HINCKLEY NATIONAL RAILFREIGHT INTERCHANGE

Local Impact Report (ref. HRFI 20040018) on behalf of Blaby District Council in response to Tritax Symmetry (Hinckley) Limited submission of a Development Consent Order (ref. TR05007)

Deadline 1 – October 10, 2023

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1 Executive Summary

1.1 This is the Local Impact Report ('LIR') prepared by Blaby District Council ('BDC') in response to the application by Tritax Symmetry (Hinckley) Limited (the 'Applicant') for development consent for the Hinckley National Rail Freight Interchange (the 'Proposed Development'). The LIR gives details of the likely impacts (positive, neutral and negative) of the Proposed Development in BDC's area.

1.2 The LIR identifies the following local impacts:

1.2.1 Traffic and transport

1.2.2 Land use and socio-economic

1.2.3 Landscape and Visual

1.2.4 Ecology

1.2.5 Air Quality

1.2.6 Noise (Acoustics)

1.2.7 Lighting

1.2.8 Geology and Soils

1.2.9 Surface Water and Flood Risk

1.2.10 Energy and Climate Change

1.2.11 Cultural Heritage

1.2.12 Health and wellbeing

Traffic and Transport

1.3 BDC has strong concerns in respect of the highway impacts of the Proposed Development within BDC's area and the accuracy of the information provided by the Applicant. These impacts include:

1.4 Traffic impacts and congestion: The Proposed Development would significantly increase the traffic through Junction 3 M69 / Junction 21 M1. This has the potential to cause congestion in the area, with consequential negative impacts on the surrounding road network. BDC has an overarching concern that the Applicant's traffic modelling has not assessed the trips generated by the highest number of jobs that may be created and has therefore underestimated traffic impacts. We note the Examining Authority awaits the submission of additional information from the Applicant in this regard.

1.5 Inadequate Support for Sustainable Transport: The Applicant's proposals to facilitate sustainable transport are inadequate. Much greater measures in respect of public and active transport need to be proposed and secured.

1.6 Narborough Level Crossing: BDC considers that the Applicant's assessment understates the likely impacts of the increased barrier down time at the level crossing.

Land Use and Socio Economics

1.7 Construction Employment: The Applicant estimates a total of 461 Construction Workers on site per annum, this will be a benefit to the local economy and support the local construction sector in a range of occupations.

1.8 Operational Employment: It is estimated that the Proposed Development will require a total of 8,400 - 10,400 workers on site. Of the net additional on-site jobs of 6,300 to 7,800, 53% or 3,339 to 4,134 are likely to be taken by residents of Leicester and Leicestershire.

1.9 Direct additional Gross Value Added (GVA) per year (due to additional operational on-site jobs) is £247 million to £305 million per annum, based on the average GVA per worker per annum in the LLEP (2020) for Storage and Distribution of £39,135 (Environmental Statement (ES) table 7.18).

1.10 Given the comparatively low sector pay for the future operational wages at the Proposed Development it is likely that fewer employees will reside in Blaby District and Leicestershire, with more residing in Leicester and Coventry. This will reduce the positive impacts in the local area.

1.11 Skills and Training: Overall, whilst the effect on employment within the area is considered beneficial, the likely employment requirements of the Proposed Development as it progresses towards operation could have significant negative impacts for resourcing staff or particular skills in the area. BDC considers these impacts must be sufficiently mitigated through a robust employment, skills and training programme which goes further than that proposed by the Applicant.

Landscape and visual impacts

1.12 Landscape Character: The Proposed Development will replace the existing farmed rural landscape across the entire Site with large-scale built form, roads and rail infrastructure. The landscape impacts of the Proposed Development 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 Proposed Development. The scale of the Proposed Development means that the Landscape Strategy does not fully mitigate effects but does seek to reduce effects.

1.13 Visual Impact: The Proposed Development will have a negative visual impact on a range of local receptors. 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, in the majority of views, mitigation by screening is not possible.

Ecology

1.14 Burbage Common and Woods: There is a risk of increased air pollution as a result of construction and operational stages of the Proposed Development which would impact woodland ground flora due to the effects of excess nitrogen deposition.

1.15 Ancient Woodland, Plantations on Ancient Woodland Sites (PAWS) and Ancient and Veteran Trees: It is likely that degradation from construction workers will have a negative impact on retained woodland and trees.

1.16 Hedgerows: Loss of and damage to hedgerows will occur as a result of the construction phase, leading to the loss of 13.44km of hedgerow leading to habitat severance and fragmentation.

1.17 Watercourses: There will be a permanent loss of water bodies.

1.18 Impacts upon species: Prior to mitigation and compensation, the Proposed Development will give rise to negative impacts on species including:

1.18.1 Bat

1.18.2 Bird

1.18.3 Badgers

1.18.4 Reptiles, invertebrates and amphibians

1.19 Biodiversity Net Gain: There is anticipated to be an overall loss of Biodiversity Units, with the exception of a 7.12% gain in hedgerow units.

Air Quality

1.20 BDC has an overarching concern regarding the Applicant's assessment of the air quality impacts as a result of the discrepancies identified with the expected employment numbers, which informed the traffic modelling and related assessments. BDC will review the Applicant's promised clarity on this matter, expected at Deadline 1.

1.21 There is the potential for **irreversible, major, adverse, negative impacts** on the Free Holt Ancient Woodland.

Noise (Acoustics)

1.22 BDC has significant concerns about the potential for underestimation within the Noise and Vibration ES Chapter due to the discrepancies throughout the wider assessment about predicted job numbers.

1.23 The impact on the local area and identified Noise Sensitive Receptors would likely be classified as **major, negative, adverse and irreversible**.

Lighting

1.24 Due to the size, height and brightness of the lights required there is potential for major adverse negative long term impacts on residential receptors, disturbance of habitats due to light spill and glare impacts on drivers and rail users.

Geology and Soils

1.25 No significant contamination of soils or groundwater is expected at the Site. The impacts of the Proposed Development with respect to contamination are negligible.

Surface Water And Flood Risk

1.26 BDC has some concerns regarding whether the baseline information for surface water and flooding is sufficiently robust.

Energy and Climate Change

1.27 Whilst BDC understands that carbon impacts cannot be identified at a local level, BDC has concerns regarding the Applicant's assessment of Energy and Climate impacts, and considers that the Proposed Development in its current form results in unnecessary energy, water, and climate impacts.

Cultural Heritage

1.28 The Proposed Development will have a significant impact on several structures that appear on the Historic Environment Record. Whilst the affected assets are of low sensitivity, they will be subject to a large magnitude of change which equates to moderate or minor impacts on their significance.

Health and Wellbeing

1.29 The Proposed Development will result in negative impacts to numerous health determinants.

2 Introduction

2.1 This is the Local Impact Report ('LIR') prepared by Blaby District Council ('BDC') in response to the application by Tritax Symmetry (Hinckley) Limited (the 'Applicant') for development consent for the Hinckley National Rail Freight Interchange (the 'Proposed Development') – application reference TR050007.

2.2 The Proposed Development is located on 268 hectares of land south-west of the village of Elmesthorpe, between the M1 motorway and the Leicester to Birmingham railway line (the 'Site'). The Site lies partly within the area for which BDC is the local authority. BDC is therefore a 'local authority' for the purposes section 56A of the Planning Act 2008.

2.3 The LIR has been prepared under section 60 of the Planning Act 2008 having regard to the guidance in the Planning Inspectorate's Advice Note One: Local Impact Reports (April 2012). It gives details of the likely impacts (positive, neutral and negative) of the Proposed Development on BDC's area.

2.4 The LIR covers areas where BDC has a statutory function or expertise. BDC defers to the Leicestershire County Council ('LCC') on other matters, as set out within this LIR.

3 Site Description and Location

3.1 The Applicant's Environmental Statement (ES) at Chapter 2 (Site Description) [APP-111] provides a description of the Site and the surrounding environment. This LIR will not repeat the description given and considers that the Applicant has provided an accurate description of the Site and the surrounding environment.

3.2 With respect to the location of the Site selected for the Proposed Development, the Site is a significant greenfield site that if developed will represent a permanent loss of open countryside. As outlined in BDC's Relevant Representation, other than a dismissive comment on alternative sites, no enhancement of the original site assessment appears to have been undertaken by the Applicant.

3.3 As further detailed in this LIR, in light of the impacts that the Proposed Development will have on landscape and visual amenity, transport, air quality and noise, BDC considers that the location for the Proposed Development is generally inappropriate. The Proposed Development will have significant adverse impacts and the mitigation proposed by the Applicant is not sufficient to reduce these impacts to acceptable levels. BDC's Written Representation contains further discussion of the adequacy of proposed mitigation measures.

4 Project Description

4.1 The Proposed Development comprises:

4.1.1 Railport: Railway sidings and a freight transfer area known as a 'Railport' are proposed alongside the existing two-track railway between Leicester and Hinckley.

4.1.2 Warehousing: Two plateaus will be formed bound by the Railport to the north-west and the M69 for the development of high-bay use class B8 (warehouse or distribution) buildings. These B8 buildings will have a total area of up to 850,000 square metres gross internal area (GIA), comprising up to 650,000 square metres at ground level and up to 200,000 square metres of internal mezzanine floorspace).

4.1.3 Highway works: A new road access to the Proposed Development would be added to the existing roundabout at Junction 2 of the M69. A link road, the A47 Link Road, will be built from Junction 2 of the M69 to the B4668/A47 Leicester Road, including the demolition of an existing railway bridge and construction of a replacement bridge to provide a new highway. Minor enhancement works at ten other junctions

4.1.4 Other works including landscape and planting works, ecological and noise mitigation, drainage, a heavy goods vehicle parking area with driver welfare facilities and a HGV fuel station, an energy centre, a building providing offices and a marketing suite, and footpath, cycleway and bridleway routes and connections; works and closures to a series of local pedestrian level crossings on the Leicester to Hinckley railway.

5 Planning History

5.1 Notwithstanding the existing isolated dwellings, farms including one farm shop, dog daycare and grooming business and keeping of horses, the Site is a presently undeveloped greenfield site. the Site is classed under the Local Plan as 'Countryside' and is within National Character Area 94 Leicestershire Values[1] and both the Aston Flamville Wooded Farmland and Elmesthorpe Floodplain Landscape Character area of the Blaby Landscape and Settlement Character Assessment (January 2020) (Appendix 1).

[1] https://publications.naturalengland.org.uk/publication/4900422342934528#:~:text=This%20is%20a%20large%2C%20relatively,views%20towards%20surrounding%20higher%20ground. [accessed 10.10.2023]

6 Key Local Policy Documents

6.1 This section provides an overview of the relevant policy documents and an appraisal of their relationship and relevance to the Proposed Development.

Blaby District Local Plan Core Strategy – Adopted 2013

6.2 Policy CS1 'Strategy for locating new development': Directs most new development to the Principal Urban Area of Leicester (Glenfield, Kirby Muxloe, Leicester Forest East, Braunstone Town and Glen Parva) (PUA). Outside the PUA, development is focussed to a hierarchy of sustainable settlements within the District. The policy also encourages the use of previously developed land where it is within a settlement. The Proposed Development is not located within or adjoining the identified settlements of this key policy.

6.3 Policy CS2 'Design of new development': Sets out design principles to secure a high-quality environment, including development that: respects distinctive local character, is appropriate to context, contributes to a better quality of life, creates safe and socially inclusive places, takes account of and provides opportunities to enhance the natural and historic environment and gives consideration to the access and mobility needs of people. The policy sets out the parameters for high quality design. Concerns have been raised in terms of the effect of the Proposed Development in landscape and visual terms and on cultural heritage.

6.4 Policy CS6 'Employment': Sets out the approach to deliver sufficient employment land and premises to meet strategic needs. Amongst other things the policy supports the development of strategic employment sites (with high quality design and environmental standards and achieving and social benefits) and promotes local labour agreements with developers to enable local people to secure employment and skills development. The policy supports the approach of an Employment and Skills Strategy for construction and operational labour requirements to ensure the local labour force has adequate skills training to be able to benefit from the potential job opportunities arising from the Proposed Development.

6.5 Policy CS10 Transport Infrastructure: Seeks to limit the impacts of new development on levels of vehicle movements, congestion and on the environment. The preferred approach is to reduce the need to travel by private car by locating new development so people can access services and facilities without reliance on private motor vehicles. In seeking to achieve this, the policy:

6.5.1 Promotes safe, sustainable and accessible transport modes through the provision of new and enhanced routes for pedestrians, cyclists and public transport linked to new development. Improving conditions for cyclists, pedestrians and horse-riders is encouraged;

6.5.2 Seeks design approaches giving priority to pedestrians, cyclists and public transport users;

6.5.3 Seeks to improve public transport when considering proposed developments;

6.5.4 Supports the exploration of realistic opportunities for improving rail based movement of goods and people;

6.5.5 Requires major employers and other developments that generate significant traffic to submit Travel Plans and major developments will require a Transport Assessment.

6.6 BDC is not satisfied that the transport modelling underpinning the Proposed Development is robust and so the mitigation measures proposed in terms of sustainable travel and road network improvements are not considered adequate.

6.7 Policy CS11 – Infrastructure, Services and facilities to support growth: Requires new developments to be supported by physical, social and environmental infrastructure at the appropriate time in order to meet the needs of the community and mitigate any adverse impacts of development.

6.8 Policy CS12 Planning Obligations and Developer Contributions: Where requirements for infrastructure, arising from growth, are identified through robust research and evidence, it is expected that developers will contribute to their provision. The Proposed Development will be required to provide infrastructure (or a contribution) to meet the needs of the community and mitigate any adverse impacts of development.

6.9 Policy CS14 – Green Infrastructure: Seeks to protect existing, and provide new, 'networks of multi-functional green spaces', comprising both publicly owned and private land. Green infrastructure can include areas of cultural importance (heritage assets and their settings), areas that maintain natural and ecological processes (such as floodplains) and other areas that contribute to the health and quality of life of communities. Aston Firs / Burbage Common (defined on BDC's Policies Map at Appendix 2), which adjoins the Proposed Development, is specifically identified by the policy as an area to be retained as an important recreation resource and valuable wildlife habitat. There are concerns about the effect of the Proposed Development on the identified green infrastructure resource and the resulting effects on the health and well-being and quality of life of local communities.

6.10 Revised Policy CS15 Open Space, Sport and Recreation: proposed developments must provide sufficient accessible open space, sport and recreation (either on site or through financial contributions) taking account of local deficiencies.

6.11 Policy CS18 – Countryside: The Proposed Development is in an area currently designated as Countryside, as defined on the Policies Map. The policy restricts the use and type of development in the designated area:

6.11.1 Planning permission will not be granted for built development, or other development which would have a significantly adverse effect on the appearance or character of the landscape.

6.11.2 Appropriate uses being limited small scale employment and leisure development (including dwellings essential for these needs) subject to consideration of its impacts.

6.12 Policy CS18 also recognises that the need to retain Countryside will be balanced against the need to provide new development. The Proposed Development is contrary to the policy. Concerns have been raised in terms of the landscape and visual impact of the Proposed Development and the level of mitigation proposed.

6.13 Policy CS19 Biodiversity and Geodiversity: Sets out the approach to be taken where development may impact on a Site of Special Scientific Interest (SSSI) and other local wildlife sites.

6.14 For SSSIs, the policy indicates that where a proposed development on land within or outside a SSSI is likely to have an adverse effect, planning permission will not be granted unless the benefits of the development, at the Site, clearly outweigh both the impacts on the SSSI site or broader network of SSSIs. Mitigation will be required to enhance the Site's biological or geological interest.

6.15 For Local Nature Reserves and Local Wildlife Sites, BDC will seek to resist development where it is on or affects such a site and alternative development sites exist. Where no alternative sites exist, the designated sites should be retained with appropriate buffering and mitigation to avoid / reduce any adverse impacts. Where this is not possible, compensation measures should be sought including replacement habitats.

6.16 BDC will also seek to protect species of principal importance for the conservation of biodiversity nationally and as such should ensure these species and their habitats are protected from the adverse effects of development through appropriate mitigation.

6.17 BDC will seek to ensure that opportunities to build in biodiversity or geological features are included as part of the design. The Proposed Development adjoins Burbage Wood and Aston Firs SSSI. Burbage Common and Woods Local Nature Reserve adjoins and there are several Local Wildlife Sites within and adjoining the Proposed Development.

6.18 Concerns have been raised about the assessment of the biodiversity resource and whether the compensatory measures proposed as biodiversity net gain are transparently calculated and adequate.

6.19 Policy CS20 'Historic Environment and Culture': Seeks to preserve, protect and where possible enhance important buildings, sites and areas of historic value including Scheduled Monuments, Listed Buildings, Conservation Areas, archaeological remains and other heritage assets (including their settings).

There are Scheduled Monuments close to the Site in Elmesthorpe and Sapcote, and Listed Buildings in Elmesthorpe, Aston Flamville and Stoney Stanton.

6.20 Policy CS21 Climate Change and Flooding: Supports development that mitigates and adapts to climate change. BDC will contribute to achieving national targets for reducing greenhouse gas emissions by:

6.20.1 Focusing new development in the most sustainable locations;

6.20.2 Seeking site layout and sustainable design principles to reduce energy demand and increase efficiency (including providing for walking and cycling, using landform, orientation, massing and landscaping and use of sustainable materials and construction methods);

6.20.3 Supporting Government zero carbon buildings policy;

6.20.4 Encouraging use of renewable, low carbon and decentralised energy.

6.21 The Policy will also ensure that development minimises vulnerability and provides resilience to climate change and flooding by supporting innovations which have a positive impact on climate change adaptation and managing flood risk. The Proposed Development is not located in a sustainable location. Concerns have been raised about the sustainable design principles and materials, energy technologies, water use and sustainable travel approach.

6.22 Core Strategy Policy CS22 Flood Risk Management: Seeks to ensure that all development minimises vulnerability and provides resilience to flooding, taking account of climate change, through measures including directing development to locations at the lowest risk of flooding, giving priority to land in Flood Zone 1, use of sustainable drainage systems and managing surface water run-off. Concerns have been raised in respect of flood risk because of a flooding incident in Stoney Stanton in 2019 which affected residents, businesses and a local school.

Blaby District Local Plan (Delivery) Development Plan Document – Adopted 2019

6.23 Policy DM2 ‘Development in the Countryside’: Where the principle of development in the Countryside is accepted, the policy sets out criteria against which to judge development in terms of the appearance and character of the existing landscape, development form and buildings, relationship to nearby uses, amenity considerations and impact on existing town, district and local centres. Concerns have been raised about the landscape and visual impacts of the Proposed Development and the adequacy of the proposed mitigation as well as the impact on nearby residents particularly during the construction phase.

6.24 DM3 ‘Employment Development on Unallocated Sites’: Directs proposed developments for employment uses on unallocated sites to suitable locations within settlement boundaries but indicates that, where no suitable sites are

available, such uses will be supported on the edge of a defined list of sustainable settlements subject to certain criteria.

6.25 Policy DM4 ‘Connection to Digital Infrastructure’: Requires proposals for major development to be served by a fast, affordable and reliable broadband connection unless this is not possible, practical or economically viable.

6.26 DM7 Road Related facilities for HGVs: Requires major proposed developments that include mainly B8 uses to include provision, of an appropriate scale, for road related facilities for HGV drivers, including toilets and secure parking within the development site.

6.27 DM8 Local Parking and Highway Design Standards: Requires proposed development to adhere to the most-up-to-date Leicestershire Local Highway Design Guidance in terms of parking and highway design.

6.28 DM9 High Load Route: Development that impedes the passage of high loads along the A47 High Load Route will not be supported.

6.29 Policy DM12 ‘Designated and non-designated heritage assets’: Seeks to ensure that the heritage assets are suitably considered and where necessary protected when affected by a proposed development. It sets out the information required to support an application affecting a designated or non-designated heritage asset.

6.30 DM13 Land Contamination and Pollution: Requires proposed developments to clearly demonstrate that any unacceptable adverse impacts related to land contamination, landfill, land stability and pollution (water, air, noise, light and soils) can be satisfactorily mitigated. Concerns have been raised in relation to the approach and the extent of the Applicant’s assessments for air quality, noise and vibration, and light pollution. Additional information is requested to ensure contamination is effectively dealt with during construction.

Fosse Villages Neighbourhood Plan

6.31 The Policy Maps contained in the Neighbourhood Plan (see Appendices 3 and 4) identify ‘limits to built area’ for Sapcote and Stoney Stanton. The settlement sections of the Plan indicate that “outside these limits land will be designated as Countryside where development will be restricted”. The Proposed Development Site is designated as Countryside through the Neighbourhood Plan where development will be restricted in line with Core Strategy Policy CS18.

6.32 A review of the Fosse Villages Neighbourhood Plan is underway. This relates to the designation of additional Local Green Spaces through Policy FV5 and is not directly relevant to the Proposed Development.

Leicestershire Minerals and Waste Plan

6.33 Leicestershire County Council is responsible for minerals and waste planning in the administrative area of Leicestershire. The Plan[2] sets out the key principles to guide the future winning and working of minerals and the form of waste management development in the County of Leicestershire over the period to the end of 2031.

Emerging New Blaby District Local Plan

6.34 BDC has been preparing a review of the Local Plan. This will take account of the scale of housing growth required by the Government under the standard method and additional growth set out in the Statement of Common Ground relating to Housing and Employment Needs (Appendix 5). As a result, the District is to plan for 687 homes per annum compared to the adopted Local Plan housing requirement of 380. There have been two Regulation 18 consultations as part of the process in Spring 2019 and early 2021.

6.35 The emerging Local Plan is at a stage where only limited, if any, weight can be placed on the published documents. As such, site options that were included in Section 5 of the Options Consultation in early 2021 have no status and there is no certainty that they will be allocated in the emerging Local Plan in whole, in part or at all.

6.36 Progress on the Local Plan has been delayed due to strategic work on the Statement of Common Ground relating to housing and employment needs and strategic transport modelling work. The latest Local Development Scheme (Appendix 6), approved July 2023, indicates that the proposed submission plan will be published for consultation in Autumn 2024.

[2] Leicestershire Minerals and Waste Local Plan Up to 2031 (Adopted-2019) [accessed 10.10.2023]

7 Relevant Proposed Developments Under Consideration

7.1 Lubbesthorpe Strategic Urban Extension – A high quality, sustainable, mixed use development including 4250 homes, employment opportunities, schools, district and local centres, green infrastructure, transport and other infrastructure was identified in the Core Strategy. Following approval (11/0100/OX), the development started in 2015 including the construction of a motorway bridge over the M1 and spine road. Since then, around 1000 homes, a primary school and associated infrastructure have been built.

7.2 Lubbesthorpe Strategic Employment Site – Land east of the Warrens at Enderby was identified in the Core Strategy as a strategic employment site to support the Lubbesthorpe Strategic Urban Extension. The site was to provide 21 hectares of employment land for B1, B2 and B8 uses. Following on from a planning application (17/0431/FUL), two units, totalling 40,000 sqm have been built on 15 hectares. The remaining land has yet to be developed.

7.3 Glenfield Strategic Employment Site – The site, of 30 hectares, adjacent to Junction 21A of the M1 approved after a Planning Appeal in October 2011 is recognised as a strategic site in the Core Strategy. Development of several B8 units totalling almost 98,000 sqm is complete at the location known as Optimus Point. A small part of the land remains to be developed.

7.4 Land North of Hinckley Road, Kirby Muxloe – A sustainable expansion to the Principal Urban Area located on the A47. The site was allocated for a minimum of 750 dwellings and associated development. An outline planning application for 885 dwellings, public open space, land for a primary school, landscaping and associated infrastructure was approved subject to the signing of a Section 106 agreement in June 2023 (19/1610/OUT).

7.5 Land West of St Johns, Enderby – An employment allocation for B8 uses of 33 hectares close to junction 21 of the M1. An outline planning application for a commercial development consisting of 4 warehouse buildings with ancillary offices and gatehouses (Use Class B8) and a training and education centre (Use Class D1) including associated access off Leicester Lane is currently being considered by BDC (19/0164/OUT). The development includes a total floorspace of almost 107,000sqm. Notwithstanding the above, this application was recently refused at BDC's Planning Committee.

8 Likely Impacts of the Proposed Development

8.1 BDC consider the Proposed Development s will have impacts in relation to the following topics:

8.1.1 Traffic and transport

8.1.2 Land use and socio-economic

8.1.3 Landscape and Visual

8.1.4 Ecology

8.1.5 Air Quality

8.1.6 Noise (Acoustics)

8.1.7 Lighting

8.1.8 Geology and Soils

8.1.9 Surface Water and Flood Risk

8.1.10 Energy and Climate Change

8.1.11 Cultural Heritage

8.1.12 Health and Wellbeing.

8.2. Each of these impacts is described in the following sections of this LIR.

9 Traffic and Transport

9.1 Leicestershire County Council (LCC) is the Highway Authority for the area and will provide its own submissions in respect of the traffic and transport impacts of the Proposed Development. BDC has held discussions with LCC, National Highways and the highways consultant appointed by Hinckley and Bosworth Borough Council, and BDC's submissions in respect of traffic and transport impacts are informed by those discussions and the submissions of the other authorities.

9.2 Overall, BDC has strong concerns in respect of the highway impacts of the Proposed Development within BDC's area and the adequacy and accuracy of the information provided by the Applicant. BDC understands that a high degree of uncertainty remains in the transport related impacts of the Proposed Development and that mitigation in this regard is likely to need significant amendment.

Impact A: Traffic impacts and congestion

9.3 The Proposed Development would significantly increase the traffic through Junction 3 M69 and Junction 21 M1. BDC understands that the ability of the strategic road network to accommodate the traffic generated by the Proposed Development without further mitigation, particularly in respect of Junction 3 M69 / Junction 21 of the M1, is doubtful. This has the potential to cause congestion in the area, with consequential negative impacts on the surrounding road network. This has implications for existing users of the strategic and local road networks.

9.4 BDC is concerned that the Applicant has failed to appropriately assess and mitigate the Scheme's impacts on both the strategic road network ("SRN") and the local road network. Issues with congestion on the SRN have been highlighted but no mitigation has been proposed beyond an inadequate sustainable transport strategy, while by-pass options around the southern villages of Blaby District have been prematurely discounted. Moreover, the mitigation has not been agreed with the appropriate highway and planning authorities prior to submission of the application. Access to and operational functionality of the SRN is a fundamental principle of Strategic Rail Freight Interchanges.

9.5 BDC has an overarching concern as to the expected level of employment figures used by the Applicant to assess the number of highway movements generated by the Proposed Development. ES Chapter 8 (Traffic and Transport) of the ES [APP-117] refers to the generation of 8,400 jobs, whereas ES Chapter 7 (Land Use and Socio-Economic Effects) [APP-116] references scope for 8,400 – 10,400 jobs, with the higher figure reflecting the maximum unit sizes that can be constructed. This is a fundamental issue in terms of traffic volumes, junction and highway improvements, the justification for bypasses, and has implications for other impacts associated with traffic such as air quality and noise. BDC will review the Applicant's promised clarity on this matter, expected at Deadline 1.

Impact B: Inadequate Support for Sustainable Transport

9.6 The Site is located on the very edge of Burbage and beyond its current built up limits. This, in addition to the indicated high level of car use, the large number of potential employees, and the fact that those employees are likely to reside beyond the southern villages of Blaby District, indicates that the Site is an unsustainable location and will be heavily reliant on private car use. The Applicant's proposals to facilitate sustainable transport are inadequate. Much greater measures in respect of public and active transport need to be proposed and secured.

9.7 BDC's Written Representation sets out details of the additional measures that are considered necessary to support sustainable transport.

Impact C: Narborough Level Crossing

9.8 The Proposed Development will accept up to 16 rail freight services per day, which will be made up of 16 inbound and 16 outbound train movements per day. It is expected that of the new freight services, 6 services (comprising 6in + 6out) will approach from the west (Nuneaton) and not pass through Narborough, and 10 services (10in + 10out) will approach from the east (Wigston) and must pass through Narborough level crossing.

9.9 Narborough level crossing provides an important link between the communities of Narborough and Littlethorpe. The level crossing is used by vehicles and pedestrians. There is stepped pedestrian footbridge at the crossing available to the public when the barrier is down, but there are no lifts for people with impaired mobility or residents with pushchairs. The pavements on the western side at the crossing are narrow, making waiting and crossing unpleasant, and potentially unsafe, if a large number of cars are waiting to cross at the same time.

9.10 The crossing downtime, the length of time that the road crossing is closed, would increase as a result of the additional freight services associated with the Proposed Development.

9.11 No improvements or mitigations are planned for the Narborough Level Crossing or its approach roads or footways as part of the Proposed Development.

9.12 ES Chapter 8 (Transport and Traffic) and the Transport Assessment (Appendix 8.1) [APP-1] assess the impacts of changes to rail services on the level crossing downtime. The Applicant's assessment concludes that the barrier downtime would be approximately 20 minutes within the hour, and notes that this is within Network Rail's desirable threshold.

9.13 BDC commissioned Arup to review the application documents and undertake an assessment of the estimated impacts on downtime for the Narborough Level Crossing who concluded that the applicant should carry out further work in this respect. BDC also commissioned Mewies Engineering Consultants Ltd (M-EC) to consider the impacts of the Proposed Development on the level crossing.

Both the Arup and the M-EC reports are appended to BDC's Written Representation as Appendices 2 and 3 respectively.

9.14 BDC considers there are significant deficiencies in the Applicant's assessment of the traffic impacts of downtime at the level crossing. The Arup and M-EC reports both suggest the Proposed Development is likely to result in an increase in barrier down time compared to the figures presented by the Applicant. For example, the M-EC report calculates the downtime during the AM peak could be as high as 32.5 mins per hour.

9.15 Accordingly, BDC considers that the Applicant's assessment understates the likely impacts of the increased barrier down time at the level crossing including the noise and air quality impacts from the additional queuing traffic, and the potential rerouting of vehicles unwilling to wait in a queue at the level crossing.

9.16 The impact of the increased barrier downtime at Narborough Level Crossing is negative. The negative impacts comprise traffic impacts, severance impacts and increased inconvenience for users of the crossing, and noise and air quality impacts associated with queuing traffic. The Applicant should be required to carry out further assessment work to address the issues raised in the Arup and M-EC reports and provide greater certainty regarding the magnitude and significance of these negative impacts. A detailed analysis of traffic flows and capacity modelling should be carried out to determine the traffic impacts on local junctions as a result of the increased barrier down time. The noise and air quality impacts associated with an increase in queuing and diverted traffic should also be assessed.

10 Land Use and Socio-Economics

10.1 The Proposed Development, if authorised, would be a substantial employment site. The Site falls within what is referred to as the 'Golden Triangle' for logistics, being a central point in the country where HGVs can achieve significant national coverage in a 4 hour drive time. The Proposed Development will provide a rail head and up to 850,000 square metres of warehousing, thus enabling a road and rail logistics interchange.

10.2 The socio-economic impacts of the Proposed Development within the wider area can be summarised as follows:

10.2.1 Positive impacts related to employment creation in the wider area, increased business rate receipts and general GVA during both construction and operation.

10.2.2 Neutral impacts on the current demand for housing to meet employee requirements during operation.

10.2.3 Negative impacts related to the scale of the Proposed Development which could cause the rate of demand for labour to experience a step change, which could create challenges for the local labour pool with the risk of demand outstripping supply posing recruitment difficulties for local businesses and leading to an increase in commuting.

10.3 Whilst the overall socio-economic impacts of the Proposed Development may be positive, BDC has concerns regarding the extent to which those benefits will be experienced within BDC's area. BDC also has concerns regarding the accuracy of the assessment of these benefits undertaken by the Applicant and the adequacy of the proposed mitigation and other measures to support these local benefits.

<u>Impact A: Construction employment</u>

10.4 The ES at paragraph 7.193 [APP-118] estimates a total of 461 Construction Workers on site per annum derived from the division of the estimated construction cost by average turnover per construction employee in the East Midlands and West Midlands. This will be a benefit to the local economy and support the local construction sector in a range of occupations.

10.5 Whilst acknowledging these benefits, BDC has a number of comments regarding the assessment methodology used by the Applicant.

10.6 The study area for construction employment assessment in the ES at paragraph 7.12 [APP-118] is 30km, as 86% of those in Leicestershire employed in the construction sector travelled less than 30km to their place of work at the time of the 2011 Census. It would have been more consistent and appropriate for the study area to be based on a drive distance of 30km rather than a radius of 30km (as used for the operation assessment gravity model, ES paragraph 7.15 [APP-118]). By using a 30km radius, the Applicant's assessment may

misrepresent the actual study and fails to take into account the connectivity of key routes of the M69, A5 and M1.

10.7 Leakage is considered at 0% in the ES as the "Study Area takes into account the residential location of the Proposed Development construction workers and therefore there is no leakage." This is considered unrealistic given that typically 14% of construction workers travel beyond 30km (as above) and the inaccuracies in the drive distance mapping. As a result of this discrepancy, we consider the Applicant's assessment may overstate the local employment benefits of the Proposed Development.

10.8 No information is provided in the ES regarding the type of construction workers or skills required for the Proposed Development. This creates uncertainty as to whether the existing construction worker profile is suitable in meeting the Proposed Development's requirements. This makes it difficult to assess the impact of the employment benefits on the local area and any potential for greater in commuting. It also delays the development of a training and skills programme for the construction period by preventing the programme being able to target identified skills shortages.

10.9 The ES does not report on the construction effects on economic output. However, there will be output benefits which can be measured in GVA. Assuming the average GVA per worker of £49,830 (HENA 2022, Appendix 7) the construction **GVA benefits for Leicester and Leicestershire are estimated as £17,839,140 per annum** for the ten-year construction period. Blaby has 18% of the construction employment in this area so the benefit could be in the order of £3,211,00 per annum, although this will vary depending on the skills profile and requirements. As noted above, BDC has concerns regarding the extent to which these benefits will be experienced within BDC's area. BDC considers the Applicant's current proposals in respect of employment and skills are not sufficient and are seeking enhanced commitments from the Applicant. Further details are set out in BDC's Written Representation.

Impact B: Operational Employment

10.10 The ES at paragraph 7.223 [APP-118] estimates a total of 8,400 – 10,400 workers on site depending on whether the density ratio is 77 or 95 sqm per worker. This is broadly the range set out in the Homes and Communities Agency 2015 Employment Densities Guide for Regional and National Distribution Centres[3].

10.11 The location of jobs is developed using a trip model based on worker densities at output area level, aggregated up to districts (ES figure 7.3). The image shows the greatest density of workers in Leicester, Blaby, Hinckley, Coventry, Tamworth, Nuneaton and Bedworth.

[3] Employment Density Guide 3rd Edition (kirklees.gov.uk) [accessed 10.10.2023]

10.12 It is of note that the TRIP model ES, Appendix 8.1 Transport Assessment Trip Distribution Document [APP-142] selects the future worker locations based on criteria in Table 3: Census Occupational Categories' of that document. This excludes higher Occupations 1-3. However the 'Environmental Statement Volume 1: Chapter 7: Land Use and Socio-Economic Effects' in table 7.15 suggests these higher occupations will make up 33.3% of employees. If this were the case then a different TRIP pattern would be established. This draws into doubt conclusions arising from Chapter 7 in the ES.

10.13 Notwithstanding, as a proxy, we can estimate the proportion of occupations listed in the ES (Table 3: Census Occupational Categories, Appendix 8.1: Transport Assessment Trip Distribution Document APP-142) within the Leicester and Leicestershire authorities against the longer list of authorities in the ES Chapter 7 (Land Use and Socio-Economic Effects) [APP-116] at paragraph 7.17 using data from the ONS Business Register and Employment Survey and the Annual Population Survey. This suggests that 53% of those identified in the trip model are based in Leicester and Leicestershire and 47% are based outside.

10.14 This indicates that of the net additional on-site jobs of 6,300 to 7,800, 53% or 3,339 to 4,134 are likely to be taken by residents of Leicester and Leicestershire. Some of the additional multiplier jobs will also be taken by residents in Leicester and Leicestershire.

10.15 Direct additional GVA per year (due to additional operational on-site jobs) is £247 million to £305 million per annum based on the average GVA per worker per annum in the LLEP (2020) for Storage and Distribution of £39,135 (ES chapter 7 table 7.18). Because the jobs are based in Blaby District (rather than the residence of workers) the GVA can be attributed to the workplace base of Blaby.

10.16 Using a national GVA per jobs of £54,613 (HENA 2022 table 2.3) we can estimate the benefits of the national off-site jobs as being £109m to £137m per annum. Some of these will be in the Leicestershire area.

10.17 In terms of wages, the ES notes an average £30,700 for logistics nationally. Personal well-being report (ONS[4]) shows the median weekly pay for 2021 for people employed in the East Midlands warehousing and support activities for transportation as £517 per week or £26,884 per annum. Wholesale trade pay is £521 per week in the East Midlands or £27,092 per annum. This suggests that sector pay is £24,500 - £27,100 per annum as a proxy for future wages at the Proposed Development, potentially slightly below the national average. Smaller area sector breakdown data is not provided. This sector range is below (HENA data figure 2.3) median earnings for full-time jobs in Leicestershire (£552 per week / £28,700 pa), below Blaby residents earnings £676 per week / 35,200 pa and Blaby workplace earnings of (£579 / 30,100 pa). Given the comparatively low sector pay for the future operational wages at the Proposed

[4] Earnings and hours worked, UK region by industry by two-digit SIC: ASHE Table 5.1a Weekly pay - Gross (£) - For all employee jobs: United Kingdom, 2021

Development it is likely that fewer employees will reside in the Blaby District and Leicestershire. This will reduce the positive impacts referenced in 9.2.1 and increase the negative impact referenced in 9.2.3 and the transport and traffic impacts referenced in paragraphs 8.3 – 8.6.

10.18 The issues identified above reinforce the importance of Employment and Skills Strategy for the operational phase in order to maximise the local benefits and reduce in commuting.

Impact C: Demand for Housing during Construction

10.19 The ONS Business Register and Employment Survey reports in 2021 shows 20,900 construction workers in the Leicester and Leicestershire area within the 30km catchment of the Proposed Development. Demand for construction specific workers in the Leicester and Leicestershire area is estimated as 199 net additional construction jobs (and 159 multiplier jobs).[5] The 199 construction jobs are 1% of the 20,900 total and therefore, the impact on housing is considered to be negligible. The only conditions where this may not be the case are if (i) the profile of worker specialisms does not fit the current profile, and (ii) the worker requirements are concentrated in particular years rather than spread evenly over the ten years. Further information on this matter would be anticipated in due course to develop the Skills and Employment Strategy.

Impact D: Demand for Housing during Operation

10.20 It is unlikely that the operation of the Proposed Development would generate additional pressure on the Leicester and Leicestershire housing market area. This does not negate the need to ensure that residents are properly trained and skilled to meet the operational skills requirements.

10.21 Notwithstanding the impact on overall need, there are likely to be market segment and affordability implications for HNRFI workers. Sector wages are in line with or below county averages and the ratio of median house price to median gross annual workplace-based earnings across Leicestershire in 2021 was 8.53.[6] This means that house ownership is typically unaffordable. The estimated household income required to buy (see table 9 of Appendix 7) a home in Blaby is £38,000 and to Privately Rent is £25,300 compared with £29,600 and £21,900 in Leicester (see Appendix 7). As noted in paragraph 9.16 relevant HNRFI sector earnings in the East Midlands are £24,500 - £27,100 per

[5] Es Chapter 7 table 7.13 and 7.14 [APP-118] assume 0% leakage which is not considered realistic. Allowing for a leakage of 10% reduces the total benefit to 672 net additional jobs in the 30 km study area including multiplier jobs (rather than 737 stated in the ES Chapter 7 table 7.14). The area assessed is is not the same as the net additional jobs for Leicester and Leicestershire which is a different geography to the 30km radius used in the ES. Analysis of Business Register and Employment Survey (BRES)data indicates that 62% of the construction workers are in Leicester and Leicestershire compared to the long list of areas in the ES at para 7.13. Applying the base 461 direct jobs and accounting for displacement of 10% and leakage of 38% (to other parts of the 30km radius) plus 10% leakage to the wider area results in 199 net additional construction jobs and 159 multiplier jobs. This suggests 358 net additional jobs per annum for Leicester and Leicestershire during construction phase of which 199 in construction and 159 in multiplier jobs.

[6] ONS House price to residence-based earnings ratio

annum, well below home ownership thresholds in Blaby. This increases the likelihood of in-commuting from urban areas such as Leicester as well as Rugby and Coventry where housing is relatively affordable.

10.22 The Applicant's ES chapter 7 considers the relationship between potential future unemployment (table 7.21) and potential jobs needs (7.22) indicating that nearly half of jobs could be fulfilled by future unemployed persons, thus reducing the demand for workers in newly forming households. BDC supports this aspiration but these figures need to be treated with caution and it cannot be assumed with any degree of confidence that several thousand currently unemployed persons would fill the roles at the Proposed Development. There also appears to be a misalignment between the operational employment study impact area (para 7.17) and the housing market area (table 7.23). With no apparent attempt to reconcile this difference, the conclusions arrived at in the ES regarding the impact of demand for workers on housing is in question (stated as a minor adverse effect in table 7.26) however work undertaken in this report as above suggests that the conclusions are likely to be incorrect.

Impact E: Skills and Training

10.23 The East Midlands is struggling with skills shortages across the region. Construction work is regarded as unstable and is immediately impacted in any economic downturn. If a lot of people are leaving/ retiring from the sector, and construction is not appealing to new entrants it results in a contraction of the labour force across the sector.

10.24 More than 33,000 people started construction apprenticeships in Great Britain in 2021/22. In order to meet employers' needs CITB estimates that, in terms of apprentices, the number of starts required each year needs to be two to three times current levels due to poor completion rates.

10.25 The average annual construction recruitment requirement in the East Midlands is set to average 2.3% per year, which is above the UK figure of 2%, and means an average of 19,350 workers are needed between 2022 and 2026 for currently active projects.

10.26 The demand for skilled workers in the logistics sector is rapidly growing. However, with the industry constantly evolving and incorporating new technologies, the skills gap is increasing.

10.27 A considerable density of logistics activity and in particular Strategic Rail Freight Interchange sites are located within the East Midlands, including East Midlands Distribution Centre (RFI), East Midlands Gateway (SRFI), Birch Coppice (SRFI), Daventry International Rail Freight Terminal (DIRFT) I, II(SRFI) in addition to those that are proposed including the Proposed Development, East Midlands Intermodal Park (SFRI), DIRFT III and the Northampton Gateway (SRFI). The Proposed Development Site would draw from the existing employment pool.

10.28 There is a strong possibility that the Proposed Development would lead to the movement of people between different companies and sectors.

10.29 Given the scale of the Proposed Development the rate of demand for labour could experience a step change, and this could create challenges for the local labour pool with the risk of demand would outstrip supply posing recruitment difficulties for local businesses.

10.30 Overall, whilst the effect on employment within the wider area is considered beneficial, the likely employment requirements of the Proposed Development as it progresses towards operation could have **significant negative impacts** for resourcing staff or particular skills in the area. This is compounded by the operational employment and housing impacts specified above.

10.31 BDC considers these impacts must be sufficiently mitigated through a robust employment, skills and training programme for the construction and operational phases. BDC considers the Applicant's proposals in respect of skills and training contained in Schedule 2 to the draft Section 106 Agreement are not sufficient and BDC's Written Representation contains details of the additional obligations which are sought from the Applicant.

11 Landscape and Visual Impacts

11.1 The Proposed Development will give rise to significant negative effects on the following landscape areas:

11.1.1 Landscape Character and Fabric of the A47 Link Road Corridor

11.1.2 LCA 1: Aston Flamville Wooded Farmland

11.1.3 Landscape Character and Fabric of the Main HNRFI Site

11.1.4 LCA 6: Elmesthorpe Floodplain

11.2 The Proposed Development will give rise to significant long term negative residual effects on visual receptors at footpath and road users, visitors and recreational receptors including to the Country Park and church users. These will be experienced at a wide range of viewpoints including:

11.2.1 PVP 1 – Public Right of Way (PRoW) users

11.2.2 PVP 2 – PRoW Users

11.2.3 VP 3 – PRoW Users

11.2.4 PVP 35 – PRoW Users

11.2.5 PVP 44 – Country Park Users

11.2.6 PVP 53 – Church Users

11.3 Further details of these impacts are discussed in the following sections.

Impact A: Landscape Character

11.4 The Proposed Development will have a negative impact on the landscape character of the surrounding area.

11.5 Several documents from the Applicant's ES have been reviewed as part of this LIR. These include the landscape and visual impact assessment ("LVIA") (Chapter 11 of the ES – **APP-120**) and associated appendices and figures, including the Illustrative Landscape Strategy (**APP-304**) and Proposed Photomontages (**APP-300**); and the Lighting Strategy (**APP-132**, **APP-133** and **APP-134**).

11.6 The proposed design is not sensitive to its landscape context, in terms of scale, massing, local vernacular or general materiality. The ES Chapter 11 at paragraph 11.43 provides an overview of the key landscape characteristics which BDC consider accurate. ES Chapter 11 at paragraphs 11.186 – 11.187 notes that there would be significant adverse landscape effects during construction, at year 1 and year 15 across the Landscape Character Areas.

11.7 The Proposed Development will replace the existing farmed rural landscape across the entire Site with large-scale built form, roads and rail infrastructure. The Site covers a substantial part of two Landscape Character Areas (Blaby: Aston Flamville Wooded Farmland and Elmesthorpe Floodplain) and is overlooked by the Burbage Common Rolling Farmland to the west in Hinckley and Bosworth Borough, which includes the proposed A47 link road. To the west Stoney Stanton Rolling Farmland (Blaby) is immediately adjacent to the M69 and includes modifications to Hinckley Road. Surrounding settlements are located on higher ridges of land and are covered by separate settlement/urban character areas.

11.8 The Proposed 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 Proposed 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, veteran tree, 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.

11.9 The landscape impacts of the Proposed Development 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 Elmesthope 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 Proposed 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.

11.10 These impacts on the landscape will be present at day and night time, despite the lighting strategy. The size and scale of the Proposed Development in its current is such that **significant effects will remain in the long term/permanently**. The proposed design is not sensitive to the landscape context, in terms of scale, massing, local vernacular, or general materiality. Mitigation would require a change in the Proposed Development including reducing the development footprint/height and providing a more substantial landscape scheme.

11.11 BDC considers the long-term significant landscape impacts will affect a wider area than those identified in the LVIA. These landscape and visual receptors are identified in the statement of common ground, and for BDC include; Elmesthorpe and Sapcote Settlement Character Areas, and Photo Viewpoints

1 (PRoW Users), 2 (PRoW Users), 35 (PRoW Users), 44 (Country Park Users) and 53 (Church Users).

Landscape Mitigation

11.12 The scale of the Proposed Development means that the Landscape Strategy (ES Figure 11:20, document reference 6.3.11.20) does not fully mitigate effects but does seek to reduce effects. The proposals allow for buffer planting and screening to the edge of the Proposed Development, but the areas required to sufficiently screen the scale of the development are currently inadequate.

11.13 BDC considers the separation distance between the built development and the Burbage Common and Woods Country Park is not 'generous', achieving natural separation (as stated) but creates a pinch point (25 m) which crosses into Burbage Common Local Wildlife site. This is a particular concern given the proposed lighting columns.

11.14 The planting of a new Western Amenity Area extending to 22 ha as an extension to the public open space is welcome. However, BDC note that this area can already be appreciated as an undeveloped rural farmed vale landscape as it exists (albeit without public access). The new 'amenity' area will be impacted by 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. However, the proposed native tree and shrub planting here will be effective in helping to screen views from some local areas to the south including parts of Burbage Common and illustrate the benefits of 'off site' planting at distance from the Proposed Development.

11.15 The broad roadside green verges within the Proposed Development are what would be expected as part of any landscaping scheme for development.

11.16 The corridor along the western boundary with the diverted bridleway and footpath is relatively narrow and located between the development and the M69 and so does not replace the rural amenity provided by the existing rights of way.

11.17 The networks of PRoW across the rural landscape, are stopped up and the provision of pavements and cycleways running along large main roads, within the site adjacent to the Proposed Development will present an entirely different urbanised character.

11.18 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.

11.19 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. The proposed design is

visually generic, to the detriment of the local area contributing to an erosion of local character.

11.20 The Proposed Development is set within predominantly greenfield land, the majority of the proposed land take is spread between 9 building units, making the scale of the built form out of proportion when compared to the urban grain within the locality. The massing and orientation of the built form erodes the existing character of the Site.

Impact B: Visual Impact

11.21 The Proposed Development will have a negative visual impact on a range of local receptors.

11.22 The Site is located within a low-lying vale landscape contained to the west, north and southwest by the low ridge (up to 130m AOD) containing the settlements of Burbage, Hinckley, Barwell and Earl Shilton. A minor ridge also extends to the south of the Site containing the woodland at Aston Firs and across the motorway, providing a landscape setting for the villages of Aston Flamville and Sapcote. The low-lying vale continues east where it dips, meeting the tributary streams of the River Soar, east of Stoney Stranton.

11.23 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.

11.24 This is illustrated in the Zone of Theoretical Visibility (ZTV) (ES Figure 11.8, document reference 6.3.11.8) which shows potential views of the Proposed Development extending to at least 4km east of the Site, including significant effects in views west from Croft Hill looking across the low-lying vale. The area from which there will be views of the development extends to almost 100 Km2 and the area where these views are deemed to have significant impacts extends to about 15km2.

11.25 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, in the majority of views, mitigation is inadequate. 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 LVIA [APP-191]. 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.

11.26 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 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.

11.27 For the small linear ridge village of Elmesthorpe the scale of the development is such that it will be a permanent solid development backdrop extending across the whole range of view, with the rectilinear roofscape dominating the skyline.

11.28 Views for people using local rights of way across a wide area will be affected. While these impacts are largely within 1 km of the Site these cover a large area of up to 15km2 in total, noting that there is one significant effect identified at Croft hill some 4 km distance. On most local walks, the Proposed Development will be always in view at some point and will be a dominant and inescapable feature in the landscape.

11.29 The Proposed Development will **significantly affect** many properties where people live. These include rural dwellings and farms, properties on Station Road east of the M69, properties in Elmesthorpe, on Burbage Common Road, on roads within Barwell, Stanton Lane, the edges of Stoney Stanton, the Gypsy and Traveller sites and caravan sites around Aston Firs, and on Breach Lane.

11.30 For people moving around the area (on local rights of way and roads), the Proposed Development is of such a size and scale that it will be a constant presence, even where screening means that in specific, individual views there are only glimpses, these will contrast with other views where the scale and size of the facility is wholly dominant forming the horizon.

11.31 As agreed in the SoCG, there are significant long term negative residual effects on the following visual receptors: footpath (PRoW) and road users, visitors and recreational receptors including to the Country Park, church users. As itemised in BDC's SoCG we believe these visual effects will be experienced at a greater number of viewpoints than identified in the LVIA.

11.32 These views will be adversely affected both in the day and night time, despite the lighting strategy. We note that only 9 representative viewpoints were used by the Applicant to assess night-time effects but, in reality, significant adverse effects would be extensive across the area. This includes one highly sensitive location adjacent to the ancient woodland at Photoviewpoint 36 where 30m high lighting columns within the Railport Returns Area will be introduced into a currently dark landscape.

<u>Visual Mitigation Measures</u>

11.33 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.

11.34 Comments on the proposed mitigation measures are further detailed in BDC's Written Representation. The Statement of Common Ground will also provide an overview of BDC's general position on the adequacy of the proposed mitigation measures.

11.35 Visual mitigation is effective in reducing effects on users of Burbage Common and Woods Country Park to an extent (e.g. Photoviewpoint 3, Photoviewpoint 16), where the proposed planting has the potential over time to help screen the development. Screening by trees/woodland is only possible where planting can be achieved in the middle distance away from the development (see also Photoviewpoint 1). The height (28m) and scale of the development means that planting along boundaries such as the 'meandering woodland' on earth bunds north of the railway line (e.g. Photoviewpoint 17) or the 'green' corridor to the south adjacent to the M69 (e.g. Photoviewpoint 9) is not effective in screening or filtering views of the development – the main parts of buildings, rooflines and rail gantries will remain visible across an extensive area in views - although we note that all tree and woodland planting has some amenity merits.

11.36 BDC comments further on the proposed mitigation measures for visual and landscape impacts in the Written Representation.

12 Ecology

12.1 BDC have identified a range of negative and neutral impacts that the Proposed Development would have on local biodiversity and ecology including loss of woodland, mature trees, a veteran tree, hedgerows and fragmentation of habitats. This section of the LIR details the impacts in relation to specific areas and ecological features within or close to the Order Limits.

12.2 It is considered that the Applicant has not fully explored opportunities to microsite the development footprint and associated peripheral works around features such as mature trees and hedgerows. It is therefore considered that there will be unnecessary loss of habitat and habitat fragmentation. Where habitats are retained, further assessment should be undertaken to establish impacts on species such as bats from light spill.

Impact A: Burbage Common and Woods Local Nature Reserve

12.3 Burbage Common and Woods Local Nature Reserve (LNR) is a site of National importance located immediately adjacent to the main Order Limits. In the wider landscape surrounding the Proposed Development, being largely agricultural in nature, there is a deficit of woodland and trees meaning that the hedgerows, treelines and individual trees between the Proposed Development and the LNR provide vital commuting and foraging opportunities for bats.

12.4 As noted at paragraphs 12.142 to 12.189 of the ES, whilst disturbance and degradation during construction and operation will be mitigated to some extent via buffering and screen planting, there remains a risk of significant disturbance and degradation for the LNR.

12.5 It is currently unclear as to how offsite Biodiversity Net Gain (BNG) and the provision of a green area as an extension to Burbage Common will offset the loss of habitat while maintaining habitat connectivity. This uncertainty is furthered by the Applicant's proposals of these areas performing multiple functions of biodiversity enhancement, Public Rights of Way (PROW) mitigation and landscape mitigation. Further detail is required regarding the biodiversity impact of the loss of hedgerows, particularly those which link to the Common and how this will be mitigated.

12.6 There is a risk of increased air pollution as a result of construction and operational stages of the Proposed Development which has the potential to impact woodland ground flora of the LNR due to the effects of excess nitrogen deposition. BDC notes that the ES considers at 12.141 and 12.187 neither construction nor operation would give rise to an increase in nitrogen deposition to a significant degree within the ecological receptors within the study area. BDC has concerns regarding the Applicant's assessment of air quality due to the disparity in employment numbers used in the traffic modelling but notes that the Applicant is potentially resolving the latter in a submission at Deadline 1. Overall, BDC consider there is potential at the construction and operational stages of the Proposed Development to have **negative, adverse impacts**.

12.7 Due to the nature of the Proposed Development, it is considered unlikely that pressures on the LNR caused by recreational activity would be notably increased as a result of the Proposed Development. However, it is likely that there will be a displacement of walkers and dog walkers. Surveys of the Site observed moderate levels of activity across and in proximity to the Site. It is therefore likely that recreational pressure on the LNR will increase as a result of the Proposed Development giving rise to a negative impact. BDC therefore has concerns that unmanaged increased pressures on the LNR could result in a negative impact on local ecology, predominantly as a result of the creation of desire lines, littering and general heavy recreational use year round but particularly during the warmer months.

12.8 Further information is needed regarding the landscape buffer and the BNG provision proposed by the Applicant as the details currently available do not adequately assess or mitigate the operational impacts of the Proposed Development. BDC's Written Representation contains details of the additional information which the Applicant should be required to provide.

Impact B: Aston Firs SSSI

12.9 Located immediately adjacent to the Order Limits, this SSSI is comprised of ancient and semi-natural woodland and is also classed as Priority Habitat Inventory Deciduous Woodland.

12.10 As with Burbage Common and Woods, it is expected that some displacement of walkers will occur as a result of the Proposed Development, leading to increased recreational pressures which would have a negative impact on the SSSI. Paragraph 12.142 of the ES [APP-121] acknowledges the risk of degradation from soil compaction/encroachment by machinery or pollution events. However, the potential impacts have not been adequately assessed. Any loss of ground flora/tress would be significant given the level of protection the SSSI holds.

Impact C: Ancient Woodland, PAWS and Ancient and Veteran Trees

12.11 Freeholt Wood is located immediately adjacent to the southern boundary of the Proposed Development and is comprised of ancient and semi-natural woodland and classified as priority habitat inventory deciduous woodland. This Wood 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 Wood supports over 250 species of fungi, 300 flowering plants, 15 damselflies and dragonflies, 20 butterflies and 100 birds.

12.12 Due to the presence of low, medium and high surface water flood risk areas on and along the boundary of the Proposed Development , there is a risk that the increased hard standing and built structures, proposed drainage and SuDS attenuation features may be overwhelmed, and increased overland flow could cause flood water and excess nutrients to inundate the woodland during periods of heavy rainfall. This could have negative impacts on the wood.

12.13 It is likely that degradation from construction works will have a negative impact on retained woodland and trees.

12.14 The Proposed Development will require the loss of 0.4ha of broadleaved plantation woodland, which is deemed to be temporary. Temporary loss constitutes loss of habitat that will be reinstated within two years to its baseline type and condition. However, although the total area of new woodland planting represents a net increase, the new planting will take time to re-establish and reach the condition it is currently in, inclusive of understorey. Therefore, the loss is not considered temporary and is considered a negative impact, due to a minimum of 30 years to reach the desired target condition to ensure mitigation.

12.15 As concluded in the Ecology Statement of Common Ground it is agreed that it may be possible to microsite around mature/veteran trees rather than lose these important landscape and ecological features.

Impact D: Hedgerows

12.16 Loss of and damage to hedgerows will occur as a result of the construction phase, leading to the loss of 13.44km of hedgerow. This is inclusive of species rich hedgerows along Burbage Common Road which will be partially lost.

12.17 There are a large number of important and potentially important hedgerows within the Order Limits, indicating the importance of hedgerows across the immediate landscape. Overall, the severance and fragmentation of habitats through the loss of hedgerows and the time taken to reach target condition for those enhanced or replaced habitats is considered to be a **significant, adverse impact**.

12.18 The Applicant proposes that 11.81km of hedgerow will be planted onsite, with 0.67km of off-site creation. It is further proposed, in the ES Chapter 12 (Ecology and Biodiversity), Appendix 12.2 Biodiversity Impact Assessment Calculations [**APP-198**],that areas of intact hedgerows are to be retained, and the retained defunct hedgerows will be enhanced to 'native species-rich hedgerows with trees' of 'moderate' condition through management and gap planting to increase structural and species diversity, including the establishment of trees; and gap planting with native tree and hedgerow species. Whilst this is welcomed as both a buffer between the Proposed Development and the surrounding woodland, and as important habitat for invertebrates, bats and birds, it is presently unclear how hedgerow enhancement or creation will be managed and monitored for the required 30 year period.

12.19 Further detail is required from the Applicant with regard to the proposed additional hedgerow creation or enhancement that is expected to be achieved through partnering with the Environment Bank to enable BDC to assess whether these proposals adequately mitigate the impacts on existing hedgerows.

12.20 ES Chapter 12 (Ecology and Biodiversity) paragraph 12.112 records low to moderate levels of commuting and foraging bat activity across the Order Limits. As detailed further below under 'Impacts on Species' and in BDC's Written Representation further assessment of the impact upon bats from habitat fragmentation and light spill onto retained and enhanced hedgerows should be undertaken.

Impact E: Watercourses

12.21 The Proposed Development would result in a loss of 3.49 river units (11.85%), or with offsite compensation, 2.58 units (8.75%) loss. The loss of permanent water bodies will reduce the availability of habitat to aquatic species and therefore, represents an undervalued **irreversible, negative impact.** The stream present within the Order Limits 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 a 10% gain.

12.22 Due to potential impacts from overland runoff, including silt, heavy metals from vehicles and other pollutants, buffer planting or vegetated swales would be beneficial to reduce the likelihood of pollutants entering the watercourse and further hindering the enhancement of the rerouted stream.

Impact F: Impacts Upon Species

12.23 Prior to mitigation and compensation, the Proposed Development will give rise to negative impacts on species including:

12.23.1 Bats

12.23.2 Birds

12.23.3 Badgers

12.23.4 Reptiles, invertebrates and amphibians

12.24 As set out below, in several cases details of the mitigation proposed by the Applicant are unclear. Whilst these measures have the potential to change the impacts to positive or neutral, BDC is not able to reach this conclusion until further information is provided and therefore must adopt a precautionary approach, concluding that there will be negative impacts upon species..

12.25 The results of the Applicant's study show a number of records of bat species utilising the habitats within 3km of the Order Limits, with bat roosts located within 1km to the south. A total of five buildings/built structures within the Order Limits were found to support bat roosts during surveys undertaken in 2021. No roosts were recorded within trees located within the Order Limits.

12.26 Low to moderate levels of commuting and foraging bat activity were recorded, associated with hedgerows, woodland edge, waterbodies and mature trees within the Order Limits.

12.27 A total of 63 trees within the Order Limits with potential to support roosting bats, and all existing buildings will be lost as a result of the Proposed Development. Furthermore, a total of 13.4km – 14km of hedgerow will also be lost (see 6.2.12.2 Biodiversity Impact Assessment Calculations [APP-198] and ES Table 12.7 [APP-121] respectively).

12.28 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. Therefore, BDC request a more detailed assessment in respect of ES Chapter 13 and the supporting BNG assessment which appropriately follows the mitigation hierarchy.

12.29 The impact on bats is negative but has the potential to be neutral in the long term if the key habitats being lost (hedgerows and woodland) are successfully established/managed/monitored in the long term.

12.30 The SoCG meetings with the Applicant included discussion around Great Crested Newts (GCN) and their inclusion as an Important Ecological Feature (IEF) within the application, in cognisance of the potential for terrestrial GCN to be present within the Order Limits and with particular mitigation to be proposed during construction (e.g. with an appropriate precautionary method of working within suitable habitats). The buffer for GCN was noted as 250m from potential waterbodies, however a more appropriate buffer of 500m was also outlined within the application documents. As outlined in the SoCG the more appropriate buffer of 500m was agreed and we understand this will be included within updated documentation.

12.31 The application notes the Proposed Development may result in the loss of refuge and foraging habitats for over-wintering bird species and the loss of potential nesting and foraging habitats for breeding bird species.

12.32 The proposed retained and enhanced habitats provided by the Proposed Development are likely to support breeding, foraging and over-wintering bird species. However, these habitats are at risk of increased vehicular traffic, pollution and noise during the operational phase of the Proposed Development. The Applicant's mitigation includes a buffer around the proposed retained/enhanced habitats, however this is detailed at a high level in the current BNG assessment, it is unclear within the application documents as to the dimensions of these proposed buffers.

12.33 Badger surveys identified two setts that will be completely lost as a result of the Proposed Development; a subsidiary sett and an outlier sett. As no main sett has been recorded, a replacement sett will not be required unless pre-

construction surveys identify any. The Applicant also acknowledges the loss of foraging habitat and disruption to foraging habitat during construction. Opportunities are presented within the creation of new habitats and enhancement of retained habitats, to improve foraging habitat for badger.

12.34 The Applicant outlines species that are not considered an IEF within the application (e.g. reptiles, invertebrates, amphibians) and includes a brief overview of proposed mitigation measures for these species, however further effort is required to include detailed precautionary methods of working and best practice mitigation measures within the CEMP. For each species precautionary working method statements will be required as well as greater detail regarding mitigation, monitoring, management and protocols such as stopping works should be provided within the CEMP.

12.35 Overall, the impact on GCN is negative however this is subject to further surveys and assessment using the 500m buffer as agreed through the Statement of Common Ground. With respect to Birds, the overall impact is negative due to the loss of breeding/nesting habitat for arable farmland birds. It should be noted that this directly links to the BNG assessment and the loss of linear/area habitats and the potential to retain and enhance habitat suitable for breeding and wintering birds. With respect to badgers the overall impact is neutral, subject to further assessment and monitoring during construction. Monitoring and mitigation for badgers will need to be adequately reflected in a revised CEMP.

Impact G: Biodiversity Net Gain

12.36 Based on the application stage BNG calculations referenced in ES Appendix 12.2 – Biodiversity Impact Assessment Calculations [**APP-198**], the Proposed Development 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.

12.37 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 planning policy 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 would 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.

12.38 Currently the score is showing an overall loss, with the exception of a 7.12% gain in hedgerow units. The potential offsite compensation could achieve net gain for all but the river units. Further assessment is required, including establishing the remaining deficit of biodiversity units, in order to adequately assess the units required for further offsite BNG.

12.39 The need for a phased assessment approach to habitat creation and enhancement should be further explored by the Applicant. As it is intended that the Proposed Development will be constructed in phases, it may be possible

that habitat could be created or enhanced in advance of loss, thus improving the overall BNG score and providing greater enhancements for biodiversity.

Mitigation Measures

12.40 Measures to mitigate adverse effects are proposed including a buffer between the built development and the designated woodlands of between 25 and 50m, retention of onsite broadleaved semi-natural woodland, retention of a veteran tree, retention and provision of buffers to hedgerows around the main Order Limits, provision of a large wildlife area, provision of habitat to the south of the A47 Link Road and provision of new structural and hedgerow planting.

12.41 Comments on the proposed mitigation measures are further detailed in BDC's Written Representation. The SoCG will also provide an overview of BDC's general position on the adequacy of the proposed mitigation measures.

13 Air Quality

13.1 The Air Quality implications of the Proposed Development are set out in ES Chapter 9 (Air Quality) [**APP-118**], ("the Air Quality ES Chapter").

13.2 The Air Quality ES Chapter presents baseline conditions, an air quality assessment, the mitigation requirements and residual effects for the Site.

13.3 With regards to the assessment area, based upon our local knowledge and further review of satellite imagery, the Applicant has considered all potential receptors with the exception of AQMA 6 of BDC. Design Manual for Roads and Bridges guidance was used to scope out the assessment of AQMA 6, when the more stringent (and appropriate) Environmental Protection UK (EPUK) / Institute of Air Quality Management (IAQM) guidance should have been used.

13.4 BDC has an overarching concern regarding the Applicant's assessment of the air quality impacts as a result of the discrepancies identified with the expected employment numbers which informed the traffic modelling and related assessments. Variations to the vehicle movements associated with the Proposed Development would have a major bearing on the current air quality assessment. BDC will review the Applicant's promised clarity on this matter, expected at Deadline 1.

Impact A: Potential Air Quality Improvement

13.5 There is the potential for improvements in air quality within the area of Hinckley, particularly along the outer north eastern fringe, where the provision of a new link road and Junction 2 access to the M69 will enable vehicles to access the strategic road network without having to navigate through the town. However, this impact is related to Hinckley and Bosworth Borough Council and there are no predicted potential positive impacts in BDC.

13.6 It should be noted that, no traffic flow information has been provided as part of the air quality assessment to enable verification of any predicted impacts.

Impact B: Potential Impacts on Human and Ecological Receptors

13.7 Despite the minor impacts predicted within the air quality assessment, increases in ambient pollutant concentrations will be experienced at a number of human and ecological receptors within BDC and the wider assessed areas.

13.8 With regard to human receptors, the incremental changes presented are Low and, if accurate, would not pose a significant impact. However, as no traffic flow information has been provided as part of the air quality assessment, any stated impacts cannot be verified.

13.9 BDC has concerns regarding the predicted impact upon ecological receptors, specifically, on the Free Holt Ancient Woodland located immediately adjacent to the new link road, where a percentage change relative to the lower critical load (10 kg N ha-1 year-1) of up to 1.4% is predicted.

13.10 Whilst the default value for woodland habitats is considered to be 10 kg N ha-1 year-1, there is increasing evidence that this figure is not sufficiently robust, with the critical load for key components of woodland ecosystems likely closer to 5-6 kg N ha-1 year-1. Therefore, the predicted impact is likely to be worse than that outlined in the Air Quality ES Chapter 9 [APP-118], and there is the potential for irreversible, major, adverse negative impacts on this ancient woodland.

13.11 Similarly, to the impact on human receptors, no traffic flow information is available to verify the conclusions of this part of the Applicant's assessment.

14 Noise

14.1 ES Chapter 10: Noise and Vibration is the primary document produced by the Applicant to assess the noise and vibration impacts of the Proposed Development. ES Chapter 10 (Noise and Vibration) [APP-119] presents baseline surveys, an acoustic assessment, the mitigation requirements and residual effects for the Site. With regards to the assessment area, based upon our local knowledge and further review of satellite imagery, the Applicant has considered all potential receptors.

14.2 Overall, BDC considers that the Proposed Development will result in Major Permanent and Irreversible Negative Adverse Impacts on the identified Noise Sensitive Receptors (NSR) within the vicinity of the Site. BDC have identified significant concerns with the assessments undertaken and conclusions reached by the ES, these are identified below and outlined in further detail in BDC's Written Representation.

14.3 As detailed further in the Written Representation, BDC has significant concerns about the potential for underestimation within the Noise and Vibration ES Chapter due to the discrepancies throughout the wider assessment about the socio-economic benefits to the local area with respects to either 8,400 or 10,400 jobs scenario.

14.4 The assessment outcomes show no potential positive noise and vibration impact to any residential or ecological receptor. The Road Traffic Noise Assessment presented within the ES Chapter shows that in the short term, there will be a 'negligible beneficial impact' at one property (out of 132 properties assessed), however, in the long term, this will change to 'no impact' due to the different criteria used to assess short-term and long-term impacts.

<u>Impact A - Negative Impacts on Noise Sensitive Receptors</u>

14.5 Cumulatively, there will be irreversible and significant adverse, negative impacts on the majority of the assessed Noise Sensitive Receptors ("NSR") and on the local areas of recreation, such as Burbage Common woods. The operational sound levels of the Proposed Development throughout the daytime and night-time, are predicted to exceed the prevailing background sound levels by up to 10dB at nearby receptors such as NSR1 and NSR24, even with mitigation, which would represent a Significant Adverse Impact in accordance with British Standards.

14.6 The mitigation measures do not follow a good acoustic design process and appear to rely upon visually intrusive barriers, up to 6m in height, between 5 and 20m away from residential properties at Aston Firs Caravan Site, Castlewood Mobile Park and dwellings located on Burbage Common Road respectively. Good acoustic design should follow the principles of addressing noise impacts at their source with intrusive barriers the last resort to be considered. Requirement 4 (detailed design approval) of the draft DCO specifies that acoustic fencing must not exceed 3 metres in height and therefore

it is unclear if the measures assumed in the Applicant's assessment can be relied upon.

14.7 Furthermore, the acoustic character corrections applied to the assessment are lenient and do not reflect the irreversible change in acoustic environment that the Proposed Development will have. There would be a potential for a greater than 12 dB increase in sound levels which would result in further impact on residents and would result in nearby residents potentially needing to keep windows closed to achieve acceptable ambient noise levels indoors.

14.8 To summarise, the BS 4142 assessment presented by the Applicant, the impact on the local area and identified NSRs would likely remain as significant adverse despite the contextual considerations the Applicant has provided. Therefore, the overall conclusion in accordance with the Noise Policy Statement for England would be one of a Significant Observed Adverse Effect Level, where the action would be to avoid/prevent and subsequently, the Site is fundamentally unsuitable from a noise perspective.

14.9 The Applicant has undertaken an indicative assessment of potential railway noise based upon calculated data using 'Realtimetrains' (Table 10.50). The resultant calculations show a calculated noise level of 62 dB for daytime and night-time (when rounding to the nearest whole number for assessment purposes). However, measured sound level data from receptor NMP3, which is adjacent to the railway line in question, shows much quieter sound levels of 52 – 58 dB (when removing installation and collection dates which could influence the sound levels).

14.10 Using measured data provided by the applicant at NMP3, which is far more robust and representative of real world conditions at the NSRs, the change in sound levels would be up to 12.2 dB not 1.8 dB as alluded by the ES Chapter. This is based upon the limited information available and using Sunday as a worst case assessment, due to lower sound levels at the weekend, but no indication of reduced operations from the Site. This would be a **major negative adverse impact that would be irreversible** and would have the potential trigger the Noise Insulation Regulations to be applicable at a number of receptors.

14.11 In total, 11 NSRs have either an *'Adverse'* or *'Significant Adverse'* impact. This is solely based upon the BS 4142 assessment presented in the ES Chapter, and it is considered that with the inclusion of more robust corrections and modelling exercises, this would likely increase to more NSRs.

15 Lighting

15.1 Appendix 3.2 (Lighting Strategy) [APP-132, 133 and 134] of the ES highlights the surrounding light-sensitive receptors and mitigation measures that will be included in any future detailed assessment. No finalised lighting scheme or quantitative assessment was provided by the Applicant in the initial submission material. This made it hard to determine the full extent of the impacts.

15.2 Shortly before Deadline 1 the Applicant provided BDC with a Technical Note in relation to obtrusive light produced as additional information to supplement the original Lighting Strategy. BDC will review this material and comment in due course but was unable to incorporate comments on this additional information into its Local Impact Report or Written Representation due to the shortness of time between receipt of the Technical Note (05.10.2023) and Deadline 1 (10.10.2023).

15.3 The Site is currently comprised of arable farmland, the Site is bounded by:

15.3.1 Birmingham to Peterborough railway line to the north, with no major sources of light.

15.3.2 Langton Farm and the M69 to the east, with no major sources of light.

15.3.3 Local Traveller sites and Junction 2 of the M69 to the south, with the main source of light from street lighting on the B4669 roundabout.

15.3.4 Burbage Common and woods to the west with no major sources of light.

15.4 The Site can be categorised as being within Environmental Zone E2[7], which is generally categorised as “Sparsely inhabited rural areas, villages or relatively dark outer suburban locations”.

15.5 The Site comprises arable farmland, there are no existing buildings on site and no sky glow is produced.

15.6 BDC have identified the following sensitive receptors surrounding the Site which will experience negative impacts:

15.6.1 Residential receptors.

15.6.2 Ecological receptors.

15.6.3 Road and Rail users adjacent to the Site.

15.6.4 Dark Skies – Skyglow.

<u>Impact A: Residential Receptors</u>

[7] (environmental-protection.org.uk) [accessed 10.10.2023]

15.7 Several residential receptors surrounding the Site have been identified. The Application contains no quantitative assessment in terms of light intrusion and source intensity. Due to the proximity of some of the local farms (Bridge Farm, Langton Farm) to the Site and the size and brightness of the lights required, the impact of the operational lighting on surrounding residential properties from light intrusion has the potential to be **major adverse negative and long-term**. Due to the height and intensity of some of the lights around the rail yard, the impact of the operational lighting on surrounding residential properties from source intensity (glare) has the potential to be **major adverse negative and long-term**.

Impact B: Ecological Receptors

15.8 The indicative lighting layout provided within the lighting strategy shows that there will be some light spill onto sensitive sites including Burbage Common and the railway crossing in the western corner, this area has been shown in the bat transect survey (Document 6.3.12- 16-17) to have some of the highest number of bat activity yet light levels are shown to be over 1lux.

15.9 There is also no commentary on the colour temperature of the lights as whiter light colours (4000k, 5000k) which tend to be used on industrial sites such as this have a great impact on bats and other nocturnal animals than warmer colour temperatures.

15.10 Therefore, there is a high potential that the commuting and foraging routes of these bats would be disturbed and the impact on ecological receptors would be **major adverse negative and long-term.**

Impact C: Road and Rail Users

15.11 The strategy identifies nearby road and rail receptors surrounding the Site but does not include a source intensity or glare assessment of impacts on vehicle drivers or train operators. Impacting drivers with glare can be extremely dangerous if not mitigated and without a quantitative assessment on this matter the impact of the operational lighting on surrounding road and rail users would be considered **major adverse negative and long-term.**

Impact D: Sky Glow

15.12 Despite the external lighting strategy, there will be residual lighting glow effects due to the 24-hour operational needs of the Proposed Development, which will extend into the relatively undeveloped landscape of the Site, reducing the extent of local dark skies. Therefore, the impact will be **minor adverse negative and long-term**.

Mitigation

15.13 Through Requirement 31 in the draft DCO, an assessment of external lighting on the above sensitive receptors and details of external lighting for each phase of the Proposed Development must be submitted for approval by the Local

Planning Authority (“LPA”). This should provide the opportunity to ensure that the operational phase lighting effect will be minimised to Negligible.

15.14 However, this Requirement provides for details to be approved sequentially for each phase so does not enable a quantitative lighting impact assessment of the whole Proposed Development. BDC considers such an assessment at this stage would be beneficial as it will assess the cumulative impact of all the external lighting to inform future assessments at the detailed design stage. It would also provide a ‘proof of concept’ that the necessary limits on lighting, required to avoid significant negative impacts, are achievable in principle which is not currently certain given the scale and nature of the Proposed Development. BDC will consider to what degree, if any, the additional information submitted by the Applicant satisfies the above concerns.

16 Geology and Soils

16.1 Chapter 16 of the ES states a preliminary ground investigation has been completed. Additional investigations are proposed following the making of any Development Consent Order and prior to construction works commencing on the Site in order to inform detailed design and associated mitigation (paragraph 16.5). The Chapter is supported by a Phase 1 Preliminary Risk Assessment for the Order Limits site (Appendix 15.1 [APP-211, 212, 213, 214]and preliminary Ground Investigation for the Proposed Development Site (Appendix 15.2 [APP-215 and 216] which have been submitted as technical appendices.

Impact A: Contamination Effects

16.2 As Chapter 16 of the ES states, potential effects have been identified during construction associated with mobilisation of dust and particulates, damage to excavated topsoil and form foundation works creating pathways. No significant contamination of soils or groundwater is expected at the Site. Sources of ground gas exist at shallow depth associated with alluvial soils and localised made-ground around farm buildings.

16.3 Although further intrusive ground investigation is recognised as being necessary, the overall conclusion is that “it is considered that potential effects from the construction and operational phases of the development would be negligible following the implementation of appropriate mitigation measures.”

16.4 The Applicant’s approach to considering contamination and the proposed remediation of the Site in general is considered appropriate by BDC. Appropriate measures to control the proposed use can be put in place to offer greater protection against contamination and any leaching into water courses from these sources.

16.5 BDC agrees with the Applicant’s assessment that, with the implementation of the proposed mitigation measures the impacts of the Project with respect to contamination are negligible. The mitigation measures proposed are discussed further below and in BDC’s Written Representation.

Mitigation

16.6 The Soils and Waste Materials Management Plan (SWMMP) and Construction Environmental Management Plan set out the remedial measures proposed to deal with any contamination encountered within the soil and potential spills of fuel during the construction period. These are considered appropriate.

16.7 It is recommended additional information is included in the SWMMP to detail the procedure that will be followed when dealing with site waste materials if contamination or suspected contamination is encountered during movement and handling of these materials, with a particular focus on asbestos materials.

16.8 BDC note that the Environment Agency has recommended conditions and Requirements to control the impacts of contamination associated with the Proposed Development.

16.9 Requirement 15 (contaminated land) in Schedule 2 to the Draft DCO includes provision for exercising planning controls over the contamination associated with the Proposed Development. Amended wording to Requirement 15 are set out in BDC's Written Representation, to ensure the sufficient planning controls can be exercised over the contamination associated with the Proposed Development.

17 Surface Water and Flood Risk

Impact A: Flood Risk

17.1 Given that part of the Site is within Flood Zones 2 and 3, flood risk and drainage is of high concern for BDC. Statutory responsibility falls to the Environment Agency ('EA') for this type of development, with LCC as the Lead Local Flood Authority liaising with the EA and with the Applicant in relation to the surface water proposals. In 2019, 30 homes, as well as a commercial property and a school in Stoney Stanton flooded and some people were unable to return to their homes for many months. This highlights the importance of ensuring surface water is adequately assessed and flood risk matters are considered properly.

17.2 BDC has concerns as to whether the baseline information provided regarding surface water and flooding is sufficiently robust. The finalised drainage system from a flood risk perspective and surface water storage ability is therefore questioned.

Mitigation

17.3 As a result of these outstanding issues, BDC considers it necessary for additions to the requirements in Schedule 2 to the dDCO to be made so that the lead local flood authority can have better input into the approval of the required flood and drainage mitigation strategies.

17.4 **Requirement 13 (sustainable drainage), the requirement should be worded as follows:**

> **(1) *"*No phase shall commence until a sustainable drainage strategy for that phase based on (in so far as relevant to that phase)**
>
> (a) **sustainable drainage statement;**
>
> (b) **main HNRFI site concept surface water drainage strategy;**
>
> (c) **main HNRFI site concept foul water drainage strategy;**
>
> (d) **A47 link road concept drainage strategy; and**
>
> (e) **M69 junction 2 concept drainage strategy**
>
> **has been submitted to and approved in writing by the relevant planning authority in consultation with Leicestershire County Council as lead local flood authority.**
>
> ***(2) The sustainable drainage strategy must be implemented in accordance with the details approved by the relevant planning authority or in accordance with any variations to those details approved in writing by the relevant planning authority."***

17.5 **Requirement 14 (surface water), the following wording must be added to Requirement 14:**

(1) …in consultation with Leicestershire County Council as lead local flood authority.

(2) …in consultation with Leicestershire County Council as lead local flood authority.

(3) The surface water drainage strategy and the maintenance details must be implemented in accordance with the strategy and details approved by the relevant planning authority or in accordance with any variations to those details agreed in writing by the relevant planning authority."

18 Energy and Climate Change

18.1 In 2020, BDC made a commitment to tackle climate change. The ambition is for BDC to be carbon neutral by 2030, and the district carbon neutral by 2050. This ambition is supported by the Climate Change Strategy, which provides a vision for a Green Recovery, post Covid 19 to create sustainable communities, low carbon transport networks and a thriving local economy.

18.2 There are six aims of the strategy:

18.2.1 CO2 Emissions and the impact of climate change

18.2.2 Protecting the environment

18.2.3 Travel and Transport

18.2.4 Waste and Resources – Moving to a circular economy

18.2.5 Sustainable communities

18.2.6 Behaviour Change and Education

18.3 Whilst BDC understands that carbon impacts cannot be identified at a local level, BDC has concerns regarding the Applicant's assessment of Energy and Climate impacts and considers that Proposed Development in its current form results in unnecessary energy, water, and climate impacts.

18.4 BDC's position on these matters is summarised below. Further details, including additional information and mitigation requested from the Applicant are set out in BDC's Written Representation.

<u>Construction and Building Operation</u>

18.5 It is recognised that the Applicant is seeking to reduce energy requirements on the Site and included a commitment to achieving net zero in construction. This is supported by BDC.

18.6 The Applicant has prepared a Framework Construction Environmental Management Plan (CEMP) [APP-359] and a Construction Traffic Management Plan (CTMP) [APP-364] to support the Application, as detailed at ES paragraphs 18.248 and 18.249. Whilst the inclusion of best practice measures is supported, details should be provided with respect to how the employment of construction plant that relies of the use of fossil fuels may be avoided, particularly when considering the location of the proposed development, and the nature of the existing land uses.

18.7 Whilst it is encouraging that the proposed development will seek to achieve a 'Very Good' BREEAM rating, as stated at ES paragraph 18.253, BDC considers that this is not an ambitious enough target. By only designing to BREEAM: Very Good, the Proposed Development is unlikely to be future proofed – an aim stated in the Opportunities and Constraints section of the Design and Access

Statement [APP-349]. The targeted BREEAM Rating should be reconsidered, with a minimum 'Excellent' rating preferred to the currently targeted 'Very Good'. As stated in the Relevant Representation on behalf of Blaby District Council document, the proposed development has the potential to be at the forefront of innovative and green logistics, and should be setting an example as an industry leader. Ideally, a BREEAM Rating of 'Outstanding' should be targeted. It is recognised that this achievement is challenging, however, considering the scale and expected lifetime of the Proposed Development, this would be a proportionate challenge. Similarly, the scope to achieve a LEED Rating of 'Gold' should be explored, and targeted where feasible. The proposals should also target a minimum EPC rating of A, with the achievement of an A+ target being preferred. It is noted at paragraph 18.270 that a fabric first approach will be applied, and this should directly enable the achievement of an improved EPC rating.

18.8 Truly sustainable projects that aim to be future proofed and meet the challenge of net zero would need to go beyond what has been outlined in the Proposed Development. The timescale for construction means that construction and energy targets will continue to be increased, leaving the Proposed Development potentially lagging behind other proposals. As it will have a development lifespan to and beyond 2050, where the UK must operate at net zero, a failure to design a net zero capable development will make it impossible to operate in this manner without substantial retrofitting of technology. This creates an unnecessary and avoidable barrier to achieving the Country's net zero ambitions. The necessary building specification to ensure net zero operation should be secured in the Schedule 2 Requirements.

18.9 A potential constraint to the ability to generate on-site renewable energy and be net zero in operation is the 49.9 Mw limitation for the generation of on-site electricity especially with regard to other potential locations for solar PV such as car park canopies. The Applicant should be asked to justify this limitation.

18.10 The Applicant claims that Proposed Development will be predominately self sufficient due to renewable energy generation arising from the proposed solar PV array and battery storage. However if the Proposed Development intends to provide the EV infrastructure to supply the phasing in of electric LDVs and HGVs this would make the Proposed Development a net energy user as the demand for electricity would far outstrip the renewable generation capacity. No details are provided within the Framework Site Wide Travel Plan with respect to electric charging facilities. Part S of the Building Regulations requires new development to provide infrastructure relating to the charging of electric vehicles. The quantum of proposed parking spaces that will provide electric vehicle charging infrastructure should be defined, and the details of the infrastructure provided. It is considered that the Proposed Development should commit to going beyond the minimum requirements of Part S of the Building Regulations, providing 13 a proportion of spaces with chargers prior to the commencement of the operation of the proposals, with the remaining car parking spaces provided with the cabling routes that would enable the later installation of chargers. This is considered necessary to support the intended transition towards electric vehicles which, whilst not necessarily reducing

reliance on private cars, will reduce the associated GHG and pollutant emissions,

18.11 Further rationale for the proposed choice of technologies as well as reasons why others have been ruled out is required. It is unusual that a gas powered Combined Heat and Power (CHP) and hydrogen is being considered ahead of already widely used heat pump technology. Electric heat pump systems are applicable within district and energy network contexts. This technology is available on the market in the present day, with advances with respect to the capacity and efficiency of this technology continuing to be made. It has been made very clear within recently published documentation that this is the preferred direction of travel, with efforts to upskill those fitting and maintaining these types of systems being implemented. It is a move away from a reliance on hydrogen strongly encouraged. A revised low and zero carbon technology feasibility assessment should be undertaken, and regularly updated at each design stage, to account for changing and advancing technologies.

18.12 There ought to be an assumption that the Proposed Development is entirely off-gas due to the unsustainable nature of natural gas and the unreliability of hydrogen as a replacement. There is no certainty that hydrogen will be available especially given the inefficiency of the production process (when compared to solar or wind) and lack of transportation infrastructure. It is disappointing that reliance is being placed on fossil fuels for a significant energy source to the facility. It doesn't appear that decarbonisation of heat via heat networks and the utilisation of ground or water heat pumps have been fully explored by the Applicant. Instead, Gas CHP and possibly hydrogen have been proposed. This shows a lack of ambition for this project, particularly given it will be constructed over the next 10 – 15 years and thus needs to comply with future requirements on such matters. BDC is concerned that a long term development whose approach to climate change is unambitious at the outset will appear already out of date at completion.

18.13 The reliance on hydrogen as a fuel source, as stated at paragraph 18.264, is considered short-sighted. Even at the time of writing, significant uncertainties around the suitability of hydrogen as a fuel in heating and electricity generation were present. At present, when considering the delays to pilot projects, and the continued uncertainty over the applicability of its use, it is considered that the proposed use of hydrogen is unlikely to constitute a resilient approach.

18.14 BDC would expect to see a full consideration and uptake of zero carbon heat and cooling options as standard in the application as per the EIA Hierarchy (Figure 18.3 of ES Chapter 18 Energy and Climate Change document reference 6.1.18). Heat pump technology is likely to remain a far more efficient and cost effective use of a finite resource (renewable energy) than hydrogen. Given the direct control the developer has over Green House Gas emissions arising from space heating (scope 1) and the potential to eliminate emissions arising from it, it's not clear why this hasn't been proposed.

<u>Water Conservation</u>

18.15 Water conservation measures are only being 'considered' at this stage. Far greater water harvesting and conservation techniques could and should be employed and secured via a Requirement. It is widely publicised that the demand for water in the future will be greater and thus the Scheme should include commitments to and set out the mechanisms for securing the measures taken to reduce water usage.

Overheating

18.16 An overheating assessment should be undertaken for the proposed buildings to ensure the risk of overheating is mitigated, and that the health of future occupants will be protected. Measures to reduce reliance on active cooling technology should be employed, with the inclusion of openable windows and solar shading considered in preference to air conditioning systems.

Transport

18.17 The Proposed Development's existing approach to sustainable travel is unacceptable and results in excessive climate related impacts. The ES states that due to its location, significant worker commuting is expected to be by private car. Greater practical choice of sustainable transport options is important to future energy use and climate change.

18.18 The Proposed Development commuting patterns prove that the Site is in an unsustainable location and that the mitigation currently proposed is inadequate. Whilst a Travel Plan has been submitted, more significant enhancement to infrastructure and investment is required to provide options to employees of the Scheme. The Scheme appears to be reliant on improvements to cycle infrastructure being made externally, particularly by Warwickshire County Council and Nuneaton and Bedworth Borough Council. As stated within the Travel Plan, it is necessary that high quality cycle infrastructure be present that serves the proposed development in order to attract future employees and site users to choose this mode of transport over private car usage. Shuttle bus services (as a minimum) from the nearby Hinckley Railway Station could be provided, along with potential cycle/E-cycle storage and hire facilities at the station and on the Site. Provision of new and/or upgraded cycle ways to offer good connectivity to key locations should also be provided, encouraging travel by means other than the private vehicle. Charging facilities (all transport modes) and showers on the Site should also be included. Paragraph 7.24 of the Site Wide Framework Travel Plan (document reference 6.2.8.2) leaves it to the occupiers' discretion to provide these facilities and should be amended to obligate all units to provide such facilities. Enhancement of other bus services, beyond the X6 service referenced in the Applicant's proposed S106 Planning Obligation Heads of Terms (document reference 10.1), should be provided by the Applicant.

18.19 Currently the expected offer of off-site facilities and services to enable sustainable transport options, augmented by on-Site facilities is limited. There is scope to improve this and create energy and climate change gains and reduce environmental impacts.

19 Cultural Heritage

19.1 The District of Blaby is home to various heritage assets which carry varying levels of significance. It is acknowledged that none of the District's designated heritage assets lie within the limits of the Site, but there are some that lie adjacent to the Site boundary.

19.2 BDC takes the lead on above-ground heritage assets and conservation areas but relies on LCC's Planning Archaeologists on any archaeological matters under a service agreement. It is understood that Hinckley and Bosworth Borough Council are to provide separate comments on any heritage assets within their administrative boundaries that could be affected by the Proposed Development.

19.3 The Applicant's Heritage Assessment (ES Appendix 13.2 APP-202) identifies a range of designated heritage assets that, although not within the limits of the Site, could potentially experience a change to their wider settings. These assets within Blaby District include a Scheduled Monument, four listed buildings and a conservation area. These assets are identified as:

19.3.1 Elmesthorpe Church, Ruined Nave and West Tower, Elmesthorpe;

19.3.2 The Church of St Mary, Grade II, Elmesthorpe;

19.3.3 The Wentworth Arms and Adjoining Stables, Grade II, Elmesthorpe;

19.3.4 The Church of All Saints, Grade II, Sapcote;

19.3.5 The Church of St Michael, Grade II*, Stoney Stanton; and

19.3.6 Aston Flamville Conservation Area.

19.4 The Heritage Assessment identifies four groups of buildings which relate to the area's past and present agricultural use which are situated within the limits of the project area and would be directly impacted by the presence of the Proposed Development, either resulting in their wholesale loss or substantial alteration. There are also several areas of archaeological interest within the confines of the project area that are likely to be directly impacted by the Proposed Development.

19.5 Although the Heritage Assessment (ES Appendix 13.2 – document reference 6.2.13.2) describes these buildings under the sub-heading "Non-designated Built Form within the main Order Limits", and have some historical and minor architectural interest, they are not included on a formal 'local list' of non-designated heritage assets. They are however, considered to be sensitive receptors.

19.6 These buildings/structures are identified as:

19.6.1 Woodhouse Farm, Burbage Common Road, Elmesthorpe;

19.6.2 Hobbs Hayes Farm, Hinckley Road, Sapcote;

19.6.3 Freeholt Lodge, Hinckley Road, Sapcote; and

19.6.4 Burbage Common Road Bridge, Elmesthorpe.

19.7 Table 13.8 within the ES (document reference 6.1.13) identifies the summary of effects that the proposed development is likely to have on designated heritage assets.

19.8 BDC agrees with the methodology and approach to assessing the potential impacts on heritage assets outlined in Chapter 13 and Appendix 13.2 of the ES [APP-202]. However, BDC has a concern regarding the presentation of the heritage assets as a combined/shared group of assets with a shared impact value in Table 13.8, rather than being presented as individual assets with separate significance, sensitivity and magnitude of change values in the matrix itself.

19.9 The Applicant's consultants openly engaged with BDC on these points and discussed the individual impacts on the setting of designated heritage assets that were identified as sensitive receptors within Blaby District. Principally, this included the following assets:

19.9.1 Elmesthorpe Church, Ruined Nave and West Tower, Elmesthorpe

19.9.2 The Church of St Mary, Grade II, Elmesthorpe.

19.9.3 The Wentworth Arms and Adjoining Stables, Grade II, Elmesthorpe.

19.10 BDC and the Applicant agreed that the assets referred to in the above paragraph were highly sensitive in nature due to their designation. However, the significance of the assets' respective settings made a minor contribution to their overall significance.

Impact A – Potential Impacts on Scheduled Ruins of the Church and Grade II Church of St Mary

19.11 The historic fabric of these buildings and their archaeological and architectural interest make the largest contributions to their significance. The setting to the south and south-east where the limits of the Site are located have been subject to change over many years (the erection of dwellings, private roads and a railway line). A former Scheduled fishing pond and probable deserted village at Billington Rough (approximately 700 metres to the south of the Scheduled Ruins of the Church and Grade II Church of St Mary in Elmesthorpe) would have had some historic significance in its previous form, but the ponds and earthworks were mutilated in the early part of the twenty-first century and was ultimately de-scheduled. In addition, these earthworks lie outside of the limits of the Site.

19.12 It is also acknowledged that the setting of these assets do not form part of a designed landscape and that the land within the Site makes only a minor

contribution to the asset's significance. On this basis, BDC considers the magnitude of change to these assets to be minor at worst, and negligible at best, resulting in a probable environmental impact of minor/moderate or minor when assessed under the methodology of Table 13.6 in the ES [APP-122]. In planning terms, BDC considers the level of harm is in the category of 'less than substantial'.

Impact B – Potential Impact on the Wentworth Arms

19.13 No empirical evidence could be discerned to suggest that the surrounding land which forms part of the Wentworth Arm's setting makes a significant contribution to the asset's overall significance. Rather, its special interest is derived from its architectural value as well as its historical associations with the architect C.F.A. Voysey. The surrounding land to the south of the Wentworth Arms has little or no known historical associations with the pub itself and there are no designed views within the limits of the Site where the asset can be experienced. On this basis, BDC considers the magnitude of change to this asset to be negligible, resulting in an environmental impact of minor when assessed under the methodology of Table 13.6 in the ES [APP-122] (). In planning terms, BDC considers the level of harm is in the category of 'less than substantial'.

Impact C – Archaeological Assets and Assets Listed on the Historic Building Record

19.14 Chapter 13 of the ES [APP-122] presents an appraisal of non-designated heritage assessts within the Order Limits, consideration is given to Archaeological remains, built form and the historic landscape. It is understood that the Proposed Development has a high likelihood to impact on beneath-ground archaeology. It is also apparent that the Proposed Development will have a significant impact on several structures that appear on the Historic Environment Record, which are as follows:

19.14.1 Woodhouse Farm, Burbage Common Road, Elmesthorpe.

19.14.2 Hobbs Hayes Farm, Hinckley Road, Sapcote.

19.14.3 Freeholt Lodge, Hinckley Road, Sapcote.

19.14.4 Burbage Common Road Bridge, Elmesthorpe.

19.15 It is considered that these assets are of low sensitivity but will be subject to a large magnitude of change, either through total loss or substantial modification. This equates to moderate or minor impacts on their significance in environmental terms when assessed under the methodology of Table 13.6 in the ES (document reference 6.1.13). Mitigation is sought in the form of a Historic Building Record secured via requirement 12 of the draft DCO. Provisions should be made for the archaeological investigation and recoding of these earthworks prior to their loss.

19.16 Archaeological remains have been assessed through a staged programme of investigation comprising an initial desk-based assessment, geophysical survey

and follow up trial trenching. The following reports accompany the Applicant's submission:

19.16.1 Appendix 13.1 [APP-201], Archaeological Assessment;

19.16.2 Appendix 13.3 [APP-203 and APP-204], Geophysical Survey Report (Phase 1) and Appendix 13.4 [APP-205], Geophysical Survey Report (Phase 2);

19.16.3 Appendix 13.5 [APP-206] and Appendix 13.6 [APP-207], Evaluation Report Phase 1 and 2.

19.17 The assessment programme has been undertaken in full consultation with the LCC archaeologist and in liaison with the BDC and Hinckley and Bosworth Borough Council as appropriate. With the exception of the western link road connecting the Order Limits to Leicester Road (A47/B4668) and the proposals for off-site junction improvements and compounds it is the opinion of LCC that the development impact of the Proposed Development on non-designated heritage assets have been adequately assessed.

19.18 It is recommended that the outstanding archaeological investigation, comprising trial trench investigation of the western road link and targeted investigation associated with the off-site junction improvements, compounds, etc., should be undertaken as an initial stage of post-determination mitigation. The results of this investigation should be made available prior to start of works on Site, in order to determine the scope of any further necessary mitigation of the development impact.

19.19 The investigation has demonstrated a sparse scatter of archaeological remains within the Main Order Limits ([APP-206] Evaluation Report (Phase 1), Figure 3). The majority of the identified remains comprise post-medieval, modern and undated features interpreted as boundary/field ditches of negligible archaeological sensitivity. The programme of geophysical survey and trial trenching identified three discrete areas of archaeological potential, comprising a ring ditch (and associated features/finds) immediately west of Hobbs Hayes Farm (ES Appendix 13.7 Archaeological Mitigation Strategy, Image 13.6.4 Excavation Area A [APP-208]); and a separate Roman settlement site defined by field enclosures located to the north of Aston Firs/Elmesthorpe Plantation (Excavation Area B). A third area of Roman archaeological features were identified to the south of the B4669 Sapcote Road. Assessment of the significance of impact for all sites suggests none are of greater than county or regional importance. Given the magnitude of change, the impact of development on each site should be addressed by way of archaeological excavation to take place in advance of construction. The current the Archaeological Mitigation Strategy proposes excavation of the Areas A and B, to this should be added features located in the vicinity of Trenches 542 and 543.

19.20 In response to the impact of development upon the Cultural Heritage outlined above, the developer and their heritage representatives have entered into

extensive discussions with the planning authority and the LCC Archaeological advisor. This has resulted in the preparation of the programme of mitigation measures outlined in the submitted Archaeological Mitigation Strategy which makes provision for:

19.20.1 Archaeological trial trenching (Western link to Leicester Road);

19.20.2 Archaeological excavation (Areas A, B and features including trenches 542-543)

19.20.3 Earthwork survey and intrusive investigation;

19.20.4 Historic Building recording;

19.20.5 Monitoring and post-excavation analysis, reporting and archiving.

19.21 For each phase of the archaeological mitigation programme one or more site or stage specific Written Schemes of Investigation will be prepared and submitted to the respective planning authorities for approval prior to implementation.

19.22 LCC Archaeology on behalf of the BDC will be undertaking on-site archaeological monitoring and post-excavation review, to ensure appropriate and efficient management of the mitigation programme. The work will be undertaken at cost and will comprise review of all WSIs for exploratory trial trenching, and any follow-up archaeological investigation / excavation, monitoring of all fieldwork, review of archaeological reports, and the resulting project archive.

19.23 BDC's Written Representation contains details of mitigation that is considered necessary.

20 Health and Wellbeing

20.1 The Proposed Development will result in negative impacts to numerous health determinants. BDC consider the Wards chosen for the Applicant's assessment of health and wellbeing impacts has underrepresented the areas of Narborough and also Hinckley and Earl Shilton .

20.2 The negative impacts upon health and wellbeing determinants can be summarised as including:

20.2.1 Reduced accessibility to social infrastructure due to the increased downtime at the Narborough Level Crossing.

20.2.2 Negative mental and physical health impacts due to the reduction in the Burbage Commons area, further there has been a lack of analysis around the qualitative nature of replacement rural open space bridleways. BDC consider the change in user experience for bridleways from a previously natural experience to a predominantly urban one will have negative physical and mental impacts.

20.2.3 Negative impacts on mental health from a reduction of the tranquillity of Burbage Common due to excessive noise impacts.

20.3 BDC consider the mitigation measures proposed are presently unclear and underpinned by a lack of analysis. It is presently unclear as to the quality of the proposed alternative open space which will be provided.

20.4 BDC consider there has been a lack of analysis around the qualitative nature of replacement rural open space bridleways, The user experience will change from encountering a natural aesthetic to an urban one with most of the proposed routes being adjacent to roads.

20.5 There has been no analysis within Appendix 7.1 of the Environmental Statement [APP-137] of the commuting patterns and how active travel will be incorporated into the Proposed Development.

20.6 Given no traffic flow information has been provided as part of the air quality assessment, any stated impacts on the human receptors cannot be verified or relied upon.

20.7 Furthermore, the transport modelling underpinning the Proposed Development is not considered robust and so the mitigation proposed in terms of sustainable travel and road network improvements is not considered adequate.

<u>Mitigation</u>

20.8 The Applicant should be required to commit to the following measures to mitigate these adverse impacts:

20.8.1 Ensure quality open space provision: The Landscape plan should include Burbage Common to ensure that the quality of the open space

is improved from the Open Space Assessment's current assessment of being below the target of 80%.

20.8.2 A signage and wayfinding strategy should be proposed in around the Proposed Development to mitigate community severance's health impact by promoting pedestrian safe movements – to encourage active travel and foster a sense of belonging.

21 Conclusion

21.1 The Proposed Development would have a limited positive economic benefit for BDC's area. The significant job creation the Proposed Development has represents an opportunity to provide substantial employment and training opportunities for the District and Leicestershire County generally. However, for these benefits to be fully realised a robust and effective Skills, Training and Employment Programme with a focus on training and employing the local employment base needs to be provided. The proposals currently put forward by the applicant are not sufficient.

21.2 The Proposed Development would however give rise to a significant range of adverse impacts, some of which will not be sufficiently mitigated. These include negative impacts on the local highway network, with associated noise and air quality impacts; significant negative impacts on landscape character and visual amenity; negative impacts on a range of cultural heritage assets; negative impacts as a result of light pollution; and negative impacts on biodiversity.

21.3 By the Applicant's own admission, some of these impacts (e.g. landscape and visual) are not capable of being fully mitigated. However, even where impacts are capable of being mitigated, the proposals put forward by the Applicant are not adequate.

21.4 While acknowledging the limited positive impacts, overall BDC vehemently opposes the Proposed Development given the far-reaching adverse environmental and social impacts it would cause in the local area.