

DERBYSHIRE COUNTY COUNCIL

**MEETING OF CABINET MEMBER – HIGHWAYS, TRANSPORT AND
INFRASTRUCTURE**

9 December 2014

Report of the Strategic Director – Economy, Transport and Environment

**THE PLANNING INSPECTORATE CONSULTATION: PROPOSED
STRATEGIC RAIL FREIGHT INTERCHANGE ON LAND NORTH OF
EAST MIDLANDS AIRPORT, NORTH WEST LEICESTERSHIRE**

(1) **Purpose of Report** To seek the Cabinet Member's approval to respond to a consultation from the Planning Inspectorate (PINS) on a Development Consent Order (DCO) application for the proposed development of a strategic rail freight interchange (SRFI) on land to the north of East Midlands Airport and south of Junction 24, M1 in North West Leicestershire District.

(2) **Information and Analysis** Derbyshire County Council has been consulted by PINS on a DCO application for the proposed development of a SRFI, known as the East Midlands Gateway (EMG). The development proposals comprise:

- an intermodal freight terminal;
- up to 557,400m² of rail served warehousing units;
- a rail line connecting the terminal to the Castle Donington branch freight line;
- new road infrastructure, including a new Kegworth bypass and substantial improvements to Junction 24 of the M1; and
- a bus interchange.

Due to its large scale, the proposed EMG SRFI development has been classed as a 'Nationally Significant Infrastructure Project' under Section 42 of the Planning Act 2008. As such, the site promoters are required to submit an application for a DCO to PINS rather than a planning application to the local planning authority. The DCO application will be determined by the Secretary of State for Transport (SoS), following a public inquiry scheduled to take place in the summer of 2015.

On 22 May 2014, Roxhill Developments Limited consulted the County Council on its proposal for the EMG SRFI; this was before the DCO application was submitted to PINS. The EMG scheme is one of two SRFI schemes now being

promoted in and adjacent to Derbyshire. The other SRFI scheme is proposed by Goodman Shepherd on land to the south-west of the junction of the A50 and A38 interchange at Burnaston, South Derbyshire, and is known as the East Midlands Intermodal Park (EMIP). At the meeting on 9 September 2014, the Cabinet Member - Jobs, Economy and Transport authorised Member and Officer comments made in a report on both proposals at pre-application stage, which the County Council formally submitted to the scheme promoters (Minute No. 141/14 refers).

It is understood that the promoters of the proposed EMIP SRFI are likely to submit a DCO application to PINS early in 2015, therefore, this report comments only on the EMG proposal. An informal response with Member and Officer comments was made to PINS on 3 November 2014 to meet its official deadline.

Local Member Comments

County Councillors with electoral divisions (EDs) in Erewash Borough and South Derbyshire District were consulted on the pre-DCO and the DCO applications for the proposed EMG. Their previous comments on the pre-DCO application are summarised below. For completeness, Minutes of the South Derbyshire Local Area Committee (LAC) of 11 June 2014 and Councillor Chilton's comments are given verbatim in the Appendix. No further comments have been received on the DCO application.

At the LAC meeting on 11 June 2014, representatives from Roxhill Developments Limited gave a presentation on the proposed EMG. Members raised concerns about the potential individual and cumulative impacts of both the EMG and EMIP schemes on the national and local road networks, the likely number and types of jobs to be created, the need for additional housing to accommodate the new workforces, and questioned the need for two rail freight terminals in such close proximity.

Councillor Chilton, Local Member for Melbourne, whilst being appreciative of the benefits associated with the SRFI concept in terms of inward investment and reduction in heavy goods vehicle journeys, expressed concerns about the potential cumulative impacts of both proposed schemes on social, economic and environmental matters, and the availability of Fire and Rescue Services. She questioned the level of job creation and was concerned that the area around the proposed EMIP would be subject to heavy traffic congestion from vehicles on journeys to and from the site during its construction and operation. She considered that the traffic impacts would also have a significant detrimental impact on the Grade 1 Swarkestone Bridge and Causeway, the longest stone bridge in England. She was also concerned that the lack of school places that already existed in the area would be exacerbated.

Officer Comments

The informal Officer comments made on the DCO application broadly support the proposed EMG SRFI, in principle, subject to the resolution of matters relating to highways impacts, travel plan implications, job creation potential and housing impacts on Derbyshire (see comments below). Subject to these matters being resolved, it is considered that the EMG SRFI proposal is broadly consistent with national policy in the National Planning Policy Framework (NPPF), Draft National Policy Statement for National Networks (NPSNN), Strategic Rail Freight Interchange Policy Guidance (SRFIPG) and the Logistics Growth Review (LGR).

The proposal is also considered to be compatible with the economic development priorities of the Derby, Derbyshire, Nottingham and Nottinghamshire Local Enterprise Partnership (D2N2 LEP), set out in its Strategic Economic Plan (SEP). The SEP sets out its commitment to work with the Leicester and Leicestershire LEP to maximise the economic growth potential of the development for Derbyshire and Nottinghamshire, and specifically indicates the D2N2 LEP's support for the EMG SRFI proposals. The proposal is consistent with the Vision and Strategic Objectives of the Derbyshire Economic Strategy Statement (DESS), which seeks to support economic growth, boost investment and create significant numbers of new jobs in the County.

At a regional level, the proposal is consistent with the evidence base for rail freight interchange development that underpinned the revoked East Midlands Regional Plan (EMRP). This evidence, the most up-to-date available, identified a future need for a number of SRFI developments in the East Midlands, particularly in the Leicester and Leicestershire Housing Market Area where the proposed site would be located.

Highways Impacts

Prior to the submission of the DCO application, the County Council signed a Transport Statement of Common Ground (SoCG) with Roxhill Developments Limited. The SoCG sets out common ground on key evidence which was submitted with the application, relating to the traffic modelling evidence, Travel Plan and Public Transport Strategy (PTS). The SoCG considered that the transport modelling evidence was robust and had been prepared in accordance with current Guidelines and Codes. Improvements to the PTS have resolved previous concerns but some concerns remain relating to the revised Travel Plan submitted with the DCO application, including:

- the Travel Plan's duration;
- the need for proposed cycle and pedestrian infrastructure to link with existing infrastructure, particularly in Derbyshire; and
- the need for the Travel Plan to aim for a 10% gross reduction in private vehicle use to access the site between 2016 and 2023.

Public Transport

There has been liaison between the County Council's Public Transport officers and the applicant's Transport and Infrastructure Consultants for some time, regarding the public transport implications for Derbyshire of the proposed EMG SRFI and, in particular, the PTS submitted in support of the DCO application. The funding pot for the PTS has been central to those discussions. County Council officers are satisfied with the key public transport enhancements affecting Derbyshire identified in the PTS and consider that they are likely to be deliverable within the proposed funding pot.

Job Creation Issues

Concerns remain about the robustness and reliability of the applicant's assessment which concludes that up to 7,000 jobs would be created. The SoS is requested to consider this issue carefully in his assessment of the proposed development. The scale of employment generated by the proposed development would have important implications for the scale of any necessary housing development required in the area to accommodate the proposed workforce at the site (see comments under Housing Issues below).

Market Demand issues

While much of the Market Report is concerned with national scale economic policy and evidence issues, it is considered that it contains sufficient evidence to help support a view on the market demand for the scheme in a sub-regional context.

Landscape Issues

From a review of the applicant's Landscape and Visual Impact Assessment, it is considered that the proposed EMG is unlikely to be visually prominent from any location in Derbyshire due to the extent of intervening settlement and vegetation. Likewise, it is likely to have limited impact on landscape and landscape character in Derbyshire.

Greenways and Public Rights of Way Issues

It is important to ensure that the design of the EMG proposals facilitates the provision of pedestrian and cycle links to the wider Greenway Network around the site, particularly falling within Derbyshire.

Housing Issues

The SoS is asked to examine the job creation potential of the proposed development. If he is minded to approve the DCO application, his conclusions on the job creation potential will have important implications for the local authorities in the surrounding area and the preparation of their Local Plans, particularly the need to identify sufficient land to provide the necessary additional housing to accommodate the likely workforce employed at the SRFI site. It is therefore important that the local authorities, including Derbyshire County Council and other authorities in Derbyshire, have a robust employment

figure for the site so that they can plan appropriately for both housing needs and associated strategic and local infrastructure.

Cumulative Impact Issues

At the present time, the applicant appears to have considered only four sizeable committed housing and employment schemes in relation to the cumulative social, economic and environmental impacts associated with the proposed EMG scheme. By the time the SoS examines this DCO application in the summer of 2015, however, Goodman Shepherd is likely to have submitted a DCO application for the proposed EMIP SRFI at Burnaston, South Derbyshire. The SoS is respectfully requested to ensure that due attention is given to the need for such cumulative impacts as might relate to both proposals to be included in the assessment for and consideration of this DCO application

(3) **Financial Considerations** There are no financial considerations associated with this report.

(4) **Legal Considerations** The recommendation in this report is made in the context of the County Council's responsibilities and services under the provisions of the Localism Act 2011 and Planning and Compulsory Purchase Act 2004.

Other Considerations

In preparing this report the relevance of the following factors has been considered: prevention of crime and disorder, equality and diversity, human resources, environmental, health, property and transport considerations.

(5) **Key Decision** No.

(6) **Call-In** Is it required that call-in be waived in respect of the decisions proposed in the report? No.

(7) **Background Papers** Held on files 1033.4 and 2110.2 by the Planning Services Manager within the Economy, Transport and Environment Department. Officer contact details – Steve Buffery, extension 39808.

(8) **OFFICER'S RECOMMENDATION** That the Cabinet Member authorises officers to respond formally to the Planning Inspectorate on the proposed strategic rail freight interchange on land to the north of East Midlands Airport and south of Junction 24, M1 in North West Leicestershire District, known as the East Midlands Gateway, by re-iterating the Member and Officer comments provided with the informal response which is referred to in this report.

Mike Ashworth
Strategic Director – Economy, Transport and Environment

Appendix: Detailed Comments of County Council Local Members

A) Comments of South Derbyshire Local Area Committee on the pre-DCO application for the East Midlands Gateway (Minute No. 19/14)

Present: County Councillors R Davison (Chair), S Bambrick, L Chilton, P Dunn, K D Lauro and T Southerd.

Representatives from Roxhill Developments Limited attended the meeting to provide further information to the Committee on the proposal for a rail freight interchange and warehousing and highway works on land in the vicinity of Junction 24 of the M1 to the north of East Midlands Airport, to the south of Lockington and Hemington, and to the east of Castle Donington. It was explained that the company would shortly be submitting an application for planning consent.

The Committee was informed of the proposed highway works, in particular to the M1/A50/A6, so that vehicles from the site would be using strategic roads rather than local roads. The works would ensure freer flowing traffic and that local roads were not being used by HGVs.

Details were also provided on the potential 7,000 jobs that the site would create. There was some concern from Members that the site would attract employees from outside the area, thus increasing the need for additional housing in the area, but it was the intention to try and ensure that more local people were employed. A Skills and Employment Sub-Group was to be established, and the aim was to have representation from all local authorities. There was general acceptance that there would be growth, and skills and learning was an area that needed to be addressed. The company was currently discussing this with a variety of agencies, and discussions would also take place with East Midlands Airport (EMA) around the issue of jobs and transport.

There was also some concern that the majority of the available jobs would be manufacturing based, and would therefore be lower paid. However, reassurance was given that this would not be the case, and it was stated that further detailed information was available in the planning application. Work had been taking place with planning authorities to ensure that they were satisfied with the proposals.

In terms of the proposed 7,000 jobs, it was asked how this equated to full time equivalents, and it was stated that this figure had been provided by Homes and Communities Agency (HCA) and further details could be provided on how the proposed figure had been arrived at. A link to this information, which was available on the company's website, would be circulated to the Committee.

Concern was raised around the fact that there would be two rail freight terminals in close proximity, both running along the A50. It was felt that both

had advantages, but it was questioned whether there was a need for two, particularly as there were already traffic issues in the surrounding villages. In response, it was stated that no HGVs would be using the local roads, and if there was less HGV traffic and more rail use, it would be an improvement. The intention was that the roads would function as they were intended to. It was also stressed that there would be no competition between the two terminals, and a report had been written detailing why this particular site had been chosen.

The direction of travel of the trains was also questioned, as it was thought that the majority would be coming from the west. It was stated that this would be the case, but there would be more from the east when the electric spine had been established. There was some concern around the electric element - Councillor Davison raised some concern around this.

The Committee was generally in agreement that the site posed more advantages than disadvantages, but it would be useful to be provided with further information that was available on the company's website, including detailed drawings of the site. In terms of any technical issues relating to the rail line, it was stated that a public report would shortly be available and this would hopefully answer any questions.

There was currently a consultation process to understand the concerns and comments of all interested parties, and it was agreed that the Committee would not submit a collective comment on the proposal.

It had also been the intention to receive a presentation from representatives of Shepherd Goodman on the proposals for East Midlands Intermodal Park, South Derbyshire. However, the company had been unable to attend the meeting, but was very keen to meet with the Committee. It was agreed to arrange a special meeting of the Local Area Committee to meet with representatives from Shepherd Goodman to discuss this proposal. A date of 3 July 2014 at 2pm in South Derbyshire was suggested, and this would be confirmed. (Postscript: A meeting of the LAC with Goodman Shepherd took place on 24 September 2014).

B) Comments of Councillor Linda Chilton, Local Member for Melbourne, on the pre-DCO application for the proposed EMIP and EMG

As I am not a (South Derbyshire) District Councillor, I am not too au fait with South Derbyshire District Council's official view but would say, that whilst inward investment into what is already one of the fastest growing areas is to be welcomed and, no doubt, a freight terminal (EMIP) to help clear the highways of heavy trucking, even more welcome, I would however, say this:

The area around the proposed terminal will be subject to heavy traffic congestion trying to access the terminal and necessitate a great deal of disruption both at the construction stage and once it is in use. The 7,000 jobs

to be created seem a little unrealistic - it would be interesting to see how that has been configured. Even though this figure may include a number of the present local workforce a large proportion will require new housing (in the proposed Local Area Plan?) and the necessary school places which are not yet available. Would the necessary S106s be used in said area?

This brings me on to the similar development for a strategic rail freight interchange which is being proposed in the vicinity of junction 24 of the M1 to the north-east of East Midlands Airport (East Midlands Gateway).

As this North West Leicestershire proposal borders my Division I went along to one of the public consultations at Kegworth in February facilitated by the developers Roxhill Developments Ltd. I was reliably informed that W12 gauge track has already been laid in the vicinity in preparation for the need to match up with existing which pre-supposes the acceptance of the application and which, like the EMIP proposal at Eggington, will go for a DCO to the Planning Inspectorate for a final decision.

Roxhill's literature makes interesting reading. Roxhill Development's proposal would seem to make sense, seeing as we have the East Midlands Airport, Junction 24 of the M1 and rail track already in existence. I can see this logic, but my concern would be the likelihood of TWO rail freight terminals within a short distance of each other and basically running on the same highway - A50. I am already concerned and have made my comments known to my Parish Council of the knock on effect from the North West Leicestershire terminal (there is already an action group in Kegworth against this www.J24actiongroup.org) - mainly the added volume of traffic going through a twisty rural road, noise, nuisance and the requirement of yet more homes to house the new workforce which cannot yet be determined as presumably, a number will be existing inhabitants. Melbourne and Kings Newton are already affected by large volumes of traffic because of its proximity to Castle Donington / Racetrack and the East Midlands Airport.

I would ask that a point be made as to the need for two terminals. This is two authorities seeking infrastructure projects and as yet, no final decision on availability of Fire & Rescue and, my favourite subject, the reliability of Swarkestone Causeway even though it has a 7.5 tonne limit!!!

It has been noted that it is likely both proposed schemes could have considerable cumulative economic, environmental and social implications for surrounding areas: Yes but not all positive ones!

My comments are just the basic, common sense ones that need much deeper investigation, obviously.