Assessment) Regulations 2017- Regulations 10 and 11 in respect of proposed Hinckley National Rail Freight Interchange, Land east of Hinckley, within Blaby District**

**Location:- Land east of Hinckley, within Blaby District**

Thank you for consulting Hinckley and Bosworth Borough Council (HBBC) on the Scoping Opinion relating to the proposed development of a Strategic Rail Freight Interchange (SRFI). In general the Council considers the scope of the technical assessments that will be undertaken to be thorough and appropriate and welcomes the approach of the applicant in following the guidance found in the Planning Inspectorates Advice Note Seven - *Environmental Impact Assessments: Process, Preliminary Environmental Information, and Environmental Statements (December 2017)*.

The Council has consulted internally and has some additional points to add (see below) and trusts that all other relevant consultees have been given opportunity to comment.

### Chapter 3

Whilst Officers note this chapter seeks to set out why this particular site is suitable, it does not adequately assess other potentially viable options. Indeed the Council does not consider the alternative sites identified by Baker Rose are either clearly or sequentially evidenced.

### Chapter 8

Air Quality within the borough of Hinckley & Bosworth should be addressed, including assessments of the impact along the surrounding road network and cumulative effects of nearby development (e.g. 17/01043/HYB). HBBC would welcome consultation on the proposed methodology, required receptors and monitoring locations informing the Air Quality Assessment.

### Chapter 9

HBBC would welcome consultation on the methodology and receptors informing any noise and vibration reports.

### Chapter 10

It is noted that the Landscape and Visual Impact Assessment (LVIA) has already commenced and the applicant indicates this will be an ongoing process. HBBC would welcome the opportunity to be further consulted during this ongoing process to enable the Council to have sight of and comment on the views that inform this assessment. This is imperative as the proposed site boundary adjoins the Borough at the Hinckley/ Barwell/ Earl Shilton/ Burbage Green Wedge which is also the location of Burbage Common and Wood, as identified in the Core Strategy (2009) Policy 6 and in the Site Allocations and Development Management Policies (2016) DPD. The Council seek assurance that these important open spaces are fully assessed. The LVIA should make reference

to HBBC Green Wedge Review (2011) and the Landscape Character Sensitivity Assessment (2017) and should include views from Burbage Common.

In addition to this, Burbage Common is the location of a Local Wildlife Site and SSSI (Burbage Wood), Smenell Fields (identified on Pg.133) is subject to a Higher Level Stewardship Agreement. Consultation with LCC Ecology and Natural England will provide further detail of this.

HBBC request to be kept informed at all stages and consulted as appropriate.

If you have any queries on the above information please do not hesitate to contact me.

Yours faithfully



**Nicola Smith**  
**Planning Manager (Development Management)**



Historic England

EAST MIDLANDS OFFICE

Ms Helen Lancaster  
The Planning Inspectorate  
3D Eagle Wing  
2 The Square  
Bristol  
BS1 6PN

Direct Dial: 01604 735460

Our ref: PL00345802

10 April 2018

Dear Ms Lancaster

Thank you for your letter of 15 March 2018 requesting a scoping opinion from Historic England on proposals for the proposed development of the Hinckley National Rail Freight Interchange.

### **Advice**

Historic England has reviewed the information submitted in the scoping report from the applicant and our own records for the proposed development area. In our view, this development is likely to have an impact upon a number of designated heritage assets and their settings in the area around the site. In line with the advice in the National Planning Policy Framework (NPPF), we would expect the Environmental Impact Assessment (EIA) documentation to contain a thorough assessment of the likely effects which the proposed development might have upon those elements which contribute to the significance of these assets. In this way it should be possible to identify (and where possible avoid, minimise or if appropriate mitigate) what may be substantial direct and indirect impacts on assets of local, regional and national importance.

In general terms, Historic England advises that a number of considerations will need to be taken into account when proposals of this nature are being assessed. In order for your authority to understand the potential impacts of the proposals on the significance of both designated and non-designated heritage assets of all types, we would recommend that you ensure that the Environmental Impact Assessment (EIA) conducted takes the following issues into account. This includes consideration of the impact of ancillary infrastructure:

- The potential impact upon the landscape, especially if a site falls within an area of historic landscape;
- Direct impacts on historic/archaeological fabric (buildings, sites or areas), whether statutorily protected or not;
- Other impacts, particularly the setting of listed buildings, scheduled monuments, registered parks and gardens, conservation areas etc., including long views and any specific designed views and vistas within historic designed landscapes. All



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## EAST MIDLANDS OFFICE

grades of listed buildings should be identified. In some cases, inter-visibility between historic sites may be a significant issue;

- The potential for buried archaeological remains;
- Effects on landscape amenity from public and private land;
- Cumulative impacts.

The level of carefully considered information required under the EIA process will need to be proportional to the severity of the potential issues which may arise from any proposed scheme, and directly related to the need to assess the overall sustainability of the development proposals.

Our initial assessment shows that the following numbers of designated heritage assets are located within c. 5km of the proposed development:

**6 Scheduled Monuments;**  
**98 Listed Buildings (8 Grade I and II\*); and,**  
**9 Conservation Areas.**

These assets include:

- Aston Flamville Conservation Area
- Manor House, Aston Flamville - grade II
- Church of St Michael, Stoney Stanton - grade II\*
- Wentworth Arms and adjoining stables, Elmesthorpe - grade II
- Home Farmhouse, Elmesthorpe - grade II
- Wortley cottages, Elmesthorpe - grade II
- Church of St Mary, Elmesthorpe - grade II
- Outwood House, Burbage - grade II
- Burbage Hall, Burbage - grade II
- Church of St Catherine, Burbage - grade II\*

It is important that the EIA process identifies all of the heritage assets potentially affected by the development on the basis of an appropriately defined study area. We would expect one key assessment tool in defining this study area appropriately to be the production of a Zone of Theoretical Visibility as part of the Landscape and Visual Impact Assessment.

We advise that your authority must ensure that the EIA process provides a complete understanding of the significance of all the heritage assets potentially affected both individually and as part of the development of the wider historic landscape. The EIA must provide a clear understanding of any e.g. historic and spatial relationships between assets, whether designated or non-designated, as well as the specific contribution which the development site makes to the significance of any designated assets affected.



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It is essential that the EIA then provides your authority with a robust assessment of the specific impact of all elements of the proposed development on the significance of all the affected designated heritage assets, with emphasis on the significance they derive from their settings. Sufficient information will therefore need to be provided on the type, scale and massing of the proposed development. It must also take into consideration the impact that the change in landscape character resulting from development would have on an asset's significance.

In general we recommend that there should be a close relationship between the Landscape and Visual Impact Assessment and the Cultural Heritage Assessments. Your authority must ensure that the EIA will provide you with a robust assessment of the impact of development on the setting of designated heritage assets including, but not limited to visual impacts. Heritage Assets are key visual receptors and any impact upon them would need to be considered in depth with appropriate selection of viewpoints relevant to the significance of the assets in question and the likely impacts. We would recommend the inclusion of long views and any specific designed or historically relevant views and vistas within the surrounding landscape.

We would also expect the EIA to consider the potential impacts on non-designated features of historic, architectural, archaeological or artistic interest, since these can also be of national importance and make an important contribution to the character and local distinctiveness of an area and its sense of place. We advise that your authority should be guided in detail by the advice of your specialist archaeological advisor at Leicestershire County Council regarding the level of information sufficient to provide a clear understanding of, for example, the archaeological potential and the likely significance of the archaeological resource across the development site, to adequately inform the EIA process.

We have the following specific comments to make regarding the current proposed content of the Scoping Report 'Cultural Heritage' chapter:

#### *Baseline Assessment*

The baseline only considers designated heritage assets within 2km of the proposed development (page 135, section 12.5). Historic England considers this insufficient to fully characterise the impact of the proposed development on the historic environment and to assess the level of harm to the significance of designated heritage assets. Given the proposed building height of 23 metres, we would consider a 5km assessment zone to be more appropriate for a development of this size and mass. We recommend that this is remedied to enable your authority to determine the application.

The report correctly states that the comparatively small number of undesignated heritage assets and archaeological events recorded within the Leicestershire Historic Environment Record for the proposed development site and surrounding area is





probably a function of the dearth of systematic investigation, and that hitherto unknown archaeological remains are almost certainly present. However, Historic England questions the assumption that any such remains will have been damaged by later agricultural activity and land-use (see page 136, section 12.16). The degree of truncation and level of information loss will only become apparent once trial excavation has been undertaken on suspected archaeological features.

### *Assessment Methodology*

A detailed description of the assessment methodology which will be applied has not been included in the scoping document. We advise your authority that you must ensure that the assessment methodology for heritage assets (both designated and non-designated) is agreed in detail as part of the scoping exercise with specific reference to all relevant published guidance and advice.

With reference to the proposed generic assessment framework for heritage assets (see pages 137-139, sections 12.18-12.25, Tables 12.1-12.3), Historic England would take this opportunity to advise that this will need to engage with the nature of the significance of the assets and their relationships with each other, the surrounding topographic landscape, and their shared historic and archaeological landscape context. We consider that approaches adopting tabular and matrices based assessment provide little useful contribution to the assessment of heritage impacts and tend to confuse concepts of the significance, sensitivity and magnitude of impact whilst atomising complex relationships between features and apparent impacts. We recommend that the approach takes its cue from the sensitivity of individual assets and/or groups of assets to the specific types of change associated with the proposed development and their capacity to absorb the effects of such change within their settings rather than the relative value of individual assets. We consider that an approach of this nature provides a more meaningful context for discussion.

Historic England therefore recommends that an approach to the significance of designated heritage assets is reflective of the assessment criteria for the designation process, can be easily understood within the language of the NPPF regarding the significance of heritage assets and the impact of proposals on that significance, and takes full account of the most recent published advice (see below).

### *Potential Environmental Effects*

Historic England welcomes the intention to cross-reference the 'Cultural Heritage' and 'Landscape and Visual Effects' chapters (see page 140, section 12.30). The assessment should also take account of the potential impact which associated activities such as construction, noise and increased traffic might have upon perceptions, understanding and appreciation of the heritage assets in the area. We recommend that heritage assets are considered as sensitive receptors in relation to other areas of the EIA such as 'Transport and Traffic', 'Noise and Vibration', 'Hydrogeology' and 'Geology, Soils and Contaminated Land'. It is important that the







assessment is designed to ensure that all impacts are fully understood. We recommend that cultural heritage receptors are included under all relevant factors to be assessed under the EIA process.

#### *Proposed Scope of Assessment*

The report states that the study area for the assessment of setting will be 2km from the proposed development site boundary (see page 141, section 12.35). As outlined above, Historic England considers this insufficient to fully characterise the impact of the proposed development on the historic environment and to assess the level of harm to the significance of designated heritage assets.

We welcome the reference to the 'Historic Environment Good Practice Advice in Planning Notes 3: The Setting of Heritage Assets' (see page 142, section 12.41), which provides supporting information on good practice, particularly looking at the principles of how national policy and guidance can be put into practice. 'Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking in the Historic Environment' (<https://historicengland.org.uk/images-books/publications/gpa2-managing-significance-in-decision-taking/>) should also be referred to, as should 'Conservation Principles, Policies and Guidance' (<https://historicengland.org.uk/images-books/publications/conservation-principles-sustainable-management-historic-environment/>).

We have the following specific comments to make regarding the Scoping Report 'Landscape and Visual Effects' chapter:

Historic England considers it essential that heritage considerations are included in the proposed scope of the 'Landscape and Visual Effects' chapter to ensure that the results can be integrated with those of the 'Cultural Heritage' chapter. We recommend that indicative wireframes / photomontages are produced for key viewpoints where significant heritage assets are affected which should include: any views towards heritage assets in which development would be visible; views from designated heritage assets; and views between contemporaneous or otherwise associated heritage assets in which both assets and any proposed development would be visible. Viewpoints should not, in our opinion, be limited to areas and routes with public access. We recommend that any proposed list of viewpoints is reviewed with these considerations in mind.

#### **Recommendation**

Historic England urges your authority to address the issues set out above with the applicant to ensure that the EIA will provide a sound basis on which to assess the significance of any heritage assets affected and the effect on significance of the impacts of the proposed scheme. A sound EIA report is the basis on which to identify (and where possible avoid, minimise or mitigate) what may be substantial direct and indirect impacts on assets of local, regional and national importance.



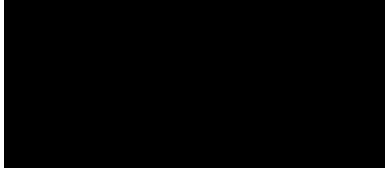


Historic England

EAST MIDLANDS OFFICE

If you have any queries about any of the above, or would like to discuss anything further, please contact me.

Yours sincerely,



Dr Andy Hammon  
Inspector of Ancient Monuments  
Andy.Hammon@HistoricEngland.org.uk

cc: Emilie Carr, Historic Environment Planning Adviser, Historic England.  
Richard Clark, Principal Archaeologist, Leicestershire County Council.



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Helen Lancaster  
Senior EIA & Land Rights Advisor  
The Planning Inspectorate,  
3D Eagle Wing  
Temple Quay House  
2 The Square  
Bristol, BS1 6PN

**Date:** 11<sup>th</sup> April 2018  
**My Ref:**  
**Your Ref:**  
**Contact:** John Wright  
**Phone:** 0116 3057041  
**Fax:**  
**Email:** john.wright@leics.gov.uk

Dear Ms Lancaster,

**PLANNING ACT 2008 (AS AMENDED) AND THE INFRASTRUCTURE  
PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS  
2017(THE EIA REGULATIONS) – REGULATIONS 10 AND 11  
APPLICATION BY DB SYMMETRY (HINCKLEY) LIMITED (THE APPLICANT)  
FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR THE  
HINCKLEY NATIONAL RAIL FREIGHT INTERCHANGE (THE PROPOSED  
DEVELOPMENT)**

Thank you for your letter of 15<sup>th</sup> March 2018 consulting Leicestershire County Council on the information it considers should be included in the environmental statement for the above proposed development.

In general the Scoping Application Report produced by db symmetry is comprehensive in identifying the significant environmental impacts which the Council considers need to be addressed by the Environmental Impact Assessment.

More specific comments are provided below under the subject areas covered in the db symmetry Scoping Application Report.

**TRANSPORT AND TRAFFIC**

Notwithstanding the exceptional importance of this regionally significant planning proposal, the considerable difficulties that have historically been raised about the introduction of south-facing slip-roads at M69 J2 still form a highly relevant backdrop to these planning proposals.

Issues such as the movement of HGVs and the concerns of local people undoubtedly remain relevant in today's climate. Analysis is therefore required of the transport implications both in terms of the development as a significant generator/attractor of trips by a range of modes, and the wider implications of a significant change to the network which the provision of south-facing slip-roads on M69 J2 will inevitably bring about.

Chief Executive's Department  
Leicestershire County Council, County Hall, Glenfield, Leicestershire LE3 8RA  
Telephone: 0116 232 3232 Fax: 0116 305 6260 Minicom: 0116 305 6160

John Sinnott, MA, Dipl. PA, Chief Executive  
David Morgan, BA. LL.M, County Solicitor

The County Council as Highway Authority welcome the preparation of a Transport Assessment (TA). Through pre-application discussions and workshops with the site promoters, the Highway Authority emphasised the importance of capturing the effects of the development proposals and the effects of rerouting traffic as result of the scheme proposed at M69 J2.

The TA will form both the basis of the Transport chapter within the EIA and evidence base upon which the planning proposals will be determined. It therefore remains ever pertinent that the transport implications are identified, understood and mitigated. The key to this is to understand the *demand* which relates in transport terms to the movement of goods and people by road, rail and sustainable transport. All of which must be considered in line with policy thereby maximising the range of substantial local, regional and national benefits and opportunities.

The policy backdrop as detailed in table 7.1 largely accounts for the national, regional and local relevant policies which are to be considered in the formation of the EIA, and as such the Highway Authority await with great interest to understand exactly how the development proposals, in transport terms, align with policy. The Highway Authority would emphasise the requirement that the traffic impact analysis needs to account for the *residual cumulative impact* in line with both the current and potentially the draft NPPF, and due weight is afforded to the established and adopted framework at the time of the Minister's determination.

Moreover, as a regionally significant project, it is important that the planning proposal takes account of and does not undermine the ambitions of the following policy documents which form a highly relevant policy framework:-

- Midlands Connect Strategy: Powering the Midlands Engine (<https://www.midlandsconnect.uk/media/1100/midlands-connect-strategy-march-2017.pdf>);
- Leicester & Leicestershire Strategic Draft Growth Plan (<http://www.l1strategicgrowthplan.org.uk/>);
- Blaby District Council's Local Plan Delivery DPD 2017 (<http://www.blaby.gov.uk/about-the-council/strategies-plans-policies/environment-and-planning/local-plan/local-plan-delivery-dpd/>);
- Leicester & Leicestershire Rail Strategy (<https://www.leicester.gov.uk/your-council/policies-plans-and-strategies/transport-and-streets/leicester-and-leicestershire-rail-strategy/>); and
- Leicester and Leicestershire Strategic Distribution Sector Study 2014 & 2016 ([http://www.harborough.gov.uk/directory\\_record/726/leicester\\_and\\_leicestershire\\_strategic\\_distribution\\_sector\\_study\\_-\\_november\\_2014](http://www.harborough.gov.uk/directory_record/726/leicester_and_leicestershire_strategic_distribution_sector_study_-_november_2014)).

As detailed in paragraph 7.6 accessibility analysis must consider all modes of transport by road, rail and sustainable transport not just within the immediate vicinity of the development proposal but also to the extent of the geographical footprint which it will inevitably have due to the site being a significant generator/attractor of trips from across the region.

Vehicular access analysis as detailed in the Baseline Assessment Chapter, paragraph 7.7, would need to be accompanied by a Road Safety Audit Stage 1, as would any proposed scheme on the county road network brought-about by the planning proposals.

The stated ambition that the access will assist in distributing traffic across the junction and the wider network, thereby reducing impacts will need to adequately account for the well-established challenges that the introduction of south-facing slip-roads at M69 J2. The implications of this will need to be considered for both development traffic and

existing local traffic and the effects of traffic redistribution as a result of such a significant network change stemming from new and entirely unknown traffic movements at M69 J2. This will need to be thoroughly explored through the transport chapter of the EIA.

As detailed within paragraph 7.12 and 7.13 the suitability of the existing and the potential requirement for pedestrian/cycle infrastructure needs to be considered in the context of the site being a regional employer and with due regard to Central Government prerogative to maximise opportunities to access the site by sustainable modes. Public transport analysis should look to make best use of existing services and consider any potential necessary enhancements. This should align with the detailed understanding of the demand associated with the planning proposal and the specific requirements of the proposed workforce.

It is anticipated that the impact of the development will be tested using the Leicester & Leicestershire Integrated Transport Model (LLITM) suite of models including the Land Use element to understand the demand for the proposed development and regional impact.

The reference to the provision of south facing slip-roads at M69 J2 in paragraph 7.17 refers to this being part of the mitigation. It is understood that this forms an integral part of the access strategy, as is detailed in paragraph 7.7, as such is not a mitigation proposal. It is therefore unlikely to achieve the ambition of reducing the impacts as stated in the earlier paragraph in its own right without a combination of additional measures which could extend beyond the immediate vicinity of the site boundary.

The application of traffic flows taken directly from LLITM, as detailed in paragraph 7.18, needs to accord with WebTAG guidance to ensure the best statistical fit when applying macro data to local junction modelling. It is likely that finessing of turning data from LLITM will be required utilising existing traffic data at appropriate locations.

The list of data collection sites, detailed in paragraph 7.19, should not be an exhaustive list particularly in light of paragraph 7.27 which sets out the use of the LLITM model to define the area of interest in transport terms. It is noted that the red line boundary as shown in the Site Location Plan drawing ref: 5905-68 needs to account for the full extent of the impact area not just the planning red line boundary. Where the impacts of this development extend beyond the current red line boundary and are considered *severe* in accordance with the Framework, mitigation will also be required at these locations.

Similarly, the scenarios presented in paragraph 7.22 are not an exhaustive list although it is noted these are subject to agreement with the Highway Authority (and Highways England). The list as proposed will be subject to the appropriate LLITM base year, detailed understanding of phasing and needs to tie in with the programme of rail connectivity operations and the practical considerations of the site as these may have a significant effect on transport implications.

The proposal to calculate trip rates based on the methodologies agreed and applied in respect to other local and pertinent planning applications may be appropriate. Such methodologies may only be deemed acceptable that have been utilised for planning applications of similar operation and scale to this proposal. Trip rates have significant weight in terms of their influence on the outputs, results and fundamentally the conclusions formed based on the presented transport evidence within the TA and EIA. To ensure that the analysis remains aligned with reality, it is paramount that both trip rates and modal split appropriately fit with site operations and the demand generated by the planning proposal.

The Highway Authority advises the promoters to exhaust in great detail all reasonable avenues of trip rate, modal splits analysis and traffic impact analysis. This needs to consider the specifics of the site operation when formulating such fundamental parameters. These are to be applied in an in a robust and reliable manner which is consistent with the relevant policy framework.

This is vital to ensure the Highway Authority, neighbouring Authorities (such as Warwickshire), and other relevant Authorities, are satisfied that the impacts of this proposal have been identified and understood. Where appropriate, levels of mitigation should be provided which are proportionate and relevant to the development proposal, thereby strengthening developer buy-in and maintaining traffic flow and safety.

## **LANDSCAPE AND VISUAL EFFECTS**

The Council is satisfied that the Environmental Impact Scoping Report prepared by DB Symmetry dated March 2018, covers the landscape and visual assessment information it would like to see provided in the Environmental Statement. It is however recommended that the following additional information should be submitted by the Applicant as part of the Environmental Statement:

- As part of the desktop and baseline studies, the landscape character appraisal should take into consideration the assessments produced by the 'Leicester, Leicestershire and Rutland Landscape and Woodland Strategy' updated 2006.
- Seasonal variations are taken into consideration.

## **ECOLOGY AND BIODIVERSITY**

An independent consultant should be commissioned to undertake an Ecological Assessment on the likely impact of the scheme in relation to the site and its environs.

### **Desk Study**

A data search should be requested from Leicestershire and Rutland Environmental Records Centre, to include as a minimum requirement:

- identification of all recognised statutory and non-statutory sites of nature conservation interest likely to be impacted by the proposed development
- All known records for protected species, UKBAP priority species, Local BAP priority species likely to be impacted by the proposed development
- All known records for any other species groups known to be particularly at risk from impact from the proposed development

If statutory sites are likely to be impacted by the development, information on the sites should also be requested from Natural England.

### **Surveys**

The Assessment should include the following surveys. All habitat and species surveys should be conducted at the appropriate time(s) of year for the species concerned by a suitably trained and licensed individual. Methodologies, dates of survey, times of survey where appropriate, and survey personnel should be clearly stated.

- An extended Phase 1 Survey to JNCC 1993 methodology. Surveys must be carried out at an appropriate time of year for the habitat concerned; in particular, grasslands and early successional habitats must be surveyed between late Spring to early Autumn. Surveys carried out outside these times may be rejected.
- Significant habitats should be recorded to a standard consistent with assessment against the Local Wildlife Site criteria for Leicestershire and Rutland Records of incidental observations of fauna.

- Survey for all protected species and UK/Local BAP species possibly/likely to be impacted by the development proposal, stating the survey methodology used; to include as appropriate:
  - A Bat Survey in accordance with national guidelines to identify species, roosts, status of roosts (maternity, feeding, transient, etc), hibernation sites and feeding areas, foraging routes of bats on-site and those that may be impacted off-site
  - A Badger Survey in accordance with national guidelines to identify the location of any setts, status of setts (main, outlier, annexe, etc), tracks, feeding areas and territories on-site or off-site and likely to be impacted by the development proposal;
  - A field assessment of all water bodies on site and within 500m of the site boundary, if connected by suitable terrestrial habitat to the site, to ascertain suitability for great crested newts, in accordance with the standard Habitat Suitability Index assessment methodology
  - Surveys of all ponds assessed as HSI 'Lee Brady' score of 'Average' or above to be followed up with a suite of great crested newt surveys, to national guidelines.
  - Otter survey, if suitable habitat is present
  - Crayfish survey – native White-clawed Crayfish and other species - if suitable habitat is present.
  - A Water Vole Survey along all suitable water courses.
  - Survey of any other protected or UK/Local BAP species possibly/likely to be impacted by the proposed development
  - A Breeding Bird Survey to BTO CBC methodology
- A Hedgerow Evaluation and Grading System Survey to the Clements and Tofts 2007 methodology or to Leicester, Leicestershire and Rutland Local Wildlife Site criteria
- A Tree Survey to English Nature Veteran Tree Initiative methodology

### **Evaluation and Impact Assessment**

The Ecological Assessment should:

- include an analysis of the importance of the recorded habitats and species in a local and national context (local context is provided by the *Guidelines for the selection of Local Wildlife Sites in Leicester, Leicestershire and Rutland ref.*
- set out the impact of the proposals on significant habitats, statutory and non-statutory sites, wildlife corridors, habitat connectivity and the wider ecological network, including impacts on habitats off-site – for example on nearby watercourses and adjacent habitats.
- Identify the potential impacts of a development on linkages between habitats, both current and potential, such as ecological connectivity between individual woodlands within the landscape.
- Identify impacts on significant populations of protected or UK/Local BAP priority species, including impacts on breeding sites, foraging areas, sheltering, refuge and hibernation sites, 'commuting' routes and dispersal habitats.
- Identify indirect effects, such as through increased road traffic, disturbance or lighting.

### **Avoidance, Mitigation and Compensation**

The Ecological Assessment should:

- Describe avoidance, mitigation and compensation measures introduced in the site design to reduce ecological impact, bearing in mind the recognised hierarchy of avoidance first, then mitigation, with compensation as a last resort;
- Give details of proposed ecological enhancement measures including creation of habitats, restoration or translocation of existing sites and habitats, and provision of linking and stepping stone habitat to enhance habitat and species connectivity within the site and wider landscape;
- Include a broad outline of post development management arrangements for biodiversity areas.

Mitigation, compensation and enhancement proposals should reflect the aspirations of Local and National Biodiversity Action Plans.

Where damage/destruction of sites and habitats of ecological significance cannot be avoided or mitigated for, a larger area of created habitat than that which is removed must be provided within site design as compensation. Generally this will be at least double the area of the lost habitat, and of demonstrably equivalent quality and significance.

References

*Guidelines for the selection of Local Wildlife Sites in Leicester, Leicestershire and Rutland (revised 2011)*. Leicestershire County Council

<http://www.leics.gov.uk/index/environment/naturalenvironment/ecology.htm>

Oldham R.S., Keeble, J., Swan, M.J.S., and Jeffcote, M. (2000) Evaluating the suitability of habitat for the great crested newt (*Triturus cristatus*). *Herpetological Journal* 10(4), 143-155).

JNCC. 2010. *Handbook for Phase 1 Habitat Survey (revised 2010 edition)*. JNCC, Peterborough. <http://jncc.defra.gov.uk/page-2468>

Great Crested Newt Mitigation guidelines, English Nature 2001

<http://publications.naturalengland.org.uk/publication/810429>

ARG UK Advice Note 5: Great Crested Newt Habitat Suitability Index (2010) ARG

<http://www.arguk.org/advice-and-guidance/view-category>

The Great Crested Newt Conservation Handbook. Froglife 2001

[http://www.froglife.org/documents/GCN\\_Conservation\\_Handbook.pdf](http://www.froglife.org/documents/GCN_Conservation_Handbook.pdf)

LL&R BAP Working Group 1998. *Biodiversity Challenge: an Action Plan for Leicester, Leicestershire and Rutland* <http://www.lrw.org.uk/wildlife/biodiversity-action-plan>

## **CULTURAL HERITAGE**

The approach outlined is satisfactory and will adequately establish the archaeological potential of the site and the impact of the development.

The statement in paragraph 12.16: that few known archaeological sites are recorded within the development area can be attributed to the lack of archaeological investigation rather than indicating an actual absence of archaeological remains. A coherent programme of assessment as proposed in the Scoping Report should address this information gap.

Paragraph 12.2 indicates various means of assessment, specifically identifying geophysical survey and trial trenching. Both will form key components of the assessment process, but the applicant should also consider the use of field walking and metal detecting. Because the former is only possible in certain circumstances subject to ground conditions and agricultural use, it is important that early consideration is given to its application.



Yours sincerely,



John Wright  
Team Leader Planning  
Planning Historic and Natural Environment



Sent electronically to:

[HinckleySRFI@pins.gsi.gov.uk](mailto:HinckleySRFI@pins.gsi.gov.uk)

Nick Dexter  
DCO Liaison Officer  
Land & Business Support

[Nicholas.dexter@nationalgrid.com](mailto:Nicholas.dexter@nationalgrid.com)

Tel: +44 (0)7917 791925

[www.nationalgrid.com](http://www.nationalgrid.com)

12<sup>th</sup> April 2018

Dear Sir/Madam,

**Ref: TR050007 - SRFI - Hinckley National Rail Freight Interchange - EIA Scoping Notification and Consultation**

This is a joint response on behalf of National Grid Electricity Transmission Plc (NGET) and National Grid Gas Plc (NGG). I refer to your letter dated 15<sup>th</sup> March 2018 in relation to the Hinckley National Rail Freight Interchange - EIA Scoping Notification and Consultation. Having reviewed the Scoping Report, I would like to make the following comments:

**National Grid infrastructure within / in close proximity to the site boundary**

**Electricity Transmission**

National Grid Electricity Transmission has a high voltage electricity overhead transmission line within the proposed site boundary. It is possible that the proposed works to Junction 2 of the M69 could impact on the overhead line and it is essential that early engagement with National Grid takes place to assess this (please see attached plan showing National Grid's electricity assets). The overhead line forms an essential part of the electricity transmission network in England and Wales.

**Gas Transmission**

National Grid Gas does not have any infrastructure within close proximity to the proposed order limits.

**We would request that the potential impact of the proposed scheme on National Grid's existing assets as set out above is considered in any subsequent reports, including the Environmental Statement, and as part of any subsequent application.**

**Where any diversion of apparatus may be required to facilitate a scheme, National Grid is unable to give any certainty with the regard to diversions until such time as adequate conceptual design studies have been undertaken by National Grid. Further information relating to this can be obtained by contacting the email address below.**

**Where the promoter intends to acquire land, extinguish rights, or interfere with any of National Grid apparatus, protective provisions will be required in a form acceptable to it to be included within the DCO.**

Please see relevant guidance for working near NGET assets below.

- National Grid's Overhead Line/s is protected by a Deed of Easement/Wayleave Agreement which provides full right of access to retain, maintain, repair and inspect our asset
- Statutory electrical safety clearances must be maintained at all times. Any proposed buildings must not be closer than 5.3m to the lowest conductor. National Grid recommends that no permanent structures are built directly beneath overhead lines. These distances are set out in EN 43 – 8 Technical Specification for “overhead line clearances Issue 3 (2004).
- If any changes in ground levels are proposed either beneath or in close proximity to our existing overhead lines then this would serve to reduce the safety clearances for such overhead lines. Safe clearances for existing overhead lines must be maintained in all circumstances.
- The relevant guidance in relation to working safely near to existing overhead lines is contained within the Health and Safety Executive's ([www.hse.gov.uk](http://www.hse.gov.uk)) Guidance Note GS 6 “Avoidance of Danger from Overhead Electric Lines” and all relevant site staff should make sure that they are both aware of and understand this guidance.
- Plant, machinery, equipment, buildings or scaffolding should not encroach within 5.3 metres of any of our high voltage conductors when those conductors are under their worse conditions of maximum “sag” and “swing” and overhead line profile (maximum “sag” and “swing”) drawings should be obtained using the contact details above.
- If a landscaping scheme is proposed as part of the proposal, we request that only slow and low growing species of trees and shrubs are planted beneath and adjacent to the existing overhead line to reduce the risk of growth to a height which compromises statutory safety clearances.
- Drilling or excavation works should not be undertaken if they have the potential to disturb or adversely affect the foundations or “pillars of support” of any existing tower. These foundations always extend beyond the base area of the existing tower and foundation (“pillar of support”) drawings can be obtained using the contact details above.
- National Grid Electricity Transmission high voltage underground cables are protected by a Deed of Grant; Easement; Wayleave Agreement or the provisions of the New Roads and Street Works Act. These provisions provide National Grid full right of access to retain, maintain, repair and inspect our assets. Hence we require that no permanent / temporary structures are to be built over our cables or within the easement strip. Any such proposals should be discussed and agreed with National Grid prior to any works taking place.

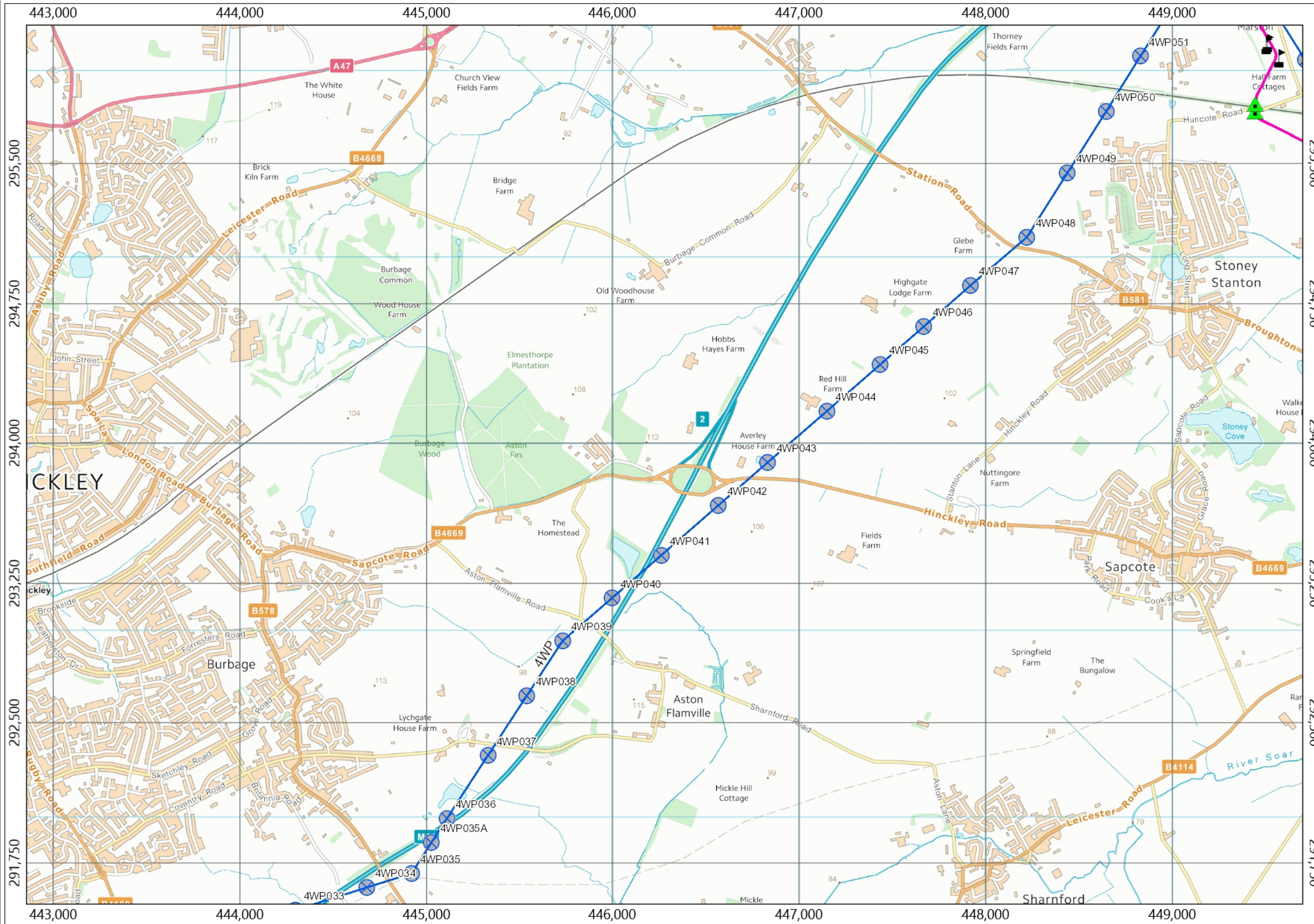
- Ground levels above our cables must not be altered in any way. Any alterations to the depth of our cables will subsequently alter the rating of the circuit and can compromise the reliability, efficiency and safety of our electricity network and requires consultation with National Grid prior to any such changes in both level and construction being implemented.

I hope the above information is useful. If you require any further information please do not hesitate to contact me.

Yours Faithfully



**Nick Dexter.**



**Legend:**

- Substations Commissioned
- Circuits
  - Commissioned
  - Decommissioned Group
  - Planned and Spares
- OHL 400Kv Commissioned
- OHL 275Kv Commissioned
- OHL 132Kv & Below Commissioned
- Towers Commissioned
- Buried Cable Commissioned
- Fibre Cable Commissioned
- Pilot Cable
- Oil Pipe
- Cooling Pipe
- Cooling Station
- RAMM
- Gas Operational Boundary
- Gas Site Boundary
- Block Valve
- Compressor
- LNG Site
- Multijunction
- Minimum Offtake
- Future Minimum Offtake
- Offtake
- Pressure Reduction Installation
- Pig Trap
- Terminal
- Transferred Offtake
- Aerial Marker Post
- CP Test Post
- Transformer Rectifier
- Gas Pipe Feeder
  - Commissioned
  - Decommissioned Group
  - Planned and Spares
- CP Protected Section Range

**Notes:**  
NGET assets

0 0.51 1.0 Kilometers

OS Disclaimer: Background Mapping information has been reproduced from the Ordnance Survey map by permission of Ordnance Survey on behalf of The controller of Her Majesty's Stationery Office. ©Crown Copyright Ordnance Survey NationalGrid Electricity-100024241.NationalGrid Gas-100024886

Date: 12/04/2018  
Time: 15:16:36

Page size: A3 Landscape  
Print by: Dexter, Nicholas



NG Disclaimer: National Grid UK Transmission. The asset position information represented on this map is the intellectual property of National Grid PLC (Warwick Technology Park, Warwick, CV346DA) and should not be used without prior authority of National Grid.

Note: Any sketches on the map are approximate and not captured to any particular level of precision.

**From:** [NATS Safeguarding](#)  
**To:** [Hinckley SRFI](#)  
**Subject:** RE: SRFI - Hinckley National Rail Freight Interchange - EIA Scoping Notification and Consultation (Our Ref: SG25997)  
**Date:** 15 March 2018 11:07:48  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)

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The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.

If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

Yours Faithfully

**NATS**

**NATS Safeguarding**

D: 01489 444687

E: [natssafeguarding@nats.co.uk](mailto:natssafeguarding@nats.co.uk)

4000 Parkway, Whiteley,  
Fareham, Hants PO15 7FL  
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---

**From:** Hinckley SRFI [mailto:[HinckleySRFI@pins.gsi.gov.uk](mailto:HinckleySRFI@pins.gsi.gov.uk)]  
**Sent:** 15 March 2018 10:54  
**Subject:** SRFI - Hinckley National Rail Freight Interchange - EIA Scoping Notification and Consultation

Mimecast Attachment Protection has deemed this file to be safe, but always exercise caution when opening files.

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Dear Sir/Madam

Please see attached correspondence on the proposed Hinckley National Rail Freight Interchange.

Please note the deadline for consultation responses is 12 April 2018, and is a statutory requirement that cannot be extended.

Kind Regards

Michael Breslaw

EIA and Land Rights Advisor

Major Applications & Plans

The Planning Inspectorate, Temple Quay House, Temple Quay, Bristol, BS1 6PN

Direct line: 0303 444 5092

Helpline: 0303 444 5000

Email: [Michael.Breslaw@pins.gsi.gov.uk](mailto:Michael.Breslaw@pins.gsi.gov.uk)

Web: [infrastructure.planninginspectorate.gov.uk](http://infrastructure.planninginspectorate.gov.uk) (National Infrastructure Planning)

Web: [www.gov.uk/government/organisations/planning-inspectorate](http://www.gov.uk/government/organisations/planning-inspectorate) (The Planning Inspectorate)

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Date: 27 March 2018  
Our ref: 241614  
Your ref: TR050007-000004



Helen Lancaster  
The Planning Inspectorate  
3D Eagle Wing  
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Customer Services  
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**BY EMAIL ONLY**

Dear Helen

**Scoping Opinion under Town and Country Planning (Environmental Impact Assessment) Regulations 2017: EIA scoping opinion request - SRFI - Hinckley National Rail Freight Interchange**

Thank you for seeking our advice on the scope of the Environmental Statement (ES) in your consultation dated 15 March 2018 which we received on 15 March 2018.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Case law<sup>1</sup> and guidance<sup>2</sup> has stressed the need for a full set of environmental information to be available for consideration prior to a decision being taken on whether or not to grant planning permission. Annex A to this letter provides Natural England's advice on the scope of the Environmental Impact Assessment (EIA) for this development.

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us. For any queries relating to the specific advice in this letter only please contact me on 02080261940. For any new consultations, or to provide further information on this consultation please send your correspondences to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours sincerely

Sean Mahoney  
Lead Adviser, Sustainable Development, East Midlands Area Team

---

<sup>1</sup> Harrison, J in *R. v. Cornwall County Council ex parte Hardy* (2001)

<sup>2</sup> *Note on Environmental Impact Assessment Directive for Local Planning Authorities* Office of the Deputy Prime Minister (April 2004) available from <http://webarchive.nationalarchives.gov.uk/http://www.communities.gov.uk/planningandbuilding/planning/sustainability/environmental/environmentalimpactassessment/noteenvironmental/>

## **Annex A – Advice related to EIA Scoping Requirements**

### **1. General Principles**

The Town & Country Planning (Environmental Impact Assessment) Regulations 2017 set out the necessary information to assess impacts on the natural environment to be included in an ES, specifically:

- A description of the development – including physical characteristics and the full land use requirements of the site during construction and operational phases.
- Expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation, etc.) resulting from the operation of the proposed development.
- An assessment of alternatives and clear reasoning as to why the preferred option has been chosen.
- A description of the aspects of the environment likely to be significantly affected by the development, including, in particular, population, fauna, flora, soil, water, air, climatic factors, material assets, including the architectural and archaeological heritage, landscape and the interrelationship between the above factors.
- A description of the likely significant effects of the development on the environment – this should cover direct effects but also any indirect, secondary, cumulative, short, medium and long term, permanent and temporary, positive and negative effects. Effects should relate to the existence of the development, the use of natural resources and the emissions from pollutants. This should also include a description of the forecasting methods to predict the likely effects on the environment.
- A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment.
- A non-technical summary of the information.
- An indication of any difficulties (technical deficiencies or lack of know-how) encountered by the applicant in compiling the required information.

It will be important for any assessment to consider the potential cumulative effects of this proposal, including all supporting infrastructure, with other similar proposals and a thorough assessment of the 'in combination' effects of the proposed development with any existing developments and current applications. A full consideration of the implications of the whole scheme should be included in the ES. All supporting infrastructure should be included within the assessment.

### **2. Biodiversity and Geology**

#### **2.1 Ecological Aspects of an Environmental Statement**

Natural England advises that the potential impact of the proposal upon features of nature conservation interest and opportunities for habitat creation/enhancement should be included within this assessment in accordance with appropriate guidance on such matters. Guidelines for Ecological Impact Assessment (EclA) have been developed by the Chartered Institute of Ecology and Environmental Management (CIEEM) and are available on their website.

EclA is the process of identifying, quantifying and evaluating the potential impacts of defined actions on ecosystems or their components. EclA may be carried out as part of the EIA process or to support other forms of environmental assessment or appraisal.

The National Planning Policy Framework sets out guidance in S.118 on how to take account of biodiversity interests in planning decisions and the framework that local authorities should provide to assist developers.

#### **2.2 Internationally and Nationally Designated Sites**

The ES should thoroughly assess the potential for the proposal to affect designated sites. European sites (e.g. designated Special Areas of Conservation and Special Protection Areas) fall within the scope of the Conservation of Habitats and Species Regulations 2017. In addition paragraph 118 of the National Planning Policy Framework requires that potential Special Protection

Areas, possible Special Areas of Conservation, listed or proposed Ramsar sites, and any site identified as being necessary to compensate for adverse impacts on classified, potential or possible SPAs, SACs and Ramsar sites be treated in the same way as classified sites.

Under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 an appropriate assessment needs to be undertaken in respect of any plan or project which is (a) likely to have a significant effect on a European site (either alone or in combination with other plans or projects) and (b) not directly connected with or necessary to the management of the site.

Should a Likely Significant Effect on a European/Internationally designated site be identified or be uncertain, the competent authority (in this case the Local Planning Authority) may need to prepare an Appropriate Assessment, in addition to consideration of impacts through the EIA process.

### **Sites of Special Scientific Interest (SSSIs) and sites of European or international importance (Special Areas of Conservation, Special Protection Areas and Ramsar sites)**

The development site is in close proximity to the following designated nature conservation site:

- Burbage Wood and Aston Firs Site of Special Scientific Interest (SSSI)
- Further information on the SSSI and its special interest features can be found at [www.magic.gov](http://www.magic.gov). The Environmental Statement should include a full assessment of the direct and indirect effects of the development on the features of special interest within this site and should identify such mitigation measures as may be required in order to avoid, minimise or reduce any adverse significant effects.

Natura 2000 network site conservation objectives are available on our internet site <http://publications.naturalengland.org.uk/category/6490068894089216>

### **2.3 Regionally and Locally Important Sites**

The EIA will need to consider any impacts upon local wildlife and geological sites. Local Sites are identified by the local wildlife trust, geoconservation group or a local forum established for the purposes of identifying and selecting local sites. They are of county importance for wildlife or geodiversity. The Environmental Statement should therefore include an assessment of the likely impacts on the wildlife and geodiversity interests of such sites. The assessment should include proposals for mitigation of any impacts and if appropriate, compensation measures. Contact the local wildlife trust, geoconservation group or local sites body in this area for further information.

### **2.4 Protected Species - Species protected by the Wildlife and Countryside Act 1981 (as amended) and by the Conservation of Habitats and Species Regulations 2017**

The ES should assess the impact of all phases of the proposal on protected species (including, for example, great crested newts, reptiles, birds, water voles, badgers and bats). Natural England does not hold comprehensive information regarding the locations of species protected by law, but advises on the procedures and legislation relevant to such species. Records of protected species should be sought from appropriate local biological record centres, nature conservation organisations, groups and individuals; and consideration should be given to the wider context of the site for example in terms of habitat linkages and protected species populations in the wider area, to assist in the impact assessment.

The conservation of species protected by law is explained in Part IV and Annex A of Government Circular 06/2005 *Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System*. The area likely to be affected by the proposal should be thoroughly surveyed by competent ecologists at appropriate times of year for relevant species and the survey results, impact assessments and appropriate accompanying mitigation strategies included as part of the ES.

In order to provide this information there may be a requirement for a survey at a particular time of year. Surveys should always be carried out in optimal survey time periods and to current guidance

by suitably qualified and where necessary, licensed, consultants. Natural England has adopted [standing advice](#) for protected species which includes links to guidance on survey and mitigation.

## **2.5 Habitats and Species of Principal Importance**

The ES should thoroughly assess the impact of the proposals on habitats and/or species listed as 'Habitats and Species of Principal Importance' within the England Biodiversity List, published under the requirements of S41 of the Natural Environment and Rural Communities (NERC) Act 2006. Section 40 of the NERC Act 2006 places a general duty on all public authorities, including local planning authorities, to conserve and enhance biodiversity. Further information on this duty is available in the Defra publication '[Guidance for Local Authorities on Implementing the Biodiversity Duty](#)'.

Government Circular 06/2005 states that Biodiversity Action Plan (BAP) species and habitats, 'are capable of being a material consideration...in the making of planning decisions'. Natural England therefore advises that survey, impact assessment and mitigation proposals for Habitats and Species of Principal Importance should be included in the ES. Consideration should also be given to those species and habitats included in the relevant Local BAP.

Natural England advises that a habitat survey (equivalent to Phase 2) is carried out on the site, in order to identify any important habitats present. In addition, ornithological, botanical and invertebrate surveys should be carried out at appropriate times in the year, to establish whether any scarce or priority species are present. The Environmental Statement should include details of:

- Any historical data for the site affected by the proposal (eg from previous surveys);
- Additional surveys carried out as part of this proposal;
- The habitats and species present;
- The status of these habitats and species (eg whether priority species or habitat);
- The direct and indirect effects of the development upon those habitats and species;
- Full details of any mitigation or compensation that might be required.

The development should seek if possible to avoid adverse impact on sensitive areas for wildlife within the site, and if possible provide opportunities for overall wildlife gain.

The record centre for the relevant Local Authorities should be able to provide the relevant information on the location and type of priority habitat for the area under consideration.

## **2.6 Contacts for Local Records**

Natural England does not hold local information on local sites, local landscape character and local or national biodiversity priority habitats and species. We recommend that you seek further information from the appropriate bodies (which may include the local records centre, the local wildlife trust, local geoconservation group or other recording society and a local landscape characterisation document).

## **3. Designated Landscapes and Landscape Character**

### **Landscape and visual impacts**

Natural England would wish to see details of local landscape character areas mapped at a scale appropriate to the development site as well as any relevant management plans or strategies pertaining to the area. The EIA should include assessments of visual effects on the surrounding area and landscape together with any physical effects of the development, such as changes in topography. The European Landscape Convention places a duty on Local Planning Authorities to consider the impacts of landscape when exercising their functions.

The EIA should include a full assessment of the potential impacts of the development on local landscape character using landscape assessment methodologies. We encourage the use of Landscape Character Assessment (LCA), based on the good practice guidelines produced jointly by the Landscape Institute and Institute of Environmental Assessment in 2013. LCA provides a sound

basis for guiding, informing and understanding the ability of any location to accommodate change and to make positive proposals for conserving, enhancing or regenerating character, as detailed proposals are developed.

Natural England supports the publication *Guidelines for Landscape and Visual Impact Assessment*, produced by the Landscape Institute and the Institute of Environmental Assessment and Management in 2013 (3rd edition). The methodology set out is almost universally used for landscape and visual impact assessment.

In order to foster high quality development that respects, maintains, or enhances, local landscape character and distinctiveness, Natural England encourages all new development to consider the character and distinctiveness of the area, with the siting and design of the proposed development reflecting local design characteristics and, wherever possible, using local materials. The Environmental Impact Assessment process should detail the measures to be taken to ensure the building design will be of a high standard, as well as detail of layout alternatives together with justification of the selected option in terms of landscape impact and benefit.

The assessment should also include the cumulative effect of the development with other relevant existing or proposed developments in the area. In this context Natural England advises that the cumulative impact assessment should include other proposals currently at Scoping stage. Due to the overlapping timescale of their progress through the planning system, cumulative impact of the proposed development with those proposals currently at Scoping stage would be likely to be a material consideration at the time of determination of the planning application.

The assessment should refer to the relevant [National Character Areas](#) which can be found on our website. Links for Landscape Character Assessment at a local level are also available on the same page.

### **Heritage Landscapes**

You should consider whether there is land in the area affected by the development which qualifies for conditional exemption from capital taxes on the grounds of outstanding scenic, scientific or historic interest. An up-to-date list may be obtained at [www.hmrc.gov.uk/heritage/lbsearch.htm](http://www.hmrc.gov.uk/heritage/lbsearch.htm) and further information can be found on Natural England's landscape pages [here](#).

### **4. Access and Recreation**

Natural England encourages any proposal to incorporate measures to help encourage people to access the countryside for quiet enjoyment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways are to be encouraged. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be incorporated where appropriate.

### **Rights of Way, Access land, Coastal access and National Trails**

The EIA should consider potential impacts on access land, public open land, rights of way and coastal access routes in the vicinity of the development. Appropriate mitigation measures should be incorporated for any adverse impacts. We also recommend reference to the relevant Right of Way Improvement Plans (ROWIP) to identify public rights of way within or adjacent to the proposed site that should be maintained or enhanced.

### **5. Soil and Agricultural Land Quality**

Impacts from the development should be considered in light of the Government's policy for the protection of the best and most versatile (BMV) agricultural land as set out in paragraph 112 of the NPPF. We also recommend that soils should be considered under a more general heading of sustainable use of land and the ecosystem services they provide as a natural resource in line with paragraph 109 of the NPPF.

## **Soil and Agricultural Land Quality**

Soil is a finite resource that fulfils many important functions and services (ecosystem services) for society, for example as a growing medium for food, timber and other crops, as a store for carbon and water, as a reservoir of biodiversity and as a buffer against pollution. It is therefore important that the soil resources are protected and used sustainably.

The applicant should consider the following issues as part of the Environmental Statement:

1. The degree to which soils are going to be disturbed/harmed as part of this development and whether 'best and most versatile' agricultural land is involved.

This may require a detailed survey if one is not already available. For further information on the availability of existing agricultural land classification (ALC) information see [www.magic.gov.uk](http://www.magic.gov.uk). Natural England Technical Information Note 049 - [\*Agricultural Land Classification: protecting the best and most versatile agricultural land\*](#) also contains useful background information.

2. If required, an agricultural land classification and soil survey of the land should be undertaken. This should normally be at a detailed level, eg one auger boring per hectare, (or more detailed for a small site) supported by pits dug in each main soil type to confirm the physical characteristics of the full depth of the soil resource, ie 1.2 metres.
3. The Environmental Statement should provide details of how any adverse impacts on soils can be minimised. Further guidance is contained in the [\*Defra Construction Code of Practice for the Sustainable Use of Soil on Development Sites\*](#).

As identified in the NPPF new sites or extensions to new sites for peat extraction should not be granted permission by Local Planning Authorities or proposed in development plans.

## **6. Air Quality**

Air quality in the UK has improved over recent decades but air pollution remains a significant issue; for example over 97% of sensitive habitat area in England is predicted to exceed the critical loads for ecosystem protection from atmospheric nitrogen deposition ([England Biodiversity Strategy](#), Defra 2011). A priority action in the England Biodiversity Strategy is to reduce air pollution impacts on biodiversity. The planning system plays a key role in determining the location of developments which may give rise to pollution, either directly or from traffic generation, and hence planning decisions can have a significant impact on the quality of air, water and land. The assessment should take account of the risks of air pollution and how these can be managed or reduced. Further information on air pollution impacts and the sensitivity of different habitats/designated sites can be found on the Air Pollution Information System ([www.apis.ac.uk](http://www.apis.ac.uk)). Further information on air pollution modelling and assessment can be found on the Environment Agency website.

## **7. Climate Change Adaptation**

The [England Biodiversity Strategy](#) published by Defra establishes principles for the consideration of biodiversity and the effects of climate change. The ES should reflect these principles and identify how the development's effects on the natural environment will be influenced by climate change, and how ecological networks will be maintained. The NPPF requires that the planning system should contribute to the enhancement of the natural environment 'by establishing coherent ecological networks that are more resilient to current and future pressures' ([NPPF](#) Para 109), which should be demonstrated through the ES.

## **8. Cumulative and in-combination effects**

A full consideration of the implications of the whole scheme should be included in the ES. All supporting infrastructure should be included within the assessment.

The ES should include an impact assessment to identify, describe and evaluate the effects that are

likely to result from the project in combination with other projects and activities that are being, have been or will be carried out. The following types of projects should be included in such an assessment, (subject to available information):

- a. existing completed projects;
- b. approved but uncompleted projects;
- c. ongoing activities;
- d. plans or projects for which an application has been made and which are under consideration by the consenting authorities; and
- e. plans and projects which are reasonably foreseeable, ie projects for which an application has not yet been submitted, but which are likely to progress before completion of the development and for which sufficient information is available to assess the likelihood of cumulative and in-combination effects.







PINS RECEIVED

22 MAR 2018

## North Warwickshire Borough Council

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Website: www.northwarks.gov.uk  
Date: 19<sup>th</sup> March 2018  
Our ref:  
Your ref: TR050007-000004

Dear Helen

### **Planning Act 2008 and the Infrastructure Planning Regulations 2017 Application by DB Symmetry (Hinckley) Limited – Proposed Rail Freight Interchange Scoping Consultation**

I refer to your letter of 15 March and the invitation to respond to a Scoping Opinion in respect of the above development project.

I have two main areas in which to make comment on behalf of the Borough Council

The first is the scope of the Transport Assessment in respect of the Study Area. This Council is promoting substantial growth along the A5 Trunk Road corridor within the Borough. The Nuneaton and Bedworth Borough Council and the Hinckley and Bosworth Borough Council are equally promoting growth that leads directly to increased traffic using the A5 Trunk Road between the M69 and M42 junctions. Our Council is awaiting the outcome of a bid under the Housing Infrastructure Fund for improvements and work is about to commence on the length of the A5 between Nuneaton and Hinckley. We consider that the Study Area for the scope of the Environmental Statement accompanying the development project described, should include the A5 between its M42 and M69 junctions and particularly its capacity bearing in mind the traffic growth that is already committed and planned for this corridor.

Secondly, the scoping report looks at alternatives within the East Midlands and particularly around the Nuneaton – Felixstowe railway line. There are two regionally significant rail freight terminals in North Warwickshire – at Hams Hall (junction 9 of the M42) and at Birch Coppice (junction 10). The substantial expansion of the Daventry International Rail Freight Terminal is also close by (junction 18 of the M1). The Borough Council will wish to be satisfied that there is the demand for this additional development project and that it would not divert employment and business opportunities away from the two sites within the Borough. The Environmental Statement should thus address cross regional impacts.

I look forward to hearing from you in due course.

Yours faithfully

Jeff Brown  
Head of Planning Control



Enquiries to: Darren Grant

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EIA and Land Rights Advisor  
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Date: 20<sup>th</sup> March 2018

Our Ref: 197819

Your Ref:

Dear Mr Breslaw,

**Location: Junction of M69 and Hinckley Road, Leicestershire**  
**Description: EIA Scoping Opinion for Hinckley Rail Freight Interchange**

After viewing the documents and considering the impact of the scheme on Nuneaton and Bedworth Borough. It is considered that the proposal will have only a negligible impact on the area. NBBC trusts that Highways England, the relevant Highway Authorities and the Borough and County Councils will have been fully consulted and their expert advice taken in to account.

The Borough Council therefore offers **No Objection** to the proposed EIA Scoping Opinion.

Yours faithfully

Darren Grant  
Planning Officer





Public Health  
England

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Your Ref: TR050007-000004  
Our Ref: 43423

3<sup>rd</sup> April 2018

Dear Ms Lancaster

**Nationally Significant Infrastructure Project  
Hinckley National Rail Freight Interchange [Scoping Consultation]**

Thank you for your consultation regarding the above development. Public Health England (PHE) welcomes the opportunity to comment on your proposals and Environmental Impact Assessment scoping report at this stage of the project.

We understand that the promoter will wish to avoid unnecessary duplication and that many issues including air quality, emissions to water, waste, contaminated land etc. will be covered elsewhere in the environmental statement (ES). PHE however believes the summation of relevant issues into a specific section of the report provides a focus which ensures that public health is given adequate consideration. The section should summarise key information, risk assessments, proposed mitigation measures, conclusions and residual impacts, relating to human health. Compliance with the requirements of National Policy Statements and relevant guidance and standards should also be highlighted.

We hope that the above is useful but should you have any questions or concerns please do not hesitate to contact us.

Yours sincerely



Dr Kevin Manley  
Specialist Environmental Public Health Scientist

[nsipconsultations@phe.gov.uk](mailto:nsipconsultations@phe.gov.uk)

*Please mark any correspondence for the attention of National Infrastructure Planning Administration.*

## **Appendix: PHE recommendations regarding the scoping document**

### **General approach**

The EIA should give consideration to best practice guidance such as the Government's Good Practice Guide for EIA<sup>1</sup>. It is important that the EIA identifies and assesses the potential public health impacts of the activities at, and emissions from, the installation. Assessment should consider the development, operational, and decommissioning phases.

The EIA Directive<sup>2</sup> requires that ESs include a description of the aspects of the environment likely to be significantly affected by the development, including "population". The EIA should provide sufficient information for the PHE to fully assess the potential impact of the development on public health.

It is not PHE's role to undertake these assessments on behalf of promoters as this would conflict with PHE's role as an impartial and independent body.

Consideration of alternatives (including alternative sites, choice of process, and the phasing of construction) is widely regarded as good practice. Ideally, EIA should start at the stage of site and process selection, so that the environmental merits of practicable alternatives can be properly considered. Where this is undertaken, the main alternatives considered should be outlined in the ES<sup>3</sup>.

The following text covers a range of issues that the PHE would expect to be addressed by the promoter. However this list is not exhaustive and the onus is on the promoter to ensure that the relevant public health issues are identified and addressed. PHE's advice and recommendations carry no statutory weight and constitute non-binding guidance.

### **Receptors**

The ES should clearly identify the development's location and the location and distance from the development of off-site human receptors that may be affected by emissions from, or activities at, the development. Off-site human receptors may include people living in residential premises; people working in commercial, and industrial premises and people using transport infrastructure (such as roads and railways), recreational areas, and publicly-accessible land. Consideration should also be given to environmental receptors such as the surrounding land, watercourses, surface and groundwater, and drinking water supplies such as wells, boreholes and water abstraction points.

### **Impacts arising from construction and decommissioning**

Any assessment of impacts arising from emissions due to construction and decommissioning should consider potential impacts on all receptors and describe

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<sup>1</sup> Environmental Impact Assessment: A guide to good practice and procedures - A consultation paper; 2006; Department for Communities and Local Government. Available from:

<http://www.communities.gov.uk/archived/publications/planningandbuilding/environmentalimpactassessment>

<sup>2</sup> Directive 85/337/EEC (as amended) on the assessment of the effects of certain public and private projects on the environment. Available from:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CONSLEG:1985L0337:20090625:EN:PDF>

<sup>3</sup> DCLG guidance, 1999 <http://www.communities.gov.uk/documents/planningandbuilding/pdf/155958.pdf>

monitoring and mitigation during these phases. Construction and decommissioning will be associated with vehicle movements and cumulative impacts should be accounted for.

We would expect the promoter to follow best practice guidance during all phases from construction to decommissioning to ensure appropriate measures are in place to mitigate any potential impact on health from emissions (point source, fugitive and traffic-related). An effective Construction Environmental Management Plan (CEMP) (and Decommissioning Environmental Management Plan (DEMP)) will help provide reassurance that activities are well managed. The promoter should ensure that there are robust mechanisms in place to respond to any complaints of traffic-related pollution, during construction, operation, and decommissioning of the facility.

### **Emissions to air and water**

Significant impacts are unlikely to arise from installations which employ Best Available Techniques (BAT) and which meet regulatory requirements concerning emission limits and design parameters. However, PHE has a number of comments regarding emissions in order that the EIA provides a comprehensive assessment of potential impacts.

When considering a baseline (of existing environmental quality) and in the assessment and future monitoring of impacts these:

- should include appropriate screening assessments and detailed dispersion modelling where this is screened as necessary
- should encompass all pollutants which may be emitted by the installation in combination with all pollutants arising from associated development and transport, ideally these should be considered in a single holistic assessment
- should consider the construction, operational, and decommissioning phases
- should consider the typical operational emissions and emissions from start-up, shut-down, abnormal operation and accidents when assessing potential impacts and include an assessment of worst-case impacts
- should fully account for fugitive emissions
- should include appropriate estimates of background levels
- should identify cumulative and incremental impacts (i.e. assess cumulative impacts from multiple sources), including those arising from associated development, other existing and proposed development in the local area, and new vehicle movements associated with the proposed development; associated transport emissions should include consideration of non-road impacts (i.e. rail, sea, and air)
- should include consideration of local authority, Environment Agency, Defra national network, and any other local site-specific sources of monitoring data
- should compare predicted environmental concentrations to the applicable standard or guideline value for the affected medium (such as UK Air Quality Standards and Objectives and Environmental Assessment Levels)
  - If no standard or guideline value exists, the predicted exposure to humans should be estimated and compared to an appropriate health-based value (a Tolerable Daily Intake or equivalent). Further guidance is provided in Annex 1

- This should consider all applicable routes of exposure e.g. include consideration of aspects such as the deposition of chemicals emitted to air and their uptake via ingestion
- should identify and consider impacts on residential areas and sensitive receptors (such as schools, nursing homes and healthcare facilities) in the area(s) which may be affected by emissions, this should include consideration of any new receptors arising from future development

Whilst screening of impacts using qualitative methodologies is common practice (e.g. for impacts arising from fugitive emissions such as dust), where it is possible to undertake a quantitative assessment of impacts then this should be undertaken.

PHE's view is that the EIA should appraise and describe the measures that will be used to control both point source and fugitive emissions and demonstrate that standards, guideline values or health-based values will not be exceeded due to emissions from the installation, as described above. This should include consideration of any emitted pollutants for which there are no set emission limits. When assessing the potential impact of a proposed installation on environmental quality, predicted environmental concentrations should be compared to the permitted concentrations in the affected media; this should include both standards for short and long-term exposure.

*Additional points specific to emissions to air*

When considering a baseline (of existing air quality) and in the assessment and future monitoring of impacts these:

- should include consideration of impacts on existing areas of poor air quality e.g. existing or proposed local authority Air Quality Management Areas (AQMAs)
- should include modelling using appropriate meteorological data (i.e. come from the nearest suitable meteorological station and include a range of years and worst case conditions)
- should include modelling taking into account local topography

*Additional points specific to emissions to water*

When considering a baseline (of existing water quality) and in the assessment and future monitoring of impacts these:

- should include assessment of potential impacts on human health and not focus solely on ecological impacts
- should identify and consider all routes by which emissions may lead to population exposure (e.g. surface watercourses; recreational waters; sewers; geological routes etc.)
- should assess the potential off-site effects of emissions to groundwater (e.g. on aquifers used for drinking water) and surface water (used for drinking water abstraction) in terms of the potential for population exposure
- should include consideration of potential impacts on recreational users (e.g. from fishing, canoeing etc) alongside assessment of potential exposure via drinking water

**Land quality**



We would expect the promoter to provide details of any hazardous contamination present on site (including ground gas) as part of the site condition report.

Emissions to and from the ground should be considered in terms of the previous history of the site and the potential of the site, once operational, to give rise to issues. Public health impacts associated with ground contamination and/or the migration of material off-site should be assessed<sup>4</sup> and the potential impact on nearby receptors and control and mitigation measures should be outlined.

Relevant areas outlined in the Government's Good Practice Guide for EIA include:

- effects associated with ground contamination that may already exist
- effects associated with the potential for polluting substances that are used (during construction / operation) to cause new ground contamination issues on a site, for example introducing / changing the source of contamination
- impacts associated with re-use of soils and waste soils, for example, re-use of site-sourced materials on-site or offsite, disposal of site-sourced materials offsite, importation of materials to the site, etc.

### **Waste**

The EIA should demonstrate compliance with the waste hierarchy (e.g. with respect to re-use, recycling or recovery and disposal).

For wastes arising from the installation the EIA should consider:

- the implications and wider environmental and public health impacts of different waste disposal options
- disposal route(s) and transport method(s) and how potential impacts on public health will be mitigated

### **Other aspects**

Within the EIA PHE would expect to see information about how the promoter would respond to accidents with potential off-site emissions e.g. flooding or fires, spills, leaks or releases off-site. Assessment of accidents should: identify all potential hazards in relation to construction, operation and decommissioning; include an assessment of the risks posed; and identify risk management measures and contingency actions that will be employed in the event of an accident in order to mitigate off-site effects.

The EIA should include consideration of the COMAH Regulations (Control of Major Accident Hazards) and the Major Accident Off-Site Emergency Plan (Management of Waste from Extractive Industries) (England and Wales) Regulations 2009: both in terms of their applicability to the installation itself, and the installation's potential to impact on, or be impacted by, any nearby installations themselves subject to the these Regulations.

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<sup>4</sup> Following the approach outlined in the section above dealing with emissions to air and water i.e. comparing predicted environmental concentrations to the applicable standard or guideline value for the affected medium (such as Soil Guideline Values)

There is evidence that, in some cases, perception of risk may have a greater impact on health than the hazard itself. A 2009 report<sup>5</sup>, jointly published by Liverpool John Moores University and the HPA, examined health risk perception and environmental problems using a number of case studies. As a point to consider, the report suggested: "Estimation of community anxiety and stress should be included as part of every risk or impact assessment of proposed plans that involve a potential environmental hazard. This is true even when the physical health risks may be negligible." PHE supports the inclusion of this information within EIAs as good practice.

### **Biomass**

Biomass is a relatively new cargo for many shipping and freight companies and the transportation and storage of biomass is an emerging area. As organic material releases heat when it degrades it can self-combust, leading to fires and associated public health issues. Storage and transport of biomass material also has the potential to give rise to fugitive emissions of particulate matter. It is recommended that the ES includes a review of potential impacts associated with the transport and storage of biomass and the measures that will be used to control these impacts.

### **Electromagnetic fields (EMF)**

There is a potential health impact associated with the electric and magnetic fields around substations and the connecting cables or lines. The following information provides a framework for considering the potential health impact.

In March 2004, the National Radiological Protection Board, NRPB (now part of PHE), published advice on limiting public exposure to electromagnetic fields. The advice was based on an extensive review of the science and a public consultation on its website, and recommended the adoption in the UK of the EMF exposure guidelines published by the International Commission on Non-ionizing Radiation Protection (ICNIRP):-

<http://www.hpa.org.uk/Publications/Radiation/NPRBArchive/DocumentsOfTheNRPB/Absd1502/>

The ICNIRP guidelines are based on the avoidance of known adverse effects of exposure to electromagnetic fields (EMF) at frequencies up to 300 GHz (gigahertz), which includes static magnetic fields and 50 Hz electric and magnetic fields associated with electricity transmission.

PHE notes the current Government policy is that the ICNIRP guidelines are implemented in line with the terms of the EU Council Recommendation on limiting exposure of the general public (1999/519/EC):

[http://www.dh.gov.uk/en/PublicHealth/Healthprotection/DH\\_4089500](http://www.dh.gov.uk/en/PublicHealth/Healthprotection/DH_4089500)

For static magnetic fields, the latest ICNIRP guidelines (2009) recommend that acute exposure of the general public should not exceed 400 mT (millitesla), for any part of the body, although the previously recommended value of 40 mT is the value used in

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<sup>5</sup> Available from: <http://www.cph.org.uk/showPublication.aspx?pubid=538>

the Council Recommendation. However, because of potential indirect adverse effects, ICNIRP recognises that practical policies need to be implemented to prevent inadvertent harmful exposure of people with implanted electronic medical devices and implants containing ferromagnetic materials, and injuries due to flying ferromagnetic objects, and these considerations can lead to much lower restrictions, such as 0.5 mT as advised by the International Electrotechnical Commission.

At 50 Hz, the known direct effects include those of induced currents in the body on the central nervous system (CNS) and indirect effects include the risk of painful spark discharge on contact with metal objects exposed to the field. The ICNIRP guidelines give reference levels for public exposure to 50 Hz electric and magnetic fields, and these are respectively  $5 \text{ kV m}^{-1}$  (kilovolts per metre) and  $100 \text{ }\mu\text{T}$  (microtesla). If people are not exposed to field strengths above these levels, direct effects on the CNS should be avoided and indirect effects such as the risk of painful spark discharge will be small. The reference levels are not in themselves limits but provide guidance for assessing compliance with the basic restrictions and reducing the risk of indirect effects. Further clarification on advice on exposure guidelines for 50 Hz electric and magnetic fields is provided in the following note on the PHE website:

[http://www.hpa.org.uk/webw/HPAweb&HPAwebStandard/HPAweb\\_C/1195733805036](http://www.hpa.org.uk/webw/HPAweb&HPAwebStandard/HPAweb_C/1195733805036)

The Department of Energy and Climate Change has also published voluntary code of practices which set out key principles for complying with the ICNIRP guidelines for the industry.

[http://www.decc.gov.uk/en/content/cms/what\\_we\\_do/uk\\_supply/consents\\_planning/codes/codes.aspx](http://www.decc.gov.uk/en/content/cms/what_we_do/uk_supply/consents_planning/codes/codes.aspx)

There is concern about the possible effects of long-term exposure to electromagnetic fields, including possible carcinogenic effects at levels much lower than those given in the ICNIRP guidelines. In the NRPB advice issued in 2004, it was concluded that the studies that suggest health effects, including those concerning childhood leukaemia, could not be used to derive quantitative guidance on restricting exposure. However, the results of these studies represented uncertainty in the underlying evidence base, and taken together with people's concerns, provided a basis for providing an additional recommendation for Government to consider the need for further precautionary measures, particularly with respect to the exposure of children to power frequency magnetic fields.

The Stakeholder Advisory Group on ELF EMFs (SAGE) was then set up to take this recommendation forward, explore the implications for a precautionary approach to extremely low frequency electric and magnetic fields (ELF EMFs), and to make practical recommendations to Government. In the First Interim Assessment of the Group, consideration was given to mitigation options such as the 'corridor option' near power lines, and optimal phasing to reduce electric and magnetic fields. A Second Interim Assessment addresses electricity distribution systems up to 66 kV. The SAGE reports can be found at the following link:

<http://sagedialogue.org.uk/> (go to "Document Index" and Scroll to SAGE/Formal reports with recommendations)

The Agency has given advice to Health Ministers on the First Interim Assessment of SAGE regarding precautionary approaches to ELF EMFs and specifically regarding power lines and property, wiring and electrical equipment in homes:

[http://www.hpa.org.uk/webw/HPAweb&HPAwebStandard/HPAweb\\_C/1204276682532?p=1207897920036](http://www.hpa.org.uk/webw/HPAweb&HPAwebStandard/HPAweb_C/1204276682532?p=1207897920036)

The evidence to date suggests that in general there are no adverse effects on the health of the population of the UK caused by exposure to ELF EMFs below the guideline levels. The scientific evidence, as reviewed by PHE, supports the view that precautionary measures should address solely the possible association with childhood leukaemia and not other more speculative health effects. The measures should be proportionate in that overall benefits outweigh the fiscal and social costs, have a convincing evidence base to show that they will be successful in reducing exposure, and be effective in providing reassurance to the public.

The Government response to the SAGE report is given in the written Ministerial Statement by Gillian Merron, then Minister of State, Department of Health, published on 16<sup>th</sup> October 2009:

<http://www.publications.parliament.uk/pa/cm200809/cmhansrd/cm091016/wmstext/91016m0001.htm>

[http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH\\_107124](http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_107124)

PHE and Government responses to the Second Interim Assessment of SAGE are available at the following links:

[http://www.hpa.org.uk/Publications/Radiation/HPAResponseStatementsOnRadiationTopics/rpdadvice\\_sage2](http://www.hpa.org.uk/Publications/Radiation/HPAResponseStatementsOnRadiationTopics/rpdadvice_sage2)

[http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH\\_130703](http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_130703)

The above information provides a framework for considering the health impact associated with the proposed development, including the direct and indirect effects of the electric and magnetic fields as indicated above.

**Liaison with other stakeholders, comments should be sought from:**

- the local authority for matters relating to noise, odour, vermin and dust nuisance
- the local authority regarding any site investigation and subsequent construction (and remediation) proposals to ensure that the site could not be determined as 'contaminated land' under Part 2A of the Environmental Protection Act
- the local authority regarding any impacts on existing or proposed Air Quality Management Areas

- the Food Standards Agency for matters relating to the impact on human health of pollutants deposited on land used for growing food/ crops
- the Environment Agency for matters relating to flood risk and releases with the potential to impact on surface and groundwaters
- the Environment Agency for matters relating to waste characterisation and acceptance
- NHS Trust(s) and Local Directors of Public Health for matters relating to wider public health

## Annex 1

### Human health risk assessment (chemical pollutants)

The points below are cross-cutting and should be considered when undertaking a human health risk assessment:

- The promoter should consider including Chemical Abstract Service (CAS) numbers alongside chemical names, where referenced in the ES
- Where available, the most recent United Kingdom standards for the appropriate media (e.g. air, water, and/or soil) and health-based guideline values should be used when quantifying the risk to human health from chemical pollutants. Where UK standards or guideline values are not available, those recommended by the European Union or World Health Organisation can be used
- When assessing the human health risk of a chemical emitted from a facility or operation, the background exposure to the chemical from other sources should be taken into account
- When quantitatively assessing the health risk of genotoxic and carcinogenic chemical pollutants PHE does not favour the use of mathematical models to extrapolate from high dose levels used in animal carcinogenicity studies to well below the observed region of a dose-response relationship. When only animal data are available, we recommend that the 'Margin of Exposure' (MOE) approach<sup>6</sup> is used

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<sup>6</sup> Benford D et al. 2010. Application of the margin of exposure approach to substances in food that are genotoxic and carcinogenic. Food Chem Toxicol 48 Suppl 1: S2-24



## **Hinckley National Rail Freight Interchange**

### **Royal Mail Group Limited comments on information to be provided in applicant's Environmental Statement**

#### **Introduction**

Reference the letter from PINS to Royal Mail dated 15 March 2018 requesting Royal Mail's comments on the information that should be provided in DB Symmetry's Environmental Statement for the proposed Hinckley National Rail Freight Interchange.

Royal Mail's consultants BNP Paribas Real Estate have reviewed the applicant's Scoping Report as submitted to the Secretary of State on 14 March 2018.

#### **Royal Mail– relevant information**

Royal Mail is responsible for providing efficient mail sorting and delivery nationally. As the Universal Service Provider under the Postal Services Act 2011, Royal Mail has a statutory duty to deliver mail to every residential and business address in the country as well as collecting mail from all Post Offices and post boxes six days a week.

Royal Mail's postal sorting and delivery operations rely heavily on road communications. Royal Mail's ability to provide efficient mail collection, sorting and delivery to the public is sensitive to changes in the capacity of the highway network.

Royal Mail is a major road user nationally. Disruption to the highway network and traffic delays can have direct consequences on Royal Mail's operations, its ability to meet the Universal Service Obligation and comply with the regulatory regime for postal services thereby presenting a significant risk to Royal Mail's business.

Royal Mail therefore wishes to ensure the protection of its future ability to provide an efficient mail sorting and delivery service to the public in accordance with its statutory obligations which may potentially be adversely affected by the construction of this proposed road scheme.

Royal Mail has ten operational properties within 10 miles of the proposed scheme, the nearest two being:

1. Earl Shilton Delivery Office LE9 7GY (2.2 miles from the scheme)
2. Hinckley Delivery Office LE10 1BA (4.6 miles from the scheme)

In exercising its statutory duties Royal Mail vehicles use on a daily basis all of the local roads that may potentially be affected by additional traffic arising from the construction of the proposed scheme. In particular, the M69 is a highly important distribution route for Royal Mail operational vehicles.

Royal Mail is concerned about the potential for disruption to its operations during the construction phase and therefore requires more information and certainty about traffic management measures that will be put in place to mitigate construction impacts on traffic flows on the surrounding local highway network.



## **Royal Mail's comments on information that should be provided in DB Symmetry's Environmental Statement**

In view of the above, Royal Mail has the following comments / requests:

1. The ES should include information on the needs of major road users (such as Royal Mail) and acknowledge the requirement to ensure that major road users are not disrupted through full advance consultation by the applicant at the appropriate time in the DCO and development process.
2. The ES and DCO application should include detailed information on the construction traffic mitigation measures that are proposed to be implemented by DB Symmetry / its contractor, including a draft Construction Traffic Management Plan (CTMP).
3. Royal Mail is fully pre-consulted by DB Symmetry / its contractor on any proposed road closures / diversions/ alternative access arrangements, hours of working and the content of the CTMP. The ES should acknowledge the need for this consultation with Royal Mail and other relevant major road users.

Royal Mail is able to supply DB Symmetry with information on its road usage / trips if required.

Should PINS or DB Symmetry have any queries in relation to the above then in the first instance please contact Joe Walsh ([joseph.walsh@royalmail.com](mailto:joseph.walsh@royalmail.com)) of Royal Mail's Legal Services Team or Daniel Parry-Jones ([daniel.parry-jones@bnpparibas.com](mailto:daniel.parry-jones@bnpparibas.com)) of BNP Paribas Real Estate.





Development Team  
Rugby Borough Council  
Town Hall  
Evreux Way  
Rugby  
CV21 2RR

**If contacting us please ask  
for: Richard Holt**  
[richard.holt@rugby.gov.uk](mailto:richard.holt@rugby.gov.uk)  
01788 533687

10 April 2018

Michael Breslaw / Helen Lancaster  
The Planning Inspectorate  
Temple Quay House  
Temple Quay  
Bristol  
BS1 6PN

Dear Michael Breslaw / Helen Lancaster

**Re: Planning application by DB Symmetry (Hinckley) Limited for an Order granting  
Development Consent for the Hinckley National Rail Freight Interchange**

**Site address:** Woodhouse Farm / Hobbs Hayes Farm, Burbage Common Road / M69  
Junction 2, Hinckley, Leicestershire

**Your Reference:** TR050007-000004

**Our Reference:** R18/0519

Thank you for consulting the Local Planning Authority at Rugby Borough Council in connection with the Environment Impact Assessment (EIA) Scoping Opinion for the above proposed development.

Rugby Borough Council note that the content of the EIA Scoping Opinion states traffic flows will be derived from the Leicester & Leicestershire Integrated Transport Model. On this basis, there appears to be no reference to the impact on traffic flows within Warwickshire being assessed such as on the A5 & A46 and the surrounding network. Owing to the scale of the development proposed it is expected that a wider assessment of the impact on the surrounding highway infrastructure would be covered in the Environmental Statement and subject to detailed consultation and liaison with the relevant Highway Authorities.

I should be grateful if these comments would be taken in to consideration.

Yours sincerely



Rob Back  
Head of Growth and Investment



# SAPCOTE PARISH COUNCIL

Clerk to the Parish Council  
M.J.Guntrip, 11 Northumberland Avenue, Market Bosworth,  
Warwickshire CV13 0RJ Tel 01455 290681  
Email [sapcoteparishcouncil@keme.co.uk](mailto:sapcoteparishcouncil@keme.co.uk)

6 April 2018

Your Reference TR050007-000004

Dear Ms Lancaster

**Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) Regulation 10 and 11**

**Application by DB Symmetry (Hinckley) Limited for an Order granting Development Consent for the Hinckley National Rail Freight Interchange**

I refer to your letter dated 15 March 2018 requesting our view on what we consider should be included in the Environmental Impact Assessment Statement relating to this development, I would comment as follows:

Eight gypsy and private caravan sites are located in the immediate vicinity of the proposed development housing 180 residential caravans. These sites will be dwarfed by the monolithic warehouses proposed for this development. The applicant should examine the potential adverse health and living conditions that this development would bring to these sites. The applicant should also address the environmental and psychological issues of the sites being located so close to, and dominated by, the warehousing.

The Environmental Statement should also address the impact the steady beeping of reversing vehicles will have on the residents of the Aston Firs caravan sites and particularly throughout the night when noise will carry further. Given the proximity of the caravan site to the development, the applicant needs to examine the potential disruption and nuisance impact this particular noise will have on the quality of life on residents.

A full Environmental Statement on noise pollution should be made.

The landform across the area is very gently rolling with localised topography influenced by small streams around settlements, which are often on localised plateaux. The land use is predominantly agricultural and primarily arable with relatively long-distance views. Buildings are low rise and blend into the landscape. Clearly, this development will dominate the present uninterrupted skyline to the west and adversely impact upon the vistas presently

enjoyed residents, many of whom, located to this rural area with that expectation. The applicant should address this issue with a view to minimising the height of the warehousing.

The applicant should also consider the potential light pollution and night glare emanating from the proposed development. As this is likely to be a 24-hour operation it is assumed that lighting will be a major feature. Given that the site will include high buildings, it is anticipated that lighting will be raised and therefore have the potential to impact adversely on local communities a substantial distance away.

A number of public footpaths are located on the proposed site. The Environmental Statement should include proposals to offset this loss of amenity and the treatment of wildlife in this area. This should include proposals for the M69 roundabout which is presently home to a raft of plant and wildlife including two varieties of wild orchid.

The assessment should include the impact on local woodland. Freeholt Wood dates back to the medieval period and part of which is the subject of a tree preservation order dating from 1967. This woodland is stocked with mature oak, ash, aspen and poplar with an understorey of hazel, hawthorn and elder. We consider that the protection of this wood essential and accordingly the Environmental Statement should address its protection.

The west of the site is bounded by Burbage Common and Woods and Aston Firs Woods. Burbage Common is Hinckley and Bosworth's largest countryside site, it is a much used 200-acre leisure venue and is covered with a mix of semi-natural woodland and unspoilt grassland. Our concern is that these areas could suffer damage because of the immediate proximity of the proposed development. These areas need protection both in terms of their ecological and leisure value and accordingly should feature prominently in the Environmental Statement.

The Environmental Statement should consider the geology of this site, particularly its drainage regime. The site is frequently waterlogged and has very poor natural drainage, particularly alongside the railway where sustained flooding/standing water is commonplace. The main natural drainage from the site flows into the Thurlaston Brook, which flows through Huncote into the River Soar. This stream frequently floods and covers the road through Huncote and backs up to exacerbate the dangerously deep flooding that regularly occurs at Watery Gate, often reaching car roof levels. The build-up and surfacing of the site will hugely increase the tendency for flooding and this will require extensive surge containment anti-flooding works. We would anticipate that the Statement would address the above drainage issues.

In addition, we would expect the Statement to consider potential pollution of these rivers and underground watercourses from on-site processes, fuel leaks etc. emanating from this development and the measures proposed to substantially reduce or eradicate this risk.

There is no indication in the report as to the level of road haulage traffic or rail traffic that will be generated by this development or indeed what percentage of the traffic will be by road as distinct from rail. It is understood that the site is being portrayed as being within 4 hours driving time of 80% of the UK population. This seems to bring into question the reason for the rail interchange. The Environmental Statement should address this by determining potential travel flow and travel destination projections in respect of both road and rail in order to effectively calculate the environmental effects of the development. In addition, the

Statement should also address the potential additional burden and pollution on the A5 and its junctions.

The Environmental Statement should consider, in detail, the massive impact that the site traffic will have on local communities. All of the local villages have roads which are unsuitable for heavy vehicles and large volumes of traffic. The only access points to the site shown are the very narrow Burbage Common Road and the main access to the site at Junction 2 of the M69. This latter facility will be used by the undoubtedly very large volume of HGV's that will be operating to and from the site 24/7. Therefore, new access roads must be provided to the site to deal purely with the 17,000 odd car movements per day that will be generated by employee traffic, let alone service, maintenance and supply vehicles supporting the site. This will severely affect Stoney Stanton, Sapcote, Sharnford, Aston Flamville, Elmesthorpe and Burbage. Accordingly, the Environmental Statement should pay particular attention to the environmental impact on these local communities by the traffic generated by this development, including the twice daily 8,400 staff movements to a location that is not served by public transport.

Additionally, the opening of the M69 southbound access and northbound exit will also have a substantial environmental impact on local communities, not only from traffic associated with the proposed development but also from general traffic taking advantage of the new motorway links. When the M69 was built in 1975/6, the Ministry of Transport accepted that the B4669 through Sapcote was totally incapable of taking any significant volume of traffic heading for the M69 at Junction 2 and specified that junction 2 should only have slip roads to and from the Leicester direction. This also took into consideration the volume of traffic that could access Junction 2 from the B581 in Stoney Stanton. The site plan clearly shows the addition of Coventry direction slip roads being added to the junction.

In determining the suitability of the opening of the M69 slip roads the Environmental Statement should consider that if the traffic situation was unacceptable in 1975, it would be infinitely worse now. Both the B581 and B4669 suffer from extensive congestion at peak times. For example, at the Sutton Elms crossroads (B4114 and B581) queues of up to ½ mile long build up on the B581, and traffic on the B4114 backs up to beyond the B4669 junction. Not only would the opening the slip roads at junction 2 exacerbate this situation in terms of traffic congestion but it would also have a severe adverse environmental impact in terms of the increased emission of diesel particulates and nitrogen oxides. This clearly should be investigated in the Environmental Statement.

Particular attention should be given in the Environmental Statement to the potentially dangerous situation in Sapcote, where on the curving section between the village centre crossroads and the Sharnford Road, two HGVs or buses cannot pass without one or both mounting the narrow pavements. Open windows have been knocked off buildings on the north side of the road, and pedestrians have been hit by passing vehicles. Also, in Stoney Stanton the traffic situation has become extremely serious, with frequent, fortunately minor collisions at the village centre roundabout, although the large number of Calor Gas bulk tankers turning across the B581 at this junction could turn this into a disaster.

The Environment Statement should also consider, as a means of ameliorating this situation, and providing some benefit offset for the surrounding area, the provision of a passenger station at the site. This would enable employees from, for example, Leicester, Nuneaton, Bedworth etc, to access the site by train, whilst at the same time providing rail travel and

commuting facilities to Leicester, Birmingham, Coventry etc, for local residents, lessening traffic volumes through Hinckley and along the A47 and B4114, and congestion in Leicester itself.

In view of the severe impact heavy vehicle movements will have on local villages, the Environmental Statement should, in consultation with Leicestershire County Council and local parishes, address the implementation of a heavy lorry plan, identifying prescribed routes and weight, height and length limits on secondary roads with a view to ensuring that heavy vehicles are kept out of these villages. The Statement should also consider developer funded cycleways to the site from local villages and subsidising bus services to the site, both of which would help in reducing workforce car use and hence emissions.

During the development of LCC LTP3 transport in 2007, the levels of nitrous oxides and diesel particulates were both identified as being “Very High” and at levels that damage health. This situation will have markedly worsened in the last 11 years, and the development of this site with major volumes of HGV’s in continuous use will radically worsen pollution levels, which already exceed legally defined limits at the site location. The level of emissions should be investigated and the present levels and projected levels reported in the Environmental Statement.

We also request that the Environmental Statement include details of toxin emissions from processes and power equipment at the site and information on what measures are being taken to minimise these emissions. We also request that details are provided on probable fleet vehicle emissions.

The statement should also include details of accredited measures which are being employed to offset greenhouse gas emissions.

We request that the above items are included in the Environmental Impact Assessment Statement and fully investigated.

Yours sincerely

Michael J Guntrip  
Clerk to the Parish Council

Ms Helen Lancaster  
Senior EIA and Land Rights Advisor  
Planning Inspectorate  
3D Eagle Wing  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN





# STONEY STANTON PARISH COUNCIL

Parish Clerk - Miss R Ward,

83 Kirkby Road

Barwell. LE9 8FR

Tel: 07476 202575

Email: [clerk@stoneystanton.org.uk](mailto:clerk@stoneystanton.org.uk)

Website: [www.stoneystanton.org.uk](http://www.stoneystanton.org.uk)

11<sup>th</sup> April 2018

Ms Helen Lancaster  
Senior EIA & Land Rights Advisor  
3D Eagle Wing  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN

Dear Ms Lancaster

Application by DB Symmetry (Hinckley) Ltd for an order granting development consent for the Hinckley National Rail Freight Interchange.

Following the correspondence sent to you by Sapcote Parish Council (our neighbouring Parish) we wish to reiterate their comments and express our concerns:-

- DB Symmetry have stated that the site is expected to employ 8400 staff, meaning a large percentage will have to travel for some distance and this creating even more congestion. Our village can NOT cope with further traffic congestion and we have little public transport which is currently under threat from the County Council. The site will be 24/7 operation and therefore a realistic number of 17000 vehicles, HGV and staff traffic will be in a constant flow - this MUST require a by-pass to be built to the site taking this additional traffic away from the small villages housed in this area particularly Stoney Stanton and Sapcote.
- Stoney Stanton is home to the biggest Calor Gas distribution centre in the Country and several other transport companies and we already have a very large number of bulk tankers through the



- village daily. The traffic situation has become very dangerous at the small crossroads in the centre of the village, incidents of homes being hit, pedestrians injured and damage to other vehicles. If more vehicles are forced through this small village, it will be a disaster.
- The developers must consider the implications of opening the Coventry bound slip road from the M69. The Department of Transport decided not to open this exit in 1975 as the area could not cope then with the traffic congestion and absolutely can NOT be expected to take on more now.
- A rail terminal for passengers would greatly help the traffic situation, and provide some benefit for the surrounding areas, employees could access the site by train, whilst at the same time providing rail travel and commuting facilities to Leicester, Birmingham, Coventry etc, for local residents.
- The levels of Nitrous Oxides and diesel particulates were both identified as being "Very High" and at levels that damage health. The development of this site with major volumes of HGV's in continuously use will radically further worsen pollution levels, which already exceed legally defined limits. The vehicle activated sign recorded 238,199 vehicles through 2 of the entrances to Stoney Stanton, in a two month period.
- Furthermore, the noise and light pollution implications of a 24/7 operation must be considered, this site will be clearly visible and heard from all the residents of Stoney Stanton. We await the full Environmental Statement.

We hope that you take into consideration the impact this development will have on the people who have chosen to live in a small village in a rural location.

Your sincerely



Roz Ward  
Parish Clerk & RFO  
Stoney Stanton Parish Council

