

Stop Roxhill Northampton Gateway (SRNG) responses to the following documents, published on 27 Feb at Deadline 5

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1. TR050006-001079 Northampton Gateway Doc 7.11 - SoCG with South Northants Council

- a.** This SoCG appears to have been written by Northampton Gateway to favour their position. However, it includes at para 2.5:
“ WNJCS does not allocate land for rail connected strategic distribution beyond that already approved at DIRFT Phase 3 which was approved in July 2014, as it did not anticipate further SRFI's being deliverable within the plan period. It does however reflect on the principle that local authorities in West Northamptonshire would continue to work with Network Rail and the freight industry to consider and support further sustainable rail freight interchanges in the longer term '*once the opportunities for additional access onto the rail network to support viable rail freight interchanges are confirmed through national policy*' (WNJCS Para 5.72) “
- b.** The Applicant has not produced any evidence that National Policy has changed to support any additional SRFI's in this region or at this location. To the contrary, the NPSNN envisages SRFIs in other regions. The NPSNN paras 2.44, 2.45, 2.50, 2.54, 2.56 & 2.58 have been ably expanded upon in previous submissions, notably under Planning Compliance on page 3 of TR050006-000833. WNJCS only envisages having to consider potential '*further sustainable opportunities ... in the longer term*', ie beyond the Plan period. This clearly does not include Northampton Gateway and therefore cannot be construed as Agreement.

2. TR050006-001109 NG Doc 8.17 Applicant's response to ExA ExQ2s

a. ExA2.1.35 Effects of A508 blockages and diversions:

The original question ExQ2.1.35 in TR050006-001061 asked the Applicant to point to the sections which show how the effects of delays and blockages and the use of the A508 as a diversion route have been addressed in the Air Quality and Transport assessments.

The Applicant states they have 'taken account' of M1 closures. This is not the same as stress testing. The configuration of the Bypass *would* have a significant impact. The diverted traffic would be travelling south on the A508 and have right-of-way at all 3 of the new roundabouts on the bypass. Traffic endeavouring to leave the village would have great difficulty in accessing the stream of traffic travelling at a predicted volume of **nearly 2 every second** towards the A5. In the current situation, traffic can be halted at 3 sets of traffic lights in the village which creates gaps for village traffic to enter the A 508. No such relief is envisaged on the bypass. This could be a problem in emergency situations. With the frequency of M1 south bound diversions this is not an inconsiderable problem. If there had been a requirement to stress test the A508 this would have been examined more fully. For instance, the 200 vehicles referred to by the Applicant would be HGVs. No account has been taken of the impact of a closure during a shift change when up to 1250 vehicles could be expected to be involved in the change- over within a half hour period.

b. ExA2.7.1 Noise:

- i. The current World Health Organisation Environmental Noise Guidelines for the European Region set the safe limits for various noise emitters, including Traffic and Rail as follows:
 - Traffic – below 53dB (day) and 45dB (night)
 - Rail – below 54dB (day) and 44dB (night)

http://www.euro.who.int/_data/assets/pdf_file/0008/383921/noise-guidelines-eng.pdf?ua=1
- ii. The noise levels from the Main Site are predicted by the Applicant to be up to 115 dB for **both day and night** (TR050006-000374 Doc 5.2 ES Noise Vib App 8.5 Tables 7 and 8). **This is over 2½ times the WHO night time safe limits.**
- iii. The noise levels would be generated by a combination of 16,500 daily vehicle movements in and out of the site, plus 400 HGVs moving materials between trains and warehouses with the attendant incessant beeping when reversing, plus 16 diesel trains a day shunting and starting off, plus the noise of aggregates being unloaded and loaded. These would create peaks of noise and be more noticeable at night when background noise subsides. The site is currently agricultural land which is worked occasionally by farm machinery. Although the bunds would

absorb some of this noise, it would be particularly noticeable in Milton Malsor where the nearest dwellings are within 300m.

- iv. In fact, the noise emitted by this development exceeds every recommended safe limit for all modelled categories by a factor of around 2 or more and contradicts the statement at para 15.2.19 of the Applicant's original document TR050006-000307 Doc 5.2 – ES Chp 15: *The Main Site is unlikely to generate any significant operational noise effects, with mostly negligible or minor impacts expected at nearby receptors.*
- v. A noticeable omission is the levels of impact on those working on the site that would be equally affected.
- vi. Para 15.2.32 states: *In the ways highlighted above, the overall effect of the Proposed Development can be seen as positive with regards to a range of aspects within the human and public health agenda.* This statement cannot be substantiated, as illustrated above.

3. Response to TR050006-001110 Northampton Gateway Doc 8.18

a. REP4-023, page 5 - Aggregates terminal freight paths:

In a letter dated 13.12.17 from Roxhill to Andrea Leadsom, MP, the number of rail paths currently allocated to GRS Roadstone is stated to be *5 paths per day: 2 northbound (1 in and 1 out) and 3 southbound (1 in and 2 out), all of which will be transferred to Northampton Gateway*. These are obviously not all used as they represent the equivalent of 2½ trains. Bidding for rail paths takes place every 6 months and not all applications are guaranteed to succeed. No information is available to establish whether these paths are included in the 8 (4 trains) discussed at the recent ISH4. They certainly should not be as they represent no modal shift as required by national policy.

We refer also to the answer to our question raised at ISH4, confirmed to the ExA on 13.03.19

b. REP4-023, page 7 - Compliance with NPSNN modal shift:

We note the Applicant has taken no account of the Mayor of London's Mayor's Transport Strategy document ^[1] which covers, on pages 86 and 87, the Mayor's proposals for the re-routing of non-London-destined rail freight from Felixstowe and London Ports off the North London Line and via Ely and Peterborough to reach Nuneaton. This would result in trains from these ports missing Northampton altogether and going directly to where the majority of this freight is currently destined. This undermines the business case for NG as an SRFI. We can only assume this is because the true intention is for NG to operate as a road-served distribution complex, thus perpetuating the conventional long haul road basis of the so-called Golden Triangle. Please see rail expert Andrew Bodman's Deadline 6 submission for further information

^[1] <https://www.london.gov.uk/sites/default/files/mayors-transport-strategy-2018.pdf>

c. REP4-023, page 7 - The case for GRIP level 4:

We would refer the ExA to our response to this question in Deadline 4 Doc TR050006-001029, item 14, quoting the Planning Inspectorate's opinion. This was before either developer had submitted their Application to PINS. It was clear from Network Rail's (NR) representative at ISH4 that a minimum of GRIP 3 would give some clarity of future freight paths. NR also stated that the Applicant had not commissioned them to undertake a detailed study that would allow them to achieve this. The Applicant has had plenty of time to do that but has preferred to commission their own study instead. The reasoning for this can only be conjecture, but the fact that the Applicant has endeavoured to bypass the only organisation that can categorically state whether capacity would be available suggests they were content to ignore PINS advice and rely on the usual GRIP level 2 used for other, less complex, applications. Their previous

experience with EMG SRFI is not relevant as this is on a different line, with significantly less capacity issues. The dangers of not achieving this level are obvious and the Application should be refused due to lack of clarity of sufficient rail capacity to enable any certainty that the development would be able to operate as claimed and thus not fulfil national policy.

d. REP4-023, page 9 - VISSIM:

The request by Rail Central to defer the Examination stage of their Application, as stated in their letter dated 11.03.19 to PINS, is due to the discovery of *coding errors and issues concerning the strategic and VISSIM modelling*. This supports our charge of unreliability of the Northampton Gateway modelling using the same programme where visual errors were evident. It is not unknown for Experts to 'get it wrong'. In this case one of the Experts (Aecom) was involved with both Applications but the errors were not spotted for over 3 years. It is not safe to accept such modelling that has evident 'quirks' which are dismissed with dubious excuses. The margins for error in this case are too low for safety.

e. REP4-023, page 9 - Woodleys's:

Since we last raised the subject of safety of the Woodley's Nursery access on the A508 S-bends between the Courteenhall turn to Blisworth and Roade, a temporary 40 mph limit has been instigated through the S-bends. NCC LHA has advised that they have no plans to make any further changes. The variety of speed limits along this stretch of the A508 are likely to be sufficiently confusing as to be largely ignored: 60mph from J15, reducing to 50mph after the Courteenhall-Quinton turn, reducing further to 40 mph through the S-bends, then up to 60mph along the bypass and back down to 50mph when rejoining the A508 – all within about 3 miles. A safety audit essential.

f. REP4-023, page 9 – Footpath RZ3 across the A508:

A central island in the middle of the road may be a common crossing for such a location, but is potentially dangerous on such a busy road. The proposed bypass is predicted to have 20,000 vehicles using it daily. That's an increase of 21% on current levels. If averaged over, say, 20 hours (05:00 to 01:00), that's **3 vehicles every second each way**. Roade is the only village on the A508 between J15 and the A5 at Stony Stratford that has housing on both sides of the road, thus necessitating pedestrians crossing. There are 3 sets of pedestrian controlled traffic lights in Roade to facilitate this. There are no such proposals for any of the footpaths that cross the bypass 'at grade'. The result is likely to be people taking risks when crossing or no longer feeling the crossing is safe enough to continue using the paths any longer. Clearly the provision of the bypass cannot be considered mitigation when it is the cause of the problem.

4. TR050006-001113 NG Doc 3.1D – dDCO

a. Cumulative Impact:

We note that in Part 1, Requirement 31, of the dDCO the cumulative traffic assessment has been bypassed by limiting its omission to the M1 J15A only. NCC Highways have previously stated: *In particular we are concerned that there are **a number of junctions** where both developers are proposing improvements to support their own applications, but were both to be permitted a larger scheme than that contained within either DCO would almost certainly be required.*^[2] The proposed solution for the Applicant's failure does not cover all the junctions envisaged by NCC. Acceptance of this clause in the dDCO would fail to cover all potential junctions affected.

^[2] SRNG WR Part B, para 8.6.2

b. Funding:

It has been reported to us by an interested land owner that Roxhill has not actually undertaken to 'pay' for the Roade bypass. We have not found any reference to the funding of the bypass in the dDCO. To avoid doubt, we trust that the final DCO will ensure this responsibility is clearly stated.

c. Electricity Supply:

We understand Rail Central have been advised by Western Power that an electricity supply will take 3 years to complete due to the major new installation work required, including digging up roads for cabling. We have found no mention of the installation of power in the Applicant's documentation. Have timescales been agreed for the installation of adequate power for the final requirements of the site and what impact will these have on the timescales for each of the construction phases? We have not received a response to our enquiries to the Applicant on this subject nor been able to find any mention of it in the cumulative impact assessment for the two Applications.

5. TR050006-001138 Network Rail response to ExA written questions (ExQ2)

a. ExAQ2.9.3 (i) Degree of confidence in additional rail paths:

It is not clear whether the NR statement that 4 paths (trains?) per day includes the 5 paths (not trains) expected to be transferred from GRS Roadstone to NG. NR state *NR notes that there may be more than 4 paths available*. The use of the words 'notes' and 'may', stressed by being in italics, and the non-committal phraseology in their response suggests that it is unlikely there would be sufficient capacity to accommodate more than a few, if any. This would not support NGs case for the capacity proposed for the claimed demand for rail freight use. The fact that both NG and RC have, for a considerable time, resisted contracting with NR for a feasibility study is another indication that their business plans are, in reality, for road-based logistics parks and they are trying to circumnavigate the need to expose themselves to a possible negative response from NR.

b. ExAQ2.9.4 Level of GRIP level reached:

The explanation of the level of confidence required for each particular application will depend on the relative availability of rail paths. The West Coast Main Line is acknowledged to be the most heavily used main line in the UK and nearing capacity. This suggests that a greater level of certainty is required to assess the ability of the rail network to support a sustainable and meaningful SRFI. As stated in 3.c. above, the Planning Inspectorate has already given its opinion on what level of certainty it wishes to see in order to make a robust judgement. That is GRIP Level 4. NR appears to be surprised that NG has not needed to reach at least GRIP Level 3 in order to confirm their stated objectives are attainable.

c. ExAQ2.9.5 (ii) Passenger service restrictions:

- i. In its answers to ExQ1-1.11.15 [REP1-050] NR confirmed that: *Any freight services which are added to the network will not be at the expense of passenger services and, accordingly, NetworkRail confirms that the Proposed Development will not affect passengers*. However, NR go on to state *that additional rights ...will potentially constrain passenger growth*. However the addition of 4 paths/day would not ..be a considerable restriction. 'Not considerable' means that there will be restrictions even with 4 paths (trains?) per day. By extension, any additional freight paths will impact the development of future passenger rail services. This was confirmed by the NR representative at the ISH4 hearing
- ii. Although there is confusion between the use of the words 'paths' and 'trains' (1 path = 1 train either in or out, but not both) it is notable that NR does not mention any figure higher than 4 'paths' per day. NG has consistently stated their objectives are to service 16 trains per day. The capacity to achieve this is now in serious doubt.

iii. All the above lead to the conclusion that NR have now realised that the location of this proposal is contrary to the longer term interests of Northampton and its catchment area. We find it unacceptable for this information only to be made available at this very late stage in the process. Any restriction of capacity in this location will have a knock-on impact on both passenger rail services and the development of other RFIs further up the WCML where the NPSNN intimates they should be located, especially beyond the divergence of the fast and slow lines north of Rugby.

iv. The NPSNN states at para 2.29:

In the context of the Government's vision for the transport system as a driver of economic growth and social development, the railway must:

- *offer a safe and reliable route to work;*
- *facilitate increases in both business and leisure travel;*
- *support regional and local public transport to connect communities with public services, with workplaces and with each other, and*
- *provide for the transport of freight across the country, and to and from ports, in order to help meet environmental goals and improve quality of life.*

It is notable that the NPSNN gives the 3 passenger services requirements greater priority over rail freight.