

**Hinckley & Bosworth Borough Council
Interested Party Reference Number:
20039546**

Written Representations

**Application by Tritax Symmetry (Hinckley)
Limited for an Order Granting
Development Consent for the Hinckley
National Rail Freight Interchange**

(ref. TR050007)

1. Introduction

- 1.1 Hinckley and Bosworth Borough Council (HBBC) is an 'Interested Party' as well as an 'Affected Person' in this DCO process. It is an 'Interested Party' because some of the development by way of highway infrastructure falls within the Council's boundary; it is an 'Affected Person' because a small part of its land is required at Burbage Common to connect a new bridleway into an existing bridleway and is included in the DCO for compulsory acquisition.
- 1.2 HBBC has previously made representations on the Adequacy of Consultation which took place in advance of the DCO application being submitted, in which it set out the reasons why it considered the consultation to have been inadequate; and by way of Relevant Representations in which it set out its reasons for not supporting the development proposed as it fails to adequately mitigate the individual and cumulative effects of the proposal in the opinion of the Council.
- 1.3 This written representations submission sets out the Council's concerns in more detail and explains why, when taking account of the overall impact of the proposal, the Council opposes the development proposed and the reasons for so doing. In parallel with the submission of these Written Representations the Council has submitted a Local Impact Report which further sets out the Council's consideration of the impact of the development on the local surroundings.

2. Need

- 2.1 The Council acknowledges that the published joint authority evidence base document *'Warehousing and Logistics at Leicester and Leicestershire: managing growth and change'* (April 2021) provides the basis for the applicant to demonstrate that there is an unmet quantum of need for a SRFI facility as the study identifies a shortfall of rail served sites in Leicestershire up to 2041; further, that from the mid 2020s a supply shortfall of rail served sites begins to emerge. However, it should be noted that the Leicester and Leicestershire Planning Authorities are currently conducting joint research into the potential apportionment of strategic distribution floorspace which may change the Council's position on need. This report is, however, not yet ready for publication, but it may be available prior to the conclusion of the DCO examination and become a material consideration in respect of need.
- 2.2 The Council acknowledges that the applicant has undertaken a 'Market Needs Assessment' (document 16.1 – APP-357) which indicates that the location of the site is near to the business market it will serve and is well connected to key supply chain routes. The Council also acknowledges that the applicant has submitted a Logistics Demand & Supply Assessment (document 16.2 APP-358) which concludes that there is a robust market need case for the development proposed. The Council notes that reference is made to the proposed Nuneaton 'dive-under' connection enabling access to Southampton and Cardiff and is concerned as to how much reliance is placed on this connection to support

market need when it is only being promoted as part of the draft West Midlands Rail Investment Strategy 2026-2031 and has no firm commitment.

- 2.3 The Council also notes that the Market Needs Case (APP - 357 section 6.10-11) and the Logistics Demand and Supply Assessment (APP - 358 section 3.3.5) makes it clear that very good access to the strategic road network is an integral part of the operation of a SRFI. The Council also notes elsewhere in the DCO submission that the HRNFI site is particularly dependant on the M69 for this strategic access, particularly to the core market of Leicester, and that J21 of the M1 (J3 of the M69) is already over capacity, with no proposals for mitigation. This calls into question this aspect of the needs case.
- 2.4 The Planning Act 2008 provides that development consent may be granted for the 'principal development' and for 'associated development', which is development associated with the principal development. This distinction is made in the draft DCO. However, the distinction is not followed through in the assessment of the proposed development's environmental effects. Aside from the need to apply best practice on the methodology of assessment, there is a strong argument to be made to at least include a distinction between impacts of principal and associated development both in their individual terms and in cumulative terms.
- 2.5 It is critical in this context that the six main development zones proposed within the parameters plan are more clearly identified in plan form and descriptions. The expected phasing plan illustrates the point, where for example the quantum of impact during construction and operation are under assessed. The interactions between the development zones A-F are unclear where there a dependency between phases and with that the likely impacts / risks on program where phases A to F are so interlinked and dependent.
- 2.6 The proposed development highlights that the pace of construction of the new floorspace will broadly reflect occupier demand and for this reason the programme and phasing is indicative. The reasoning is that the project is subject to the demands of the property market and the detailed design stage being finalised will influence the pace of completion spread over a total period of ten years. The Council remains unconvinced as to how the assessment of the development period is drawn and how this will impact the development zones highlighted as part of the parameter plans.
- 2.7 The Council is concerned at the explicit reference in the requirement for the southern slip roads at Junction 2 M69 driving the need to carry out further infrastructure, including the site access and the completion of the A47 link road and the new bridge over the railway early in the process, prior to the first occupation of the warehousing units. The Council is concerned about the potential risks to the program and how these might validly be mitigated in terms of an indicative construction programme.
- 2.8 The Council is concerned that there is a lack of clarity or specifics regarding precisely how triggers - floorspace thresholds for example - are to be applied

on the phasing plan where a finalised DCO might specifically require describing commitments and assurances, either through legal instrument or statutory commitment, of the proposed development in phases with specific reference to the completion of off-site highways works and elements of the Railport.

- 2.9 There is no substantive detail on the assessment of impacts against the baseline information found in the applicant's supporting Rail Operations Report (APP – 131) and Planning Statement (APP – 347), despite the commitment to understanding the regional context as a means of taking forward a masterplan of the site, resulting in the outlines of the options considered, in terms of alternative locations, lacking argument. The site selection and project evaluation should be closely guided by consultation feedback and the EIA process that the design, size, and scale of the development is able to align itself with National Policy. This has not been sufficiently demonstrated and the Council is concerned by the lack of meaningful response in this regard.
- 2.10 A further illustration of the lack of confidence in the assessment of impact is the absence of consideration given to potential expansion of the site, given the pressures of rail freight in the UK, and the experience of the existing SRFIs which indicates that it will take several years for each site to achieve a mature level of rail freight traffic. Given that in the conclusions on capacity of the interchange facilities the site will grow in line with the traffic demand, the technical arguments around the parameter of expected growth in capacity and pressure on the network is insufficient.

3. Site Selection

- 3.1 The Council acknowledges that the applicant has evidenced the manner in which it considered alternative sites and the reasons for selecting the proposed site as set out in its document 6.1.4 (APP-113).
- 3.2 Despite the applicant's site selection process, the Council remains concerned that almost all of the sifting exercise lacks much in the way of depth of analysis and most of the underlining data does not appear to have reached a point of maturity. It appears from the information in the assessment of options to depend on data that has not been robustly challenged, or as in the case of the traffic modelling, not in a finalised form.
- 3.3 An example of the relative lack of capacity in the assessment is evidenced by the reliance on high level assumptions as evidence or justification for choices. Much is made of the Hinckley Strategic Rail Freight Interchange ("HSRFI") representing an opportunity to expand the very small network of existing SRFI's, to significantly enhance access to the rail network for local businesses, fully in line with the objectives of the government through the NPS, as well as those of business in seeking additional transport options for their goods and moving towards reduced carbon emissions. However, there is limited evidence on which such statements are made. In other words, while the Council would not necessarily disagree with the presumption that a SRFI would improve the

capacity of the network, it is an altogether different assumption that a site at Hinckley is an optimal choice against other sites without more robust analysis.

- 3.4 The option appraisal lacks much in the way of depth, or at least the information and data analysis on key criteria [rail, road, environmental and commercial] does not appear to be extensive. The Council is particularly concerned at the lack of comparative technical analysis on the other sites at: Brooksby, Syston Junction / Fosse Way, Barkby Lane, Whetstone, Littlethorpe and Croft. Consequently, the Council requests a more thorough and comprehensive review of the comparative benefits and advantages of each of these alternative sites to ensure that the ExA is fully persuaded that the Hinckley site represents the most appropriate site for this development.
- 3.5 In comparative terms the preferred option at Hinckley places particular emphasis on its location on the South Leicestershire main line with connection to the M69 and M6. However, no in-depth analysis has been undertaken to show how other sites might address connectivity across the trunk road network, over which most intermodal rail freight is currently moved through the UK. The Council understands the logic of railport users benefiting from access to a mainline route with W10 loading gauge and capable of handling 775m length freight trains, but this key criterion for a SRFI site might conceivably be just as effective in other sites identified in the option appraisals.
- 3.6 The Council objects to the assessment and conclusions on the choice of sites in what has been described as a geographically distinct location relative to other existing and proposed SRFIs in Merseyside and Manchester to the North, or those South of Birmingham in the West and East Midlands. The Council disagrees and therefore objects to the conclusion that comparative benefits of on-site rail layout might be designed to facilitate turnaround of freight trains within all of the railport sites. The interchange design that is being promoted in the development presents a sub-optimal arrangement when compared with design options on alternative sites. This is illustrated in the arrangement for trains and trucks being brought directly alongside each other, with one-way flow for HGVs through a railport where the emphasis is to promote the fast and efficient transfer of freight.
- 3.7 Comparative analysis of space for additional sidings has been indicated in the reports and design parameter drawings. Optimal design, as one of the important factors in compliance with the NPS, should allow for greater depth of comparative analysis where several options are expected to be considered. For example, how are other sites compared against optimised criterion where for example designs might consider permitting direct rail access to warehouse units on site, as well as additional stabling and the ability to handle electrically hauled freight trains in future.
- 3.8 It is not made clear whether engineering and timetable assessment work undertaken with Network Rail through its in-house "GRIP" development programme has confirmed the ability to achieve the main line connections on

which to commence operations, along with capacity within the timetable to accommodate the rail freight services associated with those operations. In comparing sites, the Council would expect to be able to understand the comparative advantages of the Hinckley site in terms of its capacity to handle 16 trains per day at a mature level of operation in the first instance and then how it compares to other sites if there is an assumption of growth being determined by end user demand within available network capacity.

4. Design

- 4.1 The Council feels strongly that the proposal does not constitute 'good design' as set out in the National Policy Statement for National Networks (NPS). The Council has commissioned a Landscape Design Review (Appendix 1) within which the merits of the proposal are considered taking into account the applicant's submitted 'design code' and the National Design Guide, National Model Design Code and the HBBC Good Design Guide SPD.
- 4.2 The Design Review considers the merits of the proposal against the ten characteristics of a well-designed place as set out in the National Design Guide – context, identity, built form, movement, nature, public spaces, uses, homes and buildings, resources and lifespan. The overall impression (and one found throughout the Council's assessment of other matters set out below) is that the development has been imposed on a landscape without sufficient attention paid to how the layout and design of the operation and buildings can be configured to have minimal impact on the landscape and nearby receptors; rather, the development has been designed for optimal operational configuration aimed at maximising the developable floorspace and shoe horned into the location with little regard for optimal assimilation taking account of the context and setting.
- 4.3 The Design Review identifies the context of the site as predominantly rural and that the proposal introduces an urban character that does not relate to that rural context. The proposed design is not sensitive to its landscape context in terms of scale, massing, local vernacular, or general materiality. Consequently, the proposal sits awkwardly within its setting and has a significant negative affect on the surrounding area. Although it is recognised that the applicant has undertaken an optioneering process to arrive at the current scheme, the process does not appear to have challenged the parameter plan which as described above appears to be wholly operationally configured.
- 4.4 In terms of 'identity', whilst the proposals meet the applicant's operational requirements, the identity of the development proposed is foreign within its setting and imposes a new corporate, industrial character that jars with the adjacent rural landscape. The proposed development does not reflect the local distinctiveness of the area identified within the landscape character descriptions or the local vernacular expressed within the local Design Guide SPD. The proposals for the development are visually generic and similar to schemes elsewhere in the country. Although this generates a strong brand identity for the applicant, this is to the detriment of the local area, contributing to an erosion of local character. The existing site functions as a mixture of pasture and arable

agricultural land and the current design proposal will significantly impact the identity of the local area. The applicant's design code proposes a 'simple' and 'contemporary' aesthetic, but this is at the expense of retaining important landscape features such as the existing veteran Oak tree, or hedgerows which form part of the site's existing character. Retention of these elements would help reinforce local identity and help to integrate the scheme into its context.

- 4.5 In terms of built form, the proposal is spread over nine building units, making the scale of the built form out of proportion with the urban grain within the locality. The configuration, orientation and servicing of the buildings results in the erosion of the existing character of the site, for example, the removal of field boundaries. The layout and architectural massing lacks hierarchy and does not relate to the local area. The modern design of the buildings and materiality appears stark and incongruous within its setting and rails against the context of the local vernacular. This contradicts both national and local policy which seeks a more integrated approach. Most of the building frontages have a sterile relationship with the adjacent spaces, prioritising function over aesthetics. The streets proposed are of a similar scale to each other with no distinct features. The streetscape lacks legibility with little means for natural wayfinding or orientation. The parameter plan dictates site clearance within its primary development zone and creates one large development plateau, this obliterates the current landscape grain and makes it impossible to integrate the proposal into its context. Without this common grain the development is inward looking, proposing a new layout that is uniform, lacking cohesion with its surroundings and having little or no relationship to its immediate surroundings. The proposal allows for buffer planting and screening to the edge of the development; whilst in principle this is good practice, the areas required to sufficiently screen the scale of the development are inadequate. Bolstering of planting within these areas alongside stronger green infrastructure within the site itself would assist in lessening the development's impact and integrate it more effectively into its surroundings.
- 4.6 In consideration of movement within and around the site it should be noted that the existing public footpath and bridleway network gives varied rural routes permeating much of the site area. The proposals to stop up many of these or re-direct them around the periphery of the site further demonstrates the imposition of the proposal on the landscape with little consideration given to whether the development could be configured in a more accommodating manner. Within the development pedestrians are limited to walking along large main roads with little consideration within the layout whether they could move within the site in a more pedestrian friendly manner. The scale of the roads and hard landscaping encourages vehicular use and has not been designed at the human scale for a pedestrian priority. The layout of the routes is rigid and mostly linear, not commensurate with the grain of the towns and villages within the wider area.
- 4.7 There is a more in-depth commentary on landscape and ecology below, but in terms of the wider design considerations, the theme continues of a development paying little regard to existing features. The site and adjacent area contain existing irreplaceable habitat including a Veteran English Oak (T486)

which is to be removed, contrary to the advice in the NPS (para 5.32). The application does not provide adequate information on mitigation measures for protecting adjacent Ancient Woodland; the proposed 50m buffer is unlikely to form sufficient protection with the proposals having a direct negative impact on these receptors. Most of the open space within the development is hard landscaped, which will cause a significant effect on the ecosystems and result in a loss in biodiversity on site, which does not align with prioritising nature. The scheme states off site mitigation will be provided to achieve +10% biodiversity net gain but lacks any detailed information on how this will be achieved. Given the scale of this development, the impact of providing most of the mitigation off site will be significantly detrimental to the locality and have an adverse impact on the neighbouring ecosystems. The scheme focuses the majority of the green space around the periphery of the site, there is very little in terms of incidental green space throughout the primary development zone giving the proposals a disproportionate feel. The scheme lacks variety in the uses of green space, particularly in terms of health and wellbeing of site users. Spaces that are proposed appear more as land left over following design of the primary infrastructure rather than landscape led design. The juxtaposition of the development and the adjacent Burbage Common and Woods will be incongruous such that it will significantly diminish the attractiveness of the Common and Woods as a place of recreation and tranquillity.

- 4.8 Most of the external space has been designed solely for operational benefit, with little regard to the design of communal public spaces for amenity. The masterplan is led by the infrastructure and offers little regarding the experience of everyday users and pedestrians passing through the site. A few features are placed to the edge of the site such as outdoor exercise equipment and seating, but these do not feel integrated into the design and appear isolated, with the likely outcome of them being little used. The road network in and out of the site dominates the public realm and appears to have been designed solely for functional use. The proposed green infrastructure on the road network exacerbates the linear form of the road rather than softening it. The examples of furniture shown in the proposals are generic and do not encourage a sense of wellbeing or cater to a differing range of users. The signage is imposing and feels oversized for the existing character. The lack of passive surveillance, large areas of blank façades, and lack of diversity of site uses means users are less likely to feel safe on site on public routes, particularly at nighttime.
- 4.9 It is accepted and understood that the site's primary use has to be designed for functionality, but this does not necessarily mean that the proposal has to exclude elements of good design that could better accommodate ancillary uses. The way in which the development accommodates welfare areas, seating and outdoor gym equipment is peripheral on the site within the landscape and appears as if they have been proposed through necessity to fulfil requirements rather than a purposeful design striving to achieve a high-quality environment that would support a diversity of incidental uses. The lack of this social infrastructure including nodes, gathering spaces or opportunities for engagement with nature diminishes the quality of the design.

- 4.10 The Design Review sets out suggestions as to how the design of the scheme could be improved and these are not set out again here but should be referenced in the document itself.
- 4.11 Overall, it is considered that the development generally represents poor design when considered against the characteristics of a well-designed place and this is set out at paragraph 3.20 of the Review document.

5. The Development Plan and National Policy

- 5.1 The Planning Act is the principal instrument on which any NSIP should be defined. The primary policy statement for the determination of this proposal is specifically provided by the NPS. Under the provisions of Section 104 of The Act, the correct starting point for the determination of any NSIP application is the NPS. However, it does not exclude the material value of a Development Plan.
- 5.2 The NPS makes it clear that where there are specific environmental and technical considerations for the proposed development, weight will be given to additional policy relevant to the needs case. While there is recognition that existing operational SRFIs and other intermodal RFI's are situated predominantly in the Midlands and the North, the objective of the policy is to ensure an optimisation of the network across several critical parameters. In considering the proposed development, and, when weighing its adverse impacts against its benefits, the Council does not consider that adequate consideration is given for the ExA and the Secretary of State to approve the scheme based on:
- its potential benefits, including the facilitation of economic development, including job creation, housing, and environmental improvement, and any long-term or wider benefits.
 - its potential adverse impacts, including any longer-term and cumulative adverse impacts, as well as any measures to avoid, reduce or compensate for any adverse impacts.
- 5.3 In this context, environmental, safety, social and economic benefits, and adverse impacts, should be considered at national, regional, and local levels. Given the lack of clarity in the site selection process the Council does not consider that adequate weighting is given to these principles against the drivers of need. The environmental advantages of rail freight for developments such as SRFIs, has not been considered effectively and therefore the local impacts in terms of land use and increased road and rail movements, and it is important as the environmental impacts at these locations will be significant.
- 5.4 While National Policy recognises that development of the national road and rail networks is expected to be sustainable against its objectives of need, these are

expected to be designed to minimise social and environmental impacts and improve quality of life. In delivering new schemes, the policy is explicit in instructing promoters to avoid and mitigate environmental and social impacts in line with the principles set out in the NPPF and the Government's planning guidance. It is not entirely clear that there is sufficient robust evidence that considered reasonable opportunities have been completed in the site sifting exercise to deliver environmental and social benefits as part of schemes. Specifically, the EA is dependent on the reliance of an agreed model without which arguably creates doubt that the adverse local impacts on noise, emissions, landscape/visual amenity, biodiversity, cultural heritage, and water resources are fully understood or likely to be comprehensively considered. The significance of these effects in Hinckley borough and the effectiveness of mitigation is uncertain at the strategic and non-locationally specific level. Therefore, whilst the applicant has undertaken sufficient consideration of the NPS and in an environmentally sensitive way, including considering opportunities to deliver environmental benefits, some adverse local effects of development may remain.

- 5.5 The "judgement of viability" made within the market framework must be a factor in defining the needs case for the project. It is not clear whether there has been any engagement with the Government on how it expects to account for any interventions. The Council is concerned that no consideration or examination of the likely social value of the project or indeed the mechanisms through which these interventions are included as part of the business case.
- 5.6 The Council is mindful in the context of needs case, that where terms and commitments are expected to be made or are imposed, given the importance of social value for all projects of nationally significance, it would be expected that a good deal more detail is provided as part of the requirements of development consent. The structure of such commitments will be important where with agreement of the relevant authority and interested parties, they are seen as necessary, relevant to the planning policy commitments, relevant to the development to be consented, enforceable, precise, and reasonable in all other respects.
- 5.7 The proposed development is contrary to the adopted Development Plan for the Hinckley & Bosworth Borough area - the Local Plan 2006 – 2026 which comprises the Core Strategy adopted in December 2009 and the Site Allocations and Development Management Policies DPD adopted in 2016.
- 5.8 The proposed A47 link road to the west of the railway line is in an area designated in the Local Plan as 'Green Wedge' which aims to preserve the identity and separate the edge of Hinckley and the settlements of Barwell and Earl Shilton to the north east. Introducing the new link road into this part of the Green Wedge is contrary to policies 1,2,3,4,6 & 20 of the Core Strategy and DM.4 and DM.9 of the Development Management Policies DPD and

undermines the environmental and landscape protection role of the Green Wedge at this location.

- 5.9 The alignment of the A47 link road runs parallel to Burbage Common and Woods in close proximity to the designated wildlife site which covers the Common and the Aston Firs Site of Special Scientific Interest (SSSI). The impact of the proposed development on these sensitive wildlife areas renders the proposal contrary to policies 1 and 20 of the Core Strategy and policies DM.6 and DM.9 of the Development Management Policies DPD.
- 5.10 The failure of the proposal to satisfactorily deliver a range of sustainable means of transport access to the site from nearby local communities means the proposal is contrary to policies 1,2,3,4 & 5 of the Core Strategy and policies DM.3 and DM.17 of the Development Management Policies DPD.
- 5.11 The failure of the proposal to meet 'good design' criteria means that it is contrary to policy DM.10 of the Development Management Policies DPD and the Good Design SPD; and the potential adverse effects of the proposal on nearby residents and local communities by way of lighting, noise and air quality impact mean that it is contrary to policy DM.7 of the Development Management Policies DPD.

6. Landscape & Ecology

- 6.1 The development will entirely replace the existing rural vale landscape which is comprised of a mix of arable and grazed farmland enclosed by a network of mixed hedgerows with mature trees (oak, ash and elm), crossed by minor stream and water features. The site is part of a relatively tranquil rural landscape between the urban areas of Burbage, Hinckley, Barwell and Earl Shilton which lie to the west/north and the M69 part of a wider vale which extends from the settlements to the Soar tributaries in the east. The area is protected in the Hinckley & Bosworth Core Strategy as a Green Wedge. The development will change the character of the extensive site from open countryside to industrial/urban, with complete loss of all features including the mature trees and hedgerows, water features and rural farms within the site. The existing network of footpaths/bridleway and the rural lane which cross the landscape will be stopped up and replaced with one new bridleway to follow a corridor between the development and the M69 around the development, crossing and following the link road to Burbage Common and woods to the west. The landscape impacts of the scheme will be much wider than the site itself and the rural character of the surrounding landscape and villages of the vale will change as a result of the bulk and scale of the development. The rural village of Elmesthorpe which sits on a ridge will be backdropped by large scale container buildings forming a close skyline. The sense of the vale extending to the west away from the ridgetop settlements of Hinckley and Barwell will be blocked by the development, and it will be prominent from the landscape west of the M69 with associated effect on the overall sense of rural tranquillity of the vale.

- 6.2 The separation between the main site and the Burbage Common and Woods Country Park is not 'generous' achieving natural separation (as stated by the applicant) but creates a pinch point (25 m) which crosses into Burbage Common Local Wildlife site, protected by policies in the Core Strategy, and is within part of a Green Wedge identified in the Local Plan. The planting of a new Western Amenity Area extending to 22 ha as an extension to the public open space appears to be more of an afterthought than purposefully designed. The application appears silent on the delivery and future management of this newly created extension to the Common and this is a matter which should be given greater certainty by inclusion in the s106 agreement. This area can already be appreciated as an undeveloped rural farmed vale landscape as it exists (albeit without public access). The intrinsic value of the new 'amenity' area will be impacted by the proximity of the proposed A47 Link Road which will be a dominant feature affecting the amenity of users to the extent that it is unlikely to offer any further attraction over the existing amenity area. For that reason the proposal remains contrary to policy 20 of the Core Strategy as although on the face of it Burbage Common will be extended, the Council does not consider that the proposal is of sufficient quality to meet the policy expectations.
- 6.3 The landscape strategy has been designed to fit around the perimeters of the development rather than working with the natural landscape context. The narrow 'green' corridor, wedged between the development and the motorway, location of flood attenuation pools at the top of gradients, and design of public amenity space along a major link road are examples of a landscape that does not respond well to the local context and character.
- 6.4 While the site itself is low lying and appears visually enclosed from within, with views partially contained by the woodland backdrop at Aston Firs and the mature trees and hedgerows within the site – it sits as part of a more visually exposed low-lying vale, with settlements on surrounding minor ridges. Apart from Burbage Wood and Aston Firs this is an open, unwooded landscape with a limited sense of enclosure provided by low trimmed hedgerows with mature trees allowing long views, both within and across from surrounding higher land.
- 6.5 The scale and bulk of the layout of container stacks, rectilinear roofscape, plus the tall rail gantries will have a dominant visual presence and the height of the container stacks (22-28m) means that for the majority of views, mitigation by screening is not possible. The development will have many and far reaching significant visual impacts from its initial construction and continuing during operation of the site as illustrated in the applicant's Landscape and Visual Impact Assessment (LVIA). People affected include those travelling along local roads between villages and the urban centres at Hinckley and Barwell, people using the network of local rights of way and local open spaces including adjacent to settlements, people resident in local properties, and those travelling on the motorway.
- 6.6 In the ridge top settlements of Barwell and Earl Shilton, the characteristic long views out across the vale from the edges of the development with its patchwork of farmland and trees (where existing linear infrastructure of the road and rail line is not discernible or in the case of the grid line is permeable) will be blocked

in the middle ground by the large scale freight facility which breaches the skyline and results in a solid vertical 'wall' with loss of the sense of space and the wider rural landscape continuing across the vale. The proposed visual mitigation includes screening and visual filtering. However, for most views the size and scale of the development means that it remains well above the treeline at year 15 and in the longer term.

- 6.7 Burbage Common & Woods LNR is a site of National importance located immediately adjacent to the development. Also located immediately adjacent to the site is the Aston Firs SSSI, this SSSI is comprised of ancient and semi-natural woodland and is also classed as priority habitat inventory deciduous woodland. It is currently unclear as to how offsite BNG and the provision of a green area as an extension to Burbage Common will offset the loss of habitat while maintaining habitat connectivity. Due to the nature of the proposal, it is considered unlikely that recreational activity on the Common and in the woods will be increased as a result of the development and it is likely that there will be a displacement of walkers and dog walkers put off by the presence and proximity of the development.
- 6.8 Freeholt Wood is located immediately adjacent to the southern boundary of the Proposed Development and is comprised of ancient and semi-nature woodland and classified as priority habitat inventory deciduous woodland. This site is split between grassland and woodland with significant scrub habitat, with much of the grassland registered common and unimproved acid grassland with some areas of heath. The site supports over 250 species of fungi, 300 flowering plants, 15 damselflies and dragonflies, 20 butterflies and 100 birds.
- 6.9 There are a large number of important and potentially important hedgerows affected by the development, the total loss of which amounts to 13.44km of hedgerow. This is inclusive of species rich hedgerows along Burbage Common Road which will be partially lost.
- 6.10 The current proposals anticipate a loss of 3.49 river units (11.85%), or with offsite compensation, 2.58 units (8.75%) loss. The stream present within the site is to be rerouted, with the post development condition entered into the biodiversity metric as 'moderate'. It is considered that this will be challenging to achieve and that further assessments of the watercourse will be required, including offsite compensation in order to meet 10%.
- 6.11 There is a risk that due to the presence of low, medium and high surface water flood risk areas on and along the boundary of the Proposed Development site, the increased hard standing and built structures, proposed drainage and SuDS attenuation features being overwhelmed, increased overland flow could cause flood water and excess nutrients to inundate the woodland during periods of heavy rainfall.
- 6.12 Based on the application stage BNG calculations referenced in Document 6.2.12.2 (APP-198) Environmental Statement – Biodiversity Impact Assessment

Calculations, the project is estimated to result in a 4.82% net biodiversity loss in area units, a 7.12% net gain in hedgerow units and an 11.85% loss in river units. The current offsite proposals are predicted to achieve a 5.5% net gain in area units, an 11.7% net gain in hedgerow units and an 8.75% net loss in river units. This does not meet policy DM.6 of the Development Management Policies DPD requirements or the aims of the Environment Act 2021. It is proposed that through partnering with the Environment Bank, further area habitat and linear river units will be achieved in order to meet the 10% requirement. This, however, has not yet been established nor is it clear how these proposals will be achieved. A full and complete Biodiversity Impact Assessment (BIA) report should provide an assessment of the proposed offsite BNG provision.

- 6.13 The applicant proposes retaining and buffering the key habitats and corridors around the perimeter of the order limits, however retaining connectivity of habitats is under explored within the application. In addition, the current lighting strategy is brief and unsupported by appropriate surveys to determine the effect of the proposed development on the surrounding/retained habitats.
- 6.14 During the operation of the HNRFI there would need to be ongoing management of the site to ensure compliance with environmental standards and commitments made as part of the DCO. This management will include responsibility for ensuring the planned management and maintenance of the site, including shared areas of public realm and unadopted areas.
- 6.15 The Council would expect to understand in clear terms how this management will operate and how close and effective consultation there will be to ensure the relevant enforcement standards that will be committed to as part of the DCO are met. The Council would expect a closely focused set of mechanisms of enforcement either through procurement and or contractual terms where the management process and responsibility is identified.

7. Highways & Transport

- 7.1 The Council recognises that the highway authorities for roads affected by the proposal are Leicestershire County Council, Warwickshire County Council and National Highways. However, the wider transport impact of the proposal is a key concern to the Council who has appointed its own consultants, Markides Associates, to work alongside these responsible bodies and to advise the Council on highways matters pertaining to HBBC. The Council is extremely concerned regarding the inadequacy of necessary information provided with the application as expressed by the statutory bodies responsible for assessing the impact of the proposal on the local and strategic road network and to ensure that appropriate mitigation measures form part of the proposal. The apparent reluctance of the applicant to provide the necessary information, requested by the statutory authorities on multiple occasions, is a matter of great concern which the ExA should have regard to. In the absence of this information, it is the

Council's opinion that the DCO cannot be recommended to the Secretary of State for approval.

- 7.2 Although the development of the rail port and warehousing falls within the district of Blaby, there will be significant impacts on traffic movements on the local road network within Hinckley and Bosworth borough and part of the A47 link road and other off-site highways works fall within the HBBC boundary. The development is purported to create between 8,400 and 10,400 new jobs and this will have a significant impact on the travel dynamics of Hinckley, Burbage, Barwell and Earl Shilton being the settlements in closest proximity to the development within the borough and will have a major impact on local transport networks and travel.
- 7.3 The shortcomings in adequate highways and transport assessment are summarised below; the Council notes that other aspects of the transport assessment and proposals have been highlighted as of concern to Leicestershire County Council and National Highways and until resolved, these remain of concern to the Council as well:
 - 7.3.1 There is a lack of detailed public information on the traffic impacts on different links; for example graphics with bars are shown, but not necessarily the number of vehicles at each location (particularly for HGV's alone); and the flows used for the environmental assessment (e.g. air quality) do not seem to have been provided.
 - 7.3.2 The strategic modelling has not included any sensitivity tests around HGV routing or the employment distribution despite requests. The HGV estimates are based on a set of layered assumptions each with little underlying source data, and there are no actual surveys of similar facilities to provide good information on the likely distribution of freight trips. So, in effect a very broad set of assumptions on a key issue of importance to HBBC (HGV movements) have been treated as 'one answer' when alternative scenarios are highly likely. In addition, the Hinckley NRFI Market Needs Assessment (document 16.1 (APP – 357) sections 6.11-12 states that '*For HNRFI, the optimal maximum distance for the road leg is c20 miles / 45 minutes' drive time*' and '*HRFI will serve Coventry through to Leicester South, including Magna Park*'. However, it is clear from the HGV Trip distribution work (Document 8.1 (APP – 350) section 3) that the transport modelling assumes a very much wider HGV distribution. These issues are of concern to the council. The Council notes that the sensitivity and importance of J21 of the M1 in the network suggest that testing using different distribution scenarios would help understand the impacts here much better.
 - 7.3.3 No detailed modelling of the key junction 21 of the M1 (J3 of the M69) has been undertaken. While detailed modelling has been carried out of the site junction with the M69 (J2) and the junction to the south (J1 with the A5), and junctions on the A5, but despite requests, no detailed modelling has been undertaken on J21, which is a critical junction on the Strategic Road Network (SRN), and the closest junction on the M69

to the north of the development. This issue is very important given the information provided on how the development affects this junction and the M69.

- 7.3.4 Related to the above, the applicant's modelling indicates very small net increases on the section of the M69 between J2 (the site access junction) and J3 (J21 of the M1). The applicant contends that development traffic amounting to a few hundred vehicles does use this section of the M69, but as J21 of the M1 is at capacity (and no mitigation is proposed), this constrains overall traffic; and the net effect is that other traffic is reassigned from the M69 to local roads. In the view of the Council, there has not been enough information provided to assess this very important impact – despite requests the applicant has not provided information on the total demand that would like to use this section of road and details of potential J21 mitigation.
- 7.3.5 While the Sustainable Transport Strategy submitted by the applicant states that public transport in Hinckley borough will be improved through a Demand Responsive Service, and that cycling improvements to Hinckley station and town centre will be implemented, insufficient detail is available to judge how such improvements will be made and whether such proposals will be effective and how they can be properly secured. The Council requested the applicant undertake an LTN 1/20 audit of the links (and proposed mitigation) for cycling (and walking) between the site and key local residential areas and the station, and this will clarify if the proposals are adequate- this has not been undertaken.
- 7.3.6 The applicant proposes parking on the site, but there is no reconciliation of the parking proposals with the travel generation and the travel plan mode shift objectives. This is critical if the sustainable transport opportunities are to be taken up.
- 7.3.7 The applicants' HGV management strategy indicates that HGVs from the site will not use the B4468 Leicester road to the north of the site (and by assumption the link road here); this is welcomed by the Council, but it is noted that the applicant's transport modelling does show HGV's using this route. This implies that the traffic assessment is therefore incorrect, and these HGVs will be using other routes, and more information is needed to assess the local impact of HGV movements. The Council also has concerns about how the enforcement of the HGV strategy will be secured and undertaken.
- 7.3.8 In respect of PRoW changes, the applicant has provided information (Figure 5.5. of the TA) that suggests that some existing bridleways/footpaths will be replaced by permissive paths, which is regarded as a downgrade of the existing status. However, this

information may not be correct (some appear to be on public highway), and it is not yet clear that the proposals will be an appropriate replacement of the existing access routes, and further information is required.

- 7.3.9 The Council has concerns regarding the content of the Construction Traffic Management Plan and how this will be enforced.
- 7.3.10 It is not clear if all of the mitigation proposed (including features such as visibility splays and construction areas) is within the highway boundary or on land within the applicant's control. Given the issues highlighted above with modelling, there is insufficient information to judge whether such mitigation is appropriate.
- 7.4 The Council is concerned that the Sustainable Transport Strategy submitted fails to enable full and effective access to the development for residents in nearby settlements of Barwell and Earl Shilton and from Hinckley and Burbage. In fact, the applicant states in socio-economic terms the site would be accessible for a 30km commute, yet the Sustainable Transport Strategy does not address accessibility from such a distance and seems to focus mainly on settlements to the north of the A5 and immediately to the west and east of the development. Notwithstanding that shortcoming to cover a much wider travel to work area, the Strategy fails to adequately improve accessibility for those communities within the borough most proximate to the development and will most likely lead to an increase in car usage. Table 5 of the Sustainable Transport Strategy (6.2.8.1 of the DCO submission) sets out that indicative target modal shift is only -10% in car usage to 65% in year 5 and only +3% each for cycling and buses (to 5% and 6% respectively at year 5) and no change at all in walking. This simply does not go far enough in making this development a sustainably accessible development and runs contrary to the NPS and to Circular 01/2022 'Strategic Road Network and the Delivery of Sustainable Development'.
- 7.5 The Council requests that to take full advantage of the site location adjacency to the nearby Hinckley urban settlements, new or significantly improved cycling and associated walking measures to the standard of LTN1/20 should be included in the DCO and associated S106 to connect the site to Hinckley town centre and Hinckley railway station via the B4669, and on Leicester Road B4668 to the A47 and to Hinckley Town Centre. In addition, the Council would expect crossing facilities to be in accordance with LTN 1/20, particularly across the busier roads.
- 7.6 The Sustainable Transport Strategy (and provision in the draft s106) proposes to make improvements to the X6 bus service which runs between Leicester and Coventry and that is the sole public transport provision in the draft s106

submitted with the DCO application. It is flawed because it proposed providing funding to Leicestershire County Council, but they have rejected this as they do not operate the X6 service. Notwithstanding that flaw, this service only stops in Hinckley at the Crescent Bus Station in Hinckley Town Centre – some two and a half miles from the development site. This will be wholly impractical for passengers, as once alighted in Hinckley there is no linked means of transport to the site itself. The existing services of the 158 and 48L run from Leicester to Nuneaton and whilst they do stop in Barwell, Earl Shilton and Hinckley, the nearest stops are still distant from the site with no proposals as to how passengers are supposed to get from them to the site.

- 7.7 The other measure proposed in the Sustainable Transport Strategy is reliance on Demand Responsive Transport (DRT) but this is understood to be a DfT trial service which cannot be relied upon to continue and for which there is no fallback support in the draft s106 should the trial be withdrawn. Figure 13 of the Sustainable Transport Strategy indicates that there is a possibility of fixed bus routes directly into the site from Hinckley, Earl Shilton and Barwell, but there is no explanation as to how this could be secured, nor is it a provision in the draft s106 and therefore there is no guarantee that suitable bus transport is going to be accessible for commuters to get to the development site.
- 7.8 Hinckley is served by a railway station in the town, this is on the CrossCountry Birmingham to Peterborough Line, connecting to Leicester and Birmingham. The Sustainable Transport Strategy proposes no additional connectivity between the railway station and the development site other than the DRT, which as noted above the Council have significant concerns about. This means of access suffers the same limitations as the X6 and other existing bus services in leaving passengers too far from the development site to make then usable alternative means of transport.
- 7.9 The proposal fails to provide sufficient opportunity for walking access to the development, despite the potential to better link the northern part of Hinckley, Earl Shilton and Barwell, focussing instead on access to bus stops and circulation within the site. (The Council notes that the Sustainable Transport Strategy assumes in Table 5 a walk mode share of 11% of all employees, 4 to 5 times more than cycling and buses). Whilst there is mention of bus stops/shelters where walking accessibility is focussed, these appear a considerable walk distance from the different elements of the site with poor connectivity to the units themselves, and there is no detail of the bus services expected to use these stops and when. Cycling offers more of an opportunity to improve access to the site with the Strategy recognising the 10km catchment area which would cover a considerable number of communities within the locality; however, the Strategy wholly fails to address how routes could be improved to the site and made safer. Had the application proposed improvements to the cycle network it may be possible to improve the modal shift from the low percentage the Strategy appears to accept. For example, there is a lack of cycling facilities on the B4669 Sapcote Road from the site to Hinckley and the railway station, and only partial cycling facilities on the B4468 Leicester Road to the west of the proposed link road junction with this road.

Controlled cycling crossing facilities do not exist on these roads or on the A47 in the vicinity of the Leicester Road junction.

- 7.10 Given the stopping up of the extensive existing PRow network and its replacement by more circuitous routes, the Council requests that the proposed alternative bridleway/footpath and cycle path network should not be permissive routes but instead be part of the PRow or public cycle path network where the public have a legal right across the land. In response to this point the applicant notes 'A more direct route from the eastern edge of Elmesthorpe to Burbage Common can be made via pedestrian and cycle routes within the main body of the site. In these circumstances providing full PRow (and cycle access) status is required.

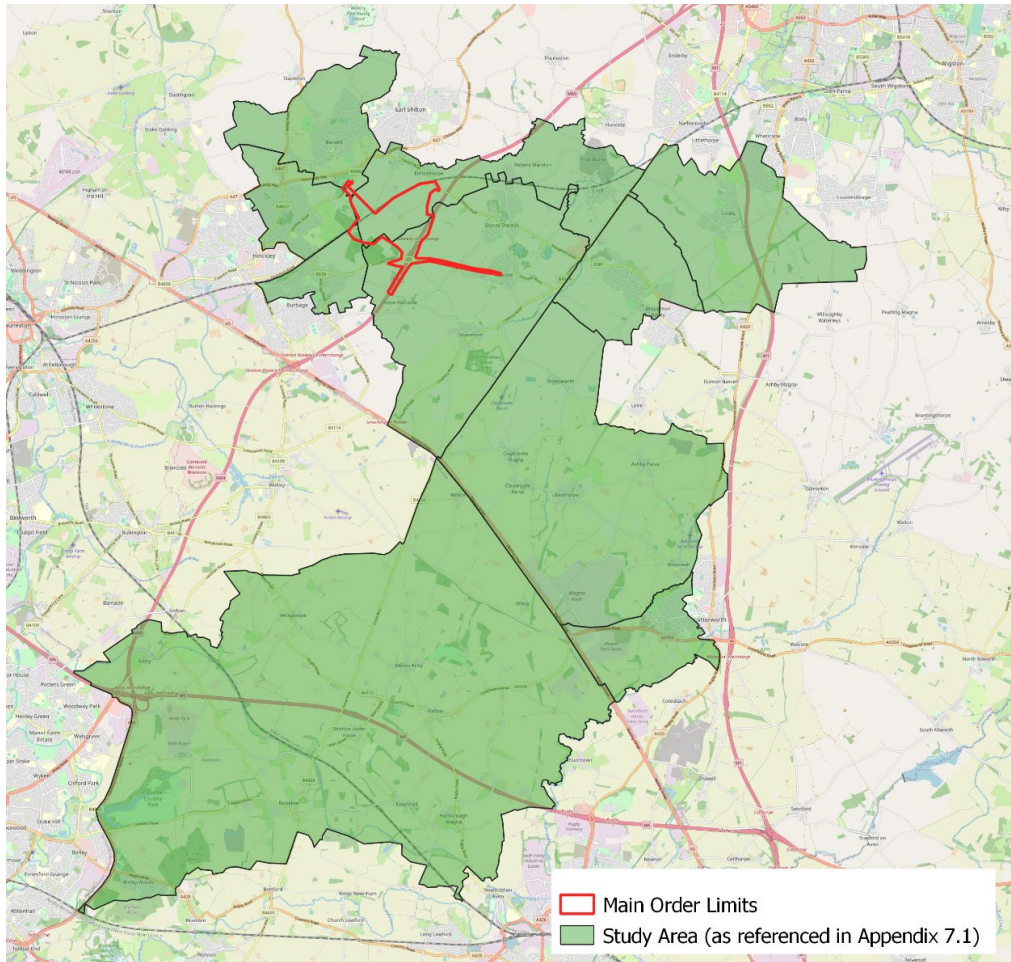
8. Socio - Economic Effects

- 8.1 The Council has commissioned the advice of consultants Icenl to assist in the assessment of the effects of the development in terms of socio-economic impact. The Council has concerns regarding some of the assumptions made and the methodology used by the applicant in arriving at their determination of the impact in the document 'Land Use & Socio-Economic Effects' (6.1.7) and at the time of writing is in discussion with the applicant through the Statement of Common Ground, through which it is hoped agreement may be reached. At present the concerns are:
- 8.1.1 Construction assumptions regarding displacement and use of 'average' years employment rather than spend profile.
 - 8.1.2 Operational assumptions regarding leakage and displacement.
 - 8.1.3 Inadequate analysis of types of construction skills required and the current local skills profile.
 - 8.1.4 Unrealistic assumptions regarding ability to fill future vacancies from local unemployed.
 - 8.1.5 The use of the 2017 Housing and Economic Development Needs Assessment (HEDNA) when a more up to date 2022 version is available and this consequently fails to take account of the scale of other economic growth in the area.
 - 8.1.6 Insufficient analysis of the development's impact on the local housing market and whether future housing delivery will be sufficient to support employment growth associated with the development.
- 8.2 The development also fails to make enough provision within the draft s106 to ensure that improved skills and training opportunities are delivered in support of the estimated growth in employment opportunities. The current Draft s106 submitted with the DCO does not include HBBC as a signatory and the proposed skills and training improvements in Schedule 2 are exclusively aimed

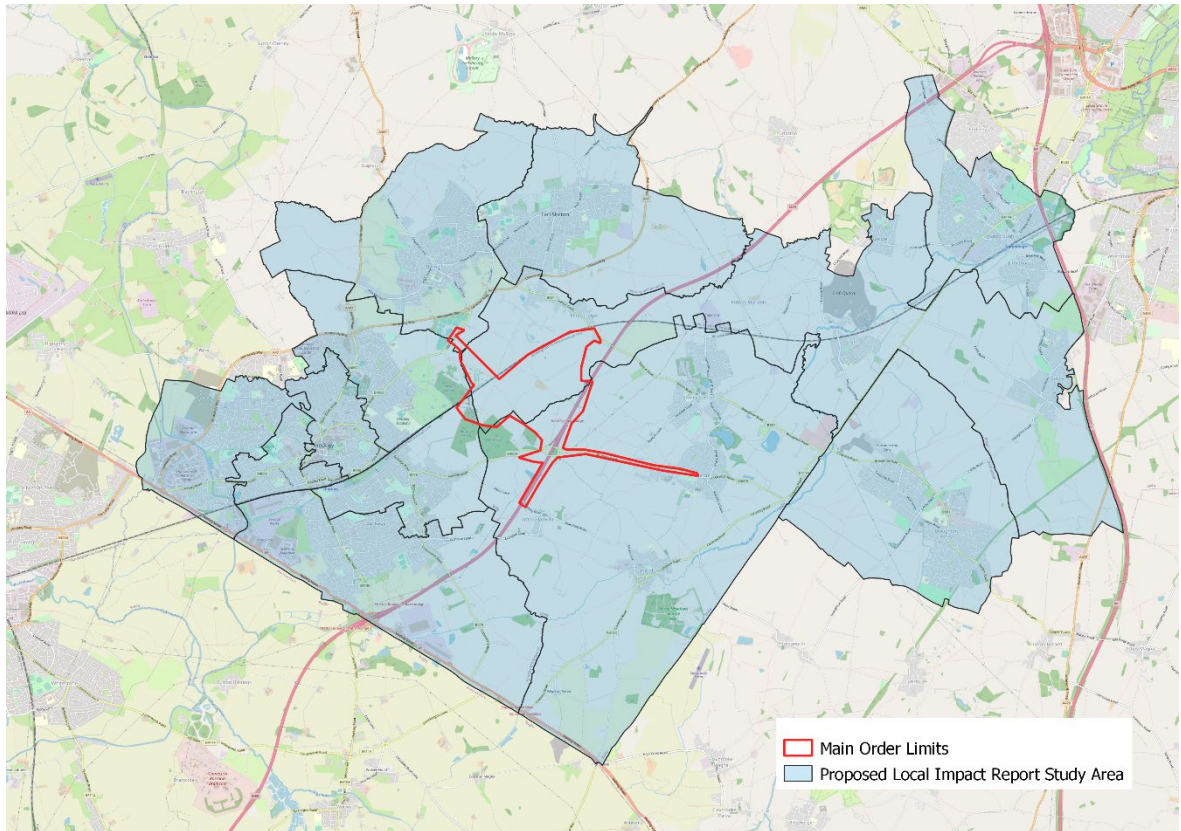
at Blaby District Council. The applicant has completely ignored the likely impact on the more proximate and more populated areas of Hinckley borough, namely Hinckley, Burbage, Barwell and Earl Shilton where there is a much greater prospect of future employees working at the site, yet no provision at all for skills and training improvement. The applicant has assumed that as all the rail port and floorspace development is within Blaby district that their only focus needs to be in Blaby, rather than considering the wider locality which will be impacted by the development.

9. Health

- 9.1 Projects of the nature of that proposed can have direct impacts on health, well-being and quality of life related to traffic flows, noise, vibration, air quality and emissions, dust, light pollution and/or community severance. Indirect impacts can result if there is an impact on access to housing, social infrastructure and services, local transport, opportunities for cycling and walking or the use of open space for recreation and physical activity. The project also has the potential to generate direct and indirect employment during construction and operation. Impacts can be beneficial or adverse.
- 9.2 The Council has commissioned advice from Iceni on the likely impacts of the proposal on the health of its local community. It is acknowledged that the applicant has addressed health in accordance with the formal Scoping Opinion. Notwithstanding that, a standalone Health Impact Assessment was requested by statutory consultees and stakeholders as well as the local community at multiple points throughout the pre-application process.
- 9.3 Within the DCO Appendix 7.1 Health and Equalities Briefing Note, the applicant has presented some of the national and local legislative and policy requirements pertinent to the assessment of health and equality. However, the Leicestershire 2022-2032 Joint Health and Wellbeing Strategy (JHWS) has not been included in this analysis. This is a key health-focused document that provides an overview of the current health and wellbeing of the County as well as setting the overarching vision for the health of the County's residents and the strategic priorities.
- 9.4 The Council believes that the baseline study area used by the applicants is flawed due to the geographical boundaries of the study area excluding some key communities – for example Hinckley and Burbage (see below).



9.5 The Council considers that the study area should have been based on 12 Middle Super Output Areas (MSOAs) comprising Blaby 007, Blaby 010, Blaby 012, Harborough 004, Hinckley and Bosworth 006, Hinckley and Bosworth 007, Hinckley and Bosworth 009, Hinckley and Bosworth 010, Hinckley and Bosworth 011, Hinckley and Bosworth 012, Hinckley and Bosworth 013, Hinckley and Bosworth 014 (see below).



- 9.6 Further, the Council considers that insufficient regard has been given to identified vulnerable groups who will be affected by the proposal – the gypsy and traveller community located to the south of the development site; older people (using the Council’s study area over 20% of the population are over 65) and people suffering from poor mental health (within the study area GP data indicates a higher than average problem with mental health, including depression).
- 9.7 Specifically, the Council is concerned that the proposed development falls short of expected health outcomes in the following areas:
- 9.7.1 Lack of adequate sports facilities included as part of the development which in an employment space of this size would help promote employee well-being, enhancing physical and mental health;
- 9.7.2 Based on the QoF NHS Digital data, half of the GP practices surrounding the Development Site have higher than the national average prevalence of obesity. Providing secure, convenient, and attractive open/green space could lead to more physical activity and reduce levels of obesity along with heart disease, strokes and other ill-health problems that are associated with both sedentary occupations and stressful lifestyles. The proximity of the development to Burbage Common and Woods is likely to reduce their attractiveness as a recreational resource and exacerbate the existing health related issues.

- 9.7.3 As expressed above although the proposal will provide 22ha of new publicly accessible green space south of the proposed link road, which will be provided with permissive public access, the quality of the proposed space is questioned. This is important as good quality open space enhances community wellbeing by offering areas for recreation, relaxation and social interaction which contribute to physical and mental health. Overall, based on the information provided by the applicant there is a limited understanding of how the adverse effects on Burbage Common will impact residents' use of the open space.
- 9.7.4 The Council is concerned about the impact on existing healthcare facilities and whether they are able to accommodate the potential increase in usage arising from the construction and operational jobs. The applicant has stated the inclusion of such analysis has not been completed based on it being “not considered material on the basis that 70% of operational jobs could be relocated from existing, functionally sub-optimal distribution premises in the Leicester and Leicestershire Enterprise Partnership (LLEP) area.” This comment is at odds with a far lower displacement assumption of 25% for operational jobs in Chapter 7: Land Use and Socio-Economic Effects of the ES table 7.13. Impacts are therefore not readily clear.
- 9.7.5 Discouraging car use and providing opportunities for walking and cycling can increase physical activity help prevent chronic diseases, reduce the risk of premature death, and improve mental health. However, as expressed above the Council does not consider the applicant has gone far enough in ensuring that a significant enough modal shift occurs from reliance on the car to more sustainable means of accessing the site, including walking and cycling.

10. Energy Generation

- 10.1 The Council is very concerned at the applicant's approach to the artificial capping of the energy generation potential of the site. The applicant states that the site requires a typical annualised demand in the order of 155 Megawatts (MW) of energy to support the new development, but they indicate the capacity for the energy generation capability of energy generation on the site to just under 48 MW per year, or about 31% of the required energy and Requirement 17 seeks to limit the extent of on-site generation to 49.9 MW. Proposed on site energy production comes from the use of roof space for PV cells and the construction of a Combined Heat and Power plant (CHP). It is suspected that the reason for limiting on site production of energy below 50 MW is that at this threshold section 15 of the Planning Act 2008 would be triggered, and the proposal would require consideration of a separate NSIP which could not be included with the current application. However, such an approach fails to consider the real potential for on site energy generation which the Council considers should be maximised and not capped. The applicant should be required to give a full explanation why the suggested cap is to be imposed and why the development is not being future proofed by enabling more on site energy to be generated.

11. The DCO Requirements

- 11.1 The working hours proposed in the Construction Environmental Management Plan and Construction Traffic Management Plan and set out at para 16 under Requirements in the draft DCO are not acceptable. Whilst 0700 to 1900 hours Monday to Saturday may be acceptable for certain phases, construction works or construction areas, some elements will have an unacceptable impact on sensitive receptors. The Council would request that the following hours are substituted for those in the draft DCO: Monday – Friday 07:30 – 18:00, Saturday 08:00 – 13:00 and no working on Sundays and Bank Holidays.
- 11.2 The following amendments to the Requirements have been agreed with the applicant and the final draft DCO should ensure that they are included:
- 11.2.1 Requirement 3.1 (Phasing of Development) should read - No commencement of construction works shall take place on any phase until a written phasing scheme for that phase of the authorised development setting out the phase of the authorised development, has been submitted to and approved in writing by the relevant planning authority.
- 11.2.2 Requirement 7.2 (Construction Environment Management Plan) – the list should include details of temporary lighting.
- 11.2.3 Requirement 11 (Container Stack Height) – 2(a) should read exceed 8.7 metres from finished floor level prior to the fifth anniversary of the date on which the returns area first comes into use.
- 11.2.4 Requirement 20 (Landscape Ecological Management Plan) – (1) should read - The authorised development shall not commence on any phase until a landscape and ecological management plan (LEMP) for that phase of the authorised development has been submitted to and approved by the relevant planning authority. And (2) should read - The LEMP must be implemented as approved as part of the authorised development and must be reviewed on the 5th anniversary of commencement of the phase of the authorised development it relates to and at five yearly intervals thereafter for the lifetime of the authorised development.
- 11.2.5 Requirement 21 (Ecological Mitigation Management Plan) – (1) should read - Subject to paragraph (3) no phase shall commence until a detailed ecological mitigation and management plan for that phase has been submitted to and approved in writing by the relevant planning authority. The detailed ecological mitigation and management plan must be implemented and in accordance with the principles set out in the ecological mitigation and management plan.
- 11.2.6 Requirement 28 (Acoustic Barriers) should read - Acoustic barriers to be provided as part of any phase in accordance with the details approved pursuant to requirement 4 must be completed prior to the first occupation

of that phase and maintained and retained for the lifetime of the development.

11.2.7 Requirement 31 (Lighting) should read - No phase of the authorised development may be occupied until a report detailing the lighting scheme for all permanent external lighting to be installed in that phase has been submitted to and approved by the relevant planning authority. The report and schemes submitted and approved must be in accordance with the lighting strategy (document reference 6.2.3.2) and include the following;

- A layout plan with beam orientation
- An Isolux contour map showing light spillage to 1 lux both vertically and horizontally and areas identified as being of ecological importance.
- A quantitative light intrusion and luminous intensity assessment in accordance with ILP Guidance Note 01/21
- Measures to avoid glare on surrounding railway and highways

12. Conclusion

12.1 These Written Representations explain why the Council does not support the proposed development and is opposed to it and why it considers the ExA should not recommend to the Secretary of State that the DCO should be granted.

12.2 The Council has set out why the proposal fails in terms of good design and therefore fails to meet the requirements of the NPS. Further, the Council explains why the development is contrary to the adopted Local Plan in terms of the Core Strategy, Development Management Policies DPD and the Good Design SPD.

12.3 The Council explains how the proposal will have a detrimental impact on the landscape, ecology and wildlife and how it will impose on the character and setting of the local area to the detriment of residents and local communities. Further the Council sets out its concerns at the socio-economic impacts and health impacts the proposal will have on the local area and its residents.

12.4 The Council explains why the proposal is inadequate in sustainability terms both by way of shortcomings in the proposed sustainable transport strategy and in the way in which potential energy generation is to be artificially capped.