HOUSE OF COMMONS
LONDON SW1A 0AA

The Rt. Hon Heidi Alexander MP
Great Minster House
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Hinckley National Rail Freight Interchange Application

7th February 2025

Sent by email to: hinckleySRFI@planninginspectorate.gov.uk
CC: transportinfrastructure@dft.gov.uk, heidi.alexander@dft.gov.uk

Dear Heidi,

As the Members of Parliament representing the constituencies directly affected by this proposal, we write regarding the proposed Hinckley National Rail Freight Interchange (HNRFI) development. We make this submission in response to the invitation by the Secretary of State to respond to the additional submissions in respect of the application made by Tritax Symmetry ("the Applicant") published in December 2024.

Our comments in this letter cover the submissions invited by the secretary of state relating to:

- Safety concerns in respect of the M1 J21/ M69 J3 (Junction 15) and the lack of adequate modelling
- Impact on ambulatory impacted pedestrians at the Narborough Level Crossing
- The increased highway safety risk at Sapcote
- Harm identified by the Planning Inspectorate to the occupiers of the Aston Firs Travellers site
- The ExA's revised Sustainable Transport Strategy
- The ExA's suggested amendments to the HGV Route and Management Plan

Safety concerns in respect of the M1 J21/ M69 J3 (Junction 15) and the lack of adequate modelling

The Applicant's modelling continues to rely on LinSig, which does not adequately simulate the complex traffic patterns at Junction 21/15. This modelling approach is insufficient to respond to the Planning Inspectorate's call for more advanced methodologies, such as microsimulation or dynamic traffic assignment models. These advanced techniques are necessary to capture the complexities of the junction's traffic flows, especially given its strategic importance and the anticipated increase in congestion from the proposed development.

As the final decision-maker on this application, we urge you to consider why the Applicant has chosen not to use more advanced traffic modelling—methods that would provide a clearer, more accurate picture of the impact on our roads.

A development of this scale, which will significantly increase HGV and general traffic, demands a more sophisticated approach than the limited LinSig model they have relied upon. Worryingly, we must ask whether this decision is intentional as a more rigorous analysis would have exposed just how unsafe and inappropriate this scheme truly is. As Secretary of State, you are being asked to make a decision having not been provided with proper information by the Applicant on a fundamental issue: safety. On this basis alone, the application must be rejected.

Next, the Applicant's M1 Junction 21 Modelling Note does not incorporate detailed safety assessments tied to projected congestion and increased traffic at Junction 21/15. For instance, it neglects to analyse collision risks resulting from queuing on slip roads and roundabouts or the increased potential for rear-end collisions due to heavy congestion. These omissions are particularly concerning as the Planning Inspectorate specifically flagged these issues as critical gaps in the Applicant's safety analysis. The absence of these considerations undermines the robustness of the Applicant's safety strategy.

The Applicant has offered no concrete measures to improve traffic safety at Junction 21/15, such as physical infrastructure upgrades like lane widening or reconfigurations. Instead, the Applicant is relying on high-level traffic management strategies, which are insufficient to address the substantial safety concerns raised by the Planning Inspectorate. This lack of specific, actionable mitigation measures means that the Applicant has made no significant progress in providing reassurance that they have any real commitment to addressing safety issues.

The Applicant's Modelling Note also lacks "unconstrained" traffic scenarios, which would have evaluated the impact of unrestricted background traffic flows at Junction 21/15. Without these scenarios, the Applicant cannot fully assess or address the potential safety and congestion impacts.

The failure to consider worst-case scenarios further diminishes the reliability of the Applicant's projections and their proposed mitigations.

The Applicant has also not adequately analysed how displaced traffic from Junction 21/15 will affect safety on nearby local roads. This omission prevents a full understanding of the development's broader impacts and leaves critical gaps in the safety and traffic assessments. By failing to address these knock-on effects, the Applicant's proposal risks exacerbating safety across the local and strategic road networks.

Impact on ambulatory impacted pedestrians at the Narborough Level Crossing

The Examining Authority (ExA) has acknowledged that the additional barrier down-time at Narborough Crossing will have a disproportionate impact on individuals with protected characteristics under the Equality Act 2010, including the elderly and disabled. The ExA's concern was that increased wait times at the crossing would disadvantage those who are unable to use the existing footbridge.

The Applicant's proposed mitigations, which include improved waiting facilities at the station and enhanced customer information services, fail to address the fundamental issue: individuals with mobility impairments will still face significant barriers in crossing. The waiting areas proposed are also highly impractical given the distances that ambulatory impacted pedestrians would be expected to travel between the waiting areas and the level crossing. For a passenger who has been met with a

closed barrier, they would be expected to walk about 25m to the waiting area – a 50m round trip for a waiting area for someone who has impaired mobility is not an appropriate or well-considered solution.

Furthermore, the dismissal of more effective solutions, such as the provision of lifts, on cost grounds is wholly inadequate. The Applicant's project is the direct cause of this disadvantage, and it is the Applicant's responsibility to provide a viable solution, regardless of financial implications.

Next, the Applicant's assertion that a 45-minute barrier downtime is an accepted industry standard, as advised by Network Rail, is questionable. This figure appears significantly higher than what is typically experienced or acceptable in practice and the source of this information lacks credibility. It would be detrimental if anything close to a 45-minute barrier downtime was realised at Narborough given the actual ongoing conditions, where barrier downtimes already cause substantial delays.

The Applicant continues to rely on this figure as an acceptable worst-case scenario with little consideration of context, such as the busyness of roads at peak times and the impact on surrounding roads.

Many residents have reached out to us as the MPs for the affected areas to say that the video survey conducted by the Applicant does not accurately reflect the severe delays frequently experienced at Narborough due to barrier downtimes. The report's claim that the impact of additional HNRFI trains would be negligible contradicts the lived experiences of local residents, who regularly face significant delays. Minor delays are common and can easily extend barrier downtimes beyond the predicted durations, further exacerbating traffic congestion and pedestrian wait times. Friends of Narborough Station (FONS), have conducted similar surveys in real-time and the results do not match with the Applicant's barrier downtimes.

The Applicant's modelling, which includes some HNRFI trains overlapping with existing stopping passenger services is overly optimistic. Minor delays in train schedules are a frequent occurrence and can have a considerable knock-on effect on barrier downtimes. The report's optimistic assumptions do not adequately address the potential for extended downtimes, which would significantly impact traffic flow and pedestrian movement. A more realistic assessment of these scenarios is necessary to fully understand the implications of the proposed development.

Finally, the assurances provided by Network Rail regarding future timetabling and aspirations for rail improvements do not sufficiently reassure those concerned about increased barrier downtimes. The proposed enhancements and mitigations are based on optimistic projections that fail to account for the complexities and uncertainties of future rail operations. Without concrete and reliable guarantees, there is a legitimate concern that the increased frequency of services will lead to longer barrier downtimes, further disrupting the daily lives of residents and commuters, and requiring further mitigations in the future.

The result of these oversights is that the likely impact on ambulatory impacted pedestrians at the Narborough Level Crossing will be far worse in practice than the Applicant has considered.

The increased highway safety risk at Sapcote

The ExA clearly stated in its report that the introduction of additional HGV traffic through Sapcote presents an "unacceptable highway safety risk" due to the narrow carriageway and the increased likelihood of large vehicles mounting the pavement. The ExA concluded that “the risk posed by HGV movements in close proximity to pedestrians, in a constrained environment where vehicles may have to overrun the footway, is severe and cannot be adequately mitigated within the terms of the Application” [ExA Report, 3.3.533].

Despite this clear conclusion, the previous Secretary of State invited the Applicant to submit further comments. The Applicant’s response has been wholly inadequate, first attempting to argue that the ExA misunderstood the proposals, and then offering the so-called “Enhanced Sapcote Scheme.”

This revised scheme consists of:

- Removing the pedestrian refuge to “widen” the carriageway;
- Installing a zebra crossing and relocating a bus stop;
- Relying on informal give-way arrangements between large vehicles.

These minor modifications do not address the fundamental risks identified by the ExA and do not change the fact that the road is, and will continue to be, too narrow to safely accommodate the forecast increase in HGVs. The ExA was clear in its conclusion that “there is no viable mitigation within the Development Consent Order (DCO) limits that would reduce the risk to an acceptable level” and that “the increased likelihood of two HGVs meeting in the centre of the village creates significant safety concerns” [ExA Report, 63].

The Applicant's latest submission relies on informal give-way arrangements which further increase uncertainty and the risk of collisions, as it assumes that large vehicles, such as refuse lorries, buses, and HGVs, will yield to one another without priority markings. The ExA has already rejected a previous version of this scheme, and the revised design does not resolve these concerns. In fact, most stakeholders are in agreement that the current proposals are worse than those initially submitted, which the ExA then found to be unsafe.

Additionally, the revised scheme’s safety audit highlights unresolved visibility issues with the pedestrian crossing and concerns over driver compliance with traffic management measures. A 4.8m carriageway width remains insufficient for safe passage of HGVs. The ExA has made it clear that this constraint will inevitably result in kerb overruns, particularly outside the Co-op and along Leicester Road, increasing risks to pedestrians.

A decision should be issued to uphold the ExA’s findings that the risks to highway and pedestrian safety weigh substantially against granting the DCO. The evidence is clear that Sapcote cannot accommodate the additional HGV flow without severe safety consequences.

Harm identified by the Planning Inspectorate to the occupiers of the Aston Firs Travellers site

The Secretary of State agreed with the ExA's assessment that the proposed acoustic fence would be visually dominant and oppressive, significantly detracting from the living conditions and potentially affecting the mental health of many residents at the Aston Firs Traveller Site. This situation was considered discriminatory under the Equality Act 2010, as the fence would create a physical barrier

between the Traveller and non-Traveller communities. As a result, the ExA recommended that this issue be given substantial weight against granting the DCO.

In response to the ExA's concerns, the Applicant has proposed modifications to the acoustic barrier, including relocating the fence to create a 12-meter buffer between the fence and Aston Firs, reducing its height to a maximum of 3 meters, and replacing it with a gabion wall.

While we agree that a gabion wall is aesthetically preferable, the proposed barrier will still be visually oppressive for Aston Firs residents and unattractive from beyond the fence. Additionally, the removal of existing trees and hedges for the fence's construction has not been adequately addressed.

The ExA's revised Sustainable Transport Strategy

The ExA highlighted serious shortcomings in the Applicant's Sustainable Transport Strategy (STS) approach, particularly its lack of emphasis on walking and cycling, the unambitious targets for reducing single-occupancy car travel, and its failure to fully explore alternative transport options, such as a passenger rail station at Elmesthorpe. The target to reduce single-occupancy car use from 75% to 60% over ten years was deemed insufficient, as it only considered the immediate site vicinity rather than where employees *actually* live. Additionally, the introduction of decked parking was seen as doing little to discourage car travel.

While the Applicant has now revised the STS, increasing the modal shift target to 40% and offering a six-month bus pass for Demand Responsive Travel (DRT) users, fundamental concerns remain. The ExA criticised the original DRT proposal for lacking the same benefits as a subsidised bus service, highlighting its inherent inflexibility in serving shift-based employment.

The failure to properly investigate the feasibility of a new rail station at Elmesthorpe was also noted, with the ExA placing little weight on Network Rail's position that a station is not needed, as their assessment failed to consider future demand generated by the development.

Ultimately, the ExA concluded that the Applicant had not demonstrated that the site could be made sustainable, and this, as you will be aware, is in direct conflict with national planning policy.

Given that every new development vehicle at Junction 21 would divert additional traffic onto the local road network, the success of the STS is critical to mitigating long-term congestion. The ExA's recommendation that the STS should not be a certified document under Schedule 15, and that a revised strategy must be formally approved before any floorspace is occupied, is entirely justified. Without this amendment, the development remains fundamentally unsustainable and should be refused.

The ExA's suggested amendments to the HGV Route and Management Plan

The Applicant's revised HGV Route and Management Plan (HGVRP) continues to fall short of addressing the serious concerns raised by the Examining Authority (ExA) and key stakeholders. The ExA concluded that the original HGVRP failed to appropriately consider enforcement or mitigation measures, rendering it not fit for purpose and weighing substantially against granting development consent.

Despite this, the Applicant has only made limited modifications, rather than adopting the ExA's recommendation that the HGVRP should no longer be a certified document.

One of the most glaring issues remains the lack of meaningful deterrents for HGV breaches. The ExA explicitly criticised the Applicant's approach, noting that the initial plan to impose a *maximum* fine of £1,000 per breach was inadequate. The ExA stated that a fixed £1,000 penalty should be applied to each breach to ensure a stronger deterrent, rather than an ambiguous and potentially lenient enforcement mechanism. Even with this amendment, there are still concerns that daily breaches may occur, and the ExA questioned whether the threshold for penalties was appropriately set, particularly for the early phases of the development.

The Applicant's failure to fully address these enforcement issues risks creating undesirable and unregulated HGV route patterns, further undermining local road safety.

Furthermore, the Applicant's commitment to providing a £200,000 mitigation fund remains questionable. The ExA ruled that, because this fund was not secured through a formal Planning Obligation, it should be disregarded. The Applicant has since attempted to rectify this by securing the fund through a Unilateral Undertaking to Leicestershire County Council (LCC). However, this approach remains problematic, as LCC has continued to oppose administering the fund, raising doubts about how effectively it will be used.

Furthermore, the ExA's concerns regarding the need for additional enforcement cameras, particularly to monitor HGVs using the B4114, have still not been addressed. This creates further uncertainty about the efficacy of the proposed mitigation measures.

While the revisions to the HGVRP provide some improvements, fundamental issues remain unresolved. The enforcement mechanisms lack clarity, the funding proposal are still flawed, and the potential for early-phase breaches to create long-term problems has still not been adequately mitigated.

Given that the ExA has already ruled that the Applicant has failed to demonstrate that the development is sustainable or in accordance with planning policy, the ongoing shortfalls in HGV management further justify the rejection of this proposal. The Applicant has been given multiple opportunities to address these flaws yet continues to make only piecemeal adjustments. The HGVRP remains an inadequate document.

We note with concern the Government's recent commitment to "streamline decisions on critical infrastructure projects by slashing red tape" [https://www.gov.uk/government/news/government-goes-further-and-faster-on-planning-reform-in-bid-for-growth]. We sincerely hope that the significant safety concerns expressed by the Planning Inspectorate regarding this project are not dismissed as mere "red tape." Safety protocols exist for good reason and the wellbeing of our constituents must not be overlooked.

It is clear to all of us in South Leicestershire and Hinckley and Bosworth that this development is not sustainable, safe or in the public interest. The ExA's own findings highlight significant concerns that weigh heavily against granting development consent, and the Applicant's weak revisions made in their recent submissions have done little to address them.

To approve this scheme despite these unresolved issues would be to disregard the evidence, expert scrutiny, and the overwhelming objections of the local community.

We, as affected residents and on behalf of our constituents, urge you to reject this application in the interests of safety, sustainability, and sensible planning. If this decision is given the green light, it will be hard not to think the new Government's change of policy is behind the project being accepted, not the merits of the project itself – which we know to be flawed.

Yours sincerely,

Alberto Costa
Member of Parliament for South Leicestershire

Dr Luke Evans
Member of Parliament for Hinckley and Bosworth