

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

CABINET – 9 DECEMBER 2014

Title of report	EAST MIDLANDS GATEWAY STRATEGIC RAIL FREIGHT INTERCHANGE – LOCAL IMPACT REPORT
Key Decision	a) Financial No b) Community Yes
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Purpose of report	<ul style="list-style-type: none"> (i) To update Cabinet on the progress of the East Midlands Gateway Strategic Rail Freight Interchange application; (ii) To allow Cabinet to review and agree the contents of the Local Impact Report which will be directed to the Examining Authority when requested; (iii) To ascertain from the Cabinet whether it would wish to make a separate formal representation to the Examining Authority outlining whether the District Council supports or objects to the development proposals.
Reason for Decision	<p>To enable Cabinet to determine the contents of the Local Impact Report which assesses the key impacts on the District as well as a determination as to whether the District Council submit a separate representation either supporting or objecting to the development proposals.</p>
Council Priorities	Business and Jobs
Implications:	<p>The East Midlands Gateway Strategic Rail Freight Interchange will have significant implications to the District given the overall scale of the scheme and the nature of its operations.</p>
Financial/Staff	<p>Continued involvement of a Project Officer to complete and submit the Local Impact Report and facilitate any response of the District Council to the application. Should permission be granted the Project Officer will also be involved in discharging Requirements</p>

	(Planning Conditions) and involvement of Planning Enforcement Officers may also be required should there be a breach of the Consent.
Link to relevant CAT	Business CAT
Risk Management	Risk assessments will be completed as appropriate.
Equalities Impact Screening	Not applicable
Human Rights	No discernible impact
Transformational Government	The contents of the Local Impact Report are also to be agreed by Leicestershire County Council who have contributed to its contents.
Comments of Head of Paid Service	The report is satisfactory.
Comments of Section 151 Officer	The report is satisfactory.
Comments of Monitoring Officer	The report is satisfactory.
Consultees	None
Background papers	Draft Local Impact Report: http://tinyurl.com/Draft-JointLocalImpactReport Cabinet Minutes and Report, 10 December 2013: http://minutes-1.nwleics.gov.uk/ieListDocuments.aspx?CId=126&MId=152&Ver=4
Recommendations	<p>THAT CABINET AGREE:</p> <p>(I) TO SUPPORT THE CONTENTS AND FINDINGS OF THE LOCAL IMPACT REPORT AND CONFIRM THAT IT IS APPROPRIATE TO SUBMIT WHEN REQUIRED BY THE EXAMINING BODY;</p> <p>(II) TO DELEGATE AUTHORITY TO THE DIRECTOR OF SERVICES IN CONSULTATION WITH THE RELEVANT PORTFOLIO HOLDER TO PROVIDE A REPRESENTATION TO THE EXAMINING AUTHORITY SUPPORTING THE DEVELOPMENT PROPOSALS</p>

1.0 BACKGROUND TO THE EAST MIDLANDS GATEWAY STRATEGIC RAIL FREIGHT INTERCHANGE LOCAL IMPACT REPORT

- 1.1 A NWLDC Roxhill Project Officer was appointed in order to collaborate a response between the District Council and County Council to this nationally significant infrastructure project in the form of a Local Impact Report (LIR) which Section 60(3) of the 2008 Planning Act (the Act) defines as a “*report in writing giving details of the likely impact of the proposed development on the authority’s area (or any part of that area).*” Section 104 of the Act requires the Secretary of State to have regard to LIR’s in the determination of applications. Although not a statutory requirement for an LIR to be submitted, given the scale and nature of the development it was considered necessary for an LIR to be prepared. An agreement was made between Leicestershire County Council (LCC) and NWLDC that the NWLDC Roxhill Project Officer would be responsible for the preparation of a joint LIR which was considered the most favourable position in providing a collaborative response.
- 1.2 Discussions and consultation was undertaken with relevant consultees at both the District and County Council’s at the beginning of October 2014, following the acceptance of the application by the Planning Inspectorate the consultees were given a deadline of 3 November 2014 to provide relevant comments. Following this deadline the LIR was formed which outlines the positive and negative impacts of the development on the District as well as whether any mitigation measures would overcome any negative impacts identified. There was no disagreements between the views collected from Officers of the District Council and County Council given that specialist information was provided by relevant experts in their fields in order to contribute to the relevant sections of the LIR.
- 1.3 The LIR has assessed the positive and negative impacts of the development on the following topic areas which were identified as relevant topics within the applicant’s Environmental Statement (ES): -
- Socio Economic;
 - Landscape and Visual Effects;
 - Ecology and Nature Conservation;
 - Noise, Vibration and Lighting;
 - Air Quality;
 - Flood Risk;
 - Transportation and Sustainable Transport;
 - Land Contamination and Implications to Mineral Resources;
 - Heritage and Archaeology;
- 1.4 The key conclusions of the LIR are identified in Section 2.0.
- 1.5 At this stage it is unknown when the LIR will need to be submitted as the date of the commencement of the Examination will not be known until the Examining Authority establishes a Preliminary Meeting to discuss the application. At present the District Council is working to a timetable which will see the Preliminary Meeting held at the start of January 2015 with the Examination commencing at the end of January 2015. Upon the commencement of the Examination it will likely be required that the LIR is submitted within two weeks of the start of the Examination with no flexibility allowed on the deadline.

- 1.6 Members Planning Forum was provided with a brief on the 20 November 2014 and the key comments from this meeting were that Members wish to maximise the workforce available within NWLDC, particularly Coalville, and as such the employment scheme contained within the draft Development Consent Order Obligations should support this aim. Improvements to the public transport network should also be encouraged in order for this vision to be realised. Continued support for the scheme was also expressed by the Members in attendance.

2.0 KEY CONCLUSIONS OF THE LOCAL IMPACT REPORT

- 2.1 It is accepted that a development of this scale would have a significant impact on the landscape by virtue of the fact that the land in question is currently undeveloped. This impact, however, has to be assessed in the context of the relationship of the proposals with other urban forms of development which would include East Midlands Airport, Radcliffe on Soar Power Station, the East Midlands Distribution Centre and the major road infrastructure (M1, A50 and A453). It is also proposed that significant landscaping, as well as bunding, would be provided around the warehouse development site in order to mitigate the visual impacts although it is appreciated that any landscaping would require time to mature.
- 2.2 Significant works would be undertaken to the major road infrastructure around Junctions 24 and 24A of the M1, as well as parts of the A50, and would also include the provision of a Kegworth Bypass. In overall terms it is considered that the highway works undertaken would have a positive impact on the road network by improving the flows of traffic as well as removing HGV's off the highway due to the shift towards rail freight distribution. The provision of a bypass for Kegworth would also assist in removing the movement of a significant volume of traffic through the settlement's centre and help alleviate the issues of 'rat-running' which are experienced in Kegworth as well as Castle Donington. A removal of vehicles through the settlements would also improve the air quality. The only factor which poses a risk to the District is that the Kegworth bypass will not be provided until 185,800 square metres of the total 555,476 square metres of warehouse floor space is constructed and as such until, the bypass is open more significant congestion may be experienced in the neighbouring settlements.
- 2.3 The provision of a development of this scale will result in the creation of numerous jobs throughout the construction and operational phases of the development which in turn will result in more people potentially using local services (such as shops, restaurants, pubs, hotels). In these circumstances a development of this nature can only lead to positive impacts on the local economy with provisions being made within the draft Development Consent Obligations (essentially a Section 106 Agreement) for an employment scheme to be agreed with the District Council to ensure that the developer maximises the local workforce for both construction (where possible) and operational jobs and encourage training through partnerships with local education establishments (such as Stephenson College).
- 2.4 It is also considered that subject to relevant controls on the levels of noise generated through the construction and operational phases and details of lighting being secured within the Development Consent Order Requirements (Planning Conditions) there would not be significant detriment to the amenities of residents within the neighbouring

settlements, by virtue of a cumulative impact, due to the levels of noise generated by existing uses in the area.

3.0 COMMENTS ON THE LOCAL IMPACT REPORT AND CONSIDERATION BY THE CABINET OF WHETHER AN INDIVIDUAL REPRESENTATION FROM THE DISTRICT COUNCIL SHOULD BE SUBMITTED TO THE EXAMINING AUTHORITY ON THE DEVELOPMENT PROPOSALS

- 3.1 The LIR forms a broad overview of the key impacts on the Local Authorities (District and County Council) area and has identified them as either positive and negative impacts in relation to the particular topic. It is hoped that this layout is clear and precise and assesses the topics in an appropriate manner. Although the LIR remains a draft document all of the relevant topics have been assessed with consultation responses being provided by Officers at NWLDC and LCC who have different fields of expertise and who have made a technical appraisal of the development and its overall impacts on the local area. Where negative impacts on the local area have been identified suggested mitigation measures to reduce these impacts have also been identified and would likely form Requirements (planning conditions) of the overall consent which the Examining Authority would have to take into account when undertaking their assessment. All technical consultation responses received from Officers at NWLDC and LCC are available for viewing in the NWLDC Planning Office.
- 3.2 It is considered that there are no significant outstanding issues which would be raised by relevant specialists at NWLDC or LCC (in respect of their relevant fields of expertise) which would require a substantial change to the document presented. It is therefore requested that Cabinet agree to the content and conclusions of the LIR and that the document can be submitted when requested by the Examining Authority at the commencement of the Examination.
- 3.3 In December 2013 Cabinet agreed to support the development in principle, subject to a detailed appraisal of the East Midlands Gateway being provided. This 'in principle' support was offered due to the substantial potential for job creation and the likely local, regional and national benefit of such a proposal. In the circumstances that an LIR has now been prepared assessing the key implications of the proposal on the District Council's Administrative Area it is requested that Cabinet form an opinion as to whether the District Council should provide a separate representation to the Examining Authority outlining whether there is continued support for the development proposals or whether an objection should be lodged. If an objection is to be lodged than the precise reasons for the objection, i.e. the impacts of the development which are not considered satisfactory, should be provided in order for the objection to be focused and precise.
- 3.4 On the basis of the assessments undertaken as part of the LIR, which have technically assessed the relevant merits of the scheme on the basis of the detailed information which has been submitted to the Examining Authority for consideration, it is recommended that Cabinet re-affirm its support to the East Midlands Gateway Strategic Rail Freight Interchange and a written consultation response is sent to the Examining Authority reflecting the position of the District Council. This stance is considered to be reasonable on the basis of the considerations and recommendations agreed during the Cabinet meeting of December 2013 as well as the technical appraisal provided by the LIR which has not identified any significant areas of concern in respect of the implications to the Local Area.