

**DERBYSHIRE COUNTY COUNCIL**

**MEETING OF CABINET MEMBER – JOBS, ECONOMY AND  
TRANSPORT**

**9 September 2014**

Report of the Strategic Director - Economy, Transport and Environment

**TWO PRE-APPLICATION CONSULTATIONS ON STRATEGIC  
RAIL FREIGHT INTERCHANGE PROPOSALS: (A) EAST  
MIDLANDS GATEWAY, NORTH WEST LEICESTERSHIRE  
AND (B) EAST MIDLANDS INTERMODAL PARK, SOUTH  
DERBYSHIRE**

(1) **Purpose of the Report** To seek the Cabinet Member's approval to respond to pre-application consultations on (A) the East Midlands Gateway Strategic Rail Freight Interchange (EMG SRFI) in North West Leicestershire, and (B) the East Midlands Intermodal Park (EMIP) SRFI in South Derbyshire. Given their similar size, strategic nature and close proximity to each other, it is considered appropriate to report them to this meeting, notwithstanding Officer delegated powers to respond, because of their scale and potential economic importance.

(2) **Information and Analysis** Each proposed SRFI development is classed as a 'Nationally Significant Infrastructure Project' under Section 42 of the Planning Act 2008. This requires each site promoter to submit an application for a Development Consent Order (DCO) to the Planning Inspectorate (PINs) instead of a conventional planning application to the relevant local planning authority. The DCO applications would be determined by the Secretary of State for Transport (SoS). Prior to formal submission to the PINS, the site promoters must carry out pre-consultation with the public and private sectors, individuals and organisations. At their discretion, the site promoters may carry out non-statutory consultation, which has been the case with the proposed SRFIs. Their details can be viewed at:

[www.eastmidlandsgateway.co.uk](http://www.eastmidlandsgateway.co.uk) and [www.emipark.co.uk](http://www.emipark.co.uk)

An internal consultation took place with County Council Members and officers, whose comments are summarised below. In order to meet the pre-application consultation deadlines, provisional Member and Officer technical comments were sent to Roxhill Developments Limited and Goodman Shepherd, subject to Cabinet Member endorsement. Copies of the County Council's provisional responses can be available upon request.

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### **(A) East Midlands Gateway (EMG), North West Leicestershire**

The EMG SRFI, promoted by Roxhill Developments Limited, is proposed on greenfield land to the south-west of the M1 Junction 24 and north of East Midlands Airport. It comprises an intermodal freight terminal with:

- up to 557,400 square metres of rail served warehousing;
- new rail line connecting it to the Castle Donington branch freight line;
- new and improved roads, including a new Kegworth bypass and substantial improvements to Junction 24 of the M1, and a bus interchange;
- creation of up to 7,000 jobs.

### **(B) East Midlands Intermodal Park (EMIP), South Derbyshire**

The EMIP SRFI, promoted by Goodman Shepherd, is proposed on predominantly greenfield land to the south-west of the A38/A50 interchange at Burnaston, South Derbyshire. It includes an intermodal freight terminal with:

- up to 557,400 square metres of distribution units;
- new railway sidings and railhead shunt with connection to the existing Stoke-Derby railway line;
- new road access off the A38/A50 junction and internal parking and servicing areas;
- creation of up to 7,000 jobs.

The pre-application DCO consultation includes three Masterplan Options for the proposed overall layout and scale of development.

### **Local Member Comments**

County Councillors with electoral divisions (EDs) in Erewash Borough and South Derbyshire District were consulted on the proposed EMG SRFI, and with EDs in Amber Valley Borough, Erewash Borough and South Derbyshire District on the EMG SRFI. Comments made by County Councillors with EDs in South Derbyshire District are summarised below. Draft minutes of the South Derbyshire Local Area Committee (LAC) of 11 June 2014 and Councillor Chilton's comments are given verbatim in the Appendix.

At the meeting on 11 June 2014 of the LAC, attended by County Councillors R Davison (Chair), S Bambrick, L Chilton, P Dunn, K D Lauro and T Southerd, representatives from Roxhill Developments Limited gave a presentation on the EMG. Representatives from Goodman Shepherd were unable to attend the LAC. At the time of writing, a new date is being arranged for Goodman Shepherd to give its presentation.

Members raised concerns about the potential individual and cumulative impacts of both SRFI schemes on the national and local road networks, the likely number and types of jobs to be created, the need for additional housing

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to accommodate the new workforces, and questioned the need for two rail freight terminals in such close proximity.

Whilst welcoming their benefits in terms of inward investment and reduction in heavy goods vehicles on local roads, Councillor Linda Chilton, in her role as Local Member for Melbourne, had additional concerns about the potential cumulative impacts of both proposals on social, economic and environmental matters, and the availability of Fire and Rescue. 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, which already existed in the area, would be exacerbated.

The County Council has also received copies of objection letters sent to Goodman Shepherd from Egginton and Etwall residents regarding the EMIP.

### **Officer Comments**

The provisional Officer technical comments made on the pre-application consultations indicated broad support, in principle, for each proposal. As the SRFI proposals are at the pre-application DCO consultation stage, full supporting information is not yet available on highways, public transport, economic development, job creation and environmental impact to enable the County Council to assess and formulate its views on each proposal. Both site promoters have indicated, however, their desire to work with County Council officers in preparing the evidence bases to support their DCO applications, particularly relating to highways and public transport impacts. There have been discussions between the consultants acting for Roxhill Developments Limited and County Council officers for over two years on highways and public transport implications of the proposed EMG. A Statement of Common Ground, drafted by Roxhill Developments Limited, regarding these matters has been signed by the County Council. The requirement for Goodman Shepherd to work closely with officers of the County Council on similar matters also has been identified.

Both SRFI proposals, in principle, are considered to be consistent with the policies and priorities for SRFI developments as set out in the National Planning Policy Framework, the Draft National Policy Statement for National Networks and the SRFI Policy Guidance.

In addition, both SRFI proposals are considered to be consistent with the economic development and job creation policies, and priorities of the Derby, Derbyshire, Nottingham and Nottinghamshire Local Economic Partnership (D2N2), particularly as set out in its Strategy for Growth and Strategic

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Economic Plan. The proposals are also consistent with the emerging Derbyshire Economic Strategy Statement and the former East Midlands Regional Plan, which identified the significant need for a network of SRFI developments across the East Midlands, particularly in the Leicester and Leicestershire and Derby Housing Market Areas. Each site promoter expects that its SRFI proposal potentially would create up to 7,000 jobs, i.e. a total of 14,000 jobs. Given the accessible locations of both SRFI schemes adjacent to the national and strategic trunk road network, they could make a significant contribution to D2N2's ambition to create 55,000 jobs in the D2N2 area by 2023.

At the local level, given its scale, the proposed EMIP at Burnaston could have significant impacts on the landscape and landscape character of the area, which would need to be addressed by a robust landscape mitigation strategy. The development is situated in an area generally rich in archaeological remains, therefore an archaeological assessment would be required as part of the Environmental Impact Assessment. A number of public rights of way abut the site that would need to be linked to the proposed development. There has been gravel extraction on part of the site, which has been filled through licensed tipping. The scale of proposed development may require significant earth movement, land remodelling and potentially the exportation of materials from the site. The site promoters, therefore, have been requested to consult the County Council for advice on the waste planning implications of the proposed development.

Should the EMIP and/or EMG proposals be granted permission by the SoS, the significant amount of new housing likely to be required to accommodate the new workforces would also result in the need for corresponding school place provision. Notwithstanding this, however, future employees are likely to be drawn from a wide area including Leicestershire, Derbyshire and Nottinghamshire. Collaborative working to address the provision of housing and education in Derbyshire would be needed between the site promoters, Derbyshire County Council and the relevant district/borough councils.

In the provisional Officer technical comments made on the two SRFI schemes, both site promoters were requested to provide information and more detailed evidence on the estimates of job creation and the potential cumulative impacts, including the need and market demand for both developments. In its letter of response dated 4 August 2014, Roxhill Developments Limited indicated that the range of economic, environmental and social information and evidence requested by the County Council would be included in its formal submission to the PINs.

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

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(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.

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 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 Roxhill Developments Limited and Goodman Shepherd on their pre-application Development Consent Order consultations for the East Midlands Gateway, North West Leicestershire, and the East Midlands Intermodal Park Strategic Rail Freight Interchange, South Derbyshire, as described in the 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 proposed East Midlands Gateway (source: Draft Minute No. 19/14)**

Representatives from Roxhill 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

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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 were 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 with Shepherd Goodman is being arranged.)

### **B) Comments of Councillor Linda Chilton, Local Member for Melbourne, on 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.*

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*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](http://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”.*