



The Planning Inspectorate
Yr Arolygiaeth Gynllunio

SCOPING OPINION

Proposed Rail Central Strategic Rail Freight Interchange



January 2016

TABLE OF CONTENTS

EXECUTIVE SUMMARY.....	3
1 INTRODUCTION.....	5
BACKGROUND.....	5
THE SECRETARY OF STATE'S CONSULTATION	6
STRUCTURE OF THE DOCUMENT.....	7
2 THE PROPOSED DEVELOPMENT	9
INTRODUCTION.....	9
THE APPLICANT'S INFORMATION	9
THE SECRETARY OF STATE'S COMMENTS	12
3 EIA APPROACH AND TOPIC AREAS	18
INTRODUCTION.....	18
EU DIRECTIVE 2014/52/EU.....	18
NATIONAL POLICY STATEMENTS (NPS)	18
ENVIRONMENTAL STATEMENT APPROACH	18
ENVIRONMENTAL STATEMENT STRUCTURE.....	20
MATTERS TO BE SCOPED OUT	21
TOPIC AREAS	21
4 OTHER INFORMATION.....	388
APPENDIX 1 – PRESENTATION OF THE ENVIRONMENTAL STATEMENT	
APPENDIX 2 – LIST OF BODIES FORMALLY CONSULTED	
APPENDIX 3 – RESPONDENTS TO CONSULTATION AND COPIES OF REPLIES	

EXECUTIVE SUMMARY

This is the Scoping Opinion (the Opinion) provided by the Secretary of State in respect of the content of the Environmental Statement (ES) for the Rail Central Strategic Rail Freight Interchange project, Northamptonshire.

This report sets out the Secretary of State's Opinion on the basis of the information provided in Ashfield Land Management Limited's ('the applicant') report entitled 'Environmental Statement Scoping Report – Rail Central (December 2015)' ('the Scoping Report'). The Opinion can only reflect the proposals as currently described by the applicant.

The Secretary of State has consulted on the Scoping Report and the responses received have been taken into account in adopting this Opinion. The Secretary of State is satisfied that the topic areas identified in the Scoping Report encompass those matters identified in Schedule 4, Part 1, paragraph 19 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (as amended).

The Secretary of State draws attention both to the general points and those made in respect of each of the specialist topic areas in this Opinion. The main potential issues identified are:

- noise and vibration impacts
- air quality
- landscape and visual impacts, including lighting
- heritage
- highways and transportation, and
- biodiversity

Matters are not scoped out unless specifically addressed and justified by the applicant, and confirmed as being scoped out by the Secretary of State.

1 INTRODUCTION

Background

- 1.1 On 11 December 2015, the Secretary of State received a Scoping Report submitted by Ashfield Land Management Limited under Regulation 8 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (SI 2263) (as amended) ('the EIA Regulations') in order to request a scoping opinion for the proposed Rail Central Strategic Rail Freight Interchange ('the proposed development'). This Opinion is made in response to this request and should be read in conjunction with the applicant's Scoping Report.
- 1.2 The applicant has formally provided notification under Regulation 6(1)(b) of the EIA Regulations that it proposes to provide an ES in respect of the proposed development. Therefore, in accordance with Regulation 4(2)(a) of the EIA Regulations, the proposed development is determined to be EIA development.
- 1.3 The EIA Regulations enable an applicant, before making an application for an order granting development consent, to ask the Secretary of State to state in writing their formal opinion (a 'scoping opinion') on the information to be provided in the ES.
- 1.4 Before adopting a scoping opinion the Secretary of State must take into account:
- (a) *the specific characteristics of the particular development;*
 - (b) *the specific characteristics of the development of the type concerned; and*
 - (c) *environmental features likely to be affected by the development'.*
- (EIA Regulation 8 (9))*
- 1.5 This Opinion sets out what information the Secretary of State considers should be included in the ES for the proposed development. The Opinion has taken account of:
- the EIA Regulations
 - the nature and scale of the proposed development
 - the nature of the receiving environment and
 - current best practice in the preparation of an ES.
- 1.6 The Secretary of State has also taken account of the responses received from the statutory consultees (see Appendix 3 of this Opinion). The matters addressed by the applicant 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 Secretary of State will take account of relevant legislation and guidelines (as appropriate). The Secretary of State will not be precluded from requiring additional information if it is considered necessary in connection with the ES submitted with that application when considering the application for a development consent order (DCO).

- 1.7 This Opinion should not be construed as implying that the Secretary of State agrees with the information or comments provided by the applicant in their request for an opinion from the Secretary of State. In particular, comments from the Secretary of State in this Opinion are without prejudice to any decision taken by the Secretary of State (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.
- 1.8 Regulation 8(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 brief description of the nature and purpose of the development and of its possible effects on the environment; and*
 - (c) such other information or representations as the person making the request may wish to provide or make.*
- (EIA Regulation 8 (3))*
- 1.9 The Secretary of State considers that this has been provided in the applicant's Scoping Report.

The Secretary of State's Consultation

- 1.10 The Secretary of State has a duty under Regulation 8(6) of the EIA Regulations to consult widely before adopting a scoping opinion. A full list of the consultation bodies is provided at Appendix 2. A list has also been compiled by the Secretary of State under their duty to notify the consultation bodies in accordance with Regulation 9(1)(a). The applicant should note that whilst the Secretary of State's list can inform their consultation, it should not be relied upon for that purpose.
- 1.11 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 at Appendix 2, along with copies of their comments at Appendix 3, to which the applicant should refer in undertaking the environmental impact assessment (EIA).

- 1.12 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.
- 1.13 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 Planning Inspectorate's website. The applicant should also give due consideration to those comments in carrying out the EIA.

Structure of the Document

- 1.14 This Opinion is structured as follows:
- **Section 1** – Introduction
 - **Section 2** – The proposed development
 - **Section 3** – EIA approach and topic areas
 - **Section 4** – Other information.
- 1.15 This Opinion is accompanied by the following Appendices:
- **Appendix 1** – Presentation of the environmental statement
 - **Appendix 2** – List of bodies formally consulted
 - **Appendix 3** – Respondents to consultation and copies of replies.

2 THE PROPOSED DEVELOPMENT

Introduction

- 2.1 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.

The Applicant's Information

Description of the proposed development

- 2.2 The proposed Rail Central Strategic Rail Freight Interchange would comprise the development and use of the site for a rail link, new warehousing and related development and for all on site infrastructure, landscaping and other works.
- 2.3 The Scoping Report states that the description of the development would likely entail:
- up to 743,200 sq metres of storage and distribution buildings with ancillary office accommodation (the detailed form and number of units have not yet been determined)
 - rail infrastructure (to include new sidings)
 - service depot
 - HGV facilities
 - hotel and public house/restaurant
 - associated access
 - ground works
 - highways
 - landscaping, and
 - other accompanying infrastructure works.
- 2.4 The Scoping Report does not contain any further details of the proposed development works.

Description of the site and surrounding area

The Application Site

- 2.5 The proposed development would be located in Northamptonshire, approximately 20km northwest of Milton Keynes and approximately 6km south of Northampton.

- 2.6 The application site is approximately 250 acres and is shown in Appendix 1 of the Scoping Report. It is comprised of predominantly flat, arable agricultural land, including land categorised as Grades 2, 3a and 3b under the Agricultural Land Classification (ALC) system.
- 2.7 The Scoping Report identifies the following existing development within the application site:
- a filling station and transport yard adjacent to the A43
 - a disused service station in the western area of the application site, beside the A43
 - Lodge and Manor Farms in the central east of the application site
 - two former sand and gravel pits in the northwest of the application site
 - a transport yard in the northeast of the application site, and
 - a trading estate comprising an abattoir, garage and factory located to the west of Northampton Road.
- 2.8 The application site is located predominantly within Flood Zone 1, although small areas of it are within Flood Zones 2 and 3.
- 2.9 The application site is intersected by the Milton Malsor Brook which flows in a predominantly northern direction through the centre of the site before draining into Shoal Creek.
- 2.10 Appendix A of the Scoping Report shows that the Grand Union Canal crosses the site in the south western corner and runs adjacent to the red line boundary along the western part of the application site.
- 2.11 There are a number of features of archaeological interest within the application site, including evidence of early prehistoric activity (worked flint artefacts and flakes); cropmarks of two potential Iron Age/Romano-British sites; remains of what may have been a Romano-British pottery kiln site; and Iron Age and Roman-British pottery.
- 2.12 Nene Valley Nature Improvement Area (NIA) covers part of the north-west area of the application site.

The Surrounding Area

- 2.13 The application site is bound to the east by the Northampton Loop Line and to the south by the West Coast Main Line, beyond which lie agricultural fields and the village of Blisworth. To the north, the site is bound by agricultural fields and the village of Milton Malsor. The A43 bounds the site to the west. The M1 motorway is located 1km north of the site. A number of sand and gravel pits are located to the north and brick pits to the west of the application site. A canal and marina complex is located at Blisworth junction adjacent to the south-

western corner of the site, and towpaths bound the application site in some locations.

- 2.14 There are no statutory designated sites for nature conservation within 5km of the application site. The closest European designated site is the Upper Nene Valley Gravel Pits Special Protection Area (SPA) which is located 5.6km north west of the application site. Twenty one non-statutory designated sites are located within 2km of the application site, as detailed in Table 14.2 of the Scoping Report.
- 2.15 An Air Quality Management Area (AQMA) is located 5km south-west of the application site; this is designated due to high levels of nitrogen dioxide (NO₂) attributable to road traffic emissions.
- 2.16 There are two Scheduled Monuments, one Grade I Listed Building, nine Grade II* Listed Buildings, 116 Grade II Listed Buildings and one Registered Park and Garden within 2km of the application site, and three Registered Parks and Gardens within 5 miles: Courteenhall, Stoke Park, and Easton Neston. Several late prehistoric and Romano-British settlements are located within 1km of the application site.
- 2.17 Milton Malsor Conservation Area is located adjacent to the northern boundary of the application site. There are a further nine Conservation Areas located within 5km of the application site, as detailed in paragraph 15.16 and Appendix 2 of the Scoping Report. The South Northamptonshire Tove Valley Special Landscape Area is located 3km to the south of the site (also identified on Appendix 2 of the Scoping Report).

Alternatives

- 2.18 The Scoping Report does not provide detail of the alternatives considered, however it states that the ES will present the main alternatives considered during selection of the proposed development area.

Construction

- 2.19 The Scoping Report has not provided any details of the construction phase of the proposed development; although paragraph 15.2 infers the need for site clearance, the presence of temporary construction compounds, access tracks, illumination to allow 24-hour working and the use of cranes for cable unloading.

Operation and maintenance

- 2.20 The Scoping Report does not specifically set out the operation and maintenance activities of the proposed development. However, paragraph 1.2 of the Scoping Report does state that it would:
- be capable of handling consignments of goods from more than one consignor and to more than one consignee

- be capable of handling at least four trains per day and be capable of increasing the number of trains handled
- be capable of handling 775 metre trains with appropriately configured on-site infrastructure and layout
- be part of the railway network within England, and
- include warehouses to which goods can be delivered from the railway network in England either directly or by means of another form of transport.

Access

- 2.21 It is currently anticipated that the proposed development would be served via two vehicular access arrangements:
- a four-arm grade-separated roundabout junction with the A43 to the west of the site, and
 - a four-arm roundabout junction with Towcester Road (Northampton Road) which runs through the centre of the site in an approximate north-south direction.
- 2.22 The Scoping Report also identifies the potential for junction improvement works; however these are yet to be identified.

Decommissioning

- 2.23 The Scoping Report does not provide an indication of the anticipated lifespan of the project; however paragraph 15.36 of the Scoping Report states that *“if complete decommissioning is required this is likely to include removing the above ground infrastructure including foundations to allow the land to be reinstated to its original use and condition”*.

The Secretary of State’s Comments

Description of the application site and surrounding area

- 2.24 The description of the application site and surrounding area within the Scoping Report is limited, with some information provided within separate topic chapters but no overview provided, making it difficult to understand the nature and extent of any existing constraints which can then be used to inform the scope of the EIA. However, the Secretary of State welcomes the proposed ES Chapter 2: Site Description and would expect this to identify the context of the proposed development, any relevant designations and sensitive receptors. It should identify land that could be directly or indirectly affected by the proposed development and any associated auxiliary facilities, landscaping areas and potential off site mitigation or compensation schemes. Further detailed baseline information should be provided within topic specific chapters of the ES where relevant.

2.25 There are a number of discrepancies within the Scoping Report relating to the description of the application site and/or the surroundings. For example:

- paragraph 3.3 states that the *"A43 bound the site to the west"*; yet Appendix A shows the A43 crosses through the application site
- paragraph 11.8 states that development within the application site is *"essentially limited to a filling station and transport yard adjacent to the A43 and Lodge and Manor Farms in the central east of the site"*; however Appendix A shows a number of other developments located within the application site
- paragraph 11.10 implies that a trading estate is located within the surrounding area, yet Appendix A identifies a trading estate within the application site
- there are a number of references to the location of the Grand Union Canal which contradict one another (see e.g. paragraphs 3.4, 12.23 and 15.29), but which all identify the Grand Union Canal as being outside the application site. However, Appendix A shows the Grand Union Canal crossing the south west of the application site
- Courteenhall Registered Park and Garden is described as 1km east of the application site in paragraph 14.14, whereas it is described as 1.3km south east of the site in paragraph 10.13, and
- there are various descriptions of the landform of the application site, ranging from *"flat"* to *"undulating"* to *"a natural bowl"*.

2.26 The above list is not exhaustive. The applicant should ensure that the description of the application site and surroundings is accurate and consistent throughout the ES. The Secretary of State would expect relevant figures within the ES to accurately depict the baseline environment and to complement the text description provided.

Description of the proposed development

2.27 The Scoping Report contains only a very brief bullet point description of the proposed development. The Secretary of State appreciates that at this stage in the evolution of the scheme the description of the proposals may not be confirmed. Whilst early engagement on the scope of the ES is to be welcomed, the Secretary of State notes that the level of information provided at this stage is not always sufficient to allow for detailed comments from either the Secretary of State or the consultees.

2.28 Nevertheless, the Secretary of State welcomes the proposed ES Chapter 3: Description of Proposed Development. The applicant should ensure that the description of the proposed development that is being applied for is as accurate and firm as possible as this will form the basis of the EIA. The applicant should be aware that the

description of the development in the ES must be sufficiently certain to meet the requirements of paragraph 17 of Schedule 4 Part 1 of the EIA Regulations and there should therefore be more certainty by the time the ES is submitted with the DCO.

- 2.29 The Secretary of State recommends that the ES should include a clear description of all aspects of the proposed development, at the construction, operation and decommissioning stages. This should include details of the locations and dimensions of all proposed permanent elements of the NSIP (including for example the cranes referred to in paragraph 16.36 of the Scoping Report and "*all on site infrastructure, landscaping and other works*" referred to in paragraph 1.3 of the Scoping Report).
- 2.30 If a draft DCO is to be submitted, the applicant should clearly define which elements of the proposed development are integral to the NSIP and which are either 'associated development' under the Planning Act 2008 (PA 2008) or an ancillary matter. Associated development is defined in the Planning Act as development which is associated with the principal development. Guidance on associated development can be found in the DCLG publication 'Planning Act 2008: Guidance on associated development applications for major infrastructure projects'.
- 2.31 Any proposed works and/or infrastructure required as associated development, or as an ancillary matter, (whether on or off-site) should be assessed as part of an integrated approach to environmental assessment.
- 2.32 Paragraphs 15.67 and 15.80 of the Scoping Report refer to an Intermediate Electrical Compound, Substation and Unlicensed Works at Bicker Fen, and to a cable route (the latter of which is also referred to in paragraph 15.34). The Secretary of State assumes that these elements relate to a different nationally significant infrastructure project (NSIP) and stresses the importance of ensuring the project description is accurate and consistent throughout the ES.

Construction

- 2.33 The Secretary of State considers that the ES should contain information on construction, including (but not limited to):
- land use requirements, including the size and location of construction compounds
 - the construction programme, including phasing if appropriate
 - construction working hours
 - construction methods and activities associated with each phase (including descriptions of plant and equipment to be used)

- site preparation, including the movement of spoil and the need to import or export material
- access routes (from the main road network and within the site)
- the location of any stopped up or diverted highways, footpaths or other rights of way
- lighting equipment/requirements
- the number of workers during construction (including whether they are full/part time, and if shift work is required), and
- the number, movements and parking of construction vehicles (both heavy goods vehicles (HGVs) and staff).

Operation and maintenance

2.34 Information on the operation and maintenance of the proposed development should be included in the ES and should cover (but not be limited to) such matters as:

- operational land use requirements
- the operational activities e.g. the number of train, HGV and LGV movements; movements and activities associated with the service depot; the anticipated number of visitors to the hotel and pub/restaurant facilities; and anticipated maintenance requirements (e.g. maintenance of the railway tracks)
- the location of any stopped up or diverted highways, footpaths or other rights of way (if permanent)
- the location and nature of landscaping works, including proposed finished levels across the site
- the number of full/part-time jobs, and
- the operational hours and if appropriate, shift patterns.

2.35 The ES should identify the anticipated year of operation. This will be important for a number of the technical assessments, for example traffic and transport, and air quality impacts.

2.36 The anticipated lifespan of the proposed development should be identified within the ES.

Access

2.37 The Secretary of State notes the potential highway junction improvement works (paragraph 17.69 of the Scoping Report) and two potential vehicular access arrangements (paragraph 17.38 of the Scoping Report) and assumes that these would be required for the operational phase. The ES should provide further details on these road works, including on the phasing of their completion, and these details should be included in Chapter 3 of the ES (Project Description) as well as the Highways and Transportation chapter.

- 2.38 Paragraph 17.38 of the Scoping Report refers to two roundabout junctions proposed to provide vehicular access to the site. The locations of these works and any other highway improvements required should be identified on plans within the ES. The applicant is reminded that all works should be located within the red line boundary if they are intended to be included within the DCO application.
- 2.39 The ES should also detail how the application site would be accessed during the construction phase.

Decommissioning

- 2.40 Not all of the topic sections of the Scoping Report address decommissioning. The Secretary of State acknowledges that the further into the future any assessment is made, the less reliance may be placed on the outcome. However, the purpose of such a long term assessment is to enable the decommissioning of the works to be taken into account in the design and use of materials such that structures can be taken down with the minimum of disruption. The process and methods of decommissioning should be considered and options presented in the ES. The Secretary of State encourages consideration of such matters in the ES.

Flexibility

- 2.41 The Secretary of State notes the comments in paragraph 4.2 of the Scoping Report that *"As it will not be possible to fully detail all parameters of the Proposed Development when the application for the DCO is submitted it is proposed that the DCO will seek to provide and control flexibility in respect of specified parameters..."*. The applicant should make every attempt to narrow the range of options and explain clearly in the ES which elements of the scheme have yet to be finalised and provide the reasons. At the time of submission of the application, any proposed scheme parameters should not be so wide ranging as to represent effectively different schemes. The scheme parameters will need to be clearly defined in the draft DCO and therefore in the accompanying ES. 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 requirements of paragraph 17 of Schedule 4 Part 1 of the EIA Regulations.
- 2.42 The Secretary of State notes paragraph 4.3 of the Scoping Report which states that *"...The Development Order is then able to impose a requirement or condition that the detailed design of the scheme must be in accordance with the parameters, unless otherwise agreed"*. The applicant's attention is drawn to *Planning Inspectorate Advice Note 15: 'Drafting Development Consent Orders'* and is reminded of the

need for the description of the development to be as firm and detailed as possible.

- 2.43 The Secretary of State welcomes the reference to *Planning Inspectorate Advice Note 9: 'Using the 'Rochdale Envelope'* but also directs attention to the 'Flexibility' section in Appendix 1 of this Opinion which provides additional details on the recommended approach.
- 2.44 It should be noted that the applicant may wish to consider the need to request a new scoping opinion if the proposed development changes substantially during the EIA process and prior to application submission.

Alternatives

- 2.45 The Secretary of State welcomes the applicant's intention to present the alternatives considered and the reasons for selecting the preferred option. The ES should present details of alternative site locations, design and layout, where they have been considered.

3 EIA APPROACH AND TOPIC AREAS

Introduction

- 3.1 This section contains the Secretary of State's specific comments on the approach to the ES and topic areas as set out in the Scoping Report. General advice on the presentation of an ES is provided at Appendix 1 of this Opinion and should be read in conjunction with this Section.

EU Directive 2014/52/EU

- 3.2 The Secretary of State draws the applicant's attention to EU Directive 2014/52/EU (amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment), which was made in April 2014.
- 3.3 Under the terms of the 2014/52/EU Directive, Member States are required to bring into force the laws, regulations and administrative provisions necessary to comply with the Directive by 16 May 2017.
- 3.4 Whilst transitional provisions will apply to such new regulations, the applicant is advised to consider the effect of the implementation of the revised Directive in terms of the production and content of the ES.

National Policy Statements (NPS)

- 3.5 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 recommendations to the Secretary of State and include the Government's objectives for the development of NSIPs.
- 3.6 The National Networks NPS is relevant to the proposed development and sets out assessment principles that should be considered in the EIA for the proposed development. The Secretary of State welcomes the applicant's intention to use the NPS to inform the preparation of their ES.

Environmental Statement Approach

- 3.7 The Secretary of State welcomes the proposed inclusion of Chapter 6: Approach to EIA within the ES. This should clearly set out the overarching methodology applied to the EIA process. No overarching definition of what is considered to constitute a significant effect is provided in the Scoping Report, and not all of the topic sections provide a definition. A significant effect should be defined, and where any topics depart from that the definition details should be provided in the individual ES topic chapter.

- 3.8 The Secretary of State notes and welcomes the intention to finalise the scope of investigations in conjunction with ongoing stakeholder liaison and consultation with the relevant regulatory authorities and their advisors. The Secretary of State would suggest that such consultation includes agreeing the timing and relevance of survey work as well as the methodologies to be used.
- 3.9 The Secretary of State welcomes that the study area will be defined within each technical chapter; these should be sufficiently robust in order to undertake the assessment. The extent of the study areas should be on the basis of recognised professional guidance, whenever such guidance is available. The study areas should also be agreed with the relevant consultees and, where this is not possible, this should be stated clearly in the ES and a reasoned justification given. The scope should also cover the breadth of the topic area and the temporal scope, and these aspects should be described and justified.
- 3.10 The Secretary of State recommends that in order to assist the decision making process, the applicant may wish to consider the use of tables:
- (a) to demonstrate how the assessment has taken account of this Opinion and other responses to consultation
 - (b) to summarise the receptor(s), predicted effect(s), relevant mitigation (including details of how it will be secured e.g. through specific provisions within the draft DCO or through a management plan), the residual effect(s) and their level of significance, and
 - (c) to cross-reference where details provided in the Habitats Regulations assessment (HRA) (where one is provided), such as descriptions of sites and their locations, together with any mitigation or compensation measures, are to be found in the ES.
- 3.11 The ES should not be a series of separate reports collated into one document, but rather a comprehensive assessment drawing together the environmental impacts of the proposed development. This is particularly important when considering impacts in terms of any permutations or parameters to the proposed development.
- 3.12 The Secretary of State welcomes the proposal to assess cumulative impacts within each technical chapter of the ES. The applicant's attention is drawn to Appendix 1 of this Scoping Opinion and *Planning Inspectorate Advice Note 17: 'Cumulative effects assessment'* for further advice and to the comments of South Northamptonshire Council (see Appendix 3 of this Opinion) regarding sites which should be considered.
- 3.13 The Secretary of State welcomes the consideration of climate change within the ES.

Environmental Statement Structure

- 3.14 Section 7 of the Scoping Report sets out the proposed structure of the ES and notes that it is anticipated that the ES will be produced in three volumes:
- Volume I: Non-technical summary
 - Volume II: Main technical studies, and
 - Volume III: Technical appendices.
- 3.15 Table 7.1 of the Scoping Report sets out the proposed structure of the ES on which the applicant seeks the opinion of the Secretary of State, which is as follows:
- (1) Introduction
 - (2) Site description
 - (3) Description of proposed development
 - (4) Consideration of alternatives
 - (5) Relevant legislation and policy
 - (6) Approach to EIA
 - (7) Air quality
 - (8) Agricultural land
 - (9) Archaeology and cultural heritage
 - (10) Ground conditions
 - (11) Hydrology, drainage and flood risk
 - (12) Utilities
 - (13) Biodiversity
 - (14) Landscape and visual
 - (15) Noise and vibration
 - (16) Highways and transportation
 - (17) Socio economic
- 3.16 The Secretary of State welcomes the intended consistent structure for each ES chapter, as detailed in paragraph 7.3 of the Scoping Report and suggests that the assessment of effects is reported under its own heading as opposed to under the methodology heading.

Matters to be scoped out

- 3.17 Matters are not scoped out unless specifically addressed and justified by the applicant, and confirmed as being scoped out by the Secretary of State.
- 3.18 Paragraph 16.61 of the Scoping Report states that a further formal assessment on the following noise and vibration impacts will be 'scoped out':
- vibration assessment of rail traffic (construction and operational phases)
 - vibration assessment of road traffic (construction and operational phases) subject to a plan being developed for inspection and remediation of public roads condition
 - vibration baseline monitoring, and
 - the effect of climate change on noise and vibration impacts.
- 3.19 At this stage, the Secretary of State does not agree that these matters can be scoped out of the EIA as insufficient information has been provided in the Scoping Report by the applicant to justify such an approach.
- 3.20 The Secretary of State has not agreed to scope out any other topics or matters on the basis of the information provided within the Scoping Report. However, this does not prevent the applicant from subsequently agreeing with the relevant consultees to scope out other topics or matters from the ES. In order to demonstrate that topics have not simply been overlooked, where topics are scoped out prior to submission of the DCO application, the ES should still fully explain the reasoning and justify the approach taken.

Topic Areas

Air Quality (see Scoping Report Section 8)

- 3.21 The Secretary of State welcomes the definition of the study area and recommends that this is agreed with the relevant Environment Health Officers of the local planning authorities.
- 3.22 Assessment of the existing baseline should be informed by a comprehensive and up-to-date data set. The baseline condition section of the Scoping Report refers to defining baseline levels of nitrogen dioxide (NO₂) using diffusion tube monitoring and Table 8.1 and Figure 8.1 identify 11 monitoring locations. The Secretary of State recommends that these locations are agreed with the relevant Environment Health Officers of the local planning authorities and that any such agreements are documented within the ES. For ease of reference, it would also be useful if Figure 8.1 is updated in the ES to

- include the application site boundary and also to include the tube ID numbers.
- 3.23 Details of the diffusion tube colocation study (referred to in paragraph 8.10 of the Scoping Report) should be provided within the ES.
- 3.24 Paragraph 8.3 of the Scoping Report states that changes in NO₂, PM₁₀ and PM_{2.5} will all be considered within the assessment of operational effects. The ES should therefore also set out the baseline levels for PM₁₀ and PM_{2.5} and detail the source and date of this data.
- 3.25 Paragraph 8.16 of the Scoping Report states that the assessment will include a qualitative assessment of construction phase impacts. Little information has been provided regarding such an assessment save for a description of the study area in paragraph 8.4 and levels of risk in paragraph 8.14. The methodology for assessing construction phase impacts should be clearly set out in the ES.
- 3.26 The Secretary of State welcomes that dispersion modelling will be undertaken and notes that the input for this will be dependent on traffic data. The ES should provide clear cross referencing to where this data can be found.
- 3.27 Paragraph 8.15 of the Scoping Report identifies four levels of significance: 'negligible', 'slight adverse', 'moderate adverse' and 'substantial adverse'. The Secretary of State queries whether this should be referring to the magnitude of effect as detailed in Table 8.4 as these levels do not reflect the levels of significance detailed in Table 8.5. Care should be taken not to confuse terminology within the ES.
- 3.28 The ES should clearly identify the discrete receptor locations that will be assessed (as noted in paragraph 8.37 of the Scoping Report), along with their sensitivities. The ES should provide definitions for sensitivities of receptors; these have not been provided within the Scoping Report. Likewise, with reference to Table 8.5 of the Scoping Report, the ES should set out what level of significance should be considered 'significant in EIA terms'.
- 3.29 Paragraph 8.41 of the Scoping Report states that professional judgement will be required to establish the significant of impacts; any judgements made should be fully documented and justified.
- 3.30 The Secretary of State notes the Northamptonshire Air Quality Management Area (AQMA) approximately 1km northeast of the application site and the AQMA within South Northamptonshire located 5km south-west of the application site. The Secretary of State considers that adverse change to air quality should be assessed in relation to compliance with European air quality limit values and AQMAs. It would be useful for the full extent of the AQMAs to be visually displayed on a figure within the ES.

- 3.31 The applicant's attention is drawn to the comments of Northampton Borough Council (see Appendix 3 of this Opinion) regarding the Air Quality Management Area (AQMA) located along the M1 between Junctions 15 and 16. The Secretary of State advises that potential impacts on this AQMA are considered within the ES.
- 3.32 The Secretary of State draws the attention of the applicant to the comments made by South Northamptonshire Council (see Appendix 3 of this Opinion) in respect of local air quality and the potential effects of increased traffic flows. The Secretary of State considers that potential impacts on the A508, Roade village and the Towcester AQMA should be considered within the ES.
- 3.33 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.
- 3.34 Cross reference should be made to the Highways and Transportation chapter in relation to dust arising from traffic movements.
- 3.35 Consideration should be given to appropriate mitigation measures and to monitoring dust complaints.

Agricultural Land (see Scoping Report Section 9)

- 3.36 The Secretary of State notes the approach to assessment of impacts on agricultural land outlined in the Scoping Report. The existing baseline should be informed by a comprehensive and up-to-date data set and therefore welcomes the proposal to undertake new surveys as well as discussing the suitability of existing surveys with Natural England.
- 3.37 The ES should clearly set out the area of agricultural land to be lost, including land within farm holdings.
- 3.38 The Secretary of State recommends that the assessment takes account of the comments made by Natural England (see Appendix 3 of this Opinion) and that the ES should contain an assessment of the impact to agriculture and soils against the policy set out in the National Planning Policy Framework. .

Archaeology and Cultural Heritage (see Scoping Report Section 10)

- 3.39 The Secretary of State welcomes the proposed consultation with Historic England and the Northamptonshire County Archaeologist and recommends the scope of consultation discussions is extended to also include agreement on the study area and methodology of assessment.
- 3.40 Appendix 2 of the Scoping Report identifies 'Landscape Policy and Designations' within a 5km buffer zone. This includes blue dots

identifying Conservation Areas. The Secretary of State recommends that figures within the ES identify the full extent of the Conservation Areas as opposed to a single indicative location. The Secretary of State recommends that the assessment takes account of the comments made by the Canal and River Trust and South Northamptonshire Council (see Appendix 3 of this Opinion) in relation to the assessment of Conservation Areas and the presence of the Grand Union Canal Conservation Area.

- 3.41 Where the assessment identifies the need for detailed evaluations prior to, or during construction, a draft Written Scheme of Investigation should be submitted with the ES.
- 3.42 The Secretary of State notes that the definitions of receptor sensitivity in Table 10.2 of the Scoping Report are based on English Heritage 2008 guidance; however it is unclear what the definitions of impact magnitude (Table 10.1 of the Scoping Report) are based upon. This should be detailed within the ES.
- 3.43 This section of the Scoping Report does not consider an assessment of cumulative impacts; this should be included within the ES.
- 3.44 Cross reference should be made from this chapter to the Landscape and Visual chapter of the ES.
- 3.45 The applicant's attention is drawn to the comments made by Historic England (see Appendix 3 of this Opinion), particularly in relation to the extent of the study area; the scope of the assessment; the assessment methodology; and the guidance to which the applicant should have regard.

Ground Conditions (see Scoping Report Section 11)

- 3.46 The Secretary of State welcomes that consultation will be undertaken during preparation of the ES and advises that the Environment Agency should be consulted in addition to the Environmental Health Officer.
- 3.47 The Scoping Report states that the study area would comprise "*the site area itself and the immediate surrounding area*". The ES should clarify what is meant by the "*immediate surrounding area*". The Secretary of State also advises that the study area should be agreed with the relevant consultees.
- 3.48 The applicant's attention is drawn to the comments made by the Environment Agency (see Appendix 3 of this Opinion) in relation to the location of landfill sites in the vicinity of the application site. The Secretary of State recommends that the applicant considers the potential for land contamination and the existence or creation of pathways which could lead to effects on receptors in the area.

- 3.49 Paragraph 11.5 of the Scoping Report states that the *“walkover has been undertaken in accordance with best practice guidance”*; the ES should clearly reference specific guidance. The Secretary of State draws the applicant’s attention to the comments made by the Environment Agency (see Appendix 3 of this Opinion) in relation to relevant guidance on contaminated land assessments.
- 3.50 The Secretary of State notes that a number of sources have been used to inform a Phase 1 Desk Study (as detailed in paragraph 11.4 of the Scoping Report). Very limited baseline information has been provided within the Scoping Report; this detail should be provided within the ES. Should previous studies be relied upon, these should be provided as an appendix to the ES.
- 3.51 The applicant’s attention is drawn to the comments made by South Northamptonshire Council (see Appendix 3 of this Opinion) in relation to the location of part of the site in a Minerals Safeguarding Area and to the need to consider minerals in the Ground Conditions chapter of the ES.
- 3.52 This section of the Scoping Report has not set out what the potential effects of the proposed development would be; the ES should clearly set this out.
- 3.53 Paragraph 11.38 of the Scoping Report states that the sensitivity of receptors is based on the likelihood that a receptor suffers the impact. Definitions should be provided for the four levels of likelihood (high, moderate, low or unlikely).
- 3.54 Groundwater is a potential pathway for discharge of liquids to surface waters. The Secretary of State considers that the applicant should demonstrate a clear linkage between groundwater and surface water assessments to ensure that potential significant effects are identified and mitigated.
- 3.55 The Secretary of State welcomes the management plans proposed in paragraph 11.48 of the Scoping Report. Any measures that are relied upon in the assessment should be demonstrated to be secured either by means of a suitable requirement or within a draft version of the relevant management plan. The Secretary of State advises that drafts of these plans are provided by the applicant and agrees with the comments of the Environment Agency (see Appendix 3 of this Opinion) in relation to details which should be provided within the plan.
- 3.56 The need for any on-going monitoring should also be addressed and agreed with the relevant authorities to ensure that any mitigation measures are effective.

Hydrology, Drainage and Flood Risk (see Scoping Report Section 12)

- 3.57 This section of the Scoping Report is entitled 'Hydrology, Drainage and Flood Risk'; however its primary focus is on an assessment of flood risk. Although paragraph 12.33 does make reference to sensitivities of other water features, it is not entirely clear whether impacts on these features will be assessed, for example impacts on surface water quality and water resources. The Ground Conditions section of the Scoping Report infers that the ES would assess the surface (and ground) water environment (e.g. paragraph 11.34) however limited detail has been provided in that chapter. The applicant should ensure that a thorough assessment of these matters is undertaken within the ES. Appropriate cross-reference should be made between this chapter and the Ground Conditions chapter of the ES in order to avoid duplication. The Secretary of State recommends that the scope of the studies undertaken and reported on in each ES chapter is made clear in the Overview to each chapter.
- 3.58 It is unclear from paragraph 2.3 of the Scoping Report what the study area will be. The Secretary of State advises this is agreed with the relevant consultees (e.g. the Environment Agency and local authority) and clearly explained and justified within the ES.
- 3.59 The Secretary of State recommends that all features identified within the text of the ES are clearly identified on a figure (e.g. the Milton Malsor Brook, Shoal Creek, the Grand Union Canal, the River Nene and the Anglian Water Sewage Treatment works). Similarly, the ES should provide flood risk mapping for the application site. The applicant's attention is drawn to the consultation comments of Blisworth Parish Council (see Appendix 3 of this Opinion) in relation to the flood zones in which the application site and surrounding area lie.
- 3.60 The ES should clearly identify which water features would be directly impacted by the proposed development, including details of any water body crossings, if required.
- 3.61 The Secretary of State notes that paragraph 12.25 of the Scoping Report states that works would "*significantly alter land levels immediately adjacent to the watercourses along with new culverted sections*". The ES should clearly set out the final land levels across the whole of the application site. It would be useful if this information was presented on a figure with a comparative figure of the existing baseline situation.
- 3.62 The Secretary of State recommends the applicant takes into account the comments made by the Environment Agency (see Appendix 3 of this Opinion) in relation to historic landfill sites in the area; the potential for the existence or creation of pathways which could lead to contamination of controlled waters; and to guidance for the assessment of land contamination.

- 3.63 The Secretary of State welcomes that a flood risk assessment (FRA) will be prepared. The applicant is advised to discuss and agree the approach to the scope of the assessment and modelling with the Environment Agency and Lead Local Flood Authority (LLFA). The Secretary of State recommends that the assessment takes account of the comments made by the Environment Agency (see Appendix 3 of this Opinion) in relation to the FRA, including the need to consider the Sequential and Exception Tests.
- 3.64 The FRA should form an appendix to the ES and the ES should clearly state how flood risk from or to different elements of the proposed development has been evaluated.
- 3.65 Where the FRA identifies the need for flood mitigation or compensation, the applicant should identify and assess such measures within the ES. These should be agreed with the Environment Agency and LLFA. The applicant may wish to consider working with the Environment Agency and LLFA regarding the potential to achieve a strategic solution for flood mitigation. Wherever possible, biodiversity enhancement opportunities should be considered as part of any flood prevention works.
- 3.66 Paragraph 12.33 of the Scoping Report states that the sensitivity of receptors is a matter of professional judgement. Any assessment based on professional judgement must clearly articulate how decisions regarding significance of effect have been made. The Secretary of State also recommends that the ES sets out tabulated assessments for each feature, clearly stating their assessed sensitivity, value, importance, magnitude and any predicted likely significant effect to show how these judgements have been derived.
- 3.67 The Scoping Report has made limited reference to the Water Framework Directive (WFD). The applicant should ensure that the ES provides relevant assessments to address the requirements of the WFD. The applicant's attention is drawn to the comments of the Environment Agency (see Appendix 3 of this Opinion) in this regard.

Utilities (see Scoping Report Section 13)

- 3.68 The Secretary of State welcomes the intention to assess the effects of the proposed development on utilities.
- 3.69 The Secretary of State notes that paragraph 13.9 of the Scoping Report states that *"it is not anticipated that the diversion of existing utility services or the provision of new utility services will have an environmental effect on any identified receptors"*, however no justification for this conclusion has been provided. If improvements to the infrastructure are required, the ES should assess impacts that may result from this, including works that may be required off site.

- 3.70 Paragraph 13.3 of the Scoping Report states that the study area extends from the site boundary "*as necessary*" to record the routes of services that approach it. The extent of the study area should be clearly defined and justified within the ES.
- 3.71 Reference is made in paragraphs 13.10 and 13.11 of the Scoping Report to "*PAS 128: 2014*" and that the "*level of quality proposed*" for the EIA will be "*Type C*". This is unclear and does not identify that the document referenced is a British Standard or explain why it is considered that the survey category proposed is the appropriate type for the assessment of the proposed development. The Secretary of State will expect to see a greater level of detail provided in the ES on the assessment methodology.
- 3.72 It is stated that no consultation will be undertaken in relation to the baseline conditions assessment, only in relation to any proposed diversions or offsite reinforcement (paragraph 13.14 of the Scoping Report). However, The Secretary of State recommends that consultation with relevant utilities providers is undertaken to accurately define the existing baseline. In this regard, the applicant's attention is drawn to the comments of the Canal and River Trust (see Appendix 3 of this Opinion) which identify Sky Networks utilities as being present within the towpath along the Grand Union canal; the potential impacts on these utilities should be considered within the ES. Similarly, the Secretary of State notes the comments from Anglian Water (see Appendix 3 of this Opinion) in relation to the location of the Blisworth Water Recycling Centre and Anglian Water existing foul sewerage network, sewage treatment and water services. The ES should assess the implications of the proposed development on these utilities.
- 3.73 Some of the criteria used in Table 13.2 and Table 13.3 of the Scoping Report to define the levels of magnitude of effects are expressed in vague terms, eg 'prolonged/short periods', 'close proximity', 'at a distance', and 'medium term effect'. It is not clear whether the criteria are derived from published guidance. In addition, a long term duration of effect is described in Table 13.2 as 10 years +, but described as 15 years and onwards in paragraph 13.16. Table 13.4 combines the categories of magnitude of effects with the sensitivity of the receptors to determine the significance of effects, however it only includes four categories of magnitude, and refers to 'moderate' effects; whereas Table 13.2 identifies five categories (including 'very high') and refers to 'medium' effects. The criteria on which the assessments are based should be clearly defined and consistently applied, and if they are derived from published guidance the relevant sources should be referenced in the ES.
- 3.74 The Secretary of State notes that a 'significant' effect in EIA terms is defined in this section as an effect which is considered to be 'major'. It is standard practice in environmental assessment to also define a 'moderate' effect as a significant effect, and it is noted that within

other topic sections of the Scoping Report 'moderate' effects are included within the definition of effects considered to be 'significant'. The applicant may wish to consider whether the definition of a significant effect should additionally consistently encompass moderate effects.

- 3.75 The information provided on the proposed cumulative assessment does not clearly differentiate between cumulative effects as a result of the effects of the proposed development together with other schemes, and inter-related effects as a result of combined effects of the proposed development on particular receptors. These effects should be separately assessed and clearly differentiated in the ES.
- 3.76 The Secretary of State recommends that the applicant takes account of the comments from National Grid (see Appendix 3 of this Opinion) in respect of potential effects on gas distribution assets within and in close proximity to the application site, and from HSE in respect of pipelines which appear to pass under the land and the potential need for Hazardous Substances Consent, and advises that all such infrastructure beneath and around the site should be identified and considered.
- 3.77 The applicant's attention is drawn to the comments made by the Environment Agency and Anglian Water (see Appendix 3 of this Opinion) in relation to consideration of the need for water supply, wastewater, and sewage treatment services. Cross-reference should be made in the ES between this chapter and the Hydrology chapter.

Biodiversity (see Scoping Report Section 14)

- 3.78 The Secretary of State welcomes the applicant's intention to adhere to the guidance on ecological assessment provided by the Chartered Institute of Ecology and Environmental Management (CIEEM), and advises that in line with this guidance the ES should clearly identify and justify the ecological zone of influence for the proposed development. The applicant should be aware that CIEEM published updated guidance on terrestrial, freshwater and coastal ecological impact assessment in January 2016.
- 3.79 It is noted that a Phase 1 habitat survey and partial preliminary ecological assessment were carried out in March 2015 to identify the potential need for further surveys but that these were undertaken at a sub-optimal time of the year and that access restrictions were in place in some locations. It is assumed that the reference in paragraph 14.50 of the Scoping Report to surveys undertaken in March 2014 is a typographical error. The Secretary of State welcomes the proposal for additional field surveys and recommends that the scope of these is agreed with the relevant consultees, including Natural England. In relation to bat surveying, the applicant should be aware that a new British Standard was published in October 2015.

- 3.80 It is stated in the Scoping Report that there are no statutory designated sites within 5km of the application site and that no SSSIs will be affected by the proposed development. Reference is made in paragraph 14.12 of the Scoping Report to the closest European site to the application site being the Upper Nene Valley Gravel Pits Special Protection Area (SPA), 5.6km to the north west, the features of which are not identified. It is stated that it is considered very unlikely due to the activities associated with the construction and operation of the proposed development that European sites further afield than 5km could be affected, and no further reference is made to this SPA. It is assumed that the statement in paragraph 14.34 that the proposed development 'is likely to affect a European site' is a typographical error. No further information is provided to explain the conclusion that European sites beyond 5km from the site are unlikely to be affected. The Secretary of State notes the comments made by Natural England (see Appendix 3 of this Opinion) in relation to potential impacts on bird populations from the Upper Nene Valley Grave Pits SSSI and SPA and advises that an assessment of impacts on these sites and their features is presented. Similarly, the Secretary of State notes Natural England's comments that the application site is located partially within Roade Cutting SSSI and advises that the ES assesses the potential impacts on this designated site. In this regard, the Secretary of State also reiterates the importance of ensuring the baseline environment depicted in the ES is accurate and recommends that it is agreed with the relevant consultees.
- 3.81 It is unclear what is meant by the statement in paragraph 14.12 of the Scoping Report that although the application site is within the *"risk zones for SSSIs it is not clear that the proposed development would involve any of the risk activities specified"*. The Secretary of State advises that the reasoning for excluding consideration of European and other sites such as SSSIs from the assessment should be fully explained and justified in the ES. The applicant's attention is drawn to Section 4 of this Scoping Opinion with regards to Habitats Regulations Assessment.
- 3.82 The Secretary of State notes that it is stated in Table 14.3 that candidate Special Areas of Conservation (cSACs) and proposed SPAs (pSPAs) are treated as European sites as a matter of UK policy. However, cSACs are protected by legislation (the Habitats Regulations), and it is pSPAs that are protected as a matter of policy. The applicant should ensure that the requirements of UK legislation and policy are correctly identified and reflected in the ES.
- 3.83 Table 14.2 of the Scoping Report identifies non-statutory designated nature conservation sites within 2km of the application site boundary, but only provides details on the characteristics of the sites for a few of those identified. The Secretary of State would expect to see more comprehensive information provided for all sites identified and

considered in the ES, and relevant plans provided as appropriate to identify their location.

- 3.84 Some of the flora identified in this section of the Scoping Report are only described by their Latin names. It would be helpful to additionally provide in the ES the common names of all species identified, where applicable. The applicant's attention is drawn to the comments made by Northamptonshire County Council (see Appendix 3 of this Opinion) in relation to current data sources for flora in the county.
- 3.85 Paragraph 14.31 of the Scoping Report refers to "*standard mitigation practices*". These should be clearly set out within the ES, and should be adequately secured, for example through a provision within the draft DCO, or included within a management plan (a draft of which should be provided within the application) which is secured through the draft DCO.
- 3.86 The information provided by the applicant on the proposed assessment of inter-related effects, and the cumulative assessment, confuses the two types of assessment. The EIA should separately consider impacts on single receptors as a result of combined impacts of the proposed development (inter-related effects), and the potential cumulative effect of the proposed development together with other identified schemes.
- 3.87 The Secretary of State recommends that the proposals should address fully the needs of protecting and enhancing biodiversity. The assessment should cover habitats, species and processes within the site and surroundings. The applicant's attention is drawn to the comments made by Natural England and the Environment Agency (see Appendix 3 of this Opinion) in relation to green infrastructure and biodiversity enhancement.
- 3.88 The assessment should take account of noise, vibration and air quality (including dust) impacts, and cross reference should be made to these topics in the ES Ecology chapter.
- 3.89 The Secretary of State draws the attention of the applicant to the comments made by Natural England (see Appendix 3 of this Opinion), particularly in respect of internationally and nationally designated sites, and protected species and Habitats and Species of Principal Importance.

Landscape and Visual (see Scoping Report Section 15)

- 3.90 Reference is made in paragraph 15.2 of the Scoping Report to activities during the construction phase such as temporary construction compounds, access tracks, illumination to allow 24-hour working, and use of cranes for cable unloading, however none of these are included in the description of the proposed development in

Section 1 of the report or referenced elsewhere. Reference is made in Section 16 to cranes but in relation to the operational phase, and they are not mentioned in the landscape and visual section. The applicant should ensure that the proposed development description is consistent throughout the ES, and that all the elements which could give rise to significant effects are identified and assessed consistently.

- 3.91 There is some near duplication of text in the information provided on assessing the level and significance of landscape effects; paragraph 15.53 refers to a four point scale for categorising the level of landscape effect as high, moderate, low or negligible, whereas paragraph 15.56 refers to major, moderate, minor or negligible. The assessment methodology should be clearly and consistently detailed within the ES.
- 3.92 The Secretary of State welcomes confirmation that the Landscape and Visual Assessment (LVIA) will be based on a realistic worst case scenario, so that all potential significant effects will be identified and assessed.
- 3.93 It is recommended that the preliminary landscape and visual desk and site based assessments referenced in paragraph 15.4 of the Scoping Report are included with the DCO application as technical appendices to the ES.
- 3.94 The Secretary of State welcomes the applicant's intention to consult with the local council and Natural England on the LVIA. Natural England has provided comments in relation to the assessment of landscape and visual impacts in Appendix 3 of this Opinion which the Secretary of State advises are taken into account by the applicant.
- 3.95 It is noted that 11 viewpoints have been selected for the assessment, and it is recommended that the location of these viewpoints are agreed with these and any other relevant bodies, such as other local planning authorities. The applicant's attention is drawn to the comments made by the Canal and River Trust (see Appendix 3 of this Opinion) and is advised to consider the setting of the canal as a heritage asset and also views that will be experienced by users of the canal and the impact on recreation.
- 3.96 It is noted that the landscape and visual assessment makes no reference to the Zone of Theoretical Visibility (ZTV) or to the Zone of Visual Influence (ZVI); the Secretary of State considers that the extent of visibility of the proposed development should be explained and illustrated in the ES. The ES should describe the model used, and provide information on the area covered, the timing of any survey work, and the methodology used for the surveys. It is recommended that the LVIA should include photomontages of the proposed development, taken from locations to be agreed with relevant bodies and stakeholders.

- 3.97 Paragraph 6.18 of the Scoping Report identified the need for *“continuous working arrangements (up to 24 hours)”*. As such, the proposed development could potentially have a visual impact at night as well as during the day. The Secretary of State recommends that night-time views of the proposed development should be considered in the LVIA, along with the provision of night-time photomontages. Cross reference should be made to the ES Biodiversity chapter and potential impacts on ecological receptors. The Secretary of State agrees with South Northamptonshire Council (see Appendix 3 of this Opinion) that a lighting assessment should be provided within the ES.
- 3.98 No details of landscaping are provided. The landscaping proposals and mitigation measures should be developed closely together with any ecological mitigation measures, and the landscape and visual chapter of the ES should provide appropriate cross- referencing between these topics, together with any other relevant ES topics, such as, for instance, Archaeology and Cultural Heritage. It is recommended that a landscape masterplan is provided within the ES.

Noise and Vibration (see Scoping Report Section 16)

- 3.99 Paragraph 16.3 of the Scoping Report refers to a study area of *“typically 700m beyond the PDA boundary”*. The Secretary of State recommends the study area is agreed with relevant consultees and that the ES should justify the study area and state whether it is based on any particular guidance.
- 3.100 It is noted that a preliminary baseline noise survey has been carried out at six potential noise monitoring locations where noise sensitive receptors have been identified in the study area, and that other locations are likely to be identified. Paragraph 16.7 of the Scoping Report states that measurements were made *“...generally in accordance with procedures given in BS 4142:2014 Methods for rating and assessing industrial and commercial sound”*. The ES should provide details of the baseline noise monitoring undertaken and clearly explain where and why departures from such guidance have been made.
- 3.101 The Secretary of State notes that the applicant intends to consult with South Northamptonshire Council in respect of further baseline noise surveys and recommends that the methodology and choice of noise receptors are also agreed with the Environment Agency. The location of the noise receptors should be identified on a plan.
- 3.102 Paragraph 16.17 of the Scoping Report suggests that *“noise generated during construction, especially during piling, may have the potential to affect fauna, particularly birdlife”*. The Secretary of State notes that fixed plant on the operational site along with vehicles and cranes will generate noise during the day and night and recommends that consideration is also made in the assessment of the potential effects of operational noise on ecological features. The results from

the noise and vibration assessments should inform the ecological assessments, and cross-reference should be made to information contained in the ES biodiversity chapter, in addition to that within any other relevant topic chapters, such as the transport chapter.

- 3.103 The Scoping Report notes that during operation, noise will be generated by mechanical plant and ventilation components and onsite vehicle and crane movements. Bearing in mind the description of the application site provided within the Scoping Report, the Secretary of State considers that the statement in paragraph 16.37 about the *"nature of the noise associated with the Proposed Development being broadly similar in character to the existing noise environment"* has not been justified or explained. No further details are provided in relation to sources of noise during the construction or operational phases of the proposed development. The Secretary of State advises that information should be provided in the ES on the types and numbers of vehicles and plant to be used, and likely vehicle movements, during both the construction and operational phases of the proposed development.
- 3.104 The Secretary of State welcomes the classifications of potential receptors as proposed in paragraph 16.52 of the Scoping Report. Definitions of sensitivities should be provided within the ES.
- 3.105 The ES should include assessment of noise impacts on people during all phases of the proposed development, and particularly any potential disturbance at night and other unsocial hours such as weekends and public holidays. The applicant's attention is drawn to the comments made by the Canal and River Trust in relation to consideration of potential noise and vibration effects on the Grand Union Canal and its associated infrastructure, such as the marina. The Secretary of State confirms that users of the canal should be considered as sensitive receptors in this respect.
- 3.106 It is unclear from the Scoping Report what vibration assessments are proposed to be included within the ES, however the Secretary of State notes that there may be vibration impacts from piling during the construction phase. The Secretary of State expects all potentially significant impacts to be assessed and a clear rationale provided for the approach taken.
- 3.107 The noise and vibration assessment should take account of traffic movements along access routes, and as a result of any temporary roadworks and diversions, especially during the construction phase.
- 3.108 Consideration should be given to monitoring noise complaints during construction and when the development is operational.

Highways and Transportation (see Scoping Report Section 17)

- 3.109 The Secretary of State welcomes the current and ongoing consultation with Highways England and Northamptonshire County Council on the assessment of potential transport impacts of the proposed development, including identification of the study area, as shown on the indicative plan at Appendix 9 of the Scoping Report.
- 3.110 It is noted that a Transport Assessment (TA), Travel Plan (TP), and Construction Traffic Management Plan (CTMP) will be provided. The list of matters to be included in the TA does not make reference to potential effects on public rights of way (PROWs) and other footpaths etc., although existing walking and cycling routes are briefly mentioned elsewhere in this section of the report. The Secretary of State recommends that the assessment should take account of the location of footpaths and any PROW including bridleways and byways. The ES should clearly set out potential impacts on them including within the wider area. Consideration should be given to minimising hindrance to them where possible.
- 3.111 Paragraph 17.11 of the Scoping Report identifies what are considered by the applicant to be sensitive receptors in relation to transport impacts. The Secretary of State suggests that residential areas should also be considered in the assessment as a sensitive receptor.
- 3.112 The Secretary of State welcomes that the indicative study area has been developed in consultation with Highways England and Northamptonshire County Council. The '*key corridors*' referred to in paragraph 17.24 of the Scoping Report should be agreed with these bodies.
- 3.113 Paragraph 17.23 of the Scoping Report refers to junction capacity analysis modelling in relation to 2009. The Secretary of States assumes that this is an error and advises that the assessment should be based on up to date data.
- 3.114 Reference is made in paragraph 17.28 of the Scoping Report to the provision of mitigation that will be commensurate with the phasing of occupation of the proposed development. No details of the construction or operational phasing are provided in the Report. The Secretary of State expects that the ES will include information on the duration and programming of the works and on the activities that would take place in each phase.
- 3.115 With reference to paragraph 17.47 of the Scoping Report, the ES should provide criteria definitions for the sensitivity of receptors.
- 3.116 Reference is made in paragraphs 17.5 and 17.68 of the Scoping Report to a Travel Plan and a Construction Traffic Management Plan (CTMP). It is stated that the latter is anticipated to be dealt with through a planning condition. An outline CTMP should be provided

with the DCO application documents or included in the Construction Environment Management Plan (CEMP), which should be the subject of a Requirement in the DCO.

- 3.117 The Scoping Report does not detail how waste generated during construction and operation of the proposed development will be removed from the site, although it is noted that Section 11 refers to the implementation of a Site Waste Management Plan (SWMP) as a mitigation measure. Details of likely vehicle movements, including the numbers of trips and routing in relation to the removal of waste during construction and operation, should be provided in the ES and used to inform the highways and transportation assessment.
- 3.118 It is stated that the transport cumulative assessment will take into account all allocated and committed developments nearby as agreed with the highway authority. The Secretary of State refers the applicant to Planning Inspectorate Advice Note 9, and Section 4 of this Opinion, which provide further information on the developments that should be considered in the cumulative assessments.
- 3.119 The ES Highways and Transportation chapter should cross-reference to other topics as appropriate such as, for example, air quality, noise and vibration, and biodiversity.
- 3.120 Although this section includes a paragraph entitled 'Proposed Assessments to be Scoped Out', no specific matters are identified, therefore the Secretary of State is of the view that there are no highways and transportation matters that should be scoped out of this assessment, unless full justification is provided in the ES for doing so.
- 3.121 The Secretary of State advises that the applicant takes into account the comments in Appendix 3 of this Opinion made by Highways England, including the need for junction capacity assessments; Milton Keynes Council and Northamptonshire County Council in respect of potential impacts on the road and rail network and the need to consider HS2 in the assessment; and South Northamptonshire Council, Blisworth Parish Council and Milton Malsor Parish Council in relation to the potential impacts of the proposed development on the local highway network. The applicant's attention is also drawn to the comments of Network Rail in respect of potential impacts on the existing and future railway network.

Socio-economics (see Scoping Report Section 18)

- 3.122 The Secretary of State recommends that the types of jobs generated by the proposed development should be considered in the context of the available workforce in the area. This applies equally to the construction and operational stages. However, the Secretary of State acknowledges that the applicant anticipates that as a result of the

scale of the project they are likely to need to draw on a wider labour force than is currently available in South Northamptonshire.

- 3.123 Table 18.3 combines the magnitude of an effect with the sensitivity of a receptor to define the significance of an effect; however it identifies a 'medium' magnitude of effect, whereas Table 18.1 describes a 'moderate' magnitude of effect. Care should be taken to consistently apply throughout the topic chapter the same definitions of the criteria used to inform the assessment.
- 3.124 The Secretary of State draws the attention of the applicant to the comments made by Milton Keynes Council (see Appendix 3 of this Opinion), particularly in relation to potential effects of the proposed development on employment opportunities; such an assessment should be included within the ES.
- 3.125 The applicant's attention is also drawn to the comments made by Northamptonshire Police (see Appendix 3 of this Opinion) in relation to crime and mitigation through design of the proposed development.

Waste (not included in the Scoping Report)

- 3.126 The Secretary of State advises that the ES should clarify the types of all wastes to be processed as a result of the proposed development and that the effect of the proposal in terms of waste should be assessed and reported on in the ES.
- 3.127 The environmental effects of the processing and removal of all wastes from the site should be considered. The ES will need to identify and describe the control processes, and any mitigation measures associated with storing waste onsite and transporting any waste offsite. All waste types should be quantified and classified.
- 3.128 The applicant's attention is drawn to the comments made by South Northamptonshire Council (see Appendix 3 of this Opinion) in relation to waste and resource efficiency.

4 OTHER INFORMATION

- 4.1 This section does not form part of the Secretary of State's Opinion as to the information to be provided in the environmental statement. However, it does respond to other issues that the Secretary of State has identified which may help to inform the preparation of the application for the DCO.

Pre-application Prospectus

- 4.2 The Planning Inspectorate offers a service for applicants at the pre-application stage of the nationally significant infrastructure planning process. Details are set out in the prospectus 'Pre-application service for NSIPs'¹. The prospectus explains what the Planning Inspectorate can offer during the pre-application phase and what is expected in return. The Planning Inspectorate can provide advice about the merits of a scheme in respect of national policy; can review certain draft documents; as well as advice about procedural and other planning matters. Where necessary a facilitation role can be provided. The service is optional and free of charge.
- 4.3 The level of pre-application support provided by the Planning Inspectorate will be agreed between an applicant and the Inspectorate at the beginning of the pre-application stage and will be kept under review.

Preliminary Environmental Information

- 4.4 Consultation forms a crucial aspect of environmental impact assessment. As part of their pre-application consultation duties, applicants are required to prepare a Statement of Community Consultation (SoCC). This sets out how the local community will be consulted about the proposed development. The SoCC must state whether the proposed development is EIA development and if it is, how the applicant intends to publicise and consult on PEI. Further information in respect of PEI may be found in Advice Note 7: Environmental Impact Assessment: Preliminary Environmental Information, Screening and Scoping.

Habitats Regulations Assessment (HRA)

- 4.5 It is the applicant's responsibility to provide sufficient information to the Competent Authority (CA) to enable them to carry out a HRA if required, or to provide sufficient information to satisfy the Secretary of State (as the CA) that an HRA is not required (ie that the proposed

¹ The prospectus is available from:
<http://infrastructure.planninginspectorate.gov.uk/application-process/pre-application-service-for-applicants/>

development is not likely to affect a European site and/or a European marine site).

- 4.6 The Scoping Report identifies the closest designated European site as the Upper Nene Valley Gravel Pits SPA which is located 5.6km north west of the application site. Paragraph 14.34 of the applicant's Scoping Report states that the applicant does not anticipate a HRA will be required in support of the proposed development, as no European sites will be affected, directly or indirectly, by the proposed development. However, the Secretary of State notes the comments made by Natural England (see Appendix 3 of this Opinion) in relation to potential impacts on bird populations from the Upper Nene Valley Grave Pits SPA.
- 4.7 The Secretary of State recommends that early consultation is undertaken with the relevant Statutory Nature Conservation Body (SNCB) on the applicant's proposed approach to HRA. Evidence of any agreements reached with the SNCB should be submitted as part of the DCO application.
- 4.8 Further information with regard to the HRA process is contained within Planning Inspectorate's Advice Note 10 available on the National Infrastructure pages of the Planning Portal website.

Sites of Special Scientific Interest (SSSIs)

- 4.9 The Scoping Report states that the application site falls within risk zones for SSSIs, but does not specifically identify any SSSIs by name. As noted above in this Opinion, Natural England's scoping consultation response (see Appendix 3 of this Opinion) notes that the application site is located partially within Roade Cutting SSSI. Where there may be potential impacts on the SSSIs, the Secretary of State has duties under sections 28(G) and 28(I) of the Wildlife and Countryside Act 1981 (as amended) (the W&C Act). These are set out below for information.
- 4.10 Under s28(G), the Secretary of State has a general duty '... to take reasonable steps, consistent with the proper exercise of the authority's functions, to further the conservation and enhancement of the flora, fauna or geological or physiographical features by reason of which the site is of special scientific interest'.
- 4.11 Under s28(I), the Secretary of State must notify the relevant nature conservation body (NCB), NE in this case, before authorising the carrying out of operations likely to damage the special interest features of a SSSI. Under these circumstances 28 days must elapse before deciding whether to grant consent, and the Secretary of State must take account of any advice received from the NCB, including advice on attaching conditions to the consent. The NCB will be notified during the examination period.

- 4.12 If applicants consider it likely that notification may be necessary under s28(I), they are advised to resolve any issues with the NCB before the DCO application is submitted to the Secretary of State. If, following assessment by applicants, it is considered that operations affecting the SSSI will not lead to damage of the special interest features, applicants should make this clear in the ES. The application documents submitted in accordance with Regulation 5(2)(I) could also provide this information. Applicants should seek to agree with the NCB the DCO requirements which will provide protection for the SSSI before the DCO application is submitted.

European Protected Species (EPS)

- 4.13 Applicants should be aware that the decision maker under the Planning Act 2008 (PA 2008) has, as the CA, a duty to engage with the Habitats Directive. Where a potential risk to a European Protected Species (EPS) is identified, and before making a decision to grant development consent, the CA must, amongst other things, address the derogation tests in Regulation 53 of the Habitats Regulations. Therefore the applicant may wish to provide information which will assist the decision maker to meet this duty.
- 4.14 If an applicant has concluded that an EPS licence is required the ExA will need to understand whether there is any impediment to the licence being granted. The decision to apply for a licence or not will rest with the applicant as the person responsible for commissioning the proposed activity by taking into account the advice of their consultant ecologist.
- 4.15 Applicants are encouraged to consult with NE and, where required, to agree appropriate requirements to secure necessary mitigation. It would assist the examination if applicants could provide, with the application documents, confirmation from NE whether any issues have been identified which would prevent the EPS licence being granted.
- 4.16 Generally, NE are unable to grant an EPS licence in respect of any development until all the necessary consents required have been secured in order to proceed. For NSIPs, NE will assess a draft licence application in order to ensure that all the relevant issues have been addressed. Within 30 working days of receipt, NE will either issue 'a letter of no impediment' stating that it is satisfied, insofar as it can make a judgement, that the proposals presented comply with the regulations or will issue a letter outlining why NE consider the proposals do not meet licensing requirements and what further information is required before a 'letter of no impediment' can be issued. The applicant is responsible for ensure draft licence applications are satisfactory for the purposes of informing formal pre-application assessment by NE.

- 4.17 Ecological conditions on the site may change over time. It will be the applicant's responsibility to ensure information is satisfactory for the purposes of informing the assessment of no detriment to the maintenance of favourable conservation status (FCS) of the population of EPS affected by the proposals. Applicants are advised that current conservation status of populations may or may not be favourable. Demonstration of no detriment to favourable populations may require further survey and/or submission of revised short or long term mitigation or compensation proposals.
- 4.18 In England the focus concerns the provision of up to date survey information which is then made available to NE (along with any resulting amendments to the draft licence application).
- 4.19 Applicants with projects in England or English waters can find further information from Natural England here: <https://www.gov.uk/guidance/pre-submission-screening-service-advice-on-planning-proposals-affecting-protected-species>.

Other Regulatory Regimes

- 4.20 The Secretary of State recommends that the applicant should state clearly what regulatory areas are addressed in the ES and that the applicant should ensure that all relevant authorisations, licences, permits and consents that are necessary to enable operations to proceed are described in the ES. Also it should be clear that any likely significant effects of the proposed development which may be regulated by other statutory regimes have been properly taken into account in the ES.
- 4.21 It will not necessarily follow that the granting of consent under one regime will ensure consent under another regime. For those consents not capable of being included in an application for consent under the PA 2008, the Secretary of State will require a level of assurance or comfort from the relevant regulatory authorities that the proposal is acceptable and likely to be approved, before they make a recommendation or decision on an application. The applicant is encouraged to make early contact with other regulators. Information from the applicant about progress in obtaining other permits, licences or consents, including any confirmation that there is no obvious reason why these will not subsequently be granted, will be helpful in supporting an application for development consent to the Secretary of State.

The Environmental Permitting Regulations and the Water Resources Act

Environmental Permitting Regulations 2010

- 4.22 The Environmental Permitting Regulations 2010 (EPR 10) require operators of certain facilities, which could harm the environment or

human health, to obtain permits from the Environment Agency. Environmental permits can combine several activities into one permit. There are standard permits supported by 'rules' for straightforward situations and bespoke permits for complex situations. For further information, please see the Government's advice on determining the need for an environmental permit².

4.23 The Environment Agency's environmental permits cover:

- Industry regulation;
- Waste management (waste treatment, recovery or disposal operations);
- Discharges to surface water;
- Groundwater activities; and
- Radioactive substances activities.

4.24 Characteristics of environmental permits include:

- They are granted to operators (not to land);
- They can be revoked or varied by the Environment Agency;
- Operators are subject to tests of competence;
- Operators may apply to transfer environmental permits to another operator (subject to a test of competence); and
- Conditions may be attached.

The Water Resources Act 1991

4.25 Under the Water Resources Act 1991 (as amended), anyone who wishes to abstract more than 20m³/day of water from a surface source such as a river or stream or an underground source, such as an aquifer, will normally require an abstraction licence from the Environment Agency. For example, an abstraction licence may be required to abstract water for use in cooling at a power station. An impoundment licence is usually needed to impede the flow of water, such as in the creation of a reservoir or dam, or construction of a fish pass.

4.26 Abstraction licences and impoundment licences are commonly referred to as 'water resources licences'. They are required to ensure that there is no detrimental impact on existing abstractors or the environment. For further information, please see the Environment

² Available from: <https://www.gov.uk/environmental-permit-check-if-you-need-one>

Agency's WR176 guidance form on applying for a full, transfer or impounding licence³:

4.27 Characteristics of water resources licences include:

- They are granted to licence holders (not to land);
- They can be revoked or varied;
- They can be transferred to another licence holder; and
- In the case of abstraction licences, they are time limited.

Role of the Applicant

4.28 It is the responsibility of applicants to identify whether an environmental permit and / or water resource licence is required from the Environment Agency before an NSIP can be constructed or operated. Failure to obtain the appropriate consent(s) is an offence.

4.29 The Environment Agency allocates a limited amount of pre-application advice for environmental permits and water resources licences free of charge. Further advice can be provided, but this will be subject to cost recovery.

4.30 The Environment Agency encourages applicants to engage with them early in relation to the requirements of the application process. Where a project is complex or novel, or requires a Habitats Risk Assessment, applicants are encouraged to "parallel track" their applications to the Environment Agency with their DCO applications to the Planning Inspectorate. Further information on the Environment Agency's role in the infrastructure planning process is available in Annex D of the Planning Inspectorate's Advice note eleven (working with public bodies in the infrastructure planning process)⁴.

4.31 When considering the timetable to submit their applications, applicants should bear in mind that the Environment Agency will not be in a position to provide a detailed view on the application until it issues its draft decision for public consultation (for sites of high public interest) or its final decision. Therefore the applicant should ideally submit its application sufficiently early so that the Environment Agency is at this point in the determination by the time the Development Consent Order reaches examination.

4.32 It is also in the interests of an applicant to ensure that any specific requirements arising from their permit or licence are capable of being carried out under the works permitted by the DCO. Otherwise there is

³ Available from: <https://www.gov.uk/government/publications/wr176-applying-for-full-transfer-or-impoundment-licence-form-guidance>

⁴ Available from: <http://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

a risk that requirements could conflict with the works which have been authorised by the DCO (e.g. a stack of greater height than that authorised by the DCO could be required) and render the DCO impossible to implement.

Health Impact Assessment

- 4.33 The Secretary of State considers that it is a matter for the applicant to decide whether or not to submit a stand-alone Health Impact Assessment (HIA). However, the applicant should have regard to the responses received from the relevant consultees regarding health, and in particular to the comments from the Health and Safety Executive and Blisworth Parish Council in relation to health issues (see Appendix 3 of this Opinion).
- 4.34 The methodology for the HIA, if prepared, should be agreed with the relevant statutory consultees and take into account mitigation measures for acute risks.

Transboundary Impacts

- 4.35 The Secretary of State has noted that the applicant has not indicated whether the proposed development is likely to have significant impacts on another European Economic Area (EEA) State.
- 4.36 Regulation 24 of the EIA Regulations, which inter alia require the Secretary of State to publicise a DCO application if the Secretary of State 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. The Secretary of State considers that where Regulation 24 applies, this is likely to have implications for the examination of a DCO application.
- 4.37 The Secretary of State 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.

APPENDIX 1 – PRESENTATION OF THE ENVIRONMENTAL STATEMENT

The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (SI 2264) (as amended) sets out the information which must be provided for an application for a development consent order (DCO) for nationally significant infrastructure under the Planning Act 2008. Where required, this includes an environmental statement. Applicants may also provide any other documents considered necessary to support the application. Information which is not environmental information need not be replicated or included in the ES.

An environmental statement (ES) is described under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (SI 2263) (as amended) (the EIA Regulations) as a statement:

- (a) that includes such of the information referred to in Part 1 of Schedule 4 as is reasonably required to assess the environmental effects of the development and of any associated development and which the applicant can, having regard in particular to current knowledge and methods of assessment, reasonably be required to compile; but*
- (b) that includes at least the information required in Part 2 of Schedule 4.*

(EIA Regulations Regulation 2)

The purpose of an ES is to ensure that the environmental effects of a proposed development are fully considered, together with the economic or social benefits of the development, before the development consent application under the Planning Act 2008 is determined. The ES should be an aid to decision making.

The Secretary of State advises that the ES should be laid out clearly with a minimum amount of technical terms and should provide a clear objective and realistic description of the likely significant impacts of the proposed development. The information should be presented so as to be comprehensible to the specialist and non-specialist alike. The Secretary of State recommends that the ES be concise with technical information placed in appendices.

ES Indicative Contents

The Secretary of State emphasises that the ES should be a 'stand alone' document in line with best practice and case law. The EIA Regulations Schedule 4, Parts 1 and 2, set out the information for inclusion in environmental statements.

Schedule 4 Part 1 of the EIA Regulations states this information includes:

17. Description of the development, including in particular—

- (a) a description of the physical characteristics of the whole development and the land-use requirements during the construction and operational phases;*
- (b) a description of the main characteristics of the production processes, for instance, nature and quantity of the materials used;*
- (c) an estimate, by type and quantity, of expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation, etc) resulting from the operation of the proposed development.*

18. An outline of the main alternatives studied by the applicant and an indication of the main reasons for the applicant's choice, taking into account the environmental effects.

19. 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.

20. A description of the likely significant effects of the development on the environment, which should cover the direct effects and any indirect, secondary, cumulative, short, medium and long-term, permanent and temporary, positive and negative effects of the development, resulting from:

- (a) the existence of the development;*
- (b) the use of natural resources;*
- (c) the emission of pollutants, the creation of nuisances and the elimination of waste,*

and the description by the applicant of the forecasting methods used to assess the effects on the environment.

21. A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment.

22. A non-technical summary of the information provided under paragraphs 1 to 5 of this Part.

23. An indication of any difficulties (technical deficiencies or lack of know-how) encountered by the applicant in compiling the required information.

(EIA Regulations Schedule 4 Part 1)

The content of the ES must include as a minimum those matters set out in Schedule 4 Part 2 of the EIA Regulations. This includes the consideration of 'the main alternatives studied by the applicant' which the Secretary of State recommends could be addressed as a separate chapter in the ES. Part 2 is included below for reference:

24. A description of the development comprising information on the site, design and size of the development

25. A description of the measures envisaged in order to avoid, reduce and, if possible, remedy significant adverse effects

26. The data required to identify and assess the main effects which the development is likely to have on the environment

27. An outline of the main alternatives studied by the applicant and an indication of the main reasons for the applicant's choice, taking into account the environmental effects, and

28. A non-technical summary of the information provided [under the four paragraphs of Schedule 4 part 2 above].

(EIA Regulations Schedule 4 Part 2)

Traffic and transport is not specified as a topic for assessment under Schedule 4; although in line with good practice the Secretary of State considers it is an important consideration *per se*, as well as being the source of further impacts in terms of air quality and noise and vibration.

Balance

The Secretary of State recommends that the ES should be balanced, with matters which give rise to a greater number or more significant impacts being given greater prominence. Where few or no impacts are identified, the technical section may be much shorter, with greater use of information in appendices as appropriate.

The Secretary of State considers that the ES should not be a series of disparate reports and stresses the importance of considering inter-relationships between factors and cumulative impacts.

Scheme Proposals

The scheme parameters will need to be clearly defined in the draft DCO and therefore in the accompanying ES which should support the application as described. The Secretary of State is not able to entertain material changes to a project once an application is submitted. The Secretary of State draws the attention of the applicant to the DCLG and the Planning Inspectorate's published advice on the preparation of a draft DCO and accompanying application documents.

Flexibility

The Secretary of State acknowledges that the EIA process is iterative, and therefore the proposals may change and evolve. For example, there may be changes to the scheme design in response to consultation. Such changes should be addressed in the ES. However, at the time of the application for a DCO, any proposed scheme parameters should not be so wide ranging as to represent effectively different schemes.

It is a matter for the applicant, in preparing an ES, to consider whether it is possible to assess robustly 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 requirements of paragraph 17 of Schedule 4 Part 1 of the EIA Regulations.

The Rochdale Envelope principle (*see R v Rochdale MBC ex parte Tew (1999) and R v Rochdale MBC ex parte Milne (2000)*) is an accepted way of dealing with uncertainty in preparing development applications. The applicant's attention is drawn to the Planning Inspectorate's Advice Note 9 'Rochdale Envelope' which is available on the Advice Note's page of the National Infrastructure Planning website.

The applicant should make every attempt to narrow the range of options and explain clearly in the ES which elements of the scheme have yet to be finalised and provide the reasons. Where some flexibility is sought and the precise details are not known, the applicant should assess the maximum potential adverse impacts the project could have to ensure that the project as it may be constructed has been properly assessed.

The ES should be able to confirm that any changes to the development within any proposed parameters would not result in significant impacts not previously identified and assessed. The maximum and other dimensions of the proposed development should be clearly described in the ES, with appropriate justification. It will also be important to consider choice of materials, colour and the form

of the structures and of any buildings. Lighting proposals should also be described.

Scope

The Secretary of State recommends that the physical scope of the study areas should be identified under all the environmental topics and should be sufficiently robust in order to undertake the assessment. The extent of the study areas should be on the basis of recognised professional guidance, whenever such guidance is available. The study areas should also be agreed with the relevant consultees and local authorities and, where this is not possible, this should be stated clearly in the ES and a reasoned justification given. The scope should also cover the breadth of the topic area and the temporal scope, and these aspects should be described and justified.

Physical Scope

In general the Secretary of State recommends that the physical scope for the EIA should be determined in the light of:

- The nature of the proposal being considered;
- The relevance in terms of the specialist topic;
- The breadth of the topic;
- The physical extent of any surveys or the study area; and
- The potential significant impacts.

The Secretary of State recommends that the physical scope of the study areas should be identified for each of the environmental topics and should be sufficiently robust in order to undertake the assessment. This should include at least the whole of the application site, and include all offsite works. For certain topics, such as landscape and transport, the study area will need to be wider. The extent of the study areas should be on the basis of recognised professional guidance and best practice, whenever this is available, and determined by establishing the physical extent of the likely impacts. The study areas should also be agreed with the relevant consultees and, where this is not possible, this should be stated clearly in the ES and a reasoned justification given.

Breadth of the Topic Area

The ES should explain the range of matters to be considered under each topic and this may respond partly to the type of project being considered. If the range considered is drawn narrowly then a justification for the approach should be provided.

Temporal Scope

The assessment should consider:

- Environmental impacts during construction works;
- Environmental impacts on completion/operation of the proposed development;
- Where appropriate, environmental impacts a suitable number of years after completion of the proposed development (for example, in order to allow for traffic growth or maturing of any landscape proposals); and
- Environmental impacts during decommissioning.

In terms of decommissioning, the Secretary of State acknowledges that the further into the future any assessment is made, the less reliance may be placed on the outcome. However, the purpose of such a long term assessment, as well as to enable the decommissioning of the works to be taken into account, is to encourage early consideration as to how structures can be taken down. The purpose of this is to seek to minimise disruption, to re-use materials and to restore the site or put it to a suitable new use. The Secretary of State encourages consideration of such matters in the ES.

The Secretary of State recommends that these matters should be set out clearly in the ES and that the suitable time period for the assessment should be agreed with the relevant statutory consultees.

The Secretary of State recommends that throughout the ES a standard terminology for time periods should be defined, such that for example, 'short term' always refers to the same period of time.

Baseline

The Secretary of State recommends that the baseline should describe the position from which the impacts of the proposed development are measured. The baseline should be chosen carefully and, whenever possible, be consistent between topics. The identification of a single baseline is to be welcomed in terms of the approach to the assessment, although it is recognised that this may not always be possible.

The Secretary of State recommends that the baseline environment should be clearly explained in the ES, including any dates of surveys, and care should be taken to ensure that all the baseline data remains relevant and up to date.

For each of the environmental topics, the data source(s) for the baseline should be set out together with any survey work undertaken with the dates. The timing and scope of all surveys should be agreed

with the relevant statutory bodies and appropriate consultees, wherever possible.

The baseline situation and the proposed development should be described within the context of the site and any other proposals in the vicinity.

Identification of Impacts and Method Statement

Legislation and Guidelines

In terms of the EIA methodology, the Secretary of State recommends that reference should be made to best practice and any standards, guidelines and legislation that have been used to inform the assessment. This should include guidelines prepared by relevant professional bodies.

In terms of other regulatory regimes, the Secretary of State recommends that relevant legislation and all permit and licences required should be listed in the ES where relevant to each topic. This information should also be submitted with the application in accordance with the APFP Regulations.

In terms of assessing the impacts, the ES should approach all relevant planning and environmental policy – local, regional and national (and where appropriate international) – in a consistent manner.

Assessment of Effects and Impact Significance

The EIA Regulations require the identification of the 'likely significant effects of the development on the environment' (Schedule 4 Part 1 paragraph 20).

As a matter of principle, the Secretary of State applies the precautionary approach to follow the Court's reasoning in judging 'significant effects'. In other words 'likely to affect' will be taken as meaning that there is a probability or risk that the proposed development will have an effect, and not that a development will definitely have an effect.

The Secretary of State considers it is imperative for the ES to define the meaning of 'significant' in the context of each of the specialist topics and for significant impacts to be clearly identified. The Secretary of State recommends that the criteria should be set out fully and that the ES should set out clearly the interpretation of 'significant' in terms of each of the EIA topics. Quantitative criteria should be used where available. The Secretary of State considers that this should also apply to the consideration of cumulative impacts and impact inter-relationships.

The Secretary of State recognises that the way in which each element of the environment may be affected by the proposed development can be approached in a number of ways. However it considers that it would be helpful, in terms of ease of understanding and in terms of clarity of presentation, to consider the impact assessment in a similar manner for each of the specialist topic areas. The Secretary of State recommends that a common format should be applied where possible.

Inter-relationships between environmental factors

The inter-relationship between aspects of the environments likely to be significantly affected is a requirement of the EIA Regulations (see Schedule 4 Part 1 of the EIA Regulations). These occur where a number of separate impacts, e.g. noise and air quality, affect a single receptor such as fauna.

The Secretary of State considers that the inter-relationships between factors must be assessed in order to address the environmental impacts of the proposal as a whole. This will help to ensure that the ES is not a series of separate reports collated into one document, but rather a comprehensive assessment drawing together the environmental impacts of the proposed development. This is particularly important when considering impacts in terms of any permutations or parameters to the proposed development.

Cumulative Impacts

The potential cumulative impacts with other major developments will need to be identified, as required by the Directive. The significance of such impacts should be shown to have been assessed against the baseline position (which would include built and operational development). In assessing cumulative impacts, other major development should be identified through consultation with the local planning authorities and other relevant authorities on the basis of those that are:

- Projects that are under construction;
- Permitted application(s) not yet implemented;
- Submitted application(s) not yet determined;
- All refusals subject to appeal procedures not yet determined;
- Projects on the National Infrastructure's programme of projects; and
- Projects identified in the relevant development plan (and emerging development plans - with appropriate weight being given as they move closer to adoption) recognising that much information on any relevant proposals will be limited.

Details should be provided in the ES, including the types of development, location and key aspects that may affect the EIA and how these have been taken into account as part of the assessment will be crucial in this regard.

The Secretary of State recommends that offshore wind farms should also take account of any offshore licensed and consented activities in the area, for the purposes of assessing cumulative effects, through consultation with the relevant licensing/consenting bodies.

For the purposes of identifying any cumulative effects with other developments in the area, applicants should also consult consenting bodies in other EU states to assist in identifying those developments (see commentary on Transboundary Effects below).

Related Development

The ES should give equal prominence to any development which is related with the proposed development to ensure that all the impacts of the proposal are assessed.

The Secretary of State recommends that the applicant should distinguish between the proposed development for which development consent will be sought and any other development. This distinction should be clear in the ES.

Alternatives

The ES must set out an outline of the main alternatives studied by the applicant and provide an indication of the main reasons for the applicant's choice, taking account of the environmental effect (Schedule 4 Part 1 paragraph 18).

Matters should be included, such as inter alia alternative design options and alternative mitigation measures. The justification for the final choice and evolution of the scheme development should be made clear. Where other sites have been considered, the reasons for the final choice should be addressed.

The Secretary of State advises that the ES should give sufficient attention to the alternative forms and locations for the off-site proposals, where appropriate, and justify the needs and choices made in terms of the form of the development proposed and the sites chosen.

Mitigation Measures

Mitigation measures may fall into certain categories namely: avoid; reduce; compensate or enhance (see Schedule 4 Part 1 paragraph 21); and should be identified as such in the specialist topics. Mitigation measures should not be developed in isolation as they may relate to more than one topic area. For each topic, the ES should set

out any mitigation measures required to prevent, reduce and where possible offset any significant adverse effects, and to identify any residual effects with mitigation in place. Any proposed mitigation should be discussed and agreed with the relevant consultees.

The effectiveness of mitigation should be apparent. Only mitigation measures which are a firm commitment and can be shown to be deliverable should be taken into account as part of the assessment.

It would be helpful if the mitigation measures proposed could be cross referred to specific provisions and/or requirements proposed within the draft development consent order. This could be achieved by means of describing the mitigation measures proposed either in each of the specialist reports or collating these within a summary section on mitigation.

The Secretary of State advises that it is considered best practice to outline in the ES, the structure of the environmental management and monitoring plan and safety procedures which will be adopted during construction and operation and may be adopted during decommissioning.

Cross References and Interactions

The Secretary of State recommends that all the specialist topics in the ES should cross reference their text to other relevant disciplines. Interactions between the specialist topics is essential to the production of a robust assessment, as the ES should not be a collection of separate specialist topics, but a comprehensive assessment of the environmental impacts of the proposal and how these impacts can be mitigated.

As set out in EIA Regulations Schedule 4 Part 1 paragraph 23, the ES should include an indication of any technical difficulties (technical deficiencies or lack of know-how) encountered by the applicant in compiling the required information.

Consultation

The Secretary of State recommends that any changes to the scheme design in response to consultation should be addressed in the ES.

It is recommended that the applicant provides preliminary environmental information (PEI) (this term is defined in the EIA Regulations under regulation 2 'Interpretation') to the local authorities.

Consultation with the local community should be carried out in accordance with the SoCC which will state how the applicant intends to consult on the preliminary environmental information (PEI). This PEI could include results of detailed surveys and recommended mitigation actions. Where effective consultation is carried out in

accordance with Section 47 of the Planning Act, this could usefully assist the applicant in the EIA process – for example the local community may be able to identify possible mitigation measures to address the impacts identified in the PEI. Attention is drawn to the duty upon applicants under Section 50 of the Planning Act to have regard to the guidance on pre-application consultation.

Transboundary Effects

The Secretary of State recommends that consideration should be given in the ES to any likely significant effects on the environment of another Member State of the European Economic Area. In particular, the Secretary of State recommends consideration should be given to discharges to the air and water and to potential impacts on migratory species and to impacts on shipping and fishing areas.

The Applicant's attention is also drawn to the Planning Inspectorate's Advice Note 12 'Development with significant transboundary impacts consultation' which is available on the Advice Notes Page of the National Infrastructure Planning website⁵.

Summary Tables

The Secretary of State recommends that in order to assist the decision making process, the applicant may wish to consider the use of tables:

Table X: to identify and collate the residual impacts after mitigation on the basis of specialist topics, inter-relationships and cumulative impacts.

Table XX: to demonstrate how the assessment has taken account of this Opinion and other responses to consultation.

Table XXX: to set out the mitigation measures proposed, as well as assisting the reader, the Secretary of State considers that this would also enable the applicant to cross refer mitigation to specific provisions proposed to be included within the draft Development Consent Order.

Table XXXX: to cross reference where details in the HRA (where one is provided) such as descriptions of sites and their locations, together with any mitigation or compensation measures, are to be found in the ES.

⁵ Available from: <http://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

Terminology and Glossary of Technical Terms

The Secretary of State recommends that a common terminology should be adopted. This will help to ensure consistency and ease of understanding for the decision making process. For example, 'the site' should be defined and used only in terms of this definition so as to avoid confusion with, for example, the wider site area or the surrounding site. A glossary of technical terms should be included in the ES.

Presentation

The ES should have all of its paragraphs numbered, as this makes referencing easier as well as accurate. Appendices must be clearly referenced, again with all paragraphs numbered. All figures and drawings, photographs and photomontages should be clearly referenced. Figures should clearly show the proposed site application boundary.

Confidential Information

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 Planning Inspectorate would be required to disclose under the Environmental Information Regulations 2014.

Bibliography

A bibliography should be included in the ES. The author, date and publication title should be included for all references. All publications referred to within the technical reports should be included.

Non Technical Summary

The EIA Regulations require a Non Technical Summary (EIA Regulations Schedule 4 Part 1 paragraph 22). This should be a summary of the assessment in simple language. It should be supported by appropriate figures, photographs and photomontages.

APPENDIX 2 – LIST OF BODIES FORMALLY CONSULTED

Note: the Prescribed Consultees have been consulted in accordance with the Planning Inspectorate’s Advice Note 3: EIA Consultation and Notification (version 6, June 2015).

SCHEDULE 1 DESCRIPTION	ORGANISATION
The Health and Safety Executive	Health and Safety Executive
The National Health Service Commissioning Board	NHS England
The relevant Clinical Commissioning Group	NHS Nene 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	Northamptonshire Fire & Rescue Service
The relevant police and crime commissioner	Northamptonshire Police
The relevant parish council(s) or, where the application relates to land [in] Wales or Scotland, the relevant community council	Milton Malsor Parish Council
	Courteenhall Parish Meeting
	Blisworth Parish Council
The Environment Agency	The Environment Agency - North-east
[The relevant] AONB Conservation Boards	Cotswolds Conservation Board
The Secretary of State for Transport	Department for Transport
The Relevant Highways Authority	Northamptonshire County Council
The relevant strategic highways company	Highways England - Midlands
The Canal and River Trust	The Canal and River Trust
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 Midlands Area
The Secretary of State for Defence	Ministry of Defence

RELEVANT STATUTORY UNDERTAKERS	
The relevant Clinical Commissioning Group	NHS Nene 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
	High Speed 1 Ltd
	Highways England Historical Railways Estate
	Network Rail
Canal Or Inland Navigation Authorities	The Canal and River Trust
Universal Service Provider	Royal Mail Group
Homes and Communities Agency	Homes and Communities Agency
The relevant Environment Agency	Environment Agency
The relevant water and sewage undertaker	Anglian Water
The relevant public gas transporter	Energetics Gas Limited
	ES Pipelines Ltd
	ESP Connections Ltd
	ESP Networks Ltd
	ESP Pipelines Ltd
	Fulcrum Pipelines Limited
	GTC Pipelines Limited
	Independent Pipelines Limited
	LNG Portable Pipeline Services Limited
	National Grid Gas Plc
	National Grid Gas Plc
	Quadrant Pipelines Limited
	SSE Pipelines Ltd
	Scotland Gas Networks Plc
Southern Gas Networks Plc	
Wales and West Utilities Ltd	
The relevant electricity distributor with CPO Powers	Energetics Electricity Limited
	ESP Electricity Limited
	Independent Power Networks Limited
	The Electricity Network Company Limited
	Utility Assets Limited
Western Power Distribution (East Midlands) plc	
The relevant electricity transmitter with CPO Powers	National Grid Electricity Transmission Plc

RELEVANT STATUTORY UNDERTAKERS	
	National Grid Electricity Transmission Plc

SECTION 43 CONSULTEES	
Local Authority	Northamptonshire County Council
	Wellingborough Borough Council
	Milton Keynes Council
	Aylesbury Vale District Council
	Buckinghamshire County Council
	Oxfordshire County Council
	Cherwell District Council
	Stratford-on-Avon District Council
	Warwickshire County Council
	Daventry District Council
	Rutland County Council
	City of Peterborough Council
	Leicestershire County Council
	Lincolnshire County Council
	Cambridgeshire County Council
Bedford Borough Council	
Northampton Borough Council	

APPENDIX 3 – RESPONDENTS TO CONSULTATION AND COPIES OF REPLIES

Bodies who replied by the statutory deadline:

Anglian Water
Aylesbury Vale District Council
Bedford Borough Council
Blisworth Parish Council
Canal and River Trust
Environment Agency
Fulcrum Pipelines Ltd
High Speed 1 Ltd
Highways England
Historic England
Health and Safety Executive
Leicestershire County Council
Milton Keynes Council
Milton Malsor Parish Council
National Grid
Natural England
Network Rail
Northampton Borough Council
Northamptonshire County Council
Northamptonshire Police
South Northamptonshire Council
Utility Grid Installations, Independent Pipelines, GTC, Electric Network Company, Quadrant Pipelines and Independent Power Networks (combined response)



Hannah Pratt
The Planning Inspectorate
3/18 Eagle Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN
[Sent by e-mail]

8 January 2015

Dear Hannah,

**Rail Central (Strategic Rail Interchange): Environmental Statement
Scoping Report**

Thank you for the opportunity to comment on the scoping report for the above project. Anglian Water is the water and sewerage undertaker for the proposed site. Please find enclosed comments on behalf of Anglian Water.

Description of proposed development (page 7)

We note that the above project is at an early stage and that it is intended that there will be flexibility within the DCO to allow for the requirements of future occupiers of the site.

Anglian Water would welcome further discussions with the applicant prior to the submission of the Draft DCO for examination. In particular it would be helpful if we could discuss the following issues:

- Wording of the Draft DCO including protective provisions for the benefit of Anglian Water.
- Requirement for potable (clean) water and wastewater services.
- Impact of development on Anglian Water's assets and the need for mitigation.

Anglian Water Services Ltd

Thorpewood House,
Thorpewood,
Peterborough
PE3 6WT

Tel (0345) 0265 458
www.anglianwater.co.uk
Our ref 00010726

Your ref
152124_TR050004_355071

Registered Office
Anglian Water Services Ltd
Lancaster House, Lancaster Way,
Ermine Business Park, Huntingdon,
Cambridgeshire. PE29 6YJ
Registered in England
No. 2366656.

an AWG Company

Water supply and Foul water (pages 59 and 60)

It is unclear at this stage whether the proposal will require any water or wastewater services which would be provided by Anglian Water.

Reference is made to Anglian Water's Water Resource Management Plan (WRMP) 2014. It is suggested that the Environmental Statement should include reference to Anglian Water's final WRMP which was published in 2015.

The final WRMP is available to view at the following address:

<http://www.anglianwater.co.uk/environment/our-commitment/our-plans/water-resource-management.aspx>

Reference is made to an existing water recycling centre (formerly sewage treatment works) in the ownership of Anglian Water being located immediately south of the proposed development. However Blisworth Water Recycling Centre appears to be within the proposed site boundary.

We would welcome further discussions in relation to the implication of the above project for Blisworth WRC.

Table 13.1 Services (page 65)

Reference is made to water services provided by Anglian Water being affected by the proposed development. However the proposed site is Blisworth water recycling centre and existing foul sewers appears to be within the proposed site boundary.

It is therefore suggested that the Environmental Statement should include reference to the foul sewerage network, sewage treatment and water services. Maps of Anglian Water's assets are available to view at the following address:

<http://www.digdat.co.uk/>

Should you have any queries relating to this response please let me know.

Yours sincerely



Stewart Patience

Planning Liaison Manager

From: [Broadley, David](#)
To: [Environmental Services](#)
Cc: [Kirkham, Andy](#)
Subject: Rail Central Strategic Rail Freight Interchange EIA Scoping Notification and Consultation
Date: 29 December 2015 18:03:04

Dear Hannah,

Having looked at the site and the proposal I confirm that Aylesbury Vale District Council has no comments to make on the EIA Scoping consultation.

Kind regards,

David

David Broadley
Senior Planning Officer (Forward Plans)
Aylesbury Vale District Council
The Gateway
Gatehouse Road
Aylesbury
Buckinghamshire
HP19 8FF
Tel 01296 585866

From: Environmental Services [<mailto:environmentalservices@pins.gsi.gov.uk>]
Sent: 14 December 2015 15:13
To: Dev. Con Mailbox
Subject: Rail Central Strategic Rail Freight Interchange EIA Scoping Notification and Consultation

Dear Sir/Madam

Please see the following hyperlink to correspondence on the proposed Rail Central Strategic Rail Freight Interchange.

[Letter to stat cons Scoping and Reg 9 Notification English.pdf](#)

Please note the deadline for consultation responses is 10 January 2016, and is a statutory requirement that cannot be extended.

Kind regards,

Hannah Pratt

Senior EIA and Land Rights Advisor

Major Applications and Plans, The Planning Inspectorate, Temple Quay House, Temple Quay, Bristol, BS1 6PN

Direct Line: 0303 444 5001

Twitter: [@PINSGov](#)

Helpline: 0303 444 5000

Email: EnvironmentalServices@pins.gsi.gov.uk

Web: <http://infrastructure.planninginspectorate.gov.uk> (National Infrastructure Planning website)

This communication does not constitute legal advice.
Please view our [Information Charter](#) before sending information to the Planning Inspectorate.



This email and any attachments are strictly confidential and for the exclusive use of the intended recipient(s). It may contain information which is privileged. If you are not the intended recipient, you must not use, disclose, forward, copy, print or take any action in reliance of this email or any attachments. If you have received this email in error, please delete it and notify the sender as soon as possible and note that confidentiality or privilege is not waived or lost.

The views expressed within this message are those of the individual sender and not necessarily those of Aylesbury Vale District Council.

The anti-virus software used by Aylesbury Vale District Council is updated regularly in an effort to minimise the possibility of viruses infecting our systems. This footnote confirms that this email message has been swept for the presence of computer viruses.

This email was scanned by the Government Secure Intranet anti-virus service supplied by Vodafone in partnership with Symantec. (CCTM Certificate Number 2009/09/0052.) In case of problems, please call your organisations IT Helpdesk. Communications via the GSi may be automatically logged, monitored and/or recorded for legal purposes.



TOWN AND COUNTRY PLANNING ACT 1990

TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT PROCEDURE ORDER

BBC APPLICATION NO: 15/03009/LPA

To: The Planning Inspectorate
3/18 Eagle Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN

PINS RECEIVED

08 JAN 2016

Bedford Borough Council DOES NOT OBJECT to the development as set out on your website for application reference no **151214_TR050004_3550715**. Where necessary our further comments are set out below.

APPLICANT : The Planning Inspectorate

LOCATION : Arm Farm Blisworth Arm Northampton Northamptonshire NN7 3EF

PARTICULARS OF DEVELOPMENT :

Application by Ashfiels Land Management limited for an order granting development consent for the rail central strategic rail freight interchange.
<http://infrastructure.planningportal.ov.uk/document/3569186>

COMMENT

Thank you for consulting Bedford Borough Council.

Paragraph 162 of the National Planning Policy Framework (NPPF) states that 'local planning authorities should work with other authorities and providers to take account of the need for strategic infrastructure including nationally significant infrastructure within their areas'. Paragraph 31 of the NPPF specifically refers to promoting sustainable transport and that 'local authorities should work with neighbouring authorities and transport providers to support sustainable development, including large scale facilities such as rail freight interchanges.

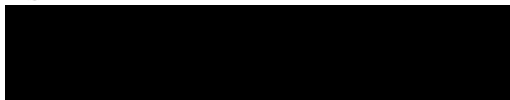
The current proposal is for a Strategic Rail Freight Interchange to provide up to 743,200 square metres of storage and distribution buildings with ancillary office accommodation, rail infrastructure (to include new sidings), service depot, HGV facilities, hotel and public house / restaurant, associated access, groundworks, highways, landscaping and other accompanying infrastructure works. It is noted that the proposal is approximately 17 kilometres to the west of the westernmost boundary of the administrative area of Bedford Borough Council.

Having regard to national policy, Bedford Borough Council has resolved that the proposal would not in itself have any strategic impact on Bedford Borough should an application be approved. The Bedford Borough Council Policy team has been consulted and has no comments to make. No other consultation responses have been received.

There are therefore no objections to the proposal. However, Bedford Borough Council would welcome the opportunity to comment on any changes to the current proposal as it evolves as well as any other strategic infrastructure proposals that may be brought forward within the County of Northamptonshire.

The Bedford Core Strategy and Rural Issues Plan (2008) identifies some infrastructure elements for Bedford borough. The more detailed Bedford Town Centre Area Action Plan (2008) identifies key transport infrastructure within the area covered by that plan. The Bedford Allocations and Designations Local Plan (2013) provides the opportunity for new infrastructure requirements in the wider borough to be addressed. In addition the Bedford Borough Council Policy team is currently working on updating its saved Bedford Borough Local Plan (2002) which involves a review of its policy seeking improvement of existing cross country rail services and the development of new links (e.g. East-West Rail). Bedford Borough Council would not wish to see the policy aims of its Development Framework compromised.

Signed:

A solid black rectangular box redacting the signature of the Assistant Director.

P Rowland Assistant Director (Planning)

Decision Date: 5 January 2016

BLISWORTH PARISH COUNCIL

Mrs V. Hartley, Clerk to the Council,

[REDACTED]

[REDACTED]

[REDACTED]

email: blisworthparishcouncil@gmail.com

The Planning Inspectorate
3/18 Eagle Wing
Temple Quay House
2 The Square
Bristol, BS1 6PN

By email

Your Ref: 151214_TRO50004_3550715

10th January 2016

Dear Sirs

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (as amended) – Regulations 8 and 9

Application by Ashfield Land Management Limited for an Order Granting Development Consent for the Rail Central Strategic Rail Freight Interchange

Scoping consultation and notification of the applicant's contact details and duty to make available information to the applicant if requested

Blisworth Parish Council request that the following information be contained within the Environmental Statement. Any numerical or text references made below (indicated in *Italics*) relate to the Environmental Statement Scoping Report (Rail Central) 2015.

I am writing to you on behalf of Blisworth Parish Council

1. *8.24 The National Planning Policy Framework (NPPF) is a material consideration for local planning authorities and decision-takers in determining applications. At the heart of the NPPF is a presumption in favour of **sustainable** development.*

Comment: To be truly considered a sustainable development the complete carbon footprint must be completely offset by the reduction in carbon production resulting from reduced road transits and this net saving must be within a reasonable time period

We request that the Developer provide:

1.1 A definition of sustainable

1.2 A carbon impact assessment for the development taking into account all embodied carbon (including construction transport, raw materials production etc.) and all operational carbon over a range of time periods

1.3 An assessment of the time it will take to offset this carbon through the anticipated reduction in road transport using low, medium and high range forecasts of the potential switch from road to rail freight

2. *“16.34 Noise during normal operations of the development is long term and will have the potential to generate significant impact to the surrounding community during both day and night”.*

2.1 Please detail what range of mitigation measures are available to realistically reduce the noise to an acceptable level.

2.2. If noise levels exceed those that have been proffered what future recourse will the local community have?

3. Under section 5 of Schedule 4, Part 1, Section 18 of the EIA Regulations 2009 the ES requires the environmental statement to explain what other alternatives have been considered and why they were not taken forward.

3.1 Please detail what alternatives have been considered and why they are not being taken forward.

3.2 Would the absence of alternatives within the Environment Statement invalidate the application?

4. *The Northamptonshire Road Freight Strategy document states as an objective: “to encourage the sustainable distribution of goods through minimising road based travel and the associated environmental impacts of road haulage, whilst maintaining economic efficiency and **helping to improve the quality of life for the residents of Northamptonshire**”.*

Please indicate what formula has been used to calculate what is an acceptable sacrifice in terms of the quality of life of residents of Northamptonshire.

5. *17.38 The access strategy of the site is subject to the developing masterplan and discussions with HE and NCC as appropriate. However, at this stage it is anticipated that the proposed development will be served via two vehicular access arrangements:*

(i) A four-arm grade-separated roundabout junction with the A43 to the west of the site (an indicative junction arrangement has already been prepared); and

(ii) A four-arm roundabout junction with Towcester Road (Northampton Road) which runs through the centre of the site in an approximate north-south direction.

Comment: Inevitable increased traffic flows through the narrow roads of the Blisworth conservation area with the additional hazards of parked cars, narrow pavements, tight junctions and a primary school is, in our opinion, untenable. Furthermore, Blisworth is already rat-run for local commuters.

Major trunk roads will also be impacted, notably the A43 (which is used by local villagers travelling to Towcester for daily shopping) and also the A508 which is a major commuter and business traffic route between Northampton and Milton Keynes as well as a relief route for the M1, both north and southbound. It is already deemed to be at or near capacity with no prospect of near-term alleviation. In the short term, further traffic will be generated by the 400 dwellings either under construction or with planning approval for imminent construction in the village, not to mention two new warehouses on junction 15 and a significant housing project in Collingtree (amongst others).

5.1 Please ensure that Traffic modelling is undertaken using realistic projections of traffic levels in 10, 20 and 30 year's time, not the current flows.

5.2 Please indicate, precisely, what mitigation you are considering to make the risk to life and the reduction in amenity and quality of life acceptable in Blisworth and surrounding villages (notably Milton Malsor, Hunsbury and Roade).

5.3 Please detail the proposed contingency if the A43 or M1 become gridlocked

6. *17.34 Consideration will also be given to minimising all trips and avoiding HGV trips on local roads through nearby settlements.*

Comment: We are outraged that this will only be "considered"

For safety reasons alone it is unacceptable for HGVs to pass through nearby settlements. Please confirm why HGV trips through nearby settlements are unavoidable and also precisely how all trips will be minimised.

7. *17.63 Travel Plans for large employment developments are typically aimed at achieving all (or some specific mix of) the following, depending upon opportunities and constraints:*

(i) reduced levels of car use (particularly single occupancy);

(ii) a reduction in the need to travel at all;

(iii) improved travel choice, information, facilities and support (e.g. training, information and motivation to travel sustainably);

(iv) reduced car use;

(v) reduced environmental impact of car use (e.g. alternative fuels);

(vi) higher levels of walking and cycling than would otherwise be observed, with associated benefits to health and well-being;

(vii) realistic alternatives to private car use (e.g. car clubs and car sharing); and

(viii) better quality and increased use of public transport, improved / new bus routes and bespoke employee shuttle buses.

Please provide evidence from other schemes of where any of the above measures have resulted in an effective reduction in car use.

8. *12.5 At the time of writing, no field surveys for flood risk and drainage have been undertaken. AND*

12.26 The PDA is currently 'Greenfield' land and the proposed development will result in an increase in the hardstanding area and as such will result in a significant increase in both peak surface water

runoff and volume leaving the PDA. Whilst it is considered that this will be managed via a surface water drainage strategy, this has not been made available at the time of writing and as such the potential impact on surface water flooding risk for both the PDA and third party land downstream would be expected.

Comment: The Grand Union canal, which runs along the western edge of the site, appears as Flood Zone 3 on the EA Flood Zone Map for Planning (Rivers and Seas) – this is not mentioned in the Developer’s Application. Flood water entering the canal could have dire consequences over a large distance and needs to be assessed. *12.11 in the Scoping Report application states “small areas of the PDA immediately adjacent to the Milton Malsor Brook are shown to be at an increased risk with some land at high risk and within Flood Zone 3”. The southern and eastern boundaries are rail lines mainly either in cuttings or built up above ground level and the M1 on the northern boundary is also below surrounding ground levels. 12.15 states that the underlying geology is “Dyrham Formation and the Whitby Mudstone” and both are “low in permeability”.*

The Environment Agency announced recently, following the repeated heavy downfalls across northern England, that the flood defences in UK are now “in need of a complete re-think”. They had previously announced that “nowhere is immune” from the effects of such climatic conditions.

As a high proportion of the site will be hardstanding this increases the risk of ground water flooding. We are concerned that existing parameters for assessing flood risk are no longer adequate.

Please provide a detailed flood risk assessment based on realistic projections of future rainfall (a 1 in 100 year event no longer considered adequate in light of recent weather trends). PLEASE NOTE THAT AT THE TIME OF WRITING THE PROPOSED DEVELOPMENT SITE WAS FLOODED (photographs available on request).

9. *8.24 The National Planning Policy Framework (NPPF) is a material consideration for local planning authorities and decision-takers in determining applications. At the heart of the NPPF is a presumption in favour of sustainable development. For determining planning applications, this means approving development proposals if they accord with the local development plan, unless material considerations indicate otherwise.*

Comment: We are concerned that only a small proportion of freight will transfer to the rail network and that the majority will continue to be transported via road thus resulting in a large volume of incoming road freight as well as the out-going vehicles. This would effectively mean that the local planning application process has been surreptitiously circumvented effectively leaving us with a nothing more than a logistics park in an area not designated for such development.

9.1 Please provide projections (based on statistics and current trends from the UK and Europe) as to the expected switch from road to rail freight over a 5, 10, 20 and 30 year period.

9.2 At low, medium and high projected take-up levels please indicate what proportion of freight is still expected to be delivered to the development by road freight.

10. *8.26 Under the heading ‘Conserving and Enhancing the Natural Environment’, the NPPF states: “The planning system should contribute to and enhance the natural and local environment by:*

preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability... (Paragraph 109)

Please explain, in practical terms (for the layman), how the environment will be enhanced by this development.

11. 15.3 *As it will not be possible to provide full details of the Proposed Development when the application for the DCO is submitted, the LVIA will consider a 'realistic worst case' approach to the proposed design parameters as set out below, and as advised in PINS Advice note nine: Rochdale Envelope (2012).*

We note that the Rochdale Envelope relates to a wind turbine application which bears very little comparison to the proposed Rail Freight Terminal. Please indicate the scope and extent of variation permissible following the initial submission of the application and also following the potential granting of a DCO so that we are able to fully understand the potential impacts of this proposal.

12. 17.64 *A key emphasis of the Travel Plan will be linking the development with the surrounding area to minimise the need to travel by car.*

Please provide additional detail of how the development will be linked to the surrounding area.

13. 11.5 *A site walkover survey has been undertaken by Hydrock. This included all **accessible** areas of the Proposed Development Area (PDA), with site photographs and descriptions being incorporated in the Hydrock Phase 1 Desk Study.*

Please confirm that all areas of the PDA will be covered by all necessary studies

14. 18.22 *"SFRI's can provide many benefits for the local economy. For example because many of the on-site functions of major distribution operations are relatively labour intensive, this can create many new job opportunities. The existence of an available and economic local workforce will therefore be an important consideration for the applicant".*

Please confirm the methodology for establishing that a suitable workforce will be available within the local area.

15. 12.10 of the Developer's Application states that the "entire Anglian region has been designated as being an area of 'serious' water stress by the EA's map of areas of relative water stress".

Please clarify what studies have been completed to assess how this development will impact on wider issue of regional water stress

16. 14.34 “Ashfield Land is not proposing to provide a report with the application for the purposes of the Conservation of Habitats Species Regulations 2010 (as amended)”.

In view of the above and the fact the report states that access to much of the site was not available during the Preliminary Environmental Assessment in March 2015, this should now be included.

General Comments

17. **Crime:** No reference is made to crime and community safety impacts that such a large and accessible development is likely to generate nor the mitigation of these.

With reduction in policing levels in the local area what additional provisions might be made for ensuring the safety of the local community.

18. **Landscape destruction:** The Planning Inspectorate assessed this site, ref SA82, when reviewing the now-adopted West Northamptonshire Joint Core Strategy Local Plan (Part 1). It was rejected for a number of reasons including that it “is classified as high-medium landscape sensitivity and therefore development could have a significant negative effect on landscape character”.

We welcome the Developer’s view as to how this impact will be mitigated.

19. **Pollution:** The levels of air pollution at many points in the local area are already at or near AQM intervention levels. The development is likely to take many more above the AQM intervention point.

When assessing the potential levels of increased pollution we request that the projections are made for the next 10, 20 and 30 years taking into accounts natural population and traffic increases and all the developments either proposed or planned over the coming years.

19. **Biodiversity:** Several local wildlife sites and numerous potential ones have been identified by the developer. The constraints of the site suggest that wild life is likely to be driven north and have to be contained within a significantly reduced area stopped by the M1. The report confirms the likely existence of wild life habitats with a “relatively high nature conservation value” (14.15). The destruction of wildlife habitat over such a wide area and bounded on all sides by impassable boundaries will inevitably have a considerable effect on local wildlife and the wildlife corridors that may now exist.

20. **Health Factors:** The proposed development requires an Environmental Statement. There are many things to be cynical about within such an Environmental Statement including some of the future assumptions that are made when attempting to assess the long term impact – such statements rarely take into account all the myriad implications and by their nature tend to paint a “favourable picture” for the developer. Also, there appears to be no requirement within this

Environmental Statement to assess the impact on the local community. Large numbers of people will be impacted by the noise, light and air pollution, not to mention the stress endured through the whole of the process, regardless of whether the development proceeds or not. These effects will be more acutely felt by those whose properties that might be subject to compulsory purchase and exacerbated by the complete lack of acknowledgement from the Developer that they are actually destroying lives. The psychological effects on all residents affected are unquantifiable (under this process) but they are very real. Nowhere in any of this process are these damaging health effects likely to be taken into account and we therefore believe that this issue deserves due consideration.

Yours Sincerely,

Viv Hartley, Parish Clerk

On behalf of Blisworth Parish Council



Canal &
River Trust

Keeping people, nature & history connected

11 January 2016

The Planning Inspectorate
3/18 Eagle Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN

Our Ref
Your Ref 151214_TR050004_3550715

Dear Ms Pratt

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment Regulations 2009 (as amended) – Regulations 8 & 9.

Application by Ashfield Land Management Limited for an Order Granting Development Consent for the Rail Central Strategic Rail Freight Interchange.

Scoping consultation and notification of the applicant's contact details and duty to make available information to the applicant if requested.

Waterway: Grand Union Canal and the Northampton Arm of the Grand Union Canal

Thank you for the consultation in respect of the above. In respect to the scoping consultation we have the following comments to make:

It is difficult for the Trust to provide comments on the scoping opinion request due to the inconsistencies presented in the Environmental Statement (ES) Scoping report regarding the location of the canal. The location plan at Appendix 1 clearly shows that the Grand Union Canal is located within the site as well as the Northampton Arm of the Grand Union Canal being adjacent to the western boundary. The text of the document is then unclear as to whether or not the canal is within the site, for example paragraph 3.4 refers to "the Grand Union Canal abuts the site" and at 12.23 "The closest source of artificial source flooding is the Grand Union Canal which is located 600m to the west of the PDA...". The scoping document clearly needs to identify that part of the Canal which lies within the site and that part which is adjacent. It then needs to be clear as to the proposed scope of the ES in relation to the canal as it falls within the site and adjacent to it.

In relation to the specific topic areas we comment as follows:

Canal & River Trust Peel's Wharf Lichfield Street Fazeley Tamworth Staffordshire B78 3QZ
T 0303 040 4040 E customer.services@canalrivertrust.org.uk www.canalrivertrust.org.uk

Patron: H.R.H. The Prince of Wales. Canal & River Trust is a company limited by guarantee registered in England & Wales under number 7807276; and a charity registered with the Charity Commission under number 1146792.

Section 10 Archaeology and Cultural Heritage.

This section does not recognise that the Grand Union Canal and the Northampton Arm are a designated conservation area, adopted in December 2014. Please refer to the South Northamptonshire Council website for details. The scope needs to reflect the canals designated heritage asset status, not only in this chapter but in related chapters such as Landscape and Visual. The canal will also become a sensitive receptor in respect of Highways and Transportation (see paragraph 17.11).

Section 12 Hydrology, Drainage and Flood Risk.

Paragraph 12.23 states that “The closest source of artificial source flooding is the Grand Union Canal which is located 600m to the west of the PDA...”. This does not recognise that the canal is shown within the site on the location plan at Appendix 1. In addition the canal is not recognised in relation to the preceding paragraphs on Infrastructure Failure Flooding.

Section 13 Utilities.

Within the scheme Sky Networks is present within the towpath along the canal.

Section 14 Biodiversity.

At paragraph 14.52 the scope refers to consultation with British Waterways. The Canal & River Trust replaced British Waterway in England and Wales in 2012.

Section 15 Landscape and Visual.

This section fails to recognise that canal is a conservation area and also appears to be unclear about the inclusion of the canal within the PDA. We note in Table 15.1 Representative Viewpoints, that VP6 relates to the Grand Union Canal Walk. We ask that you consider whether further viewpoints are required on the canal network particularly in respect of the canals conservation area status and the proposed grade separated junction with the A43, which is close to the Northampton Arm of the Grand Union Canal.

Section 16 Noise and Vibration.

Paragraph 16.4 advises that the study area for noise and vibration is identified by a red dotted line on the plan enclosed at Appendix 6. There does not appear to be a red dotted line on the plan at Appendix 6 although paragraph 16.3 advises that the study area is proposed to extend typically around 700m beyond the PDA boundary. We note, at paragraph 16.3, that the noise and vibration study will include amenity areas around the development site. Amenity areas do not appear to be

defined and consideration should be given to the canal and its associated infrastructure in this regard, such as the marina and other mooring locations.

We would also ask you to consider whether there are likely to be any vibration effects in respect of the canal infrastrucutre.

Section 17 Highways and Transportation.

The canals conservation area status will need to be acknowledged so that it is recognised as a sensitive receptor in accordance with paragraph 17.11.

In the last few days we have been contacted by the proposer in relation to pre-application engagement. Please note that my colleague, Ian Dickinson Area Planner East and West Midlands, will be the Trusts planning contact on this scheme. He can be contacted at ian.dickinson@canalrivertrust.org.uk

Yours sincerely
Helen Edwards

National Spatial Planning Team Manager
Rheolwr Tîm Cynllunio Gofodol Cenedlaethol

T. 01636 675795 M. 07717 760302

Hannah Pratt
Senior EIA and Land Rights Advisor
The Planning Inspectorate
3/18 Eagle Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN

Our ref: AN/2015/122929/01-L01
Your ref: 151214_TR050004_3550715
Date: 11 January 2016

Dear Hannah

**Planning Act 2008 (as amended) and The Infrastructure Planning
(Environmental Impact Assessment) Regulations 2009 (as amended) –
Regulations 8 and 9**

**Application by Ashfield Land Management Limited for an Order Granting
Development Consent for the Rail Central Strategic Rail Freight Interchange**

**Scoping consultation and notification of the applicant's contact details and
duty to make available information to the applicant if requested**

Thank you for your consultation of 14 December 2015.

We welcome the opportunity to comment on the scope of the information that should be included within the Environmental Statement.

The Environment Agency's principal aims are to protect and improve the environment, and to promote sustainable development. Our interest in this scheme relates to the environmental sustainability of the project, potential implications for the water and natural environment, ensuring best practice is followed in relation to waste generation and fluvial flood risk issues.

The main points in this submission relate to:

- 1) Managing flood risk
- 2) Land contamination
- 3) Water quality & Water Framework Directive
- 4) Land use – green infrastructure
- 5) Environmental permitting and other regulation

Our technical comments detailing the information we consider should be included in the Environmental Statement are provided on the following pages.

1.0 Flood risk

The Scoping Report includes flood risk and acknowledges that a Flood Risk Assessment (FRA) is required.

The site boundary shows that the site falls within Flood Zones 1, 2 and 3. The FRA must consider and quantify the different types of flooding to demonstrate that flood risk is not increased by the proposed development and where possible, reduced. Furthermore, the FRA must consider the vulnerability of those that could occupy and use the development, taking account of the Sequential and Exception Tests and the vulnerability classifications, including arrangements for safe access and egress. In addition, it needs to consider the residual risk of flooding and demonstrate whether the building and its occupants are safe for the lifetime of the development.

Full justification for the flood risk vulnerability of the development should be provided i.e. essential infrastructure or not.

We have not undertaken detailed modelling of the Milton Malsor Brook. The FRA should include an appropriate assessment to identify the extent of flooding to the site and any mitigation required so that flood risk is not increased by the proposed development and where possible, reduced.

For the applicant's information, the flood extents on this site were produced using J-Flow as part of a national generalised flood modelling programme, which covered all catchments greater than 3km². Since the release in 2004, we have worked to continually improve the flood zones using detailed surveys and models. These detailed updates have been prioritised on flooding associated with Main Rivers. This area has not been updated based on detailed modelling so we are unable to provide modelled flood levels or flows.

Northamptonshire County Council as the Lead Local Flood Authority (LLFA) should provide comments on the surface water drainage arrangements.

2.0 Land contamination

We understand that the Environmental Statement will include information taken from a Phase I Desk Study outlining the previous site uses, potential sources of land contamination, pathways and receptors that may be present.

Our records show that there are historic landfill sites present within 250 metres of the site at the approximate locations below:

- Historic Landfill Gayton Road (on-site) records show accepted inert material
- Historic Landfill Milton Sand Pit – South Northamptonshire Council to confirm records
- Historic Landfill Rothersthorpe Landfill records show accepted inert waste located 120m north-west of the site.
- Landfill in Closure Milton Malsor Landfill records show it took non biodegradable waste located approximately 15m north of the site.

Additionally, Gayton landfill is located approximately 350m to the west of the site. We understand that this historic landfill was determined Contaminated Land under Part 2A Environmental Protection Act 1990.

The ES should aim to assess any potential risk associated with the landfill sites (including migration of landfill gas) and any risk posed by Brownfield Land to controlled waters.

Soakaways should not be located in potentially contaminated ground where this could increase the risk posed to groundwater. The use of infiltration drainage in any Brownfield Land and/or soakaways should be assessed as part of the ES.

We recommend that developers should:

1. Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.
2. Refer to the [Environment Agency guiding principles for land contamination](#) for the type of information that is required in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.
3. Refer to the [contaminated land](#) pages on GOV.UK for more information.

3.0 Water quality

It is essential that sufficient water infrastructure is in place to serve the proposed development to prevent the increased risk of pollution and sewage flooding. Sewage is one of the most common sources of pollution. The ES should be informed by the **West Northamptonshire Water Cycle Study (WCS)** regarding water supply and waste water capacity. Development should involve promoting the highest level of environmental performance, not only in the design of new buildings but also in master planning and managing development. Adequate and timely environmental infrastructure provision is essential if development is to be built within the environments capacity to cope with the additional impacts.

We note a number of pollution incidents from the rising main, which indicates a lack of capacity within the existing sewerage network. The ES should be informed by Anglian Water Services Ltd so that the development can demonstrate that the sewerage and sewage disposal systems serving the proposed development will have sufficient capacity to accommodate the flows, generated as a result of development, without causing pollution or flooding.

4.0 Water Framework Directive (WFD)

As part of the Hydrology, Hydrogeology, Geology and Soils assessment, we recommend that the potential effects of the development on the Water Framework Directive status of the relevant waterbodies are assessed. Baseline information about the current status is available through the [Catchment Data Explorer](#).

Any changes to flow, morphology, vegetation or similar may have an impact on a WFD classified water body. The ES should consider how changes to tributaries of WFD water bodies may affect the WFD classifications of the main water body. Any temporary or permanent culverting of water courses should be fully assessed.

The ES should consider the works necessary to maintain or improve water quality along the scheme of works; no deterioration of water quality should be seen as a result of the works.

5.0 Green infrastructure

Green Infrastructure (GI) encompasses can help to manage flood risk, improve water quality, enhance biodiversity (including fisheries) and opportunities for recreation on and near waterways and beyond. It can also help to promote sustainable development more widely. GI should perform multiple functions and provide multiple benefits and services to communities. Those most relevant considerations to us are:

- Flood risk management (flood storage, swales)
- Water management (surfaces for infiltration and storage)
- Habitat creation (river corridors)
- Recreation (boating, angling)

Biodiversity enhancement alongside improved access to greenspace should be sought wherever possible and opportunities should be taken to improve the landscape, visual amenity and ecology and wildlife value. The ES should consider the West Northamptonshire Water Cycle Strategy, Green Infrastructure Strategy, the EU Habitat Directive and UK Regional and local Biodiversity Action Plans.

The ES should also consider Northampton Borough Councils Green Infrastructure Plan for Northampton and related development (currently draft but due for publication 2016).

The ES should refer to the **Woodlands for Water** project to consider where planting could also reduce flood risk and achieve the objectives of the WFD.

We also refer the applicant to BS42020:2013 Biodiversity Code of practice for planning and development.

6.0 General Construction & Environmental Management

We welcome the production of a construction environmental management plan (CEMP) which will be an important environmental protective document. We would like to see greater details of the following:

- Pollution prevention method statement for the construction phase of the development
- Waste management plan for waste into and out of the development
- Mitigation measures to be put in place for works in around or under watercourses. It must be ensured that any risk to the water environment is minimised both during construction and operation of the site. Adequate controls and measures need to be fully considered and incorporated into the design of the site to minimise any risk of pollution to the water environment. It is our view that this needs to be highlighted in the EIA

7.0 Environmental permitting and other regulation

There may be a number of environmental permitting and regulation matters that may be applicable to proposal.

1) Flood Defence Consent

The watercourse running through the site is a non-main river. This watercourse, Milton Malsor Brook, becomes Main River downstream of the site at the point just north of Rectory Lane. The point at which it becomes Main River is outside of the

red line boundary of this application as shown in Appendix 1. It is noted that the application refers to the culverting of watercourse, any such plans should be fully discussed with the LLFA and consent sought.

Main River

Under the terms of the Water Resources Act 1991 and Land Drainage and Sea Defence Byelaws, the prior written consent of the Environment Agency is required for any proposed works or structures, in, under, over or within 9.0 metres of the top of the bank of the Milton Malsor Brook, designated a 'main river'.

Non-Main River

The erection of flow control structures or any culverting of an ordinary watercourse requires consent from the Lead Local Flood Authority which in this instance is Northamptonshire County Council. It is best to discuss proposals for any works with them at an early stage.

As of 6th April 2012, powers to consent such works have been transferred from the Environment Agency to the Lead Local Flood Authority - in this case the Bedford Group of Internal Drainage Boards will be consenting on behalf of Northamptonshire County Council.

Therefore any pre-application consent enquiry or consent applications should be directed to the Bedford Group of IDBs using the following details, marking any correspondence **Section 23 Consent for Northamptonshire:**

Post: Bedford Group of Internal Drainage Boards, Vale House, Broadmead Road, Stewartby, Bedfordshire, MK43 9ND

Email: contact@idbs.org.uk

Telephone: 01234 767995

Fax: 01234 768582

Website: <http://www.idbs.org.uk/>

- 2) Exemptions from the Environmental Permitting Regulations 2010 for moving waste spoil/subsoil off-site will also be required.
- 3) To discharge trade effluent from trade premises to a public sewer vested in Anglian Water requires their consent. An application to discharge trade effluent must be made to Anglian Water and must have been obtained before any discharge of trade effluent can be made to the public sewer. It is an offence under section 118 of the Water Industry Act 1991 to discharge effluent to sewer without consent. Failure to install and properly maintain fat traps at all catering establishments may also constitute an offence under section 11 of the Water Industry Act 1991. Permission (a consent or agreement) isn't given automatically.

Please note that the view expressed in this letter by the Environment Agency is a response to a pre-application enquiry only and does not represent our final view in relation to any future planning application, permits or consents made in relation to this site. We reserve the right to change our position in relation to any such application.

Applicant advice

The Environment Agency is no longer funded to provide free planning advice and any further advice, including assessment of reports, follow-up meetings or site visits, will now be offered as part of a paid-for service. If you decide you would like to benefit from our advice we will provide you with an estimate of the cost based on the work we expect to undertake. Our charges will be £84 per hour and we do not charge VAT. A dedicated project manager will supervise your enquiry and ensure you receive the information you need within agreed timescales. Our pre-application service can greatly reduce delays to proposals at the planning application stage. Knowing that we have already considered proposals and have no objection to them is a crucial part of the Examining Authority's/Secretary of State's considerations.

Should you require any additional information, or wish to discuss these matters further, please do not hesitate to contact me on the number below.

Yours sincerely

John O'Neill
Planning Specialist

Direct dial 02030253492

Direct e-mail john-edward.oneill@environment-agency.gov.uk



Awarded to the Lincolnshire & Northamptonshire Area

From: [&box_FPLplantprotection_conx](#)
To: [Environmental Services](#)
Subject: RE: Rail Central Strategic Rail Freight Interchange EIA Scoping Notification and Consultation
Date: 17 December 2015 11:34:37
Attachments: [image001.png](#)

Good Morning,

Thank you for asking Fulcrum Pipelines Limited to examine your consultation document for the above project.

We can confirm that Fulcrum Pipelines Limited have no comments to make on this scoping report. Please note that we are constantly adding to our underground assets and would strongly advise that you consult us again prior to undertaking any excavations.

Please note that other gas transporters may have plant in this locality which could be affected.

We will always make every effort to help you where we can, but Fulcrum Pipelines Limited will not be held responsible for any incident or accident arising from the use of the information associated with this search. The details provided are given in good faith, but no liability whatsoever can be accepted in respect thereof.

If you need any help or information simply contact Fulcrum on 03330 146 455

Yours sincerely,



MATTHEW ABBOTT | Closure Co-ordinator

DDI: 01142 804 215 | Office: 03330 146 455 Ext. 4215

Email: matthew.abbott@fulcrum.co.uk | Web: www.fulcrum.co.uk

Address: Fulcrum Pipelines, 2 Europa View, Sheffield Business Park, Sheffield, S9 1XH.

Fulcrum News: *Fulcrum makes a new 10-year commitment to Sheffield.* [Read more](#)

From: Environmental Services [mailto:environmentalservices@pins.gsi.gov.uk]
Sent: 14 December 2015 15:13
To: &box_FPLplantprotection_conx,
Subject: Rail Central Strategic Rail Freight Interchange EIA Scoping Notification and Consultation

Dear Sir/Madam

Please see the following hyperlink to correspondence on the proposed Rail Central Strategic Rail Freight Interchange.

[Letter to stat cons Scoping and Reg 9 Notification English.pdf](#)

Please note the deadline for consultation responses is 10 January 2016, and is a statutory requirement that cannot be extended.

Kind regards,

Hannah Pratt

Senior EIA and Land Rights Advisor

Major Applications and Plans, The Planning Inspectorate, Temple Quay House, Temple Quay, Bristol, BS1 6PN

Direct Line: 0303 444 5001

Twitter: [@PINSGov](#)

Helpline: 0303 444 5000

Email: EnvironmentalServices@pins.gsi.gov.uk

Web: <http://infrastructure.planninginspectorate.gov.uk> (National Infrastructure Planning website)

This communication does not constitute legal advice.

Please view our [Information Charter](#) before sending information to the Planning Inspectorate.

This email and any files transmitted with it are private and intended solely for the use of the individual or entity to which they are addressed. If you are not the intended recipient the E-mail and any files have been transmitted to you in error and any copying, distribution or other use of the information contained in them is strictly prohibited.

Nothing in this E-mail message amounts to a contractual or other legal commitment on the part of the Government unless confirmed by a communication signed on behalf of the Secretary of State.

The Department's computer systems may be monitored and communications carried on them recorded, to secure the effective operation of the system and for other lawful purposes.

Correspondents should note that all communications from Department for Communities and Local Government may be automatically logged, monitored and/or recorded for lawful purposes.

The original of this email was scanned for viruses by the Government Secure Intranet virus scanning service supplied by Vodafone in partnership with Symantec. (CCTM Certificate Number 2009/09/0052.) This email has been certified virus free.

Communications via the GSi may be automatically logged, monitored and/or recorded for legal purposes.

This email and any attachments are strictly confidential and intended for the addressee(s) only. The content may also contain legal, professional or other privileged information. If you are not the intended recipient, please notify the sender immediately and then delete the email and any attachments. You should not disclose, copy or take any action in reliance on this transmission. You may report the matter by calling us on 03330 146 466.

Please ensure you have adequate virus protection before you open or detach any documents from this transmission.

The Fulcrum Group does not accept any liability for viruses. An email reply to this address may be subject to monitoring for operational reasons or lawful business practices.

This email was scanned by the Government Secure Intranet anti-virus service supplied by Vodafone in partnership with Symantec. (CCTM Certificate Number 2009/09/0052.) In case of problems, please call your organisations IT Helpdesk.

Communications via the GSi may be automatically logged, monitored and/or recorded for legal purposes.

From: [Ben Olney](#)
To: [Environmental Services](#)
Subject: Application by Ashfield Land Management Limited for an Order Granting Development Consent for the Rail Central Strategic Rail Freight Interchange
Date: 14 December 2015 15:46:51
Attachments: [imaged3ae58.PNG](#)

FAO Hannah Pratt

I can confirm that HS1 Ltd has no comment on this scoping opinion

We do not need to be consulted on this application again as our infrastructure is only located in London, Essex and Kent

Regards

Ben Olney | Planning & Consents Manager

D: +44 20 7014 2722 E: Ben.Olney@highspeed1.co.uk
M: +44 7703 673 920

HS1 Limited | 12th Floor, One Euston Square, 40 Melton Street, London, NW1 2FD
T: +44 (0) 20 7014 2700 | F: +44 (0) 20 7014 2701 | www.highspeed1.com

ST PANCRAS INTERNATIONAL
GREAT PLACE 2015 | THE ACADEMY OF URBANISM

Safety is no accident - we all play our part

CONFIDENTIALITY NOTICE

This communication contains information, which is confidential and may also be privileged. It is for the exclusive use of the intended recipient(s). If you are not the intended recipient(s) please note that any distribution, copying or use of this communication or the information in it is strictly prohibited. If you have received this communication in error please notify us by e-mail, by telephone (020 7014 2700) or by facsimile on (020 7014 2701). Please then destroy or delete the e-mail or facsimile and any copies of it. This communication is from HS1 Limited whose principal office is at 12th Floor, One Euston Square, 40 Melton Street, London, NW1 2FD.

HS1 Limited, Registered in England: 12th Floor, One Euston Square, 40 Melton Street, London, NW1 2FD. Company number 03539665.

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

This email was scanned by the Government Secure Intranet anti-virus service supplied by Vodafone in partnership with Symantec. (CCTM Certificate Number 2009/09/0052.) In case of problems, please call your organisations IT Helpdesk. Communications via the GSI may be automatically logged, monitored and/or recorded for legal purposes.

Our ref:
Your ref: 151214_TR050004_3550715

Hannah Pratt
The Planning Inspectorate
3/18 Eagle Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN

Martin Seldon
Highways England
The Cube
199 Wharfside Street
Birmingham
B1 1RN

Direct Line: 0121 6872585

8 January 2016

Dear Ms Pratt,

Application by Ashfield Land Management Limited for an Order Granting Development Consent for the Rail Central Strategic Rail Freight Interchange Scoping consultation

Under the Planning Act 2008 (as amended) and the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009. Highways England is a statutory consultee on applications for development consent orders likely to affect roads for which the Secretary of State for Transport is the highway authority.

Highways England therefore welcomes pre-application discussion, including the opportunity to provide advice on the scope of any Environmental Statement in respect pursuant to the procedures set out in the Infrastructure planning (Environmental Impact Assessment) Regulations 2009.

In your letter of 14 December 2015, you have invited Highways England to provide comments on the scope of an Environmental Statement in respect of a Strategic Rail Freight Interchange, known as Rail Central, approximately 6km south of Northampton and approximately 20km northwest of Milton Keynes, immediately to the east of the A43 and approximately 1.9km south of M1 J15A. The application site resides within the administrative boundary of South Northamptonshire Council.

I have set out below both the general and specific areas of concern that Highways England would wish to see considered as part of an Environmental Statement. The comments relate specifically to matters arising from Highways England's 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 (GTA)'. It is noted that this guidance has been archived, however it 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.
- 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).

Location specific considerations:

- Highways England is already engaged in detail with the applicants' transport consultants Transport Planning Associates and has attended a number of meetings and reviewed a number of documents that will form the basis of the forthcoming Transport Assessment. Further meetings are programmed to continue discussion on transport related matters.
- Notwithstanding the above, the applicant will need to complete individual junction capacity assessments on junctions including (but not limited to)
 - a) M1 Junction 15A;
 - b) A5/ A43 Tove Roundabout; and
 - c) A43 Abthorpe Roundabout.

The above comments imply no pre-determined view on the part of Highways England 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 0121 6872585 or

Martin.Seldon@highwaysengland.co.uk

Yours sincerely,



Martin Seldon
Asset Manager
Network Delivery & Development Midlands
Email: Martin.Seldon@highwaysengland.co.uk



Historic England

EAST MIDLANDS

Ms Hannah Pratt
Planning Inspectorate
3/18 Eagle Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN

Direct Dial: 01604 735460

Our ref: 1181

Your ref: 151241 TRO50004

10 January 2016

Dear Ms Pratt

Request for Scoping Opinion

RAIL CENTRAL, STRATEGIC RAIL FREIGHT INTERCHANGE, SOUTH NORTHAMPTONSHIRE

Thank you for contacting Historic England on 14 December 2015 regarding a scoping opinion in relation to the above Nationally Significant Infrastructure Project. The proposed development would comprise a new Strategic Rail Freight Interchange (SRFI) to provide up to 743,200 sq m of storage and distribution buildings with ancillary office accommodation, rail infrastructure (to include new sidings), service depot, HGV facilities, hotel and public house/restaurant, associated access, ground works, highways, landscaping and other accompanying infrastructure works. The scoping report indicates that the proposed development will be of a scale which falls within Schedule 2 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (as amended).

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 policies of the National Networks National Policy Statement (NN NPS) and 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. 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.

Our initial assessment shows that the following numbers of designated heritage assets are located within c. 5km of the centre of the proposed development, although this list does not necessarily include all the designated assets that may be affected:

- **5 Scheduled Monuments;**
- **269 Listed Buildings (20 Grade I & II*);**



Historic England, 2nd Floor, Windsor House, Cliftonville, Northampton NN1 5BE

Telephone 01604 735460 HistoricEngland.org.uk

Please note that Historic England operates an access to information policy.

Correspondence or information which you send us may therefore become publicly available.



- **1 Registered Park and Gardens (Grade II);**
- **1 Registered Battlefield;** and
- **13 Conservation Areas.**

In general it is essential that the EIA provides a robust assessment of the impact of the proposed development on the significance of all the potentially affected designated heritage assets, with particular emphasis on the significance they derive from their settings.

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 make an important contribution to the character and local distinctiveness of an area and its sense of place. This information is available via the local authority Historic Environment Record (see www.heritagegateway.org.uk for contact details) and relevant local authority staff. We would strongly recommend that the Examining Authority is guided further in these matters by the advice of the Northamptonshire County Council Archaeological Advisor.

The assessment should also take account of the potential impact which associated activities (such as construction and associated traffic) might have upon perceptions, understanding and appreciation of the heritage assets in the area. It is important that the assessment is designed to ensure that all impacts are fully understood.

We also have the following comments to make regarding the current proposed content of the Scoping Report:

Historic England welcomes the inclusion of a chapter covering Cultural Heritage & Archaeology in the proposed scope of the EIA, but we have concerns regarding the proposed methodology for the assessment of impact for heritage assets. In general we recommend that there should be a close relationship between the Landscape and Visual Impact Assessment and the Cultural Heritage Assessment.

The scoping report indicates that a study area of only 2km extending from the proposed development area will be utilised in the identification of heritage assets that may be affected by the proposals but does not indicate the basis on which this has been identified to be sufficient. We advise that the extent of the study area for designated heritage assets should be defined appropriately and in relation to the baseline results of the Landscape and Visual Impact assessment with specific reference to, for example, a Zone of Theoretical Visibility.

We recommend that the Examining Authority is guided by the advice of the Northamptonshire County Council Archaeologist in relation to the definition of the study area for non-designated archaeological remains.

A detailed description of the assessment methodology which will be applied has not been included in the scoping document. We advise that the Examining Authority must ensure that this is agreed as part of the scoping exercise with specific reference to relevant published guidance and advice. Historic England 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 both the NN NPS and 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 in the Historic Environment Good Practice Advice in



Planning Notes (produced by Historic England on behalf of the Historic Environment Forum) which provide 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 Notes (Historic England, 2015): <https://historicengland.org.uk/advice/planning/planning-system/>

Historic Environment Good Practice Advice Note 2 on Managing Significance in Decision Taking in the Historic Environment:

<https://historicengland.org.uk/images-books/publications/gpa2-managing-significance-in-decision-taking/>

Historic Environment Good Practice Advice in Planning Note 3 on The Setting of Heritage Assets:

<https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/>

Conservation Principles, Policies and Guidance: Sustainable Management of the Historic Environment (English Heritage, 2008)

<https://historicengland.org.uk/advice/constructive-conservation/conservation-principles/>

We would recommend that the Examining Authority draws the applicant's attention to the above published advice. That on the Setting of Heritage Assets supersedes the English Heritage guidance published in 2011 which is referenced in the scoping report. The applicant should always ensure that they follow the most up to date published advice in assessing these issues in the Environmental Statement.

The tabular and atomised approach to the assessment of impact on individual heritage assets fails, in our view, to properly engage with the nature of the significance of the assets potentially affected, any relationships they may have with each other, the surrounding topographic landscape, and the nature of the shared historic and archaeological landscape context. In our opinion such matrices provide little useful contribution to the assessment of 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 taken is amended to take its cue from the sensitivity of individual assets and, where appropriate, groups of assets to change and their capacity to absorb the effects of such change within their settings. We consider that such an approach provides a more meaningful context for discussion over one based on an approach to assessing sensitivity exclusively in line with the grade of designation and irrespective of other factors.

The Examining Authority must ensure that the EIA will provide a robust assessment of the impact of the proposed development on the setting of designated heritage assets including, but not limited to visual impacts and other factors such as noise and vibration. We would recommend the inclusion of long views and any specific designed or historically relevant views and vistas within historic landscapes whether under the Landscape and Visual Impact or Cultural Heritage Assessment. In some cases, intervisibility between historic sites may be a significant issue and views between contemporaneous or otherwise associated heritage assets in which both assets and the development can be seen should also be considered. 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 advise that the Examining Authority should agree with the applicant how such visual impacts will be illustrated in the Environmental Statement as part of the scoping exercise. We recommend further that where the Cultural Heritage Assessment indicates that there will be no visibility or visual impact arising from the proposed development, sufficient information and evidence such as in the form of a visual demonstration of no or negligible impacts should be provided within the Environmental Statement.

Recommendation

Historic England urges the Examining Authority to address the issues set out above with the applicant to ensure that the Environmental Impact Assessment 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 development. 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.

We recommend that the Examining Authority is guided further in relation to the proposed scope of the assessment of non-designated archaeological remains potentially preserved within the proposed development area by the advice of the Northamptonshire County Council Archaeological Advisor.

Historic England looks forward to receiving a copy of the Environmental Statement in due course.

Yours sincerely



Dr Helen Woodhouse
Inspector of Ancient Monuments
helen.woodhouse@HistoricEngland.org.uk

cc Lesley-Ann Mather, Northamptonshire County Council

RAIL CENTRAL, STRATEGIC RAIL FREIGHT INTERCHANGE, SOUTH NORTHAMPTONSHIRE Request for Scoping Opinion

List of information on which the above advice is based

Environmental Statement Scoping Report, Rail Central (produced by Turley on behalf of Ashfield Land, December 2015)



Historic England, 2nd Floor, Windsor House, Cliftonville, Northampton NN1 5BE
Telephone 01604 735460 HistoricEngland.org.uk

Please note that Historic England operates an access to information policy.

Correspondence or information which you send us may therefore become publicly available.



FAO Hannah Pratt
EIA and Land Rights Advisor
Major Applications and Plans
The Planning Inspectorate
Temple Quay House
Temple Quay
Bristol
BS1 6PN

HID Policy - Land Use planning
NSIP Consultations
Building 2.2
Redgrave Court
Merton Road
Bootle
Merseyside
L20 7HS
email: NSIP.applications@hse.gsi.gov.uk

Dear Ms Pratt

Date 07 January 2016
Your ref: TR050004

**Proposed Rail Freight Interchange (the Project)
Proposal by Ashfield Land Management Limited (the applicant)
Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (as amended) – Regulations 8 and 9**

Thank you for your communication dated 14 December 2015 regarding the information to be provided in an environmental statement relating to the above project for a new strategic rail freight interchange, to be known as Rail Central.

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?

According to HSE's records there are no major accident hazard installations or pipelines in the vicinity of the infrastructure project and, therefore, we would not wish to comment on the siting of Rail Central. However, as recognised in Section 13 of the applicant's Environmental Statement Scoping Report, the project has the potential to affect existing non-major accident hazard utility services. In particular, the applicant is advised to ensure they consult the British Pipeline Agency Ltd regarding the agency's Kingsbury - Buncefield pipelines which appear to pass under the land.

Hazardous Substance Consent

Although the Environmental Statement Scoping Report does not mention hazardous substances, the applicant should note that 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.

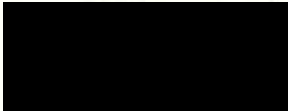
Further information on HSC should be sought from the relevant Hazardous Substances Authority.

Explosives sites

The Proposed Rail Central Strategic Rail Freight Interchange Development does not impinge on the separation distances of any explosives licensed site in the vicinity of the application.

Please send any further electronic communication on this project directly to HSE's designated e-mail account for NSIP applications. Alternatively any hard copy correspondence should be sent to Mr Dave (MHPD) Adams at the above address.

Yours sincerely



Dave Adams (Mr)

From: [John R Wright](#)
To: [Environmental Services](#)
Subject: Rail Central Strategic Rail Freight Interchange - Scoping Consultation
Date: 07 January 2016 14:30:33

FAO Hannah Pratt

Dear Hannah

I refer to your letter dated 14th December 2014 consulting Leicestershire County Council on the Scoping Report prepared by Ashfield Land Management Ltd. In this instance because of the distance of the proposed development from Leicestershire the County Council does not have any comments to make.

Regards

John Wright

Team Leader Planning
Planning Historic and Natural Environment
Chief Executives Department
Leicestershire County Council
County Hall
Glenfield
Leicester
LE3 8RA
e-mail: john.r.wright@leics.gov.uk
Tel: 01163057041

This e-mail and any files transmitted with it are confidential. If you are not the intended recipient, any reading, printing, storage, disclosure, copying or any other action taken in respect of this e-mail is prohibited and may be unlawful. If you are not the intended recipient, please notify the sender immediately by using the reply function and then permanently delete what you have received.

Incoming and outgoing e-mail messages are routinely monitored for compliance with Leicestershire County Council's policy on the use of electronic communications. The contents of e-mails may have to be disclosed to a request under the Data Protection Act 1998 and the Freedom of Information Act 2000.

The views expressed by the author may not necessarily reflect the views or policies of the Leicestershire County Council.

Attachments to e-mail messages may contain viruses that may damage your system. Whilst Leicestershire County Council has taken every reasonable precaution to minimise this risk, we cannot accept any liability for any damage which you sustain as a result of these factors. You are advised to carry out your own virus checks before opening any attachment.

This email was scanned by the Government Secure Intranet anti-virus service supplied by Vodafone in partnership with Symantec. (CCTM Certificate Number 2009/09/0052.) In case of problems, please call your organisations IT Helpdesk. Communications via the GSi may be automatically logged, monitored and/or recorded for legal purposes.

From: [Moore, Michael](#)
To: [Environmental Services](#)
Cc: [Wilson, Bob](#)
Subject: Ashfield Land Management Limited application for an Order Granting Development Consent for a Strategic Rail Freight Interchange. Your Ref: 151214_TR050004_3550715.
Date: 06 January 2016 18:06:24

Your Ref:

151214_TR050004_3550715

To whom it may concern,

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (as amended) – Regulations 8 and 9

Application by Ashfield Land Management Limited for an Order Granting Development Consent for the Rail Central Strategic Rail Freight Interchange

Scoping consultation and notification of the applicant's contact details and duty to make available information to the applicant if requested

I refer to the email from Hannah Pratt dated 14 December regarding the above proposal. Thank you for consulting Milton Keynes Council (MKC) on this proposal, the Council has the following comments to make.

A. Impact on the Road Network and Major Junctions

- Milton Keynes Council would like the following comments to be considered by the Secretary of State on the information that should be provided in the environmental statement. The Council expects a comprehensive assessment of the impact of the proposed development on the local and national road network including the M1 and trunk road network and major road junctions to be undertaken. The Council would wish to see an assessment of the impact of the development on junctions 13 to 15A of the M1 motorway in both directions. Additionally, this Council would want to see an assessment of the effects of the development on southbound traffic flows on the A5, A43 and A508 and the junction of the A508, A5 and A422 by Old Stratford.

B. Impact on the Rail Network

- Milton Keynes Council would expect an assessment of the impact of the development on the rail network. The Council understands that capacity on the West Coast Mainline for passenger and for rail freight services is limited. It wishes to be assured that train movements to and from this destination would not adversely affect the capacity of the rail network to accommodate other rail services be they passenger or rail freight services. Of particular concern to the Council is the impact of the proposed development on passenger services on the West Coast Mainline to and from railway stations in Milton Keynes, which include Milton Keynes Central, Bletchley and Wolverton stations. Also Milton Keynes Council would wish to be assured that train services serving the proposed development would not adversely affect train services which will be operating on the East–West railway line between Oxford, Aylesbury Bletchley, Milton Keynes Central and Bedford.

C. Socio-economic Impacts

In the assessment of the socio-economic impacts of the scheme. Milton Keynes Council considers the EIA should assess the employment effects of the scheme, e.g.

1. The number and type of jobs created by the scheme.
2. The implications of the employment opportunities created by the scheme which may attract people to live and work locally.
3. The effects of the proposal on commuting flows to and from the development. South Northamptonshire District is the largest supplier of workers to Milton Keynes (in net terms) of any district or unitary council neighbouring Milton Keynes. Net commuting to the city from South Northants district according to ONS Travel to Work statistics from the 2011 Census is a net 4.320 people (5,631 into MK and 1311 out). MKC would like the EIA to assess what the likely effect of the scheme will be on commuting flows to neighbouring local authorities such as Milton Keynes as this has implications for the potential workforce within the city.
4. Milton Keynes Council expects that there should be an assessment of the amount of warehousing that exists and is either proposed or in the development pipeline along the M1 corridor. If the proposed scheme is granted development consent what effect will it and other consented schemes have on the property market for warehousing development along the M1 corridor?

It would be appreciated if you would acknowledge that this email was received before your deadline of 10th January 2016. Please send you reply to myself and my colleague Bob Wilson to whom I am copying this email.

As I am away on leave from today until Monday 18 January, if you have any questions or concerns on this email before then please do not hesitate to contact Bob Wilson (Tel 01908-252480) or myself when I am back in the office.

Your sincerely

Michael Moore

Michael Moore
Senior Planning Officer
Tel: 01908-252352

michael.moore@milton-keynes.gov.uk
<http://www.milton-keynes.gov.uk/planning-policy>

**Milton Keynes Council | Development Plans| Planning Economy and
Development | Civic Offices | 1 Saxon Gate East |
Milton Keynes MK9 3EJ**

From: Environmental Services [<mailto:environmentalservices@pins.gsi.gov.uk>]

Sent: 14 December 2015 15:13

To: Web Comments

Subject: Rail Central Strategic Rail Freight Interchange EIA Scoping Notification and Consultation

Dear Sir/Madam

Please see the following hyperlink to correspondence on the proposed Rail Central Strategic Rail Freight Interchange.

[Letter to stat cons Scoping and Reg 9 Notification English.pdf](#)

Please note the deadline for consultation responses is 10 January 2016, and is a statutory requirement that cannot be extended.

Kind regards,

Hannah Pratt

Senior EIA and Land Rights Advisor

Major Applications and Plans, The Planning Inspectorate, Temple Quay House, Temple Quay, Bristol, BS1 6PN

Direct Line: 0303 444 5001

Twitter: [@PINSgov](#)

Helpline: 0303 444 5000

Email: EnvironmentalServices@pins.gsi.gov.uk

Web: <http://infrastructure.planninginspectorate.gov.uk> (National Infrastructure Planning website)

This communication does not constitute legal advice.

Please view our [Information Charter](#) before sending information to the Planning Inspectorate.

This email and any files transmitted with it are private and intended solely for the use of the individual or entity to which they are addressed. If you are not the intended recipient the E-mail and any files have been transmitted to you in error and any copying, distribution or other use of the information contained in them is strictly prohibited.

Nothing in this E-mail message amounts to a contractual or other legal commitment on the part of the Government unless confirmed by a communication signed on behalf of the Secretary of State.

The Department's computer systems may be monitored and communications carried on them recorded, to secure the effective operation of the system and for other lawful purposes.

Correspondents should note that all communications from Department for Communities and Local Government may be automatically logged, monitored and/or recorded for lawful purposes.

The original of this email was scanned for viruses by the Government Secure Intranet virus scanning service supplied by Vodafone in partnership with Symantec. (CCTM Certificate Number 2009/09/0052.) This email has been certified virus free.

Communications via the GSi may be automatically logged, monitored and/or recorded for legal purposes.

Visit the Milton Keynes Council web site at <http://www.milton-keynes.gov.uk>

Please consider the environment and don't print this email unless you really need to

**** This email and any attachments hereto are strictly confidential and intended solely for the addressee. It may contain information which is privileged. If you are not the intended addressee, you must not disclose, forward, copy or take any action in reliance of this email or attachments. If you have received this email in error, please delete it and notify us as soon as possible.

The anti-virus software used by Milton Keynes Council is updated regularly in an effort to minimise the possibility of viruses infecting our systems. However, you should be aware that there is no absolute guarantee that any files attached to this email are virus free.****

This email was scanned by the Government Secure Intranet anti-virus service supplied by Vodafone in partnership with Symantec. (CCTM Certificate Number 2009/09/0052.) In case of problems, please call your organisations IT Helpdesk. Communications via the GSi may be automatically logged, monitored and/or recorded for legal purposes.

From: [REDACTED]
To: [Environmental Services](#)
Subject: Ashfield Land Management Ltd Scoping Application
Date: 07 January 2016 16:08:02
Attachments: [Rail freight terminal - EIA Scoping - Response to Sec. of State \(2\) - January 2016.docx](#)
Importance: High

**TO: THE SECRETARY OF STATE
THE PLANNING INSPECTORATE
FOR THE ATTENTION OF HANNAH PRATT**

YOUR REF: 151214_TR050004_3550715

FROM: MILTON MALSOR PARISH COUNCIL

**REF: ASHFIELD LAND MANAGEMENT LTD
SCOPING APPLICATION FOR
A STRATEGIC RAIL FREIGHT INTERCHANGE**

Attached please find Milton Malsor Parish Council's response to the above scoping consultation application. Also attached please find two maps showing the site with proposed warehousing and a map of the area showing the site outlined in red.

If you have any queries regarding this email, please don't hesitate to contact me.

Yours sincerely,

Ann Addison

Clerk to Milton Malsor Parish Council

This email was scanned by the Government Secure Intranet anti-virus service supplied by Vodafone in partnership with Symantec. (CCTM Certificate Number 2009/09/0052.) In case of problems, please call your organisations IT Helpdesk. Communications via the GSi may be automatically logged, monitored and/or recorded for legal purposes.

MILTON MALSOR PARISH COUNCIL

Correspondence to the Clerk, Mrs Ann Addison

The Secretary of State,
The Planning Inspectorate,
3/18 Eagle Wing,
Temple Quay House,
2 The Square,
BRISTOL, BS1 6PN

For the attention of **Hannah Pratt**

Dear Sir,

Your Reference: 151214_TR050004_3550715
Ref: Application by Ashfield Land Management Ltd
Scoping Consultation

Milton Malsor Parish Council appreciates the opportunity to add to the EIA scoping for the Rail Freight Terminal proposed for our parish, and responds as follows-

- 1) The adopted West Northants Joint Core Strategy (JCS) which is the foundation for all planning policy in our area until 2029 states (on page 51):-
'It is concluded that new rail freight interchanges in West Northamptonshire in addition to DIRFT would not be delivered within the plan period.'
- 2) The proposal is in conflict with Milton Malsor Parish Council's Neighbourhood Plan (NP) which residents have overwhelmingly approved and which, as part of the JCS, is currently being included in South Northants Local Plan. (the NP may be viewed on Milton Malsor Parish Council's web site)
- 3) The JCS has identified a need for only three 'strategic employment sites' - at M1 Junction 16; Silverstone Circuit and DIRFT. This proposed Rail Freight Terminal would be such a site but is not included; it was formally rejected by the Joint Planning Unit in 2013.

The Parish Council has confined its suggestions below to local facts and updates that a consultant may not be aware of but which need to be addressed by the EIA.

Milton Malsor Parish Council Neighbourhood Plan.

The NP calls for a small housing development of 20-30 homes at a defined site at the edge of the village and within our confines, but states that the remainder of the parish must remain undeveloped green fields for farming.

New housing developments.

A Sustainable Urban Extension to Northampton at Collingtree Park Golf Course is supported by the JCS and nearly through the planning process. There will be up to 1,000 new homes and a school, all within 2 kilometres of the site.

The Roade Master Plan will extend that adjacent village up to our parish's southern boundary and the edge of the RFT - with 400 houses in the next few years.

Another 20 to 30 houses are proposed at Milton Malsor in the Neighbourhood Plan.

These developments add further people to those that will be adversely affected by the Rail Freight Terminal.

Visual impact and loss of amenity.

The impact on Milton Malsor and Blisworth villages will be serious. It will destroy Milton Malsor as a convenient, weekend country escape for Northampton residents. Both villages contain a large number of listed buildings which would lose some of their setting and historic value.

Milton Malsor is an historic settlement listed in the Domesday Book and attracts tourists. The freight terminal, built in open countryside, would effectively end the village's 2,000 year life as an independent rural settlement.

In assessing local impact the Council recommend that one viewpoint should be at 73000/55850 which is where a popular local footpath crosses a stream.

The Grand Union Canal which is a popular, well used leisure facility (boating, walking and cycling) will be permanently degraded; apart from which there is a risk of undermining by the nearby excavation.

There are four rural rights of way across the fields where the site is planned to be. These link the village to Blisworth, Collingtree, Gayton, Roade and Stoke Bruerne and are popular with villagers and dog walkers. All these footpaths would be lost.

Security.

The terminal reaches the edge of Milton Malsor village where there is also a popular Parochial Junior School. No matter how well fenced the site may be there is always the chance of adventurous children straying into it, especially during the construction stage.

As a key national infrastructure site it could become a terrorist target; in which case its close proximity to villages is hardly desirable.

Pollution - Air.

Levels of air pollution monitored at junction M1 Jt15/ A43 are already at or near AQM intervention levels. Collingtree (less than 2k from the site) is designated an Air Quality Management Area. Towcester also has an AQM; extra traffic on the A43 will add to its problems.

The proposed local increase in rail freight traffic will add to the pollution as goods trains are predominantly powered by diesel. As will increasing traffic on the M1 where 4 lanes will soon be possible. Lorries and employee cars arriving and leaving the freight terminal will contribute to the problem.

Two huge new warehouses have just been completed at Jt 15 for which all access is from that junction. The Northamptonshire Major Road Strategy forecasts that by 2026 60,000 vehicles a day will use the A45 link to Jt 15, with 12% being heavy goods vehicles.

During the construction stage there will be extensive earth moving; dust pollution will affect the two villages.

Pollution - Light.

The proposed site just south of Milton Malsor will have 24/7 working creating daylight conditions 24 hours a day for village houses.

Pollution - Noise.

The Motorway and railway are both about 1k from Milton Malsor and can already be heard in the streets, a constant background noise. With 4 M1 lanes this can only worsen, to which the freight terminal will add 24/7 cumulative rail and vehicle noise at close proximity.

Increasing numbers of slow goods trains passing through Northampton suburbs and station will have a detrimental effect on the town's residents.

Traffic.

There is already a major problem at Junction 15. Howdens, in their recently withdrawn warehouse proposal, planned to redesign the junction in an attempt to overcome the problems but failed to satisfy the Highways Agency. Traffic from the proposed terminal will further contribute to the congestion.

Highways Agency Report Feb 2011 states that part of the A45 around Northampton already has traffic movement exceeding 60,000 per 12 hours, most junctions are at or near design capacity; much of the RFT traffic will use the A45.

The site is trapped within the two branches of railway line - much of it in cutting - which makes access difficult. The proposed and only connection with the A43 - which is a dual carriageway - would require a huge roundabout and grade separated interchange to allow traffic to leave in both north and south directions. North leads onto the awkward M1 Jt 15A, and south is towards Towcester where the A5 junction is badly congested and thousands of new homes are already approved - all of which exit onto the A43.

Problems on the M1 and A45 lead to Collingtree village being used as a 'rat run' the same is likely to happen at Milton Malsor if the freight terminal goes ahead. This 'rat running' will become more dangerous when the size of HGV's on British roads is increased under the EU law that is now being considered.

During construction of the rail terminal, site traffic will add problems to the local road system, to which access is difficult; a temporary connection to the A43 would be needed.

Pipeline.

There is a major infrastructure, gas and petroleum pipeline which passes through or close to the site, with a ground level depot at Gayton.

Agriculture and Wildlife.

The terminal would swallow up good quality arable land that has been continuously farmed for centuries. Ancient hedgerows will be rooted out with a detrimental effect on already diminishing wildlife.

There are Badgers living on the proposed site area and, possibly, Great Crested Newts in the wetlands by the stream, and bats in the farm buildings.

Flooding.

Milton Malsor village was flooded in 1998. Since that time there has been further development in the catchment and increased run off.

There is concern that the proposed rail freight terminal and attached warehousing will add significant run off to the existing stream through the village, which then flows into the Wootton brook and will increase risk of flooding in West Hunsbury.

There is concern that developers may plan to syphon additional run off into the Grand Union Canal and upset its balance.

After the recent flooding Government has asked for a review of the UK's Flood Defence; the results of this review needs to be taken account of.

Conclusion

- 1) Milton Malsor Parish Council cannot see any valid reason for assessing the proposed site when it has already been rejected by the adopted West Northants Joint Core Strategy which is valid until 2029.
- 2) The nearby DIRFT 3 Rail Freight Terminal will not come into full capacity for 17 more years. THEREFORE, WHY IS ANOTHER TERMINAL BEING EVALUATED?
- 3) Planning policy has centred on not allowing Northampton town to spread west across the M1; the proposed RFT would override this fundamental policy and be a precedent for unchecked spread into the open countryside.
- 4) It is important that the EIA covers not only the proposed Rail Freight Terminal but includes the effect of the extensive warehousing that accompanies it.
- 5) The Council trusts that the above points will be considered in the EIA.

Yours sincerely,

Ann Addison

Mrs A. Addison
Clerk to Milton Malsor Parish Council
On behalf of Council Members

NOTES:
 SUBJECT TO STATUTORY CONSENTS
 SUBJECT TO SURVEY
 BASED ON AIR PHOTOGRAPHY PRODUCED BY PHOTOGRAPHY OF COURTESY OF THE METROPOLITAN POLICE (MPP) (DRAWING: 2100065)
 COPYRIGHT RESERVED
 DO NOT SCALE THIS DRAWING
 DO NOT USE ELECTRONIC VERSIONS OF THIS DRAWING TO DETERMINE DIMENSIONS UNLESS SPECIFICALLY AUTHORIZED BY MICHAEL SPARKS ASSOCIATES
 IF USED AN ELECTRONIC VERSION OF THIS DRAWING, CHECK ORIGINALS TAKE PRECEDENCE AND NOTIFY MICHAEL SPARKS ASSOCIATES OF ANY DISCREPANCIES



LEGEND
 NEW RAILWAY ARRANGEMENT.
 BASED ON AIR PHOTOGRAPHY PRODUCED BY PHOTOGRAPHY OF COURTESY OF THE METROPOLITAN POLICE (MPP) (DRAWING: 2100065)

AREA SCHEDULE
 GIA

	sqm	sqft
1	92,495	995,615
2	75,187	809,315
3	67,270	724,095
4	76,535	813,060
5	44,353	477,415
6	62,519	672,950
7	38,195	411,130

UNITS 1-7 TOTAL **455,554** **4,903,680**

	sqm	sqft
8	28,836	310,390
9	67,804	722,205
10	51,241	551,560
11	41,968	451,740
12	31,592	339,945
13	21,301	229,280

UNITS 7-12 TOTAL **232,732** **2,605,120**

TOTAL FLOOR AREA **688,286** **7,408,700**

A	28-09-15	UNIT NUMBERS UPDATED	FF	MS
REV	DATE	NOTE	DRW	CHK

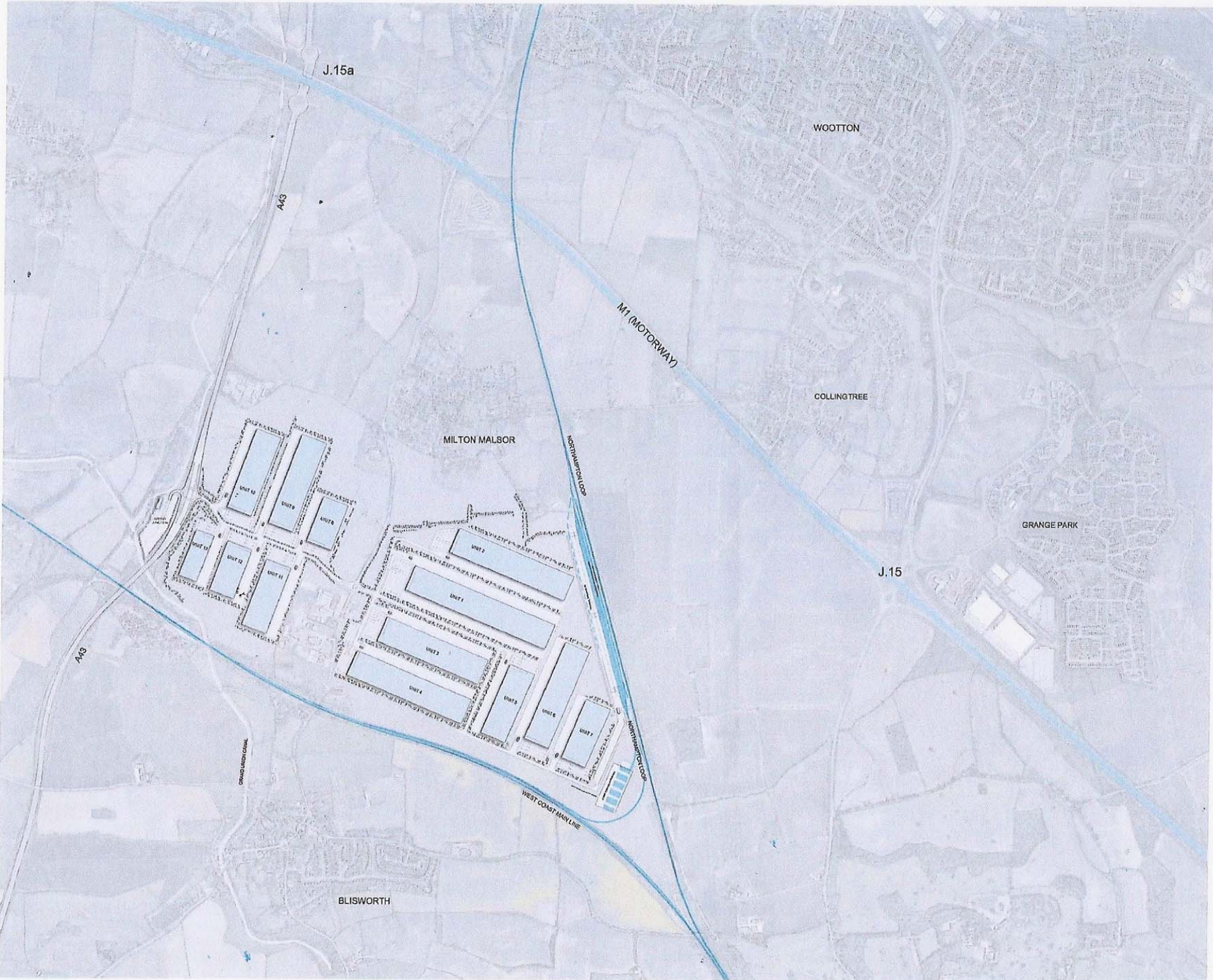


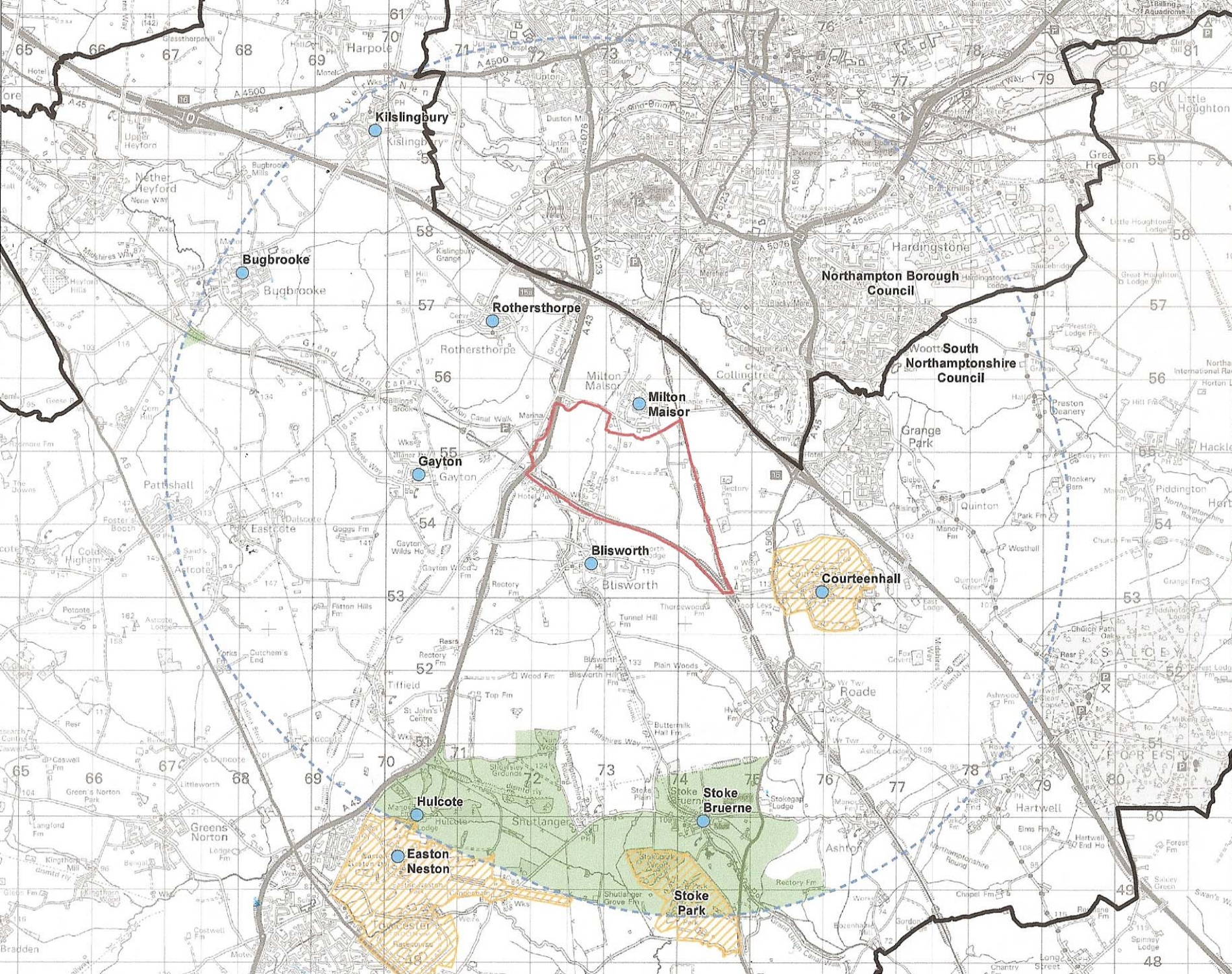
MICHAEL SPARKS ASSOCIATES
 CHARTERED ARCHITECTS
 11 PLATO PLACE
 BUCKINGHAM ROAD
 LONDON W4 4TU
 TELEPHONE: 020 7750 8842
 FAX: 020 7750 2518
 WWW.MICHAELSPARKS.CO.UK



ASHFIELD LAND

TITLE
RAIL CENTRAL
 DRAWING
MASTERPLAN
 CLIENT
ASHFIELD LAND
 DATE
SEPT 2015 SCALE
NTS DRAWN
PF
 STATUS
FEASIBILITY CHECKED
MSIGZ
 DRAWING NUMBER
30708-FE-29A





- Site Boundary
 - Local Authority Boundary
 - 5km Study Area
 - Registered Park and Gardens
 - Conservation Areas
- South Northamptonshire Policy:**
- Tove Valley Special Landscape Area (Within 5km Study Area)

Notes:-
 This map contains data from the following sources:-
 Historic England (29-04-2015)
 Natural England (29-04-2015)
 South Northamptonshire Council
 Coordinate System: British National Grid
 Projection: Transverse Mercator
 Datum: OSGB 1936
 Units: Meter

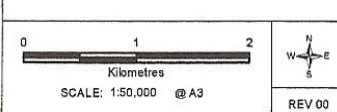


Rev	Date	Description	Drn	Chk	App
00	09/12/2015	First Draft	DR	JM	CF

Armtrack



TITLE: Appendix 2:
Landscape Policy and Designations



Land and Development Group

Vicky Stirling
DCO Liaison Officer
Network Engineering
vicky.stirling@nationalgrid.com
Direct tel: +44 (0)1926 653746

www.nationalgrid.com

SUBMITTED VIA EMAIL TO: environmentalservices@pins.gsi.gov.uk

17 December 2015

Dear Sir/Madam,

Application by Ashfield Land Management Limited for an Order Granting Development Consent for the Rail Central Strategic Rail Freight Interchange

This is a joint response by National Grid Electricity Transmission plc (NGET) and National Grid Gas plc (NGG)

I refer to your letter dated 14th December 2015 regarding the above proposed application. Having reviewed the scoping consultation documents, I would like to make the following comments:

National Grid Infrastructure within or in close proximity to the Proposed Order Limits

National Grid Electricity Transmission and National Grid Gas Transmission

National Grid Electricity Transmission and National Grid Gas Transmission have no assets located within or in close proximity to the proposed Order limits.

National Grid Gas Distribution

National Grid has the following gas distribution assets located within and in close proximity to the proposed order limits:

- Medium pressure
- Low pressure

Specific Comments – Gas Infrastructure

The following points should be taken into consideration:

- National Grid has a Deed of Grant of Easement for each pipeline, which prevents the erection of permanent / temporary buildings, or structures, change to existing ground levels, storage of materials etc.

Pipeline Crossings:

National Grid is a trading name for:
National Grid Electricity Transmission plc
Registered Office: 1-3 Strand, London WC2N 5EH
Registered in England and Wales, No 2366977

National Grid is a trading name for:
National Grid Gas plc
Registered Office: 1-3 Strand, London WC2N 5EH
Registered in England and Wales, No 2006000

- Where existing roads cannot be used, construction traffic should ONLY cross the pipeline at previously agreed locations.
- The pipeline shall be protected, at the crossing points, by temporary rafts constructed at ground level. The third party shall review ground conditions, vehicle types and crossing frequencies to determine the type and construction of the raft required.
- The type of raft shall be agreed with National Grid prior to installation.
- No protective measures including the installation of concrete slab protection shall be installed over or near to the National Grid pipeline without the prior permission of National Grid.
- National Grid will need to agree the material, the dimensions and method of installation of the proposed protective measure.
- The method of installation shall be confirmed through the submission of a formal written method statement from the contractor to National Grid.
- Please be aware that written permission is required before any works commence within the National Grid easement strip.
- A National Grid representative shall monitor any works within close proximity to the pipeline to comply with National Grid specification T/SP/SSW22.
- A Deed of Consent is required for any crossing of the easement

Cables Crossing:

- Cables may cross the pipeline at perpendicular angle to the pipeline i.e. 90 degrees.
- A National Grid representative shall supervise any cable crossing of a pipeline.
- Clearance must be at least 600mm above or below the pipeline.
- Impact protection slab should be laid between the cable and pipeline if cable crossing is above the pipeline.
- A Deed of Consent is required for any cable crossing the easement.
- Where a new service is to cross over the pipeline a clearance distance of 0.6 metres between the crown of the pipeline and underside of the service should be maintained. If this cannot be achieved the service shall cross below the pipeline with a clearance distance of 0.6 metres.

General Notes on Pipeline Safety:

- You should be aware of the Health and Safety Executives guidance document HS(G) 47 "Avoiding Danger from Underground Services", and National Grid's specification for Safe

Working in the Vicinity of National Grid High Pressure gas pipelines and associated installations - requirements for third parties T/SP/SSW22.

- National Grid will also need to ensure that our pipelines access is maintained during and after construction.
- Our pipelines are normally buried to a depth cover of 1.1 metres however; actual depth and position must be confirmed on site by trial hole investigation under the supervision of a National Grid representative. Ground cover above our pipelines should not be reduced or increased.
- If any excavations are planned within 3 metres of National Grid High Pressure Pipeline or, within 10 metres of an AGI (Above Ground Installation), or if any embankment or dredging works are proposed then the actual position and depth of the pipeline must be established on site in the presence of a National Grid representative. A safe working method agreed prior to any work taking place in order to minimise the risk of damage and ensure the final depth of cover does not affect the integrity of the pipeline.
- Excavation works may take place unsupervised no closer than 3 metres from the pipeline once the actual depth and position has been confirmed on site under the supervision of a National Grid representative. Similarly, excavation with hand held power tools is not permitted within 1.5 metres from our apparatus and the work is undertaken with NG supervision and guidance.

To view the SSW22 Document, please use the link below:

<http://www2.nationalgrid.com/uk/Safety/library/>

To download a copy of the HSE Guidance HS(G)47, please use the following link:

<http://www.hse.gov.uk/pubns/books/hsg47.htm>

Further information in relation to National Grid's gas transmission pipelines can be accessed via the following internet link:

<http://www.nationalgrid.com/uk/LandandDevelopment/DDC/gastransmission/gaspipes/>

Further Advice

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

Where the promoter intends to acquire land, extinguish rights, or interfere with any of National Grid apparatus, whether resulting in extinguishment or diversion and/or within public highway or third party land, protective provisions will be required in a form acceptable to it to be included within the DCO.

National Grid requests to be consulted at the earliest stages to ensure that the most appropriate protective provisions are included within the DCO application to safeguard the integrity or re-provision of our apparatus and to remove the requirement for objection. All

consultations should be sent to the following: box.landandacquisitions@nationalgrid.com as well as by post to the following address:

The Company Secretary
1-3 The Strand
London
WC2N 5EH

In order to respond at the earliest opportunity National Grid will require the following:

- Draft DCO including the Book of Reference and relevant Land Plans
- Shape Files or CAD Files for the order limits

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

The information in this letter is provided notwithstanding any discussions taking place in relation to connections with electricity or gas customer services.

Yours sincerely



Vicky Stirling

Date: 11 January 2016
Our ref: 174253
Your ref: 151214_TR050004_3550715



Hannah Pratt
Senior EIA and Land Rights Advisor

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

BY EMAIL ONLY

Dear Hannah

Environmental Impact Assessment Scoping consultation (Regulation 15 (3) (i) of the EIA Regulations 2011): Rail Central Strategic Rail Freight Interchange
Location: South of Milton Malsor north of Blisworth Northamptonshire

Thank you for seeking our advice on the scope of the Environmental Statement (ES) in your consultation dated 14 December 2015.

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 law¹ and guidance² 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 Ross Holdgate on 0300 060 4657. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely

Ross Holdgate
West Anglian Team

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

² *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

Schedule 4 of the Town & Country Planning (Environmental Impact Assessment) Regulations 2011, sets 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 (eg designated Special Areas of Conservation and Special Protection Areas) fall

within the scope of the Conservation of Habitats and Species Regulations 2010. 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 61 of the Conservation of Habitats and Species Regulations 2010 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 partially within Roade Cutting SSSI. This site is notified for its geological interest.
- The development site is approximately 6km from the Upper Nene Valley Gravel Pits SSSI and Special Protection Area. Although separated by some distance there may be scope for impacts if the development site forms supporting habitat for the notified bird populations, i.e. it could be used as a feeding habitat by overwintering golden plover populations associated with the SPA.
- Further information on these SSSI and their special interest features can be found at 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 these sites 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 2010

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 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 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.
- 2 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. Natural England Technical Information Note 049 - [Agricultural Land Classification: protecting the best and most versatile agricultural land](#) also contains useful background information.

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 provided 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](#).

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). 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. Contribution to local environmental initiatives and priorities

The applications site is partially within the Nene Valley which aims to create a more resilient ecological network, focusing on river corridors. There may be opportunities through this development proposals for habitat creation which contribute to the aims of the NIA.

9. 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.



Hannah Pratt
Senior EIA and Land Rights Advisor
Major Applications and Plans,
The Planning Inspectorate,
Temple Quay House,
Temple Quay,
Bristol,
BS1 6PN

Square One, 4 Travis Street
Manchester, M1 2NY
Tel: 0161 880 3597
jill.stephenson@networkrail.co.uk

Date: 11 January 2016

Dear Ms Pratt

Network Rail Response to the Rail Central Strategic Rail Freight Interchange EIA Scoping Notification and Consultation

Thank you for the opportunity to comment on the Scoping Opinion for the proposed "Rail Central Strategic Rail Freight Interchange" at Milton Malsor.

This proposal impacts on the rail network and includes land within Network Rail's ownership. Therefore the impact on the rail network should inform the Scoping Opinion.

Network Rail runs, maintains and develops Britain's rail tracks, signalling, bridges, tunnels, level crossings and a number of key stations. One of our most important responsibilities is to continually improve how we plan and run the rail network as it becomes increasingly busy. It's important that all proposals for new connections to the network are fully assessed in terms of existing and future capacity and timetabling.

The proposal is located on the West Coast Main Line between the main (fast) lines and the Northampton Loop with proposed connections to both. The West Coast Main Line is a key strategic route which is very busy and reaching full capacity. Demand is increasing for both freight and passenger traffic and there is competing demand for capacity on this route.

Network Rail previously worked with Ashfield Land during 2013 to review high level feasibility work carried out by Ashfield Land's rail consultant in relation to capacity and the proposed connection arrangements. This study was theoretical and did not consider the effects on performance of the proposal or whether the proposed freight traffic could be accommodated on the network beyond the immediate study area. It was also noted that there is no guarantee that freight train paths would be allocated as industry processes for the allocation of access rights continue to apply.

Next steps and key risks were identified at the conclusion of the feasibility study to enable the viability of the proposal to be understood. Reference documents (meeting slides dated 8th Nov 2013, notes of 8th November 2013 meeting, and letter to Ashfield Land 6th December 2013) are included with this letter.

Considering that there is a need for further feasibility work, the scoping document is silent on the impact of the proposal on the rail network. Given that this is a key risk, Chapter 17 (Highways and Transportation) needs to be expanded to consider the full impact of the proposal on the existing and future rail network both in terms of capacity and timetabling, with a detailed study scope to be agreed with Network Rail.

Given that the location of the proposal is predicated on rail connectivity and the primary aim of the proposal is modal shift, detailed assessment of the impact of the proposal on the rail network at this early stage is crucial.

I trust that this response will assist in shaping the additional assessments required to support the DCO Application. Should you have any queries please don't hesitate to contact me.

Yours sincerely

Jill Stephenson
Town Planning Manager LNW
Network Rail

Encl:
Meeting slides dated 8th Nov 2013,
Notes of 8th November 2013 meeting,
Letter to Ashfield Land 6th December 2013

Milton Malsor SRFI

GRIP stages 1 to 2 review

08 November 2013

Welcome



Ashfield Land



MDS Transmodal

NetworkRail



Welcome

Ashfield Land Developments

MDS Transmodal

MDS Transmodal

Network Rail, National Freight Team

Network Rail, LNW Route Operations

Network Rail, Group Strategy

Network Rail, Group Strategy

Agenda

- Welcome & introductions
- Background on Milton Malsor
 - Location
 - Rail connection
- Progress review
 - Timetable proposal
 - Asset review
 - Operational review
 - Engineering access
- Next steps
- Risks
- Network Rail's GRIP process

Location



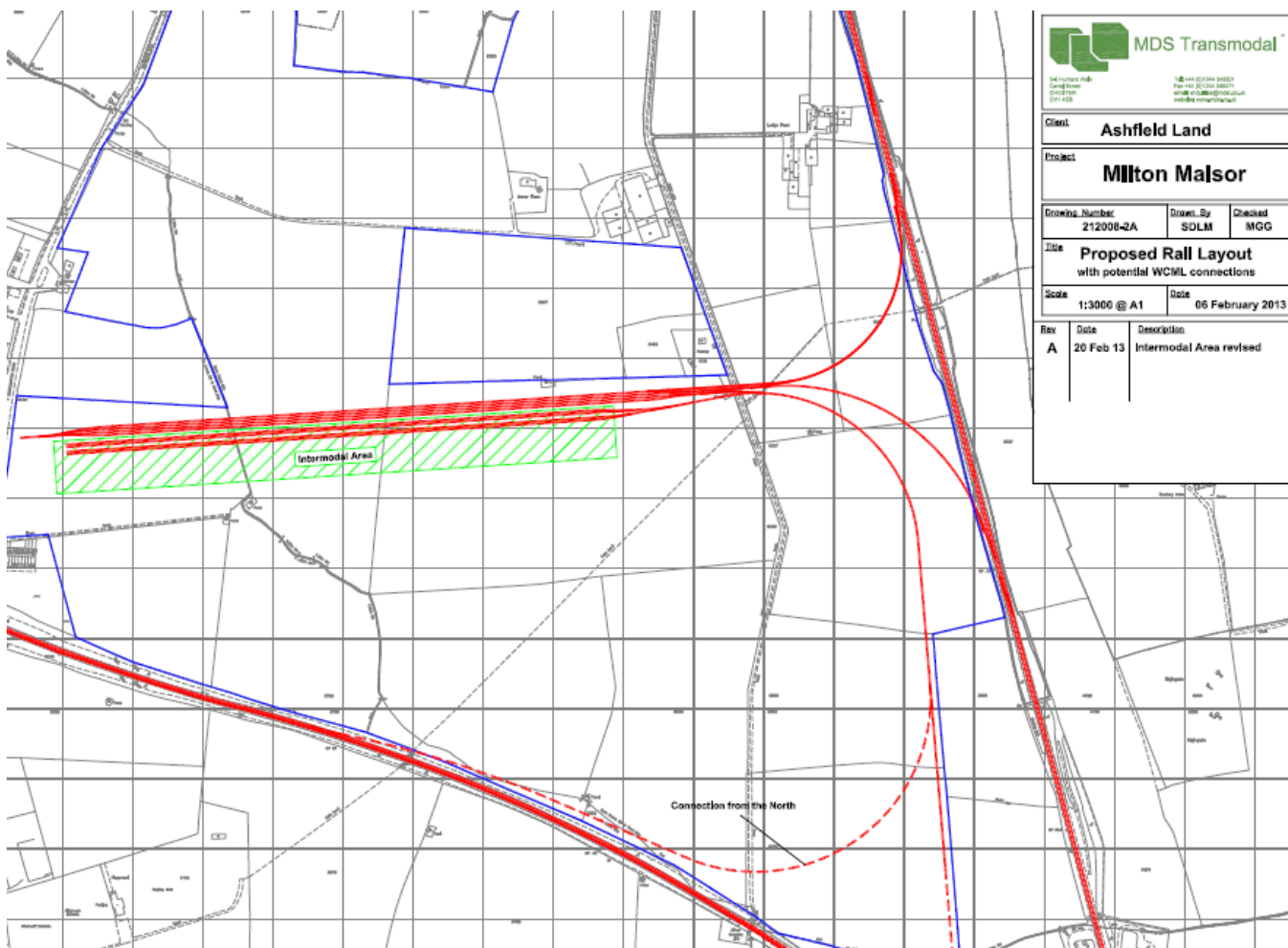
Milton Malsor

WCML South: the most intensively used main line in Europe

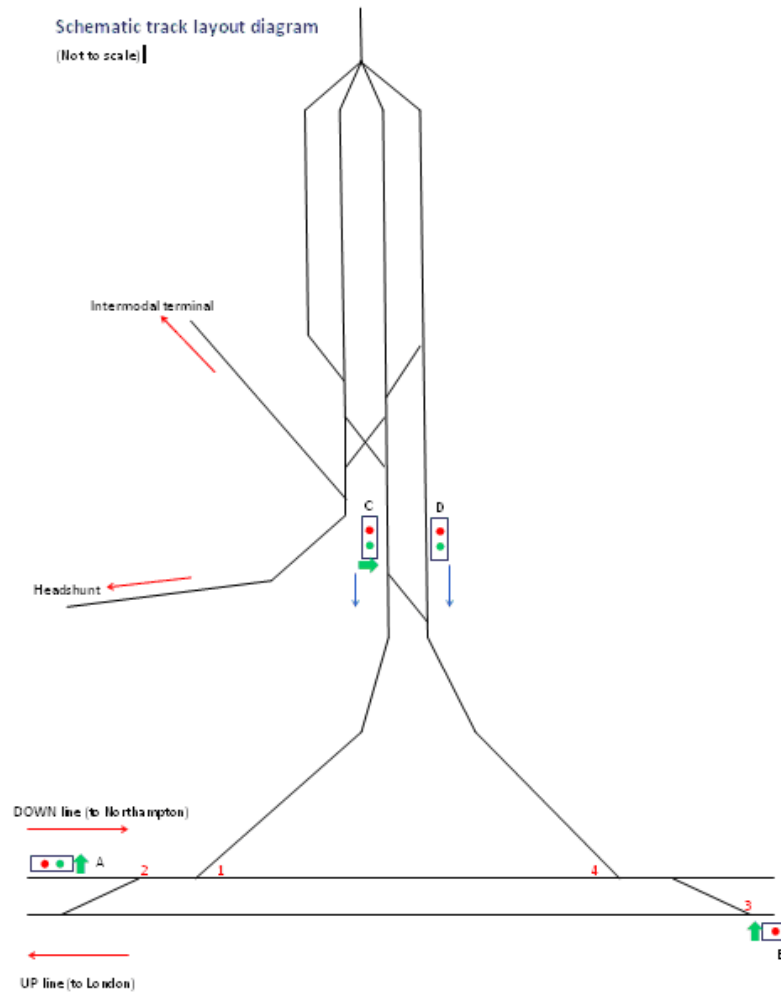
WCML
London Euston to Glasgow
399 miles

WCML South
(highlights only)

Milton Malsor rail connection plan



Milton Malsor – track plan



MDS Transmodal proposal
(concept only)

Background

Network Rail's understanding of what we were asked to do

- Ashfield Land proposal for a strategic rail freight interchange at Milton Malsor, Northamptonshire.
- Rail requirement for a connection to the West Coast Main Line (WCML) slow lines between Northampton and Hanslope Jn. *See maps*
- MDS Transmodal study on behalf of Ashfield Land
 - a capacity analysis report
 - proposed track layout & connection arrangement with the national rail network
 - method of train operation and control
- Network Rail to provide comment upon the proposals contained in the submitted documents.

Progress update

Results of Basic Services Agreement.

1. Timetable study
2. Asset review. Interfacing with national rail network
 - Track
 - Signalling and control of train operations
 - Civil engineering
 - Electrification & power
3. Engineering Access.

1. *Timetable study*

Network Rail reviewed the MDS report.

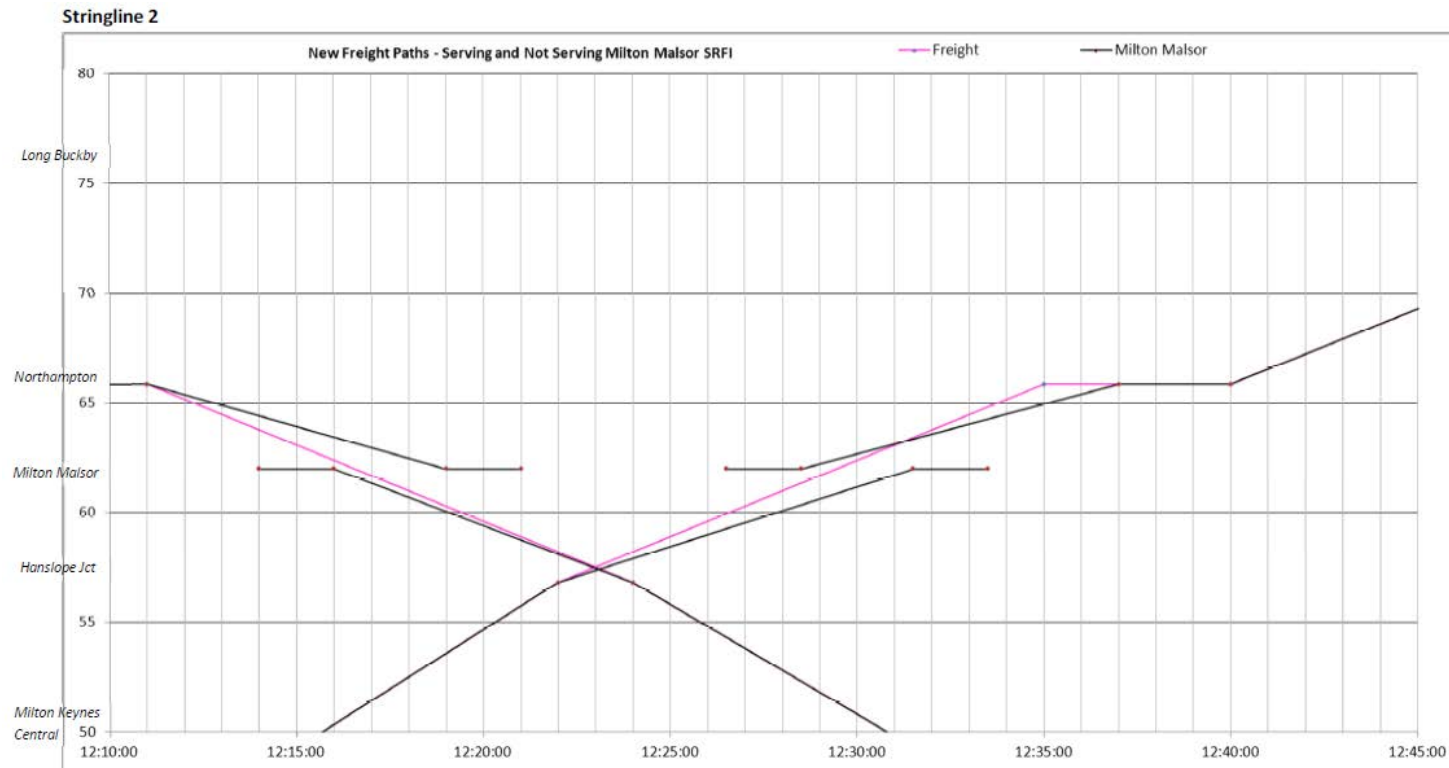
Main points:

- demonstrated there is theoretical capacity within the current timetable structure on the WCML for the required freight paths to / from the SRFI.
- 1 path northbound; 1 path southbound in alternate off peak hours
- scoped between Nuneaton and Wembley only.
- some assumptions may need further investigation/updating
 - East West Rail (*2010 information – out of date*)
 - DIRFT forecast train paths following DIRFT expansion
 - ecs moves to / from Kings Heath train depot

1. *Timetable performance/resilience*

- study has not looked into the potential effects of delay that the Milton Malsor operation may impose on other rail services using the WCML. It is recognised that the WCML is a very busy route and is reaching its full capacity.
 - the effects of perturbation should be investigation at an early stage
- additional 4 x VT passenger services
 - now declined access by NR
 - decision supported by ORR
- simultaneous freight train arrival and departures.
 - assess the impact this proposed method of working may have upon train operations on Network Rail owned infrastructure. *See next slide.*

Train path sharing proposal



A novel idea requiring synchronised train management

MDS Transmodal proposal
(concept only)

Perturbation

Dictionary definition:-

- a deviation of a system, moving object, or process from its regular or normal state or path, caused by an outside influence.

Railway:-

- operation of a transport system outside of timetable such that delays in arrival and departure from defined locations are present

Ease of recovery from perturbation.

Affect on other rail traffic

Performance risk to other services operating on the WCML.

- Assure that the additional freight traffic will not have a detrimental impact on the journeys of millions of passengers and also other freight services.

Challenging route punctuality targets for Network Rail.

- Significant financial penalty for Network Rail.

2. Asset review

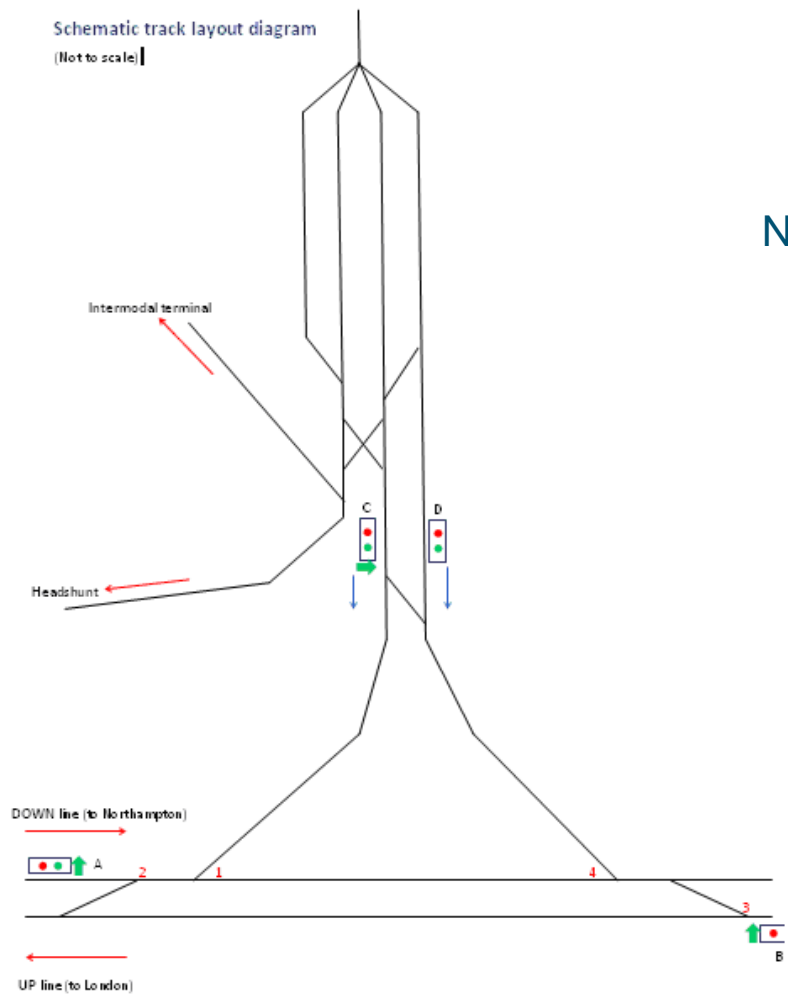
Connecting Milton Malsor to the national rail network.

Impact on existing railway assets

Operational thoughts

Discussion - please refer to handout.

Signalling interface – initial proposal

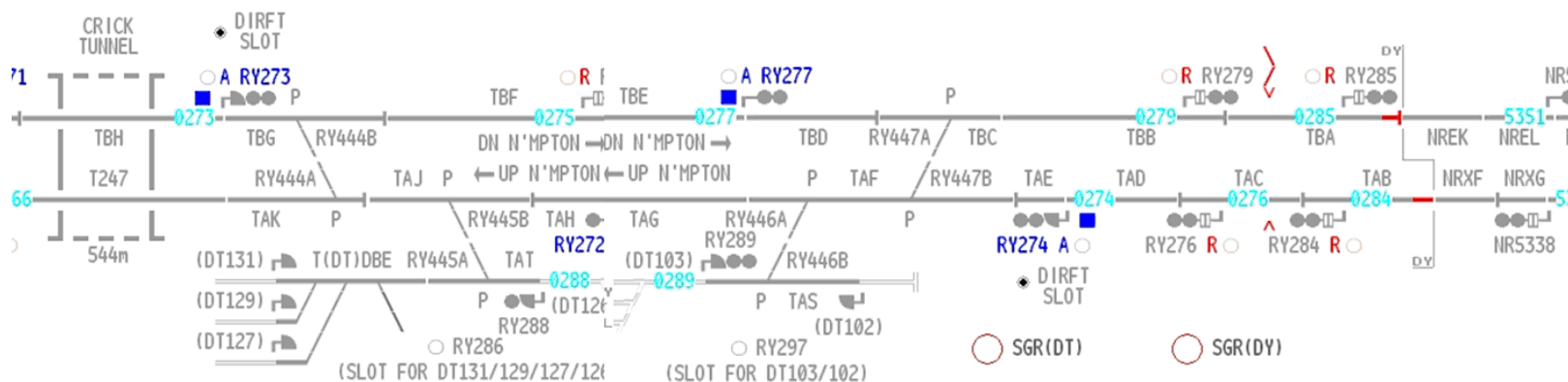


Not recommended by
Network Rail

MDS Transmodal proposal
(concept only)

Signalling interface – preferred option

Proven DIRFT slotted signal interface process



Network Rail preferred option
(concept only)

3. *Engineering Access*

To maintain, renew and enhance the railway engineering work has to be permitted.

- disruptive possession plans can significantly impact planned train services.
- occur mainly at weekends or during the night/early morning.
- capacity constraint
 - SLW, slow or fast lines blocked
- occasional lengthy blockade.
- Train operators notified of draft intent at least 28 weeks in advance.

Next steps

1. Network Rail letter to Ashfield Land, 17 October 2013.
2. Performance study for WCML. Proof that a degraded WCML operation will work.
 - Simulate and evaluate perturbed situations
3. Assure the novel ‘synchronised’ train arrival / departure will function in a real world operation.
4. Evidence the proposed freight traffic will fit onto the network beyond the scoped study area.

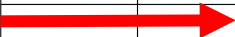
Risk

- Completion of the additional GRIP stage 2 study requirements may determine the scheme would not be a practical proposition.
 - Potential issues: route capacity, impact on route performance, other?
Possible mitigation:
- The scheme may be determined not be a practical proposition at a later GRIP stage.
 - Potential issues: route capacity, impact on route performance, other?
Possible mitigation:
- There is no guarantee that freight train paths would be allocated.
 - Potential issues: Other train operators, other issues?
Possible mitigation: Initiate early enquiry with the train planners once a robust scheme is available.
- Other train operators have to be consulted at a later stage and may object to the scheme.
 - Potential issues: Network Change process, other issues?

GRIP – Milton Malsor

Governance for Railway Investment Projects

Managing investment projects: The project lifecycle

	Output definition	Pre-feasibility	Option selection	Single option development	Detailed design	Construction, testing & commissioning	Scheme hand-back	Project closeout
GRIP stage	1	2	3	4	5	6	7	8
								

- **GRIP stage 1 *Output definition***

Project validation and securing the authority to initiate. identify what the outputs of the project will be and how they may be achieved.

- **GRIP stage 2 *Pre feasibility***

address the detailed strategy of how to deliver the project outputs.

- **GRIP stage 3 *Option Selection***

examine the different engineering options available for delivering the project and selects a single option to be developed

Meeting handouts

1. NR letter to Ashfield Land 17 October 2103
2. Asset management summary
3. Operations summary
4. ORR decision letter on VT additional services

Documents will be released during the relevant part of the meeting

Minutes of Meeting
Proposed SRFI Development at Milton Malsor

Close Out Meeting with the Client
08 November 2013, The Mailbox, Birmingham

Attendees:

Client:

██████████, Ashfield Land Developments
██████████ MDS Transmodal
██████████ MDS Transmodal

Network Rail

██████████ Network Rail, National Freight Team
██████████ Network Rail, LNW Route Operations
██████████ Network Rail, Group Strategy
██████████ Network Rail, Group Strategy

Minutes:

1. The meeting was intended to be a closure event following Network Rail's letter to the Client on 17 October 2013. ██████ presented a series of slides to the client explaining the progress so far with this GRIP stage 1 to 2 study. Refer to the attached slides.

During the meeting the Client was presented with the following documents:-

- a). a review of railway operations
 - b). a review on the affects of asset management.
 - c). The ORR's decision to support Network Rail's decision on declining VT's four additional services
2. As an overview the Client's study work and final versions of documentation to described the proposed method of operation and connection to the WCML was determined to be acceptable by Network Rail.

However, there are issues that Network Rail requested further analysis work to be undertaken by the Client before Network Rail could decide if they are able to support the SRFI development

3. Network Rail ██████ requested the Client to produce evidence that would assure Network Rail that the introduction of the freight trains to and from Milton Malsor would not negatively impact on the performance of the WCML South route.
4. The Client's representative ██████ argued that a performance study was unnecessary as the national SFN freight forecasts are produced by MDS Transmodal, accepted by Network Rail in their LTPP and therefore will not cause a route performance issue.

██████ advised the Milton Malsor freight services are included within the 2030 SFN and that the freight market study, as a public facing document, was published by Network Rail last Thursday.

██████ also advised that a more detailed and internal SFN has been produced by Network Rail.

██████ stated he was not comfortable with the SFN argument and that a

Minutes of Meeting
Proposed SRFI Development at Milton Malsor

performance study would still be necessary. However, the MDS Transmodal logic was accepted by [REDACTED] and [REDACTED].

5. The Client ([REDACTED]) has requested a letter from Network Rail stating their support for the Milton Malsor project. This request was accepted by [REDACTED] and [REDACTED].

The Client intends to present the letter to the Highways Agency.

6. Proposed that the Client will formally write to Network Rail to request a letter of support.
7. The Client also requested a copy of the 'Network Agreement'.

[REDACTED]
[REDACTED]
11 November 2013.



[REDACTED]
Ashfield Land Management Limited,
St Catherine's Court,
Berkeley Place,
Clifton,
Bristol
BS81BQ

Network Rail,
The Mailbox,
100Wharfside Street,
Birmingham
B11RT

T [REDACTED]

06 December 2013

Dear [REDACTED]

Thank you for meeting with Network Rail on the ath November to discuss and review progress of the Milton Malsor Strategic Rail Freight Interchange (SRFI) scheme at GRIP stage 2. Our meeting was in response to my letter, dated 17th October 2013.

At the meeting MOS Transmodal tabled the new Network Rail document '*Long Term Planning Process: Freight Market Study*', dated October 2013 (available to the public from 4th November 2013). This study has looked at the overall freight market in Great Britain and has produced unconstrained demand forecasts for freight over a 10, 20 and 30 year planning horizon. The study includes preferred routing of services and the implied requirements in terms of network capacity and capability.

Since then I have also been in receipt of two additional papers supplied by MOS Transmodal:-

1. '*Milton Malsor SRFI Project: Wider Context*', dated 12th November,
2. '*Ashfield Land: Proposed SRFI at Milton Malsor*', dated 28th November.

As identified at the meeting on ath November, train performance on the WCML is a challenging business risk and minimising train delay is crucial. Network Rail would therefore expect connectivity of the Milton Malsor SRFI to the national railway system, by design, to be such that train access and egress would not impact on the timely operation of the prevailing timetable.

Additionally, there are capacity issues on the southern section of the West Coast Main Line (WCML) which is a route reaching its maximum capacity. There is limited scope to accommodate growth at an acceptable level of performance. For this reason Network Rail must carefully manage the scarce pathing capacity over the southern end of the WCML, in line with demand forecasts from the Freight Market Study and the Route Utilisation Study, as updated from time to time.

Acknowledging that intermodal services in the Northampton area are indeed recognised in the new freight market study we still require detailed evidence that additional freight services to Milton Malsor can be accommodated, in particular prior to the opening of HS2, without imposing a detrimental performance effect on other rail traffic.

Although HS2 is not a Network Rail scheme one of the benefits presented by the proposed high speed rail network should be to relieve capacity on the WCML. The current plan for the high speed line between London and the Midlands indicates that it is likely to open to traffic around the year 2026, subject to consents. At this point in time there should be greater opportunity for new train services on the WCML, including freight.

In summing up, and subject to the above mentioned capacity and performance issues, I can now advise that Network Rail has no objection in principle to the developer of the Milton Malsor scheme deciding to progress to GRIP stage 3 (option selection), and at the promoter's risk. Please also note that this letter does not confer access rights to train paths, as industry processes will continue to apply.

Yours sincerely,



Electronic copy to :-





NORTHAMPTON
BOROUGH COUNCIL

Planning Department
The Guildhall
St Giles Square
Northampton. NN1 1DE

Tel: 0300 330 7000
Fax: (01604) 838795
Minicom: (01604) 838970

E-Mail: planning@northampton.gov.uk

PINS RECEIVED

07 JAN 2016

Hannah Pratt
The Planning Inspectorate
3/18 Eagle Wing
Temple Quay House
The Square
Bristol
BS1 6PN

Our ref. 151214_TR05004_3550715
Your ref. N/2015/1408

Officer: David Rowen
email: drowen@northampton.gov.uk
Telephone: 01604 838618

Date: 06 January 2016

Dear Madam

Re: Application by Ashfield Land Management Ltd for an Order Granting Development Consent for the Rail Central Strategic Rail Freight Interchange.

I refer to your letter of 14 December 2015 concerning the request for a Scoping Opinion in connection with the above.

I wish to confirm that the Borough Council is generally satisfied with the proposed scope of the information to be provided in an environmental statement. I would however draw attention to the Air Quality Management Area along the M1 between Junctions 15 and 16.

Yours faithfully,

Steven Boyes
Director – Regeneration, Enterprise & Planning

From: [Chris Wragg](#)
To: [Mark Chant](#); [Environmental Services](#)
Cc: [Heather Webb](#); ["RSim-Jones@kierwsp.co.uk"](mailto:RSim-Jones@kierwsp.co.uk); [Lesley-Ann Mather](#); [Penny Mould](#); [Ben Hunter](#); [Roy Boulton](#)
Subject: RE: FAO Hannah Pratt - Scoping Consultation Response: 151214_TR050004_3550715
Date: 07 January 2016 10:18:44

Hannah

In addition to the comments that Mark has made, from a wider transport perspective (rather than just our role as highway authority) we were surprised to see that the Highways and Transport scoping for a rail freight terminal makes no reference to rail capacity and access issues. We assume that you have been in contact with Network Rail and that they have provided you with appropriate comments regarding their expectations. However, we would expect that because of the significant impacts that construction of HS2, the analysis would need to take account of the emerging conclusions of the study work that Network Rail is undertaking looking at capacity and usage of the southern section of the West Coast Main Line once HS2 is open.

Regards

Chris

Chris Wragg
Team Leader, Transport Planning
Northamptonshire Highways
Northamptonshire County Council
Riverside House
Riverside Way
Northampton
NN1 5NX

E-mail cwragg@northamptonshire.gov.uk

Tel 01604 364411

Fax 01604 364455

www.northamptonshire.gov.uk



From: Mark Chant
Sent: 07 January 2016 08:16
To: 'environmentalservices@pins.gsi.gov.uk'
Cc: Heather Webb; Chris Wragg; 'RSim-Jones@kierwsp.co.uk'; Lesley-Ann Mather; Penny Mould; Ben Hunter; Roy Boulton
Subject: FAO Hannah Pratt - Scoping Consultation Response: 151214_TR050004_3550715

Hannah

Northamptonshire County Council has the following biodiversity related comments to make in relation to the scoping consultation on the application by Ashfield Land Management Limited for the Rail Central Strategic Freight Interchange:

- Out of date county flora is being used: the 2012 edition should be being used.
- Important arable plants should be scoped in. Detailed surveys should not be needed over much of the site but there are likely to be some field margins – especially in less intensively-managed fields – which have them.

We have no other comments to make.

regards

Mark

Mark Chant | Head of Planning Services | 01604 366831 | Planning Services, Northamptonshire County Council,
County Hall, Guildhall Road, Northampton NN1 1DN

This email was scanned by the Government Secure Intranet anti-virus service supplied by Vodafone in partnership with Symantec. (CCTM Certificate Number 2009/09/0052.) In case of problems, please call your organisations IT Helpdesk. Communications via the GSI may be automatically logged, monitored and/or recorded for legal purposes.

This e-mail and any files transmitted with it are intended solely for the use of the individual or organisation to whom they are addressed. If you have received this e-mail in error, please notify the sender either by return of e-mail or by ringing the County Council's main switchboard on (0)300 1261000.

The information contained in this e-mail and in your reply may be subject to disclosure under the Freedom of Information Act 2000 or other legislation and its confidentiality cannot be guaranteed.

This e-mail has been checked for the presence of computer viruses.
Northamptonshire County Council. <http://www.northamptonshire.gov.uk>

From: Henley Sharon [mailto:sharon.henley@northants.pnn.police.uk]
Sent: 08 January 2016 15:56
To: Environmental Services
Cc: Mitchell Adey (Fire Service); Johnson Mike (SRT)
Subject: Rail Central Strategic Rail Freight Interchange EIA Scoping Notification and Consultation

For the attention of Hannah Pratt

- "As part of the application for the scoping opinion I require the applicant to address the issues of crime and disorder which will arise as a result of this development within the section on socio-economic impacts. The applicant should indicate how such adverse effects will be mitigated by the application of the principles of Crime Prevention Through Environmental Design, an adherence to the key principles contained within the SPG on Planning out Crime, a willingness to develop both the site and the HGV lorry park to independently approved secure standards such as Secured by Design and Park Mark and compliance with policy S10 of the WNJCS. An awareness of the levels of crime on similar sites such as DIRFT and levels of crime associated with HGV's can provide base line data and this is available from the CPDA"
- In addition in the chapter 17 Highways and Transport the applicant should include the impact this development will have on diversionary routes such as the A5, the impact of the interlinkage with the existing and proposed industrial estates. When this is developed there will be major industrial development off every junction of the M1 as it travels through the county. The impact of the traffic this will generate plus that generated by events at Silverstone such as the Grand Prix should also be included and therefore the potential area of assessment as shown in Appendix 9 should be widened. The applicant should show how the impact of additional traffic on the existing road network will be mitigated.
- Northamptonshire Fire and Rescue Service's Chief Officer Adrian Davis requires a formal consultation at each stage of this development. This can be via Northamptonshire Police's CPDA Mrs Henley.

Sharon Henley | Crime Prevention Design Adviser, AdCertED&CP, (Covering Northampton, South Northants and Daventry District) | Prevention and Community Protection Department
Tel 101 | Ext 344331 | Mobex 777530 | Mobile 0755 7776223 | Fax 01327 303284
sharon.henley@northants.pnn.police.uk
Towcester Police Station, Watling Street, Towcester, Northamptonshire, NN12 6DE
If calling from outside Northamptonshire please dial 03000111222

Northamptonshire Police: Putting Communities First

NORTHAMPTONSHIRE POLICE - Visit us at <http://www.northants.police.uk>

This message may contain privileged and confidential information. If you are not the intended recipient, unauthorised use or disclosure may be unlawful. If you have received this message in error, please notify the sender immediately.

The information contained in this e-mail, and in your reply, may be subject to disclosure under the Freedom of Information Act 2000 or other legislation and confidentiality cannot be guaranteed. Opinions expressed in this email may not be official policy.

Northamptonshire Police monitors Internet and email activity. Help the environment. Only print this email if absolutely necessary.

This email was scanned by the Government Secure Intranet anti-virus service supplied by Vodafone in partnership with Symantec. (CCTM Certificate Number 2009/09/0052.) In case of problems, please call your organisations IT Helpdesk.
Communications via the GSi may be automatically logged, monitored and/or recorded for legal purposes.



South Northamptonshire Council

The Forum Moat Lane Towcester Northants NN12 6AD
www.southnorthants.gov.uk
www.facebook.com/SouthNorthantsCouncil
@SNorthantsC

Planning Inspectorate
C/O Hannah Pratt
Senior EIA & Land Rights Advisor
3/18 Eagle Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN

Your Ref : **151214_TR050004_3550715**
Case Officer : Rebecca Smith
Telephone : 01327 322254
Email : development.management@southnorthants.gov.uk

Date : 7 January 2016

Dear Ms Pratt,

Application No. S/2015/2998/NIA

Proposal National Infrastructure consultation on Scoping Opinion in respect of the proposed Rail Central Strategic Rail Freight Interchange

Location Land at Arm Farm Milton Malsor

I refer to your letter and consultation on the above scoping opinion dated 14 December 2015 and in light of the Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (as amended) – Regulations 8 and 9, South Northamptonshire Council would like to offer the following comments in response to this.

The applicant's submission outlines that they already propose to consider the following technical topics in the Environmental Statement:

- Air Quality
- Agricultural Land
- Archaeology and Cultural Heritage
- Ground Conditions
- Hydrology, Drainage and Flood Risk
- Utilities
- Biodiversity
- Landscape and Visual
- Noise and Vibration
- Highways and Transportation
- Socio-economic

Taking into account the information supplied; the comments of consultees and third parties; the nature and characteristics of the development; and the site's location South Northamptonshire Council request that the Environmental Statement should also cover the following considerations:

- Lighting
- Waste and Resource Efficiency
- Minerals

Lighting

In the Government's Planning Practice Guidance it is recommended that consideration needs to be given to assessment of the quantitative and spectral attributes of a lighting scheme and whether it exceeds the levels required to fulfil its intended purpose; having regard to the character of the area and surrounding environment. No specific guidance is provided in respect of levels or types of light that may be acceptable but reference is made to The Institution of Lighting Professionals Guidance on Undertaking Environmental Lighting Impact Assessments and Institute of Lighting Engineers.

South Northamptonshire Council considers this issue to be significant enough to warrant its assessment as part of the EIA process, given the nature of the site (open countryside), its topography, surrounding land uses and designations (including residential uses, conservation areas). Therefore a Lighting Assessment will need to be submitted as part of the Environmental Statement.

In consideration of the impacts of lighting the Environmental Statement should consider how any lighting scheme will minimise any intrusion in terms of trespass and glare by achieving the relevant zoning criteria recommended in the Institute of Lighting Engineers, Guidance Notes for the Reduction of Obtrusive Light, 2011. This should be supported, where possible, by details and specifications of the lighting that will be used, where the installations will be mounted and diagrams to show the degree of luminance and its overspill that will occur both in the horizontal and vertical planes. This should include reference to any specific lighting performance requirements that need to be met by the proposed development, and comparison with the criteria detailed in Institute of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Lighting or Planning Authority Criteria, if different.

Waste and Resource Efficiency

It is likely that waste will be produced during the construction phase of development and this will include some onsite storage and possibly even treatment. The Environmental Statement should include a Waste Management Statement to show which waste management practises will be adhered to during the development. All appropriate Local, National and European waste strategies (including the Waste Framework Directive), should be adhered to.

The importance of the waste hierarchy with a primary regard to reuse and recycle should be considered in the Environmental Statement. It is important to ensure that construction contractors for the development use licensed waste carriers and permitted waste treatment and disposal facilities if the application is successful. Any hazardous waste arising from any demolition, site clearance or construction should be legally disposed of by suitable licensed contractors.

The impact of the arising waste and its management should be scoped (to include direct, indirect, secondary, cumulative, short, medium and long-term, permanent and temporary, positive and negative effects, for the whole life of the development; including construction, operational and decommissioning phases).

This should form a separate chapter within the Environmental Statement, assessed in accordance with the methodology set out in para 7.3 of the Scoping Report and should include:

- storage treatment and removal of waste;
- waste reduction and resource efficiency;
- details of measures to prevent, reduce and where possible off-set the adverse environmental impacts of waste produced;
- an indication of the reasons for choices made and alternatives.

Minerals

Part of the application site falls within a Minerals Safeguarding Area, as such a minerals assessment should be included within Section 11 Ground Conditions.

The north-eastern corner of the identified site is within the 300m buffer of MA2: Milton Malsor; a site allocated for sand and gravel extraction in the Northamptonshire Minerals and Waste Local Plan (MWLP) (adopted October 2014).

The applicants should demonstrate how it meets Policy 34 of the MWLP. Policy 34 relates specifically to preventing land use conflict and ensuring new development adjacent, or in close proximity, to allocated minerals development should only be permitted where it can be demonstrated that it would not prevent or prejudice the use of the site.

South Northamptonshire Council would also like to comment on the following aspects of the Environmental Statement Scoping Report.

Cumulative Impacts

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

The Environmental Statement 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):

- existing completed projects;
- approved but uncompleted projects;
- on-going activities;
- plans or projects for which an application has been made and which are under consideration by the consenting authorities; and
- plans and projects which are reasonably foreseeable, i.e. 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. This would include projects at scoping stage and allocations in the Joint Core Strategy.

South Northamptonshire Council suggests that the following sites should be included as part of the cumulative impacts assessment:

- Northampton Junction 16 Strategic Employment Site (Policy E8 of the West Northamptonshire Joint Core Strategy (JCS))
- Land west of M1 Junction 15 and west of the A508, south of Collingtree (J15 proposal / Howdens) – withdrawn application. Although the Council is not currently in receipt of any formal pre-application inquiry it has been indicated that the potential of this site for employment generating purposes is still being investigated. More information (including the Environmental Statement) can be obtained via the Council's website using the application number S/2014/2468/EIA.
- Daventry International Rail Freight Terminal (DIRFT) (Policy E4 of the JCS)
- Northampton South SUE (Policy N5 of the JCS)
- Northampton South of Brackmills SUE (Policy N6 of the JCS)
- Towcester South SUE (Policy T3 of the JCS)
- Silverstone Circuit (Policy E5 of the JCS)
- Northampton West SUE (Policy N4 of the JCS)
- Northampton Upton Park SUE (Policy N9 in the JCS)
- Northampton Norwood Farm/Upton Lodge SUE (Policy N9A in JCS)
- Weedon Depot (Policy BN6 in the JCS)
- East Midlands Gateway Strategic Rail Freight Interchange
- East Midlands Intermodal Park

Section 6 – Relevant Legislation and Policy

The Environmental Statement will need to take proper account of the Development Plan, in particular the adopted West Northamptonshire Joint Core Strategy.

Section 8 – Air Quality

The assessment within this section does not include reference to the A508, the village of Roade and Towcester (something which will be referred to again under Section 17 – Highways and Transport).

Although the proposal does not include any direct links onto the A508 this is a route often used by vehicles travelling to/from Milton Keynes to avoid congestion on the M1, it is also likely to be utilised in the future by cars visiting/accessing the site. As such the traffic flows should be modelled for the A508 and Roade village to establish whether there would be any increase in congestion in the village which would be detrimental to air quality.

Similarly, it is also considered that the scoping study should include an assessment of the anticipated increased traffic volumes and the impact that this could have upon air quality in Towcester where there is an existing Air Quality Management Area (AQMA).

The results from SNC's diffusion tubes in these locations should be used in the modelling undertaken to validate the model and predict the impact of the development.

Section 10 – Archaeology and Cultural Heritage

There is no reference to the Grand Union Canal Conservation Area (which the site abuts) within Section 10. This conservation area was designated in December 2014. Details on this designation should be included within the relevant maps and the impact of the proposal on its setting properly addressed. In addition as the scoping report specifically mentions Milton Malsor Conservation Area, Blisworth Conservation Area should also be given the same weight and level of assessment. Appropriate references and assessments should also be included within Section 15 (Landscape and Visual).

There is no reference to protected or important trees or historic hedgerows within this section of the Scoping Report. Whilst it is acknowledged that hedgerows are included within Sections 14 - Biodiversity and 15 – Landscape and Visual, important trees and hedgerows also have a cultural and heritage value which must be assessed.

There is no assessment of the cumulative impacts relating to Cultural Heritage within this section of the Scoping Report. The cumulative impact of developments within this area needs to be included within this section of the Environmental Statement.

NCC Archaeology has looked at the documentation specifically Chapter 10 Archaeology and Cultural Heritage. They do not have any particular issues with the general approach to the assessment. Section 10.22 Consultation will give NCC Archaeology the opportunity to advise their consultants CFA that further evaluation works (geophysical survey, targeted trial trenching) will be required as part of the assessment.

Section 11 – Ground Conditions

South Northamptonshire Council Environmental Protection Team has assessed the methodologies outlined for the assessment of Ground Conditions in section 11 and confirmed that they are satisfactory.

Section 14 - Biodiversity

South Northamptonshire Council is unable to provide full comments on the content of this section due to the limited timeframe in which to respond to this consultation, which precludes the appointment of an ecologist. As such the Council seeks further contact from the applicants in accordance with paragraph 14.52 of the Scoping Report.

The assessment within this section does not include reference to invertebrates. Inspection of the National Biodiversity Networks Gateway indicates that there are invertebrates in this area. As such an assessment of the impacts upon this group should be included within Section 14.

Section 15 – Landscape and Visual

South Northamptonshire Council is unable to provide full comments on the content of this section due to the limited timeframe in which to respond to this consultation which precludes the appointment of a landscape architect. As such the Council

seeks contact from the applicants to agree a final list of viewpoints in accordance with paragraphs 15.51 and 15.52 of the Scoping Report.

Section 15.35 suggests that operation effects will be considered at Year 1 (opening year) and Year 15 (design year). It is South Northamptonshire Council's initial opinion that an additional consideration should take place in the intervening period (i.e. year 5, 7 or 10).

Section 16 – Noise and Vibration

South Northamptonshire Council Environmental Protection Team has assessed the methodologies outlined for the assessment of Noise and Vibration in section 16 and confirmed that they are satisfactory.

In relation to the matters proposed to be scoped out in paragraph 16.61 South Northamptonshire Council offers the following comments:

- Vibration from construction activities will be assessed in accordance with BS 5228-2:2009 Code of practice for noise and vibration control on construction and open sites as stated in paragraph 16.46.
- Further assessment of the vibration impacts from rail and road traffic during the operational phase **will be required** to confirm the statement being made in paragraph 16.48 that vibration is highly unlikely to be an adverse impact.
- Vibration baseline monitoring would not be required on the basis that any assessment of construction or operational vibration will be against an existing baseline of zero vibration.
- Agree with the statement in 16.58 that it is not expected that climate change will influence the noise and vibration impacts, so no further assessment is required in respect of this.

In relation to bullet point 2 above, at this stage, the Council is **not in a position to agree that the effects listed above should be scoped out**, as insufficient information has been provided by the Applicant to justify such an approach.

Section 17 – Highways and Transportation

The assessment within this section does not include reference to the A508 which runs in parallel to the A43 but is located to the east of the application site. As mentioned previously, although it is acknowledged that the proposal does not include any direct links onto the A508 this route is regularly used by vehicles travelling to/from Milton Keynes seeking to avoid congestion on the M1. It is contended that this route is also likely to be utilised in the future by cars visiting/accessing the site. Therefore, the A508 should be included within the Highways and Transportation assessment.

It is also considered that the Environmental Statement should include an assessment of effects of the anticipated increased traffic volume using the Tove & MacDonalds Roundabouts on traffic movement and pollution in the historic town of Towcester.

South Northamptonshire Council's Strategic Transport Lead Officer considers that the key highway impact is likely to be the A43 by the abandoned service station. The land-take suggests a grade separated junction. This section of the A43 is very close

to Blisworth Arm cottages and as such the Environmental Statement must include the potential impacts arising from this proposal.

South Northamptonshire Council's Strategic Transport Lead Officer would expect Highways England to seek a grade-separated junction and Northamptonshire County Council to seek assurances that HGV traffic will not access from the A508. South Northamptonshire Council supports this restriction.

Proposed Structure of the Environmental Statement

South Northamptonshire Council are content with the proposed structure of the Environmental Statement, with the addition of 'Lighting', 'Waste and Resource Efficiency', and 'Minerals' to the topics to be considered.

Related Housing Developments

South Northamptonshire Council acknowledges the changes proposed within the Housing and Planning Bill: Nationally Significant Infrastructure Projects and Housing, dated October 2015. If the applicant is considering including any housing as part of the Development Consent Order then the impacts of this must also be covered in the Environmental Statement.

Additional Comments

South Northamptonshire Council has been unable to comment in detail on many aspects of the scoping opinion as insufficient time has been allowed through this process to enable to Council to employ specialists (i.e. landscape architects, ecologists) to act on our behalf. Therefore the Council welcomes the references within the scoping opinion to continuing consultation taking place following submission of this scoping opinion, and seeks to reserve the right to make additional comments as the application progresses.

This letter constitutes the Local Planning Authority's formal "scoping opinion" Consultation response under the Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (as amended) – Regulations 8 and 9 in respect of the development proposed

Yours sincerely,

Rebecca Smith
Principal Planning Officer
Major Developments Team

From: Thomas.Anderson@gtc-uk.co.uk
To: [Environmental Services](#)
Subject: 151214-TR050004-3550715
Date: 24 December 2015 11:10:18

Please note in respect of the above reference, we have no comment to make.

This regards the following companies

Utility Grid Installations
Independent Pipelines
GTC
Electric Network Company
Quadrant Pipelines
Independent Power Networks

Kind Regards

Tom Anderson
Engineering Support Officer

GTC
Engineering
Energy House
Woolpit Business Park
Woolpit
Bury St. Edmunds
Suffolk
IP30 9UP
Tel: 01359 243376 (ext. 3376)
Fax: 01359 244046
Email: tom.anderson@gtc-uk.co.uk
Web: www.gtc-uk.co.uk

NOTE:

This E-Mail originates from GTC, Energy House, Woolpit Business Park, Woolpit, Bury St Edmunds, Suffolk, IP30 9UP
VAT Number: GB688 8971 40. Registered No: 029431.

DISCLAIMER

The information in this E-Mail and in any attachments is confidential and may be privileged. If you are not the intended recipient, please destroy this message, delete any copies held on your system and notify the sender immediately. You should not retain, copy or use this E-Mail for any purpose, nor disclose all or any part of its content to any other person. Whilst we run antivirus software on Internet E-Mails, we are not liable for any loss or damage. The recipient is advised to run their own up to date antivirus software.

Thank you

This email was scanned by the Government Secure Intranet anti-virus service supplied by Vodafone in partnership with Symantec. (CCTM Certificate Number 2009/09/0052.) In case of problems, please call your organisations IT Helpdesk. Communications via the GSi may be automatically logged, monitored and/or recorded for legal purposes.