

Section 3 – Local Authorities

RR Reference	Name/Organisation	Matter	Applicant
RR-0134	Blaby District Council	Site Selection and Evolution	
		<p>There are a network of existing and recently approved rail freight interchanges and distribution centres in the Midlands. Whilst the Leicester and Leicestershire Enterprise Partnership's Strategic Economic Plan 2014-20 (March 2014) highlights 'Southwest Leicestershire' as an option (Option 5), it is only a potential growth location and no specific projects are identified in terms of a SRFI. The Leicester and Leicestershire Strategic Distribution Study (updated March 2022) recognises that the Hinckley NRFI site being promoted would meet the anticipated demand to 2041 for rail-served warehousing in Leicestershire, but it should be recognised that the Hinckley NRFI is only one option that could be taken forward. The Council are concerned that the Applicant has not sufficiently demonstrated the specific market need for this Scheme in this specific open countryside location</p>	<p>The Market Needs Assessment (document reference 16.1, APP-357) has explained the 'Market for Hinckley NRFI' (paragraphs 6.6-6.16).</p> <p>Both the Leicester and Leicestershire Strategic Distribution Study 2021 and HNRFI Logistics Demand and Supply Assessment (document reference: 16.2, APP-358) clearly establish the needs case for the HNRFI. This matter is being covered in the SoCG and the Applicant understands the parties position as agreeing that this need is identified in the Leicester and Leicestershire Strategic Distribution Study 2021 which was commissioned and agreed by the relevant Local Authorities. The level of disagreement is on the level of future need.</p> <p>Estimated future demand is 2.5 times higher than current and known available supply. The Applicant considers this a matter of fact based on the evidence detailed in the HNRFI Logistics Demand and Supply Assessment (document reference: 16.2, APP-358). This level of shortfall between demand and supply clearly evidences a</p>

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			<p>large scale and strategic site such as the HNRFI is needed.</p> <p>This is the only suitable viable site, having considered all alternatives.</p>
		<p>The Council is also mindful that the Leicester and Leicestershire Planning Authorities are conducting joint research in the potential apportionment of strategic distribution floorspace. The report is still being drafted and will need to be agreed by the instructing Planning Authorities before it can be published, but it could be completed prior to the conclusion of the Scheme's examination and be a material consideration in respect of need.</p>	<p>LCC, BDC, HBBC have all accepted the need for a SRFI within Leicestershire through the discussions that have taken place as part of agreeing the Statements of Common Ground, the area of disagreement is on the level of future need. A SRFI has to be of sufficient scale to be able to support the delivery of intermodal facilities. As the NPS acknowledges (paragraph 2.56) the number of locations suitable for SRFIs will be limited. It is hence important, in the national interest, that such limited locations are used efficiently and effectively. It is suggested that an agreement may be reached on the opportunities of strategic distribution floorspace within the Country. If and when this report is published the Applicant will consider its relevance – and the weight should be given, within the development consent process under S104 of the Act.</p>

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		<p>Requirements should ensure that the rail freight interchange is built prior to first occupation of the first warehouse, that it remains operational for the lifetime of the operation of the warehousing, and that the first warehouses are rail connected.</p>	<p>The matter of the phasing of the construction of the railport and DCO Requirement 10 is covered comprehensively in the highways position statement attached at Appendix A.</p> <p>The Applicant has been working with Network Rail in detail since March 2019 and in doing so has secured a joint understanding of the deliverability of the mainline connections to a level beyond that previously secured prior to a DCO decision (normally to GRIP2 (now ES2)). This particularly related to signalling and the Applicant is now working towards completing ES3, to assist an early start.</p> <p>Network Rail is satisfied that, on the basis of the development work undertaken to date, there are no rail obstacles to the development and taking into operational use of HNRFI.</p> <p>Network Rail has confirmed to the Applicant that it is confident that early connections can be delivered however the proposed DCO requirement provides flexibility and ensures that the development won't be stalled in the unlikely event of delays outside of the Applicant's control. The requirement also protects against the risk</p>

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			<p>that while Network Rail agree that connections can be delivered early there is an element of risk that the relevant Network Rail teams may have to postpone work for the HNRFI connections if Network Rail teams or rail possessions are needed elsewhere on the line to deal with an emergency.</p> <p>The phasing strategy for the delivery of the rail port is considered to be in accordance with the new draft National Networks National Policy Statement (March 2023) para 4.86 and provides an appropriate measure of flexibility in the development of HNRFI. The ability for rail connected buildings is designed in at the outset and will be built to market demand.</p> <p>The terminal operator does not operate the connecting mainline railway, nor does it control the train operating companies. There therefore cannot be a commitment for the terminal to remain operational. It could not be used for anything else though, without a new planning consent.</p>

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		<p>The Scheme conflicts with the required delivery of rail infrastructure and connected buildings at the outset of the Scheme stated in paragraph 4.84 of the Draft NN NPS.</p>	<p>The transitional provisions set out in the draft NPS (paragraph 1.16) make clear that the Secretary of State has decided that for any application accepted for examination before designation of the 2023 amendments, the current NPSNN should have effect in accordance with the terms of the current NPSNN. In so far as the draft NPSNN represents the current thinking of the Government paragraph 4.84 should be read together with paragraphs 4.85-4.86. This is the approach that has been taken by the Secretary of State in the determination of Northampton Gateway DCO Non Material Amendment. .</p>
		<p>The Council is not currently content that the Scheme's sustainable access to the SRN is proven suitable, given the issues with the M1 J21 noted in section 5 of this Representation.</p>	<p>The applicant has maintained throughout the process that measures to address underlying and existing congestive problems at Junction 21 should not be the responsibility of the HNRFI mitigation package. This is based on overall impact of HNRFI and the lack of a proportionate intervention option. Current constraints at Junction 21 are driven by underbridges of the M1 on the circulatory carriageway. Widening to address such constraints would be of a significant magnitude and require RIS levels of Government</p>

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			<p>investment. Impacts of the HNRFI site have been quantified and the impacts reported to the TWG core team on 10 October 2022- these are proportionately small. Mitigation addresses any impact on the A47 itself as a result of re-routing.</p>
		<p>In terms of the options that were assessed, as part of the Council’s Section 42 Statutory Consultation response dated 8 April 2022 (“S42 Response”), the Council raised concerns in respect of the relevance of site options 1 – 3 (Brooksby, Syston Fosse Way Junction and Syston Barkby Lane). Whilst the options are all to the north of Leicester and do not accord locationally with the Leicester and Leicestershire Enterprise Partnership’s Strategic Economic Plan 2014-20 (March 2014), or the options also do not correlate with the more recent Leicester and Leicestershire Authorities Warehousing and Logistics in Leicester and Leicestershire: Managing growth and change (amended March 2022), it does not mean that such sites should not be considered.</p>	<p>Paragraph 2.57 of the NPS acknowledges, most intermodal freight interchanges are located in the Midlands and North of England. These are hub regions both for the strategic road and rail networks and the UK economy that these networks serve. These regions also enjoy direct rail access to a range of large ports through which containerised goods pass.</p> <p>Paragraphs 4.83 – 4.89 of the NPS provide specific policy guidance on the assessment principles for SRFI, including their function, locational requirements and scale and design. This policy advice was taken into account in the Applicant’s assessment of locations and design options.</p> <p>At the outset, the Applicant’s strategic rail adviser Baker Rose Consulting examined in engineering terms the potential locations on the rail network in Leicestershire that might present</p>

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			<p>opportunities for a SRFI in locations on or readily connectable to the F2N strategic rail freight route, using a combination of professional knowledge of the network, local knowledge, surveys, rail network maps and aerial photographs.</p> <p>Site options 1 to 3 were initially considered viable following this review. However, following full review options 1 to 3 were discounted for the following key reasons:</p> <ul style="list-style-type: none"> • Option 1 at Brooksby was discounted due its propensity to flood, its relatively poor access to the strategic highway network and its location outside of the identified LLEP Growth Areas. The site is also in conflict with the purpose of a countryside protection policy in the Charnwood Local Plan. Such a remote location would not meet occupier requirements for direct strategic road access, adding to road haulage operating costs and the associated environmental impacts. • Option 2 Syston Junction was discounted in view of the site's relative remoteness from the motorway network, its location outside a LLEP Growth Area and the adverse flood risk.

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			<ul style="list-style-type: none"> Option 3 at Barkby Lane was discounted in view of its poor road access, which would not suit occupier requirements, its proximity to housing and the restricted access to the existing railway. <p>The Environmental Assessment requires an outline of the main reasonable alternatives studies by the applicant and an indication of the main reasons for the applicant's choice, taking into account the environmental effect (NPS paragraph 4.26). This requirement has been met in ES Chapter 4 Site Selection and Evolution (document reference: 6.1.4, APP-113).</p>
		<p>Additional comment was provided in respect of the potential ability to locate facilities on land to the north of Stoney Stanton or between Hinckley and Nuneaton to the south of the A5</p>	<p>It is a fundamental requirement for locating a SRFI that it has 'effective connections for both rail and road' (NPS-NN 2.56). A location north of Stoney Stanton was considered by the Applicant (Option B: Croft) in ES Chapter 4 Site Selection and Evolution. Such a location does not have good road access to the SRN. DfT Circular 1/22 National Highways and the Strategic Road Network makes clear that the principle of creating new junctions on the SRN should be identified at the plan making stage, in circumstances where an assessment of the</p>

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			<p>potential impacts on the SRN can be considered alongside whether such new infrastructure is essential for the delivery of strategic growth. Where this has not occurred no new connections on those sectors of the network designed for high-speed traffic will be supported (other than in limited exceptions which do not include an SRFI). In consequence the approach taken by the Applicant utilising an existing connection to the SRN is entirely reasonable. Land between Hinckley and Nuneaton to the south of the A5 is mainly Green Belt – situated within Warwickshire where no comparable study to the Warehousing and Logistics Study has been undertaken. The area of land that lies outside of the Green Belt is too small to accommodate a SRFI. A SRFI with the form and scale of development would cause substantial harm to the purposes of the Green Belt.</p>
		<p>Other than a dismissive comment on alternative sites, no enhancement of the original site assessment appears to have been undertaken. The assessment provided is therefore still considered inadequate by the Council.</p>	<p>The Applicant has in the process of discussing Statements of Common Ground sought agreement that acknowledges the adequacy of the Applicant's site selection process, and the choice made by the Applicant to promote the site for HNRFI.</p>

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			<p>The reasons for sites being discounted are very clear and have been expressed as such. Further enhancement of the original site assessment could not change the conclusion reached.</p> <p>Chapter 4 of the Environmental Statement (document reference: 6.1.4, APP-113) explored design options for the main site. Further to this, as reported in Chapter 3 of the Environmental Statement (document reference: 6.1.3, APP-112), a number of environmental mitigation measures are included within the design with the intention of designing out environmental effects.</p>
		<p>The lack of consideration of sites further to the west is considered to be particularly important. Whilst not within Leicestershire, the Solent and Felixstowe lines connect close to Nuneaton, providing the opportunity for a single facility to serve two ports which may represent a more suitable location.</p>	<p>The NPSNN (paragraph 2.56) makes clear that the number of locations suitable for SRFIs will be limited, which will restrict the scope for developers to identify viable alternative sites. A developer is not required to demonstrate that the choice of site is the 'best site' in some form of geographic location. Rather the planning test is whether it is suitable when primarily considered against the provisions of the NPS. The decision taking matrix is provided for by S104 of the Planning Act 2008.</p>

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			<p>The NPS NN does not impose a limit on the number of locations that may be suitable for SFRIs.</p> <p>The NPS states that the locational requirements will restrict the scope for developers to identify viable alternative sites. (NPS NN paragraph 2.56). As stated in the R6 letter (Document ref: R6 letter – Notification of the Preliminary meeting and matters to be discussed). The focus [of the examination] will be on the merits or disadvantages of the Proposed Development, tested to the appropriate extent using the tests set out in relevant designated NPSs that in force. In the context of the NPS identifying a compelling need for an expanded network of SFRIs, the NPS does not require an Applicant to demonstrate that the Proposed Development is the ‘best site’ or ‘only site.’ The BDC argument is flawed and would raise the issue of how is the ‘best site’ is determined over what geographic area?</p> <p>The Applicant considered that HNRFI is its preferred choice for promoting the development of a SRFI in meeting the locational requirements and being situated a in a location where there are no substantial environmental constraints.</p>

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			<p>Land further west of the West Coast Main Line (WCML) at Nuneaton has to route rail freight through Birmingham, either to reach Southampton or the Northwest and Scotland. This is restricting. HNRFI by contrast can readily access the West Coast Mainline(WCML) at Nuneaton and can therefore access virtually all major markets and ports, not just Felixstowe. If the Nuneaton Dive Under is developed to a suitable gauge, Southampton would be more readily accessible from HNRFI than sites further west of the WCML.</p>
		<p>The Council's S42 Response raised concerns in respect of the layout of the Site, with any tugmaster movements needing to cross the A47 link road</p> <p>This issue is considered important to ensure that the Scheme operates principally as a rail linked facility and not a road served distribution centre. The updated illustrative masterplan includes a 'railport estate road link' which seeks to address this previous concern. The delivery of these links needs to be clearly referenced in the 'Requirements' section of the DCO.</p>	<p>Additional modelling is being carried out in relation to tugmaster and lorry park movements to test the internal junctions and their capacity. This has been issued to the local highway authorities ahead of Deadline 1 to provide further evidence of the internal roundabouts' capacity.</p>

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		<p>Appropriate justification for the Scheme needs to be provided. It is a significant greenfield site that if developed will represent a permanent loss of this open countryside.</p> <p>The Council is not satisfied that the Scheme and the currently proposed Requirements adequately ensure the delivery of a rail based scheme, comply with the future direction of the draft NN NPS, and demonstrate a sustainable access to the SRN which are intrinsic to its consideration as a Strategic Rail Freight Interchange.</p>	<p>The matter of the phasing of the construction of the railport is covered comprehensively in the highways position statement attached at Appendix A.</p> <p>The Government has established that there is a critical need in the national interest to improve the national networks (NPS-NN 2.2) and a 'compelling need' for an expanded network of SFRIs in the national interest. (NPS-NN 2.50). The Applicant understands that the Local Authorities have agreed through the draft SoCG on Planning that there is a need for a SRFI to meet the requirements for rail served logistics in Leicestershire. The LAs further accept that such a site can not be located within the confines of the existing urban areas. As such, and as acknowledged in the NPS-NN paragraph 4.84 'a countryside location' maybe required. The site for HNRFI is well located to the urban edge of Hinckley. It is not a remote location for existing patterns of settlement.</p> <p>The matter of the phasing of the construction of the railport and DCO Requirement 10 is covered</p>

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			comprehensively in the highways position statement attached at Appendix A.
		<p>The Council is concerned that due consideration has not been given to the local policy context in which the HNRFI proposal sits.</p>	<p>The Applicant has considered the provision of the development plan as a matter that may be both 'important and relevant'. (S104 of The Planning Act)</p> <p>Individual topic chapters of the ES chapters 7 to 19 have development plan policy relevant to the particular environmental topic under consideration.</p> <p>The development management purpose of these policies are addressed within the generic impacts that are set out in the NPS – National Networks.</p> <p>The Planning Statement (document reference 7.1, APP-347) has focused on policy considerations that are not addressed in the NPS. Section 5 of the Planning Statement is titled Development Plan Considerations. The Planning Statement has considered the effect of HNRFI on Hinckley and Bosworth Core Strategy Policy 6, which relates to a Green Wedge. Blaby District Council has not identified any policy provision from the development plan which it is alleged the application for HNRFI has failed to consider.</p>

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		<p>No reference is made to the Planning Policy for Traveller Sites (PPTS). The PPTS is a national policy document with the same standing as the National Planning Policy Framework (NPPF). The PPTS includes principles relating to environmental quality impacting the health and wellbeing of travellers. There is a traveller community around Aston Firs, immediately adjacent to the Site and thus, this policy is directly relevant and needs to be adequately addressed</p>	<p>All policy statements need to be read in their proper context. The Planning Policy for Traveller Sites (PPTS) is a policy statement for the provision of traveller sites (paragraph 4). The potential environmental effect of HNRFI upon residents of existing traveller sites has been considered within the Environmental Statement. Chapter 10 Noise and Vibration (document reference: 6.1.10, APP-119) included the caravan and mobile homes sites in the Aston Firs area as noise sensitive receptors (NRS). These are listed at Table 10:14 and shown on Figure 10.1 as NSR15; 16 and 17 and NSR28. Paragraph 10.326 identifies the noise mitigation barriers proposed which are shown in Long-term Development Generated Road Traffic Assessment with Mitigation - Noise Contours 'difference between with and without development' (document reference: 6.3.10.14, APP-283)</p> <p>Of the traveller's sites located in proximity to the proposed development, there are two which fall within the study area for the assessment of development generated road traffic. These are:</p> <p>A: Located north of Smithy Lane; and</p>

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			<p>B: Located south of Leicester Road (B4668) in proximity to Hinckley Town Tennis Club.</p> <p>For Sites A and B, there are predicted to be, at worst, Major adverse noise effects (Significant) in the short term and long term assessments. With the inclusion of the proposed mitigation measures, there is predicted to be, at worst, a Negligible effect (Not Significant) at Site A in the short term and long term assessments; and a Minor adverse effect (Not Significant) in the short term and a Negligible effect (Not Significant) in the long term at Site B</p> <p>Chapter 9 Air Quality (document reference: 6.1.9, APP-118) considers the effect of HNRFI on human receptors. At paragraph 9.148 the assessment concludes that the overall effect of HNRI on air quality is considered to be 'negligible' and 'not significant'.</p>
		<p>The flexibility in the layout and building sizes recognises that there is scope to create between 8,400 and 10,400 jobs (low and high development quantum) as part of the Scheme (e.g. paragraphs 7.214, 7.223, 7.224, 7.226 and Table 7.15 and 7.17 of ES</p>	<p>Employment was calculated by applying the standard job density ratios from the Homes and Communities Agency (HCA) Employment Density Guide (2015) to the floorspace of the Proposed Development. The HCA advises applying 95 sq.m of Gross External Area (GEA) per worker for the</p>

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		<p>The various technical reports have adopted an inconsistent approach to these employment figures.</p>	<p>National Distribution Centres (NDCs), and 77 sq.m (GEA) per worker for Regional Distribution Centres (RDCs). The HNRFI is likely to accommodate a mix of NDCs and RDCs. Therefore, the different employment densities associated with each have been used to produce a range of employment estimates. At the Issue Specific Hearing 1 (ISH1), the Applicant agreed to the submission of a number of documents for deadline 1 to clarify matters in relation to the clarification point.</p> <ul style="list-style-type: none"> • A simple arithmetic summary setting out the derivation of 8,400-10,400 jobs • Basic arithmetic summary of the traffic model volumes • A paper explaining the relationship between the two models to show that the two models are robust and consistent with each other <p>This information has been submitted at Deadline 1 as an annex to the post hearing submission.</p>
		<p>The Transport Assessment appears to be predicated on the lower employment level. This under estimation of workers on site by 24% could significantly alter the quantum of vehicle movements and potential vehicle routing. A consistent</p>	<p>Trip generation figures had been agreed through substantial negotiation and technical appendices including detailed review of the onward freight percentages and their derivation pt 4 of 20,</p>

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		<p>approach should be taken, representing the highest level of development achievable within the parameters plan submitted with the Scheme. This inconsistent approach between the technical consultants results in inaccuracies being created in terms of the benefits and harms.</p> <p>Furthermore, any significant changes to the highway quantum and routing of highway movements will have a knock on effect upon the other environmental areas such as noise / vibration, air quality reports, and sustainable travel. Significant concern is therefore raised by the Council in respect of the accuracy of the assessment undertaken.</p>	<p>(document reference: 6.8.2.1 APP-141). The trip generation has always been based on floor area as per the standard approach to Transport Assessment. The base data was used from other RFI applications and refined/amalgamated with other distribution sites to produce trip rates for both car and HGV movements. The employee numbers sit independent to this derivation as these are often uncertain at the time of submission. Estimates have been stated for the socio-economic purposes. The lower value being 8,400 and the socio-economic report stating and upper ceiling of up to 10,400 employees. This was based on the HCA Employment Density Guide 3rd edition. On review of the absolute projected trip generation figures (Table 7 within the Trip Generation Addendum note) (document reference: 6.2.8.1, APP-141) these equate to approximately 8,200 car trips the site (half the arrivals plus departures). For the lower employment figures, this would be extremely robust with close to 100% of employees driving to site in their own car, which is unrealistic. For the upper employee estimate this value would be around 78% mode share, which remains robust and in line with other distribution sites. The figures used for car trips are high when compared with the floorspace and usage. This was to test</p>

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			<p>the infrastructure provision with a likely worst case. A clarification note as referred to above has been submitted at Deadline 1 (Appendix A Employee numbers and trip generation note) (document reference: 18.1.1) following a request from the at ISH1.</p> <p>On the basis that the transport figures are considered a robust basis for assessment, the assessments for traffic related noise and air quality effects are therefore deemed to be robust.</p>
		<p>The socio economic chapter references scope for 8,400 – 10,400 jobs for the Scheme. The Scheme must ensure it does not aim to maximise the proposed benefits while underplaying the harms by adopting a consistent approach.</p> <p>The report also provides no definitive list of receptors. It is assumed the receptor list is those included in Table 7.3 of document 6.1.7, (Chapter 7 of the Environmental Statement – Land Use and Socio Economic Effects and referenced again below), but these do not correlate in terms of the items in Table 7.2 (sensitivity scale) and Table 7.4 (magnitude) and so some receptors may not have been assessed.</p>	<p>Employment was calculated by applying the standard job density ratios from the Homes and Communities Agency (HCA) Employment Density Guide (2015) to the floorspace of the Proposed Development. The HCA advises applying 95 sq.m of Gross External Area (GEA) per worker for the National Distribution Centres (NDCs), and 77 sq.m (GEA) per worker for Regional Distribution Centres (RDCs). The HNRFI is likely to accommodate a mix of NDCs and RDCs. Therefore, the different employment densities associated with each have been used to produce a range of employment estimates. An arithmetic note has been prepared to set out the calculation steps used to estimate the creation of 8,400 -</p>

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			<p>10,400 jobs. A technical note has been prepared setting out how the socioeconomic model works. This note also sets out how trip generation figures have been calculated and the relationship between job numbers and trip generation for transport modelling. This note has been submitted at Deadline 1 (Appendix A Employee numbers and trip generation note) (document reference: 18.1.1).</p> <p>A definitive list of receptors are found in Table 7.3 of Environmental Statement Chapter 7: Land Use and Socio-Economic Effects (document reference: 6.1.7, APP-116). As per Paragraph 7.36 of Chapter 7: Land Use and Socio-Economic Effects (document reference 6.1.7, APP-116), the assessment of private property and housing, community land and assets, development land and businesses, agricultural land holdings, and walkers, cyclists and horse-riders is based on DMRB LA 112 and hence the different approach used. This is now clarified with BDC via the SoCG discussions as initially it was raised as a matter through the SoCG discussions. This will be reflected in the draft SoCG to be submitted at Deadline 2.</p>

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		<p>The Council has significant concerns around the wide-ranging impacts of additional barrier down time at the Narborough Level Crossing on Narborough, Littlethorpe and the surrounding area.</p>	<p>There is a history of blocking back over the crossing, which largely relates to the existing road layout and poor driver discipline. However, many of the issues relating to the crossing are pre-existing and the direct impact of the Scheme would be to increase the barrier down time by only another five minutes in the hour. Currently the barriers are down for between 17 and 19 minutes in the hour. This would be increased to a maximum of 24 minutes overall, well within the limits for a town centre level crossing down time of 40 minutes maximum.</p> <p>As such Network Rail is satisfied that the small increase in barrier down time will not impact significantly on the risk profile at the crossing as regards rail traffic and thus it is not considered the Terminal would trigger the need for further works at the crossing.</p> <p>In the peak time analysis undertaken this identified that in the morning peak from 07:00 and 10:00 only one HNRFI suitable path is available between 9:00 and 10:00. In the evening peak between 16:00 and 19:00, only two HNRFI suitable paths are available, one after 16:00, adding 1.75 minutes barrier downtime (as it</p>

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			coincides with the passage of an existing booked service); and one after 17:00, adding 2.5 minutes barrier downtime.
		<p>There are issues with some of the socio-economic baseline information relating to the sources of data and in some cases the data is factually inaccurate or absent. It would be reasonable to expect that specific datasets are referenced so that the source data can be easily identified, for instance, the source states "ONS data" or "Census 2011" with no clarity on which dataset has been applied. The publication year has not been stated in many instances. Confirmation of specific data sources and base years is requested.</p>	<p>Data sources and dates are included under each figure and table. This is now clarified with BDC in SoCG discussions as initially it was raised as a matter through the SoCG discussions. This will be reflected in the draft SoCG to be submitted at Deadline 2.</p>
		<p>A range of different study areas have been used. While it is recognised that the health assessment is cross referring to a range of ES chapters with differing study areas, a map setting out the extent of the study areas used for the health and wellbeing baseline should be included.</p>	<p>As detailed in Section 1.48 of the Health and Equalities Briefing Note,(document reference: 6.2.7.1, APP-137) the study area follows the geographic scope of influence for each of the technical disciplines. As explained, these vary between the disciplines, where air and noise have a different distribution to socio-economic. While not mapped, the study area is defined by Ward, and an appropriate baseline is provided to set local context and sensitivity.</p>

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		<p>It is acknowledged that the ES includes Appendix 7.1 Health and Equality Briefing to summarise how health and equality have been considered, assessed and addressed. However, given the inclusion of this technical assessment, it would be logical that the health of residents, workers and visitors would be included as a receptor within the socio-economic chapter.</p>	<p>This point was further discussed with BDC during the iterative development of the Statement of Common Ground, and is now resolved.</p> <p>In order to have a single interpretation of indicators, a separate Environmental Statement Appendix 7.1 Health and Equality Briefing Note (document reference: 6.2.7.1, APP-137) has been prepared, which conducts a health appraisal for all the technical chapters. This signposts to, and summarises how and where health and equality have been inherently considered, assessed and addressed. Health impacts from changes in socio-economic factors are considered from page 42 of Environmental Statement - Appendix 7.1 - Health and Equality Briefing Note (document reference: 6.2.7.1, APP-137).</p>
		<p>In fact, the approach and methodology section indicates that the potential impact upon social capital and amenities important to community health and wellbeing will be assessed although it is not clear that this has been assessed in the ES Chapter. The summary of effects includes no clear reference to human health, well-being or equality.</p>	<p>This point was raised and further discussed during the iterative development of the Statement of Common Ground, and has been resolved.</p> <p>In order to have a single interpretation of indicators, a separate Environmental Statement Appendix 7.1 Health and Equality Briefing Note</p>

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		<p>The Council is also concerned about the Scheme's impact on the health benefits derived from Burbage Common as a destination for leisure and recreational activities. As currently presented, it is not possible to establish the conclusions on the impact of the construction and operational phases on human health, well-being or equality receptors within the ES.</p>	<p>All tangible changes in environmental and socio-economic conditions with the potential to influence public health have been assessed and addressed through the assessment process set to objective thresholds and guidance that are protective of the environment and health and facilitate sustainable development.</p> <p>In order to have a single interpretation of indicators, a separate Environmental Statement Appendix 7.1 Health and Equality Briefing Note (document reference: 6.2.7.1, APP-137) has been prepared, which conducts a health appraisal for all the technical chapters. This signposts to and summarises how and where health and equality have been inherently considered, assessed and</p>

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			<p>addressed. Health impacts from changes in socio-economic factors are considered from page 42 of Environmental Statement - Appendix 7.1 - Health and Equality Briefing Note (document reference: 6.2.7.1, APP-137).</p>
		<p>The Council is not satisfied that the Applicant's reply, namely through the Health and Equality Briefing Note (document reference 6.2.7.1) correctly assesses the impacts of the Scheme in this regard.</p>	<p>All tangible changes in environmental and socio-economic conditions with the potential to influence public health have been assessed and addressed through the assessment process set to objective thresholds and guidance that are protective of the environment and health and facilitate sustainable development.</p> <p>The Environmental Statement Appendix 7.1 Health and Equality Briefing Note (document reference: 6.2.7.1, APP-137) has been provided to aid navigation of the DCO and summarise how and where health has been addressed. No gaps have been found in the assessment scope. It is therefore unclear what Blaby District Council considered to be incorrectly assessed.</p>

RR Reference	Name/Organisation	Matter	Applicant
		Other socio-economic concerns include:	
		Use of a 30km radius rather than a 30km drive time as it ignores network accessibility.	In the absence of a construction specific transport model, the Applicant relies on Census statistics for the construction sector (Figure 7.1 of Environmental Statement Chapter 7: Land Use and Socio-Economic Effects (Document reference: 6.1.7, APP-116)). The use of radius is in line with the definition of the census. This is now clarified with BDC through SoCG discussions as initially it was raised as a matter. This will be reflected in the draft SoCG to be submitted at Deadline 2.
		Limited / lack of analysis of housing market characteristics - undermines conclusions about impact on housing market.	In the absence of the HENA 2022 at the point of assessment, the Applicant used the HEDNA 2017 and also took into account the latest 5 year land supply (Table 7.11 in Environmental Statement Chapter 7: Land Use and Socio-Economic Effects (document reference: 6.1.7, APP-116) to update the study. The Applicant understands the limitations of using 5 year trends for a longer time period and considers this as the best alternative.

RR Reference	Name/Organisation	Matter	Applicant
		<p>There is no analysis of the anticipated split between Manufacturing and Transport & Storage (Figure 7.9 of document 6.1.7). Given the nature of the proposal it is expected that a greater / sole weight be on the Transport & Storage element (the receptor in table 7.3 is defined as 'logistics' businesses). This is not taken into consideration and has a bearing on the operational effects.</p>	<p>Whilst the HNRFI is predominantly for logistics only, most shed developments are flexibly used by either industrial or logistics occupiers due to having a flexible use class planning permission. Also, industrial and logistics users require similar premises in similar locations.</p> <p>From a transport perspective the assessment is robust to cover all likely uses. Environmental effects are controlled by the relevant Requirements in accordance with the Rochdale Envelope principles. This means that no future operation could have no more significant effects than those that have already been assessed.</p>
		<p>The 0% leakage of construction employment assumptions is not considered realistic in 'real world' terms. Baseline data identifies that 14% of those in the study area travel outside of the 30km radius. Even if some are recaptured, some leakage should be applied</p>	<p>Justification for all additionality assumptions is provided in Table 7.13 of Environmental Statement Chapter 7: Land Use and Socio-Economic Effects (document reference: 6.1.7, APP-116). According to the APS in March 2022, there were some 52,300 residents in the construction Study Area employed in construction, and approximately 51,700 construction employees that work in the Study Area. This shows that there are more residents employed in the construction sector than there</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>are jobs in the sector, indicating that the Study Area is a net exporter of construction workers. The concept of leakage is not considered to be relevant here as the Study Area takes into account the residential location of the HNRFI construction workers and therefore there is no leakage.</p> <p>Table 7.14 provides all the calculation steps. As part of the SoCGs discussion the Applicant has undertaken sensitivity testing by applying a 5% leakage assumption. This reduces the net additional employment from the construction of the Proposed Development from 737 jobs to 700 jobs, representing a 5% reduction. This does not have an implication on the relevant effect assessment. This will be reflected in the draft SoCG to be submitted at Deadline 2.</p>
		<p>No analysis of temporal construction impacts have been incorporated into the assessment; impacts are just smoothed to a 10 year period. This ignores peaks which may have greater market disruption and effect displacement from a construction employment perspective (including for housing). This also has the potential to under value the harm to local residents from these peaks.</p>	<p>In the absence of a construction employment schedule, the Applicant finds the approach reasonable based on other experience and the stage of the Proposed Development. Other SRFI DCO applications including Northampton Gateway, East Midlands Gateway, West Midland Interchange and Daventry IRFT use the same approach with the one used in Environmental</p>

RR Reference	Name/Organisation	Matter	Applicant
			Statement Chapter 7: Land Use and Socio-Economic Effects (document reference: 6.1.7, APP-116).
		<p>No analysis has been undertaken of the anticipated occupational wage profile nor affordability of housing in the local area or housing market area; this may have implications on assessment of housing effects given that 40% of employment is anticipated in lower order occupations.</p>	<p>Table 7.10 in Environmental Statement Chapter 7: Land Use and Socio-Economic Effects (document reference: 6.1.7, APP-116), outlines the figures for the median gross annual pay based on residents and workplace. Paragraph 7.155 of Environmental Statement Chapter 7: Land Use and Socio-Economic Effects (document reference: 6.1.7, APP-116) provides the anticipated wages for I&L activities. The I&L sector is subject to a number of misconceptions about average pay levels. Data from the ONS shows wages above UK average at +£4,600 for Manufacturing, and +£4,900 for Logistics, which equates to £30,358 and £30,700 for Manufacturing and Logistics respectively (UK average £25,780). In addition, entry-level jobs in logistics are relatively well-paid, with median annual pay being 47% higher than across jobs in the same occupational category.</p> <p>Housing deliverability has been reviewed; however no affordability test has been undertaken. Similar approach has been followed</p>

RR Reference	Name/Organisation	Matter	Applicant
			in other SRFI DCO applications including Northampton Gateway, East Midlands Gateway, West Midland Interchange and Daventry IRFT.
		<p>Reference is made within the ES to a skills and training officer; the Council consider that the draft Section 106 Agreement as part of the submission is not acceptable; the three year funding of an officer post is incongruent with the Scheme's construction phase, no contribution figure is provided and there is a need to provide far greater detail and enforceability on this mitigation than is currently set out in Requirement 32 (Draft Development Consent Order, document reference 3.1), through a detailed Framework Work, Skills and Training Programme. Specific targets need to be set and an appropriate enforcement mechanism to ensure the deliverability of the benefits. The Programme should include:</p> <ul style="list-style-type: none"> • A purpose-built on-site training facility or contribution to an off-site facility • New jobs, to include ex- offenders • Work Experience Placements • An agreed number of apprenticeships created annually • A number of community projects per year • Meet the Buyer events annually (working with our Business Growth Officer) • 30% on-Site spend with SME's 	<p>The Employment and Skills Strategy is an evolving document.</p> <p>The Applicant has advised Blaby District Council of the test for Requirements and Planning Obligations (as set out at paragraphs 4.9-4.10) of the NPS. The Applicant will not commit to planning obligations which it cannot fulfil. Discussions are continuing with BDC concerning the 'programme' which has been identified. At this stage the programme is considered not to be compliant with the statutory tests for planning requirements and obligations.</p> <p>Following a meeting between the Appellant and the relevant Authorities (BDC/HBBC/LCC) on the 20th September 2023, the authorities have indicated that a response will be provided to the Applicant on the submitted Skills and Training Strategy. The Applicant will continue to engage with the authorities on the provisions of this strategy.</p>

RR Reference	Name/Organisation	Matter	Applicant
		<ul style="list-style-type: none"> • 25% on-Site spend within the local area- 40 miles radius from the site • At least 500 people upskilled annually • A number of curriculum support activities annually • After the initial enabling works period, 12 x site visits for school parties annually 	
		<p>The Council believe that the above Framework Work and Skills Programme is necessary to ensure a sufficient supply of construction and operational phase workers. Moreover, the framework provides an opportunity for the Scheme to produce additional benefits, beyond these necessary mitigations, which could be used to further outweigh the Scheme's other negative impacts.</p>	<p>The Employment and Skills Strategy is an evolving document.</p> <p>The Applicant accepts that a Framework and Skills Programme is an appropriate requirement (Requirement 32), or alternatively it may be addressed as a Planning Obligation. As above the Applicant continues to engage with the relevant authorities in the context of the strategy and the mechanism for delivery.</p>
		<p>The Council considers that the information provided to be factually inaccurate and incomplete/ absent in places. There are overarching issues with the approach to consistently using employment figures across the ES and the absent assessment of Narborough Level Crossing barrier down time. There are also a number of more detailed concerns ranging from the Scheme's impact on housing need to the availability of employees.</p>	<p>Trip generation figures had been agreed through substantial negotiation and technical appendices including detailed review of the onward freight percentages and their derivation pt 4 of 20, (document reference: 6.8.2.1 APP-141). The trip generation has always been based on floor area as per the standard approach to Transport Assessment. The base data was used from other</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>The Scheme's provision of employment is one of its principal potential localised benefits but the Council is underwhelmed by the ambition of the Applicant in this regard and the proposed Requirements and S106 Obligations are inadequate.</p>	<p>RFI applications and refined/amalgamated with other distribution sites to produce trip rates for both car and HGV movements. The employee numbers sit independent to this derivation as these are often uncertain at the time of submission. Estimates have been stated for the socio-economic purposes. The lower value being 8,400 and the socio-economic report stating and upper ceiling of up to 10,400 employees. This was based on the HCA Employment Density Guide 3rd edition. On review of the absolute projected trip generation figures (Table 7 within the Trip Generation Addendum note) (document reference: 6.2.8.1, APP-141) these equate to approximately 8,200 car trips the site (half the arrivals plus departures). For the lower employment figures, this would be extremely robust with close to 100% of employees driving to site in their own car, which is unrealistic. For the upper employee estimate this value would be around 78% mode share, which remains robust and in line with other distribution sites. The figures used for car trips are high when compared with the floorspace and usage. This was to test the infrastructure provision with a likely worst case. A clarification note as referred to above has been submitted at Deadline 1 (Appendix A Employee numbers and trip generation note)</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>(document reference: 18.1.1) following a request from the at ISH1.</p> <p>On the basis that the transport figures are considered a robust basis for assessment, the assessments for traffic related noise and air quality effects are therefore deemed to be robust.</p> <p>Employment was calculated by applying the standard job density ratios from the Homes and Communities Agency (HCA) Employment Density Guide (2015) to the floorspace of the Proposed Development. The HCA advises applying 95 sq.m of Gross External Area (GEA) per worker for the National Distribution Centres (NDCs), and 77 sq.m (GEA) per worker for Regional Distribution Centres (RDCs). The HNRFI is likely to accommodate a mix of NDCs and RDCs. Therefore, the different employment densities associated with each have been used to produce a range of employment estimates. An arithmetic note has been prepared to set out the calculation steps used to estimate the creation of 8,400 - 10,400 jobs. A technical note has been prepared setting out how the socioeconomic model works. This note also sets out how trip generation figures have been calculated and the relationship</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>between job numbers and trip generation for transport modelling. This note has been submitted at Deadline 1 (Appendix A Employee numbers and trip generation note) (document reference: 18.1.1).</p> <p>In terms of the Proposed Development's impact on housing, in the absence of the HENA 2022 at the point of assessment, the Applicant used the HEDNA 2017 and also took into account the latest 5 year land supply (Table 7.11 in Environmental Statement Chapter 7: Land Use and Socio-Economic Effects (document reference: 6.1.7, APP-116)) to update the study. The Applicant understands the limitations of using 5-year trends for a longer time period and considers this as the best alternative. Environmental Statement Chapter 7: Land Use and Socio-Economic Effects (document reference 6.1.7, APP-116) states that the impact of additional residents due to the construction of the Proposed Development on housing demand is likely to be negligible in the short term, resulting in a neutral effect. The impact of the operational employment of the Proposed Development is anticipated to be low negative on the high sensitivity demand for housing, resulting in a minor adverse effect in the medium to short term.</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>The Applicant remains in discussion with the local authorities as on the provisions of the Skills and Training Programme. The Applicant is awaiting a response from the Local Authorities on the latest draft document. The Applicant has emphasised to officers at the Local Authorities that Obligations can not be entered into which the Applicant can not fulfill, in short form because the Applicant is not able to prescriptively enforce provisions such as the number of apprenticeships, upon future occupiers. The Applicant is hoping that the Local Authorities response will be more proportionate and display greater understanding of the Applicant's control over future employment provisions such as apprenticeships and training programmes.</p>
		<p>Requirement 32 as proposed in the draft Development Consent Order (document reference 3.1) and obligation 3.1.2 of the Planning Obligation Heads of Terms (document reference 10.1) fail to provide specific targets, enforceability and a satisfactory contribution in respect of its value or longevity. A comprehensive and enforceable Framework Work, Skills and Training Programme is required.</p>	<p>The Employment and Skills Strategy is an evolving document.</p> <p>The Applicant accepts that a Framework and Skills Programme is an appropriate requirement (Requirement 32), or alternatively it may be addressed as a Planning Obligation. The Applicant awaits the response of the local authorities to the proposed content of the</p>

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			strategy. The Applicant will then consider such proposals in the context of the lawful provisions of Requirements/Planning Obligations.
		It is understood there is no agreement to the following elements of the proposed development between LCC and the Applicant:	N/A
		Trip generation - including discrepancies in employee numbers and addition of a lorry park	LCC signed off the trip generation on 04/10/21. Proposals have not materially changed since this agreement. An additional clarification note is to be submitted at the ExA's request following the Preliminary Hearing and ISH1. Further detail on all key highway items is included within Appendix A of this document; Highways Position Statement.
		Access infrastructure including its design, capacity and deliverability	Access Infrastructure, its design and capacity have been communicated with LCC throughout the engagement.
		Strategic model outputs including furnessing methodology and lack of phased testing	Modelling brief for the Strategic Modelling was signed off by LCC on 17/02/22.

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			<p>Furnessing methodology and outputs have been shared from early in the model process. Points made by LCC and NH at the time related to changes in methodology to account for the fact that Junction 2 would have wholly new arms. Discussions were held with LCC NDI and their consultants who broadly agreed with the BWB approach- which was ultimately included in the DCO submission.</p> <p>Further comment was provided by LCC Highways Development Management (HDM) in June 2022, this was again incorporated into the final iteration of the Furnessing. NH had provided a technical note from their call off consultant AECOM (unconnected with the LCC NDI modellers) on the subject dated 03/09/21. This summarised that the “Approach described is generally considered to be sound, the process for deriving inputs to the Furness process is reasonable and the proposed process itself is correct” before describing specific observations and making clear recommendations. Outputs from the strategic modelling had been shared in April 2022 with further information shared up to early September 2022, based on requests for information by both NH and LCC. A commentary dated 29/09/22 was provided by NH which</p>

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			<p>contained observations but no red flags. LCC provided a headline review of the information in August 2022 which reiterated their position on 'no agreement' and requested the analysis of several additional junctions within the study area. A review and analysis for these junctions was included in the DCO TA submission.</p> <p>A further clarification on the furnishing was included in a submission to the ExA on 11/09/23. This did not change the outputs for the analysis.</p>
		Impact of the development and role of the access infrastructure in the interpretation of modelling results	Modelling brief for the Strategic Modelling was signed off by LCC on 17/02/22. This included the scenarios for review and infrastructure to be considered.
		Mitigation strategy and package, including local and strategic junction assessments, design, and lack of testing of mitigation strategy in strategic model	Mitigation has been communicated throughout the engagement process and adapted when informed by new strategic modelling outputs in stages where applicable. Mitigation has largely remained unchanged. See Appendix A, Highways Position Statement of this document for further information.

RR Reference	Name/Organisation	Matter	Applicant
		Impacts on rail including Narborough crossing and future passenger provision	<p>Narborough Level Crossing is an existing issue on the network. Network Rail has indicated that there is capacity for the train paths required and that barrier downtimes are not considered excessive. Adjustment to base and forecast strategic model was carried out at the request of LCC, to account for delay at Narborough. This was signed off by LCC on 01/03/22.</p> <p>Strategic modelling inputs and base models were all agreed with the key highway authorities at the time. The LCC Network Data Intelligence team were commissioned to carry out the modelling on agreement with the Transport Working Group. Further detail is contained within Appendix A, Highways Position Statement. The mitigation approach has been based on the impacts reported from the strategic model forecasts and which address the impacts from the development and its associated access infrastructure. The Narborough Level crossing was subject to scrutiny by the LHA and models were adjusted to suit the existing and forecast delays.</p> <p>Network Rail have undertaken a detailed analysis of Narborough Station and the barrier down</p>

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			<p>time. Based on the pre-pandemic timetable, in the morning peak hours 7 – 10 am, there is only one possible time an additional intermodal freight train could run. In the afternoon, between 4 – 7 pm only two. Each train travelling at 75 miles an hour would cause a maximum barrier downtime of 2.5mins. This is far less than a stopping passenger train coming from Leicester, which is 4-5 minutes. In each hour the total barrier down time would be approximately 20 minutes, with 40 minutes open which is well within Network Rails acceptable barrier down time at a level crossing.</p> <p>Network Rail is satisfied that sufficient capacity has been identified for HNRFI services in the Working Timetable. This allows for known passenger service development aspirations identified by Midlands Connect, to better link Birmingham, Nuneaton, Hinckley and Leicester.</p>
		<p>HGV Management Plan and Route Strategy including method of enforcement</p>	<p>Drafts of documents have been shared throughout the engagement Further information is within Highway Position Statement, in Appendix B The HGV Strategy (document reference: 17.4, APP-362) is for agreement. The premise is based on precedent from Redditch</p>

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			Gateway, which is operational and is agreed with the relevant authorities. This places the onus on the applicant to enforce transgressions through penalties on operators at the site. The Applicant is happy to explain this position in dialogue with Blaby DC if necessary.
		Public Right of Way Strategy including rail crossings	Drafts of documents have been shared throughout the engagement. Specific comments on the Public Right of Way Strategy are invited, noting that this is to be controlled under Requirement 26.
		Construction Traffic Management Plan and construction traffic routeing impacts	A Construction Traffic Management Plan (CTMP) (document reference: 17.6, APP-364) was submitted as part of the DCO Application and seeks, where reasonably possible to do so, to limit temporary closures and diversions. This includes the submission to, and approval by, the local highway authority of a temporary traffic management plan (see paragraphs 1.113 - 1.116 of the CTMP). Requirement 24 (Schedule 2) of the draft Development Consent Order (document Reference: 3.1, APP-085) requires the Applicant to submit a detailed construction traffic management plan which must accord with the

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			<p>principles set out in the CTMP submitted with the Application.</p> <p>Information and advance warning will be available through the highway authorities who will manage the Project's impact on the highway network. The Applicant will liaise with the relevant highway authorities to enact the highway improvement works on a phased basis.</p>
		Framework Site Wide Travel Plan	<p>Drafts of documents have been shared throughout the engagement.</p> <p>With regard to operational traffic, Requirement 8 of the DCO ensure that the development traffic is controlled through the Framework Site Wide Travel Plan (document reference: 6.2.8.2, APP-159).</p>
		Sustainable Transport Strategy)	<p>Drafts of documents have been shared throughout the engagement.</p> <p>With regard to operational traffic, Requirement 9 of the DCO ensures that the development traffic is controlled through the Sustainable Transport Strategy (document reference: 6.2.8.1, APP-153).</p>

RR Reference	Name/Organisation	Matter	Applicant
		Walking Cycling and Horse-Riding Assessment	Draft submitted as part of PEIR, limited feedback received. Document submitted as part of the application submission.
		It is concerning to note at paragraph 2.26 of the submitted Transport Assessment it states that an addendum Transport Assessment will be prepared at a later date, which will include a final Transport Assessment, further traffic modelling information, and Road Safety Audits. Moreover, no timetable is provided for this submission.	<p>The additional work referred to relates to the Rugby Rural Area Model (RRAM) assessment to be carried out for Warwickshire County Council and NH. A summary note of which was submitted on the 11/09/23 with follow up with the relevant authorities prior to Deadline 1. Road Safety Audit Briefs were initially shared in early 2023, though responses were limited due to no agreement over the mitigation strategy being in place. These have since been shared and ongoing discussions with relevant authorities are in progress.</p> <p>Amendments to paragraph 2.26 have been included in a revised TA submitted at Deadline 1.</p>
		The Council understands that the ability of the SRN to accommodate the Scheme's impact without further mitigation, particularly in respect of Junction 21 of the M1, is doubtful.	The applicant has maintained throughout the process that measures to address underlying and existing congestive problems at Junction 21 should not be the responsibility of the HNRFI mitigation package. This is based on overall impact of HNRFI and the lack of a proportionate

RR Reference	Name/Organisation	Matter	Applicant
			intervention option. Current constraints at Junction 21 are driven by underbridges of the M1 on the circulatory carriageway. Widening to address such constraints would be of a significant magnitude and require RIS levels of Government investment. Impacts of the HNRFI site have been quantified and the impacts reported to the TWG core team on 10 October 2022- these are proportionately small. Mitigation addresses any impact on the A47 itself as a result of re-routing.
		Issues with congestion on the SRN have been highlighted but no mitigation has been proposed	See above
		By-pass options around the southern villages of Blaby District have been prematurely discounted.	The mitigation scheme is designed to address the impacts of the development and its access infrastructure. Underlying existing issues have been analysed, but mitigation of these elements are not the responsibility of the DCO application. Bypasses proposed within the Fosse Way villages were subject to a public consultation in 2019. There was a large-scale opposition to them. Closer analysis of the technical data suggested that a link between Junction 2 and the A47 better served the area overall. This was incorporated into the next phase of the modelling. New

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			<p>bypasses would draw further traffic to the link which would place further pressure on the B4114. A select link analysis was carried out for the Fosse Villages to understand the origin and destination of traffic through the area this is included within APP 148 PRTM 2.2 Forecast Modelling. Much of which is from the local and surrounding area.</p>
		<p>The Scheme's mitigation has not been agreed with the appropriate highway and planning authorities prior to submission of the application for the Scheme. This is a failing of the Applicant to follow the front-loaded approach envisaged in the Planning Act 2008.</p>	<p>Overall mitigation has been communicated throughout the process including the PEIR. Delays through repeated additional information or remodelling being requested by the TWG group has meant that the strategic model was agreed late in the process. Further detail is contained in Appendix A, Highways Position Statement.</p>
		<p>There are technical shortcomings with the existing modelling including limited sensitivity tests and appropriate detailed modelling of Junction 21 of the M1.</p>	<p>Modelling of J21 has been carried out to understand the impacts of the development.</p> <p>The Environmental Statement - Appendix 8.1 - Transport Assessment [Part 8 of 20] - PRTM 2.2 Forecast Modelling Brief for the strategic model was signed off by LCC on 17/02/22 (document reference: 6.2.8.1, APP 145), this included future</p>

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			<p>year scenarios and access infrastructure proposals. No sensitivity testing was requested at the time of agreement. Further detail is contained within Appendix A, Highway Position Statement.</p>
		<p>An overarching concern is the expected level of employment used to underpin highway movements. The Highway chapter refers to the generation of 8,400 jobs (e.g. paragraph 6.37) whereas elsewhere (e.g. the socio-economic chapter) references scope for 8,400 – 10,400 jobs.</p> <p>This is a fundamental issue in terms of traffic volumes, junction and highway improvements, the justification for bypasses, and as a result the impact to other reports undertaken including air quality and noise. The Applicant has failed to provide clarity and consistency in this regard.</p>	<p>Chapter 4 of the Environmental Statement (document reference: 6.1.4, APP-314) explored design options for the main site. Further to this, as reported in Chapter 3 of the Environmental Statement (document reference: 6.1.3, APP-112), a number of environmental mitigation measures are included within the design with the intention of designing out environmental effects.</p> <p>Employment was calculated by applying the standard job density ratios from the Homes and Communities Agency (HCA) Employment Density Guide (2015) to the floorspace of the Proposed Development. The HCA advises applying 95 sq.m of Gross External Area (GEA) per worker for National Distribution Centres (NDCs), and 77 sq.m (GEA) per worker for Regional Distribution Centres (RDCs). This range has been informed by research conducted by Prologis surveying their own logistics operations. The HNRFI is likely to accommodate a mix of NDCs and RDCs.</p>

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			<p>Therefore, the different employment densities associated with each have been used to produce a range of employment estimates.</p> <p>Trip generation for the highway models has been calculated based on Gross Floor Area and rates derived from similar SRFI applications A clarification note has been submitted at Deadline 1 (Appendix A Employee numbers and trip generation note) (document reference: 18.1.1) at the request of the ExA following the Preliminary Hearing and ISH 1.</p> <p>On the basis that the transport figures are considered a robust basis for assessment, the assessments for traffic related noise and air quality effects are therefore deemed to be robust.</p>
		<p>The Council also requires to see the Applicant set out how they are maximising the use of rail during the long construction phase to reduce road based HGV movements.</p>	<p>Once the terminal is connected and operating then construction materials can be delivered by rail via the terminal, where they can be suitably conveyed.</p>
		<p>The existing provisions to facilitate sustainable transport are inadequate. Much greater measures in respect of public and</p>	<p>For consideration in detailed design.</p>

RR Reference	Name/Organisation	Matter	Applicant
		active transport need to be proposed and secured. Some specific examples are listed below.	Noted see below
		Limited information has been provided on bus route upgrades. It is disappointing that the intended connection of the Site by a bus service to Hinckley Railway Station appears to have been replaced by an 'on-demand service' only, as shown in the Framework Site Wide Travel Plan ref. 6.2.8.2.	Demand Responsive Transport (DRT) services best serve the needs of the site and provides the degree of flexibility needed to operate around shift patterns and rural areas. The current Leicestershire trial operator, Vectare has provided detailed proposals on the operation of the route and its ability to connect to interchanges within Hinckley. The X6 will also connect to Coventry and Leicester and associated termini
		The relatively stable shift patterns of the Scheme's end use combined with the high number of proposed employees means that an element of fixed bus services should be effective.	X6 will be a fixed service from the start of occupation, public transport provision to local rural areas is better provided through 'many to one' style DRT service.
		The failure to extend the 1 and 2 Hinckley to Earl Shilton or Barwell services into the Site is a significant missed opportunity.	Arriva were consulted and opposed diverting key existing bus services due to current demand and delay the diversion introduces. Existing services are popular and additional journey times

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			introduced by diversion would damage the existing market for the 1 and 2 services.
		Improved cycle storage at Hinckley Railway Station will aid those choosing to travel by rail and bike. It is suggested that a secure hub undercover and overlooked by CCTV, accessed by a fob is provided. Similar secure cycle parking hubs on the Site should also be provided to encourage movements by bicycle.	Cycle hub facilities will enhance the attractiveness and are to be considered within the S106
		Secure cycle storage should be provided at Narborough Railway Station, together with a contribution towards future maintenance.	For consideration through S106 and roll out through the Travel Plan. (document reference: 6.2.8.2, APP-159)
		Consideration should also be given to the implementation of an E – Bike hire scheme for staff to access.	For consideration and roll out through the Travel Plan. (document reference: 6.2.8.2, APP-159)
		It needs to be noted that new cycle infrastructure should be separated from motorised vehicles and where possible pedestrian facilities should be separated to reduce conflict and increase desirability. They should be designed in accordance with the Department for Transport’s Cycle Infrastructure Design (LTN1/20) and in particular Chapter 6 Space for cycling within highways. This includes ensuring that they are well lit and visible for personal safety considerations.	WCHAR pt 16 of 20 (document reference: 6.2.8.1, APP-154) carried out for the site, cycle and pedestrian provision is enhanced throughout the site.

RR Reference	Name/Organisation	Matter	Applicant
		<p>It is requested that current cycle provision is audited with Department for Transport's Cycle Level of Service and Junction Assessment Tools to ensure all aspects of user experience and safety have been assessed and scored. The Department for Transport's Walking Route Audit Tool will ensure that facilities such as dropped kerbs are assessed for tactile paving. These assessments are important to understand accessibility for all.</p>	<p>Noted, this would be developed at the detailed design phased of the application.</p>
		<p>It should also be noted that the Council are producing a Local Cycling and Walking Infrastructure Plan ("Blaby LCWIP") which is in the very early stages of production. There will be an expectation that the Scheme delivers the required cycling and walking infrastructure to contribute and connect to the Blaby LCWIP.</p>	<p>For consideration and roll out through the Travel Plan (document reference: 6.2.8.2, APP-159).</p>
		<p>It is crucial that cycle and pedestrian movements are catered for through the Site in north-south / east-west directions that link to each other, these newly created routes need to connect on with existing routes and corridors. A cohesive pedestrian and cycle signage scheme should assist with movements through the Site, highlighting links to villages and towns accessible onwards through the Site.</p>	<p>For consideration in detailed design.</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>The Council has significant concerns around the wide-ranging impacts of additional barrier down time at the Narborough Level Crossing on Narborough, Littlethorpe and the surrounding area. For example, highways congestion and the consequential impacts of that congestion, such as harms to the businesses in Narborough, is an economic factor afforded no consideration. The Applicant has failed to assess the impacts and then propose any mitigation measures to account for these impacts – such as improvements to Narborough Station to encourage its use and alleviate congestion</p>	<p>Narborough Level Crossing is an existing issue on the network. Network Rail has indicated that there is capacity for the train paths required and that barrier downtimes are not considered excessive. Adjustment to base and forecast strategic model was carried out at the request of LCC, to account for delay at Narborough. This was signed off by LCC on 01/03/22.</p> <p>Strategic modelling inputs and base models were all agreed with the key highway authorities at the time. The LCC Network Data Intelligence team were commissioned to carry out the modelling on agreement with the Transport Working Group. Further detail is contained within Appendix A, Highways Position Statement. The mitigation approach has been based on the impacts reported from the strategic model forecasts and which address the impacts from the development and its associated access infrastructure. The Narborough Level crossing was subject to scrutiny by the LHA and models were adjusted to suit the existing and forecast delays.</p> <p>Network Rail have undertaken a detailed analysis of Narborough Station and the barrier down</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>time. Based on the pre-pandemic timetable, in the morning peak hours 7 – 10 am, there is only one possible time an additional intermodal freight train could run. In the afternoon, between 4 – 7 pm only two. Each train travelling at 75 miles per hour would cause a maximum barrier downtime of 2.5mins. This is far less than a stopping passenger train coming from Leicester, which is 4-5 minutes. In each hour the total barrier down time would be approximately 20 minutes, with 40 minutes open which is well within Network Rails acceptable barrier down time at a level crossing.</p>
		<p>The provision of up to 10,400 jobs in an unsustainable location substantially served by unsustainable private vehicular employee movements seriously undermines the Scheme’s ability to deliver the climate change benefits envisaged in the National Networks National Policy Statement (NN NPS).</p>	<p>Climate change impacts associated with the operational traffic and employee movements feature within the ES (document reference: 6.1.18 and 6.2.18.3, APP-127 and APP-219). This assessment has determined the mitigated effect of the scheme to be “non-significant” (para 18.288). Suggested mitigation measures within the chapter include the adoption of green technologies, future proofing the site and incentivising green technologies, green procurement, training and skill development, local hiring, travel plans, sustainable transport plans and carbon offsetting. By integrating</p>

RR Reference	Name/Organisation	Matter	Applicant
			environmental stewardship into the project's core objectives, it will create jobs while still aligning with national climate policies and objectives.
		<p>Requirements and S106 Obligations should appropriately secure off-site transport improvements and maintenance, as agreed with the Council, National Highways, LCC and HBBC. This needs to adequately provide for sustainable transport options including bus service enhancements, a bus transport hub at the Site, transport links from Hinckley railway station, secure cycle parking at Hinckley railway station and the Site, improved infrastructure links between Hinckley railway station and the Site.</p> <p>The Requirements and S106 Obligations need to ensure that they deliver a clear vision that enables walking, wheeling, and cycling facilities to be created prior to first occupation of the Scheme and at the same time as the road network.</p>	The Applicant is willing to consider appropriate and reasonable obligations that can be lawfully requested. Objectives are intended to address travel to work measures. Delivery of the obligations will be focused on first occupation to embed travel choices from the earliest opportunity.
		Air Quality	
		The approach and extent of the assessment overall is considered appropriate, but there are a number of more	Responses outlined below

RR Reference	Name/Organisation	Matter	Applicant
		specific concerns in respect of the assessment, which are outlined below.	
		An overarching concern is whether the information included in the assessment is correct, given the inaccuracies considered to be included within the transport modelling and mitigation and the geographical origin and mode of transportation of the employees. This may have a significant impact upon the air quality assessments and any expected mitigation as a result.	On the basis that the transport figures are considered a robust basis for assessment, the assessments for traffic related air quality effects are therefore deemed to be robust.
		The assessment could be improved if:	N/A
		It can be confirmed that it is the 2022 version of the DEFRA Technical and Policy Guidance that has been used	The latest version (2022) of the Defra Technical and Policy guidance has been used in the assessment as detailed in paragraph 9.98 in of Chapter 9 of the ES (document reference: 6.1.9, APP-118).
		It can be confirmed that when the revised Air Quality Objectives are published by the Government later this year, the assessments will be revised to take account of them	The latest version (2022) of the Defra Technical and Policy guidance has been used in the air quality assessment (document reference: 6.1.9, APP-118). Modelled concentrations have been compared against the current relevant air quality objectives for England.

RR Reference	Name/Organisation	Matter	Applicant
			<p>An air quality addendum (document reference: 6.4.1, AS-023) has been prepared and submitted which takes consideration of the quality assessment results in accordance with the revised PM2.5 air quality objectives published in early 2023.</p> <p>Overall, the impact of the HNRFI is predicted to be not significant in relation to the future PM2.5 objectives.</p>
		<p>No assessment appears to have been undertaken for the impact of the additional 'barrier down' time at Narborough and the implications of idling vehicles</p>	<p>The railway line crossing at Narborough is located on Station Road. Station Road is not part of the modelled air quality road network as the trip generation for the scheme along Station Road does not exceed the Institute of Air Quality Management and Environmental Protection UK screening criteria for when significant impacts may be predicted. It is, therefore, considered that any changes in traffic flow at the railway crossing at Narborough will not cause any significant air quality impacts at the receptors identified.</p> <p>Our transport consultants have provided the following response with relation to the additional barrier down time at Narborough "Network Rail have undertaken a detailed analysis of</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>Narborough Station and the barrier down time. Network Rail is satisfied that sufficient capacity has been identified for HNRFI services in the Working Timetable. This allows for known passenger service development aspirations identified by Midlands Connect, to better link Birmingham, Nuneaton, Hinckley and Leicester. The Narborough Level crossing was subject to scrutiny by the LHA and models were adjusted to suit the existing and forecast delays. Network Rail have agreed that there is adequate capacity at the cross roads”</p> <p>The latest version (2022) of the Defra Technical and Policy guidance has been used in the air quality assessment (document reference: 6.1.9, APP-118). Modelled concentrations have been compared against the current relevant air quality objectives for England.</p> <p>No significant changes in pollutant concentrations were predicted at the modelled individual receptor locations across the whole study area, for both the construction year and operational year, as detailed in the air quality assessment (document reference: 6.1.9, APP-118). The HNRFI is not predicted to cause any significant impacts with regards to air quality.</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>The Council expect the Applicant to cover the expense of any monitoring of the off-site impacts of the construction and operational phase, including equipment, ongoing monitoring and staffing. This may be relevant both immediately adjacent to the Site and some wider areas.</p>	<p>The air quality assessment (document reference: 6.1.9, APP-118) did not conclude in any requirements for monitoring during construction or operations, therefore no monitoring is required, therefore no monitoring has been advanced.</p>
		<p>Noise and Vibration</p>	
		<p>The approach and extent of the assessment overall is considered appropriate, but there are a number of more specific concerns in respect of the assessment, which are outlined below and are similar to the comments this Representation makes in respect of air quality in section 6</p>	<p>Noted.</p>
		<p>An overarching concern is whether the information included in the assessment is correct, given the inaccuracies considered to be included within the transport modelling and mitigation. This may have a significant impact upon the Noise Assessment and any subsequent mitigation.</p>	<p>On the basis that the transport figures are considered a robust basis for assessment, the assessments for traffic related noise effects are therefore deemed to be robust.</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>It is noted that the machinery proposed for the gantry crane has not been determined. This will represent an elevated piece of equipment with the potential to produce noise issues. The machinery to be installed should be confirmed and integrated appropriately into all noise and vibration assessment work or details should be provided prior to its installation.</p>	<p>The scheme is at the outline stage and the exact cranes to be installed are not known at this time. Details of this machinery can be provided at the appropriate time once further detail is known.</p> <p>The details will be the subject of a reserved matters application at the appropriate time. Parameters have been defined in the DCO Application. The noise assessment has included consideration of the following as a worst case scenario;</p> <ul style="list-style-type: none"> • the use of diesel operated vehicles which will produce higher noise levels than their electric counterparts. • maximum noise levels associated with the gantry cranes and reach stackers have been included within the noise model at points where they could operate, and the worst-case levels for each receptor have been reported. (Chapter 10 Noise and Vibration paragraph 10.189) (Document Reference 6.1.10, APP-119). • the rail freight interchange to the south of the existing rail line facing receptors to the north. It has been assumed that there would be no screening provided by the buildings

RR Reference	Name/Organisation	Matter	Applicant
			<p>themselves and receptors to the north would have direct line of sight to the rail freight terminal.</p> <ul style="list-style-type: none"> • HGV movements for a worst-case hour during the daytime and night-time periods. This ensures that the maximum parameters in relation to HGV movements have been assessed and impacts and mitigation are considered robust. (Chapter 10 Noise and Vibration paragraph 10.148) (document reference: 6.1.10, APP-119). • The impact of offsite road movements has included receptors up to 600m from the new road links or road links physically changed or by-passed by the project and the area within 50m of other roads links with the potential to experience a short term Basic Noise Level change of more than 1.0dB(A) as a result of the project. This is in line with Design Manual for Roads and Bridges LA111 . (Chapter 10 Noise and Vibration paragraph 10.13) (document reference: 6.1.10, APP-119). <p>The noise levels predicted by the noise model for operational road traffic which is based on traffic data provided by the project transport consultants, are above those measured in the vicinity of Junction 2 of the M69 and Leicester Road. As the noise model is over predicting, it is</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>considered that this represents a robust assessment case. (Chapter 10 Noise and Vibration paragraphs 10.226 to 10.10.228) (document reference: 6.1.10, APP-119).</p> <p>The A47 link road has been included within the noise model at the location shown on the parameters plan and passes in close proximity to Aston Firs and Burbage Common.</p>
		<p>The Council have concerns over the extent and proximity of acoustic fencing required to protect nearby residential properties and the impact this has upon their visual amenity. The inclusion of 4 and 6 metre high acoustic fencing around the Aston Firs Caravan Site is of particular concern and considered inappropriate</p>	<p>A major adverse effect is predicted at one receptor and a moderate adverse effect is predicted at two receptors at Aston Firs Caravan Site without mitigation in place. In line with the Noise Policy Statement for England (NPSE), the noise levels have been mitigated and minimised as far as reasonably practicable, through the recommendation of acoustic barriers.</p> <p>The acoustic fencing is being provided along the eastern and northern boundary of the Caravan Site. The eastern and northern boundaries currently have hedgerow vegetation at a height of 6- 8m (see Hedgerows H368, H369, H372 and H394 on Sheet 33 and 38 of the Tree Constraints Plan and in the Schedules in Annex 2 of the Arboricultural Impact Assessment (document</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>reference: 6.2.11.4, APP-194) which prevent an outlook and would be retained for amenity purposes. It should also be noted that internal hedgerows and amenity buildings and the internal layout of the site also limits views out from the site. There would therefore be limited change from a visual perspective.</p>
		<p>No assessment appears to have been undertaken for the impact of the additional 'barrier down' time at Narborough Level Crossing, including the implications of idling vehicles.</p>	<p>The additional trains using the line are not dependant on the HNRFI being brought forward and the capacity and running of trains will be managed by third parties. Therefore, the noise and vibration impacts from additional trains and stationary traffic as a result of the barrier downtime at Narborough is not a consideration of this assessment.</p> <p>Notwithstanding this, the Applicants transport consultants have provided the following response with relation to the additional barrier down time at Narborough "The Narborough Level crossing was subject to scrutiny by the LHA and models were adjusted to suit the existing and forecast delays. Network Rail have agreed that there is adequate capacity at the cross roads. Impacts at peak hours are minimal."</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>The working hours proposed in the Construction Environmental Management Plan and Construction Traffic Management Plan are not acceptable. Whilst 0700 to 1900 hours Monday to Saturday may be acceptable for certain phases, construction works or construction areas, some elements will have an unacceptable impact on sensitive receptors and thus shorter, targeted working hours are likely to be required.</p>	<p>The extended construction hours will mainly be utilised for groundworks which will need to make the most of daylight hours, particularly in the summer months. By contrast, working hours in the winter months are likely to be shorter due to reduced daylight hours. It is expected that by utilising the daylight hours in the summer, the overall time on site for these activities will be reduced, therefore shortening the construction period over the longer term.</p> <p>The CEMP (document reference: 17.1, APP-359) specifies the overarching principles and measures to manage and mitigate the effects of the activities associated with the construction of the Proposed Development, and will be further developed once the appointment of the Principal Contractor for the project has been confirmed and a detailed construction programme has been developed, should the need for shorter targeted working hours be required for certain work packages or locations on the site, this can be addressed through the detailed CEMP which will be secured by requirement 7 of the DCO.</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>The Council expect the Applicant to cover the expense of any monitoring of the off-site impacts of the construction and operational phase, including equipment, ongoing monitoring and staffing. This may be relevant both immediately adjacent to the Site and some wider areas.</p>	<p>Noted.</p>
		<p>Lighting</p>	
		<p>It is surprising a quantitative lighting assessment has not been undertaken to give greater confidence and assurance that the measures set out in the strategy are going to work.</p>	<p>The Lighting Strategy (document reference: 6.2.3.2, APP-132 to APP-134) defines the parameters and standards that any proposed lighting installation will have to be designed in accordance with to meet the specific criteria in terms of obtrusive light to meet the applicable standards and guidance.</p> <p>The Applicant will also provide a Technical Note for Lighting which will contain further guidance, information, and quantitative assessment to demonstrate that the Proposed Development can be provided with an external lighting installation that complies with the criteria as set out in the Lighting Strategy, while not exceeding the obtrusive light limitations for E2 post-curfew</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>conditions. This Technical Note will be appended to the BDC SoCG and submitted at Deadline 2 (24/10/2023).</p>
		<p>The Lighting Strategy fails to reference the “Institute of Lighting Professionals (ILP) PLG04 – Guidance on Undertaking Environmental Lighting Impact Assessments”. This document sets out the parameters that competent lighting professionals should follow in order to undertake an environmental lighting impact assessment. The Council consider that this document should be referenced and form a key part of the assessment process</p>	<p>The Applicant will also provide a Technical Note for Lighting which will contain further guidance, information, and quantitative assessment to demonstrate that the Proposed Development can be provided with an external lighting installation that complies with the criteria as set out in the Lighting Strategy (document reference: 6.2.3.2, APP-132 to APP-134), while not exceeding the obtrusive light limitations for E2 post-curfew conditions. This Technical Note is intended to provide additional information to supplement the original Lighting as part of the Statement of Common Ground (SoCG) process with the relevant consultees. This Technical Note shall be appended to the BDC SoCG and submitted at Deadline 2 (24/10/2023).</p> <p>DCO Requirement 31, ensures that each phase of the authorised development shall not be occupied until a scheme for all permanent lighting in that phase has been submitted to and</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>approved by the relevant planning authority. The schemes submitted and approved must be in accordance with the lighting strategy.</p>
		<p>A key concern is that there is no evidence that the Applicant's lighting consultant has visited the Site during night-time conditions to undertake a lux survey of the existing lighting levels at the surrounding light-sensitive receptors. This is important so as to understand the lighting environment of the surrounding highlighted residential properties. Some nearby properties might not have any surrounding lighting so a minor increase in light would be noticeable.</p>	<p>A baseline survey has not been deemed necessary due to the fact the proposed development site has no existing artificial lighting. The results of a lighting survey would therefore not provide any more information than the current lighting strategy desktop assessment which aligns with the stipulated Environmental Zone 2 'Low district brightness' e.g., sparsely inhabited rural area.</p> <p>Any additional assessment could only reach the same conclusion or potentially a less onerous Environmental Zone classification if lighting is present on site, the Applicant has therefore assessed on the worst-case basis currently.</p> <p>The Lighting Strategy (document reference: 6.2.3.2, APP-132 to APP-134) has defined the parameters of any lighting design and its effect on residential receptors based on the applicable guidance and standards. The additional Technical Note for Lighting will demonstrate those parameters can be easily achieved through</p>

RR Reference	Name/Organisation	Matter	Applicant
			quantitative assessment. This Technical Note will be formally submitted as an appendix to the BDC SoCG at Deadline 2 (24/10/2023).
		Lack of any inclusion of non-designated ecological habitats within the baseline information	<p>A baseline survey has not been deemed necessary due to the fact the proposed development site has no existing artificial lighting. The results of a lighting survey would therefore not provide any more information than the current lighting strategy desktop assessment which aligns with the stipulated Environmental Zone 2 'Low district brightness' e.g., sparsely inhabited rural area.</p> <p>Large areas of habitat will be lost to facilitate the proposals. Where habitat is retained/enhanced, this will be at the site boundaries which will typically be buffered and subject to a sensitive lighting strategy (as per paragraph 12.209 of the Ecology Chapter – (document reference: 6.1.12, APP-121).</p>
		The car parks appear to be over-lit compared to the 10 lux specific in the Lighting Strategy.	The technical note appended to the BDC SoCG will include clarification on relevant standards for car parks. BS 12462-2 stipulates a range of 10 lux

RR Reference	Name/Organisation	Matter	Applicant
			<p>to 20 lux within table 5.9 – Parking Areas, the indicative lighting design achieves those levels. This is also replicated in BS 5489-1 table 4 – maintained levels for outdoor car parks.</p>
		<p>Clarification is required in respect of whether the lighting designs have been produced using the vertical lux level contour line, in accordance with the guidance. A quantitative assessment of vertical lux levels in nearby residential windows should be undertaken to provide greater assurance of the protection of future amenity. There is also light spill into Burbage Common which should be avoided.</p>	<p>The Lighting Strategy (document reference: 6.2.3.2, APP-132 to APP-134) defines the parameters and standards that any proposed lighting installation will have to be designed in accordance with to meet the specific criteria in terms of obtrusive light to meet the applicable standards and guidance</p> <p>The Applicant will also provide a Technical Note for Lighting which will contain further guidance, information, and quantitative assessment to demonstrate that the Proposed Development can be provided with an external lighting installation that complies with the criteria as set out in the Lighting Strategy (document reference: 6.2.3.2, APP-132 to APP-134), while not exceeding the obtrusive light limitations for E2 post-curfew conditions. This Technical Note is intended to provide additional information to supplement the original Lighting as part of the Statement of Common Ground (SoCG) process with the relevant consultees. This Technical Note</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>will be formally submitted as an appendix to the BDC SoCG at Deadline 2 (24/10/2023).</p> <p>In accordance with DCO Requirement 31, each phase of the authorised development shall not be occupied until a scheme for all permanent lighting in that phase has been submitted to and approved by the relevant planning authority. The schemes submitted and approved must be in accordance with the lighting strategy.</p> <p>The current level of assessment is considered appropriate at this stage in the design process. Ecological receptors (including bats) have been considered, with lux radii plans demonstrating that the vast majority of open space will be free of lightspill, thereby maintaining opportunities for local bat species. The ILP Guidance Note 08 is referenced within the submitted AIP, plus the EMMP (document reference: 17.5, APP-363). As per the ILP guidance, vertical calculation planes should be used wherever appropriate (i.e. when considering particularly sensitive features or species). The proposed lighting will be unlikely to affect any roosts, as all known roosts will be removed under licence and the majority of potential roost features will likely be removed</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>(under licence where appropriate). In addition, any artificial roosts will be located away from intense light sources. For any retained potential roost features, these will be buffered by open space. The existing site is typically utilised by common species which are known to be fairly light tolerant. On that basis, it is considered vertical calculations are not currently necessary. Update ecological surveys in 2024/2025 will confirm if the sites trees support bat roosts. The results of these survey will be used to inform detailed LIA / lighting plans, with vertical calculations undertaken where appropriate.</p> <p>There will be no lightspill upon Burbage Common, as demonstrated within the submitted lux plan at Appendix 3.2: Lighting Strategy [part 2 of 3] (Document reference: 6.2.3.2, APP-132) and on the latest Obtrusive Light Layout plan (submitted as part of the latest Technical Note for Lighting).</p>
		<p>Particular concern is raised in respect of Langton Farm, Bridge Farm and Aston Firs caravan site and whether the glare would fail to accord with the Institute of Lighting Professionals guidance note 01/21, Table 4.</p>	<p>The Applicant will also provide a Technical Note for Lighting which will contain further guidance, information, and quantitative assessment to demonstrate that the Proposed Development can be provided with an external lighting</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>installation that complies with the criteria as set out in the Lighting Strategy (document reference: 6.2.3.2, APP-132 to APP-134), while not exceeding the obtrusive light limitations for E2 post-curfew conditions. This Technical Note is intended to provide additional information to supplement the original Lighting as part of the Statement of Common Ground (SoCG) discussions with the relevant consultees. This Technical Note will be appended to the BDC SoCG and submitted at Deadline 2 (24/10/2023).</p>
		<p>An assessment of glare on the adjacent railway and highways is required</p>	<p>The Applicant will provide a Technical Note for Lighting which will contain further guidance, information, and quantitative assessment of glare on the highway and railway receptors to demonstrate that the Proposed Development can be provided with an external lighting installation that complies with the criteria as set out in the Lighting Strategy (document reference: 6.2.3.2, APP-132 TO APP-134), while not exceeding the applicable limits as defined in CIE 112 - Glare Evaluation System. This Technical Note is intended to provide additional information to supplement the original Lighting as part of the Statement of Common Ground (SoCG) process with the relevant consultees. This</p>

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			<p>Technical Note will be appended to the BDC SoCG and submitted at Deadline 2 (24/10/2023).</p>
		<p>Additional construction phase lighting details including avoiding impacts on sensitive receptors, avoidance of diesel generated lights, permanent column mounted lights if needed for more than one year, and the use of timers and monitoring to avoid unnecessary lighting.</p>	<p>The CEMP (document reference: 17.1, APP-359) specifies the overarching principles and measures to manage and mitigate the effects of the activities associated with the construction of the Proposed Development, and will be further developed once the appointment of the Principal Contractor for the project has been confirmed and a detailed construction programme has been developed, additional light measures that are required can be addressed through the detailed CEMP which will be secured by requirement 7 of the DCO.</p> <p>The Applicant will provide a Technical Note for Lighting which will contain further guidance, on items to be covered by the CEMP (document reference: 17.1, APP-359) in relation to lighting. These and the items from the original Lighting Strategy will be incorporated into the detailed CEMP. This Technical Note is intended to provide additional information to supplement the original Lighting as part of the Statement of Common Ground (SoCG) process with the relevant consultees. This Technical Note will be</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>appended to the BDC SOCG and submitted at Deadline 2 (24/10/2023).</p>
		<p>The Lighting Strategy has not considered the cumulative impact of all the proposed lights and the colour to be used; this cumulative impact needs to be assessed as it can impact upon sleep to nearby residents and local wildlife activity.</p>	<p>The Lighting Strategy (document reference: APP-132 to APP-134) defines the parameters and standards that any proposed lighting installation will have to be designed in accordance with to meet the specific criteria in terms of obtrusive light to meet the applicable standards and guidance.</p> <p>The indicative lighting design (document reference: 6.2.3.2 (part 2 of 3), APP-133) is based on the illustrative masterplan.</p> <p>The Applicant will provide a Technical Note for Lighting which will contain further guidance, information, and quantitative assessment of obtrusive light at the identified residential receptors to demonstrate that the Proposed Development can be provided with an external lighting installation that complies with the criteria as set out in the Lighting Strategy, while not exceeding the obtrusive light limitations for Environmental Zone E2 post-curfew conditions. This Technical Note is intended to provide</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>additional information to supplement the original Lighting as part of the Statement of Common Ground (SoCG) process with the relevant consultees. This Technical Note shall be appended to the BDC SoCG and submitted at Deadline 2 (24/10/2023).</p> <p>The final colour temperature will be defined following input from the various stakeholders including adoptable street lighting standards and the ecologist input. This will be determined at the detailed stage but will be done so in line with the Lighting Strategy (document reference: 6.2.3.2, APP-132 TO APP-134) and the Technical Note for Lighting.</p>
		<p>Impact upon bat commuting and foraging needs to be clarified, particularly around the bat hotspot of the bridge over the railway line which is proposed to be illuminated.</p>	<p>The indicative lighting design followed an iterative process in collaboration with the appointed Ecologist. The design illustrates the anticipated extent of light spill beyond the site including where spill falls to 1 lux. 1 lux has been adopted as the precautionary maximum amount of light spillage on to a bat foraging corridor needed to avoid impacts on bat foraging within the Leicestershire and Rutland 'Bats and Lighting' guidance document (Leicestershire County</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>Council Planning Ecology Service, November 2014, updated August 2022).</p> <p>The Lighting Strategy (document reference: 6.2.3.2, APP-132 to APP-134) states “5.54. The final detailed design may deviate from the indicative external lighting design presented but must meet all parameters and criteria as set out in this report and demonstrate equal to or less than the quantity of light spill achieved. An adequate and safe level of lighting must be provided for site tasks, amenity, and security, whilst maintaining acceptable impact on the site surroundings, environment, railway and neighbouring properties.”</p> <p>As shown on the latest Obtrusive Light Layout plan (submitted as part of the latest Technical Note for Lighting), the lighting strategy maintains a dark corridor along the railway line, including the bridge, minimising impacts on bats and their prey species. Commuting and foraging opportunities will be maintained for bats, with the dark corridors and the site boundaries connecting to the large areas of open space to the west. The open space will offer new foraging opportunities for the local bat population, including species-rich grassland, scrub, ponds,</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>woodland and hedgerows (as listed at para. 12.230 of the Ecology Chapter [Document Reference: 6.1.12] and within the LEMP (document Reference 17.2, APP-360). All of which will contribute to increased prey abundance and diversity.</p>
		<p>More night-time photomontages for the areas northwest of the development are required as these areas are in direct line of sight of 20-30m high lighting masts and gantry for the rail terminal. This is due to the potential glare caused by being able to see the light fitting in these masts and how these masts will light up the gantries.</p>	<p>The Lighting Strategy (document reference: 6.2.3.2, APP-132 to APP-134) states that the installation shall comply with the recommendations of the ILP guidance notes which includes limitations for glare. The night-time photomontages are for illustrative purposes. In accordance with DCO Requirement 31, each phase of the authorised development shall not be occupied until a scheme for all permanent lighting in that phase has been submitted to and approved by the relevant planning authority. The schemes submitted and approved must be in accordance with the lighting strategy.</p> <p>It is not practical to include every viewpoint where views of the development may instigate a change. The viewpoints included are representative of the varied receptors, their locations and activities. Photoviewpoint 36 in</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>Figure 11.12 (document reference: 6.3.11.12, APP-296) illustrates views from the northwest where lighting masts are visible at year 15, representing a significant effect.</p>
		<p>A quantitative lighting assessment is required for a development of this size given the proximity of sensitive lighting receptors, including a source intensity assessment</p>	<p>An indication of light spill is shown within Appendix 1 of the Lighting Strategy (document reference: 6.2.3.2, APP-133). In accordance with DCO Requirement 31, each phase of the authorised development shall not be occupied until a scheme for all permanent lighting in that phase has been submitted to and approved by the relevant planning authority. The schemes submitted and approved must be in accordance with the lighting strategy.</p> <p>The Lighting Strategy (document reference: 6.2.3.2, APP-132 to APP-134) is based on the illustrative masterplan. The Lighting Strategy states that the installation shall comply with the recommendations of the ILP guidance notes for obtrusive light which includes obtrusive light limitations for residential properties.</p> <p>The Applicant will provide a Technical Note for Lighting which will contain further guidance, information, and quantitative assessment of</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>source intensity. This Technical Note is intended to provide additional information to supplement the original Lighting Strategy as part of the Statement of Common Ground (SoCG) process with the relevant consultees. This Technical Note shall be appended to the BDC SoCG and submitted at Deadline 2 (24/10/2023).</p>
		<p>An assessment of glare on the adjacent railway and highways is required</p>	<p>The Applicant will provide a Technical Note for Lighting which will contain further guidance, information, and quantitative assessment of glare on the highway and railway receptors to demonstrate that the Proposed Development can be provided with an external lighting installation that complies with the criteria as set out in the Lighting Strategy (document reference: 6.2.3.2, APP-132 to APP-134), while not exceeding the applicable limits as defined in CIE 112 - Glare Evaluation System. This Technical Note is intended to provide additional information to supplement the original Lighting Strategy as part of the Statement of Common Ground (SoCG) process with the relevant consultees. This Technical Note shall be</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>appended to the BDC SoCG and submitted at Deadline 2 (24/10/2023).</p>
		<p>Further mitigation of the cumulative skyglow potential is required to protect the rural night sky</p>	<p>The Lighting Strategy (document reference: 6.2.3.2, APP-132 to APP-134) calls for all luminaires to be installed at 0 tilt to meet the ILP guidance notes limitations for sky glow.</p> <p>The Lighting Strategy (document reference: 6.2.3.2, APP-132 to APP-134) that all illumination levels will be set as low as practicable while complying with safety and security recommendations and the design levels set out in BS EN 12464 'Light and lighting – Lighting of work places – Part 2: Outdoor work places' and BS 5489-1 'Design of road lighting- Lighting of roads and public amenity areas'"</p> <p>The indicative lighting design demonstrates the resultant upward light ratio of the installation is less than the stipulated maximum allowable in ILP Guidance Note 01/21 therefore additional mitigation is not deemed necessary.</p>
			<p>A baseline survey has not been deemed necessary due to the fact the proposed</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>A baseline lux survey is required to quantify the existing lighting environment at surrounding residential and ecological receptors.</p>	<p>development site has no existing artificial lighting. The results of a lighting survey would therefore not provide any more information than the current lighting strategy desktop assessment which aligns with the stipulated Environmental Zone 2 'Low district brightness' e.g. sparsely inhabited rural area. Any additional assessment could only reach the same conclusion or potentially a less onerous Environmental Zone classification if lighting is present on site, the Applicant has therefore assessed on the worst case basis currently.</p>
		<p>Amendments to the construction phase lighting are required</p>	<p>The additional construction phase measures requested shall be incorporated into the CEMP (document reference: 17.1, APP-359).</p> <p>The Applicant will provide a Technical Note for Lighting which will contain further guidance, on items to be covered by the CEMP in relation to lighting. These and the items from the original Lighting Strategy (document reference: 6.2.3.2, APP-132 to APP-134) will be incorporated into the CEMP (document reference: 17.1, APP-359). This Technical Note is intended to provide additional information to supplement the original Lighting Strategy as part of the Statement</p>

RR Reference	Name/Organisation	Matter	Applicant
			of Common Ground (SoCG) process with the relevant consultees. This Technical Note shall be appended to the BDC SoCG and submitted at Deadline 2 (24/10/2023).
		Where possible lighting colour of 3000k should be used to avoid blue lighting impacts on surrounding sensitive receptors and the night sky.	The final colour temperature will be defined following input from the various stakeholders including adoptable street lighting standards and the ecologist input. This will be determined at the detailed stage but will be done so in line with the Lighting Strategy (document reference: 6.2.3.2, APP-132 to APP-134) and the Technical Note for Lighting.
		Clarification on the lux level contour lines in the drawing and 1.0 maintenance factor to be used.	The Applicant will provide a Technical Note for Lighting which will contain a lux contour plan specifically for obtrusive light utilising a Maintenance Factor of 1.0. This differs from the maintenance factor used for the indicative design as this has to allow for degradation of the output over the life of the installation as defined in Annex C of BS 5489-1 'Design of road lighting-Lighting of roads and public amenity areas'. This Technical Note is intended to provide additional information to supplement the original Lighting

RR Reference	Name/Organisation	Matter	Applicant
			Strategy as part of the Statement of Common Ground (SoCG) process with the relevant consultees. This Technical Note shall be appended to the BDC SoCG and submitted at Deadline 2 (24/10/2023).
	Landscape and Visual		
		The approach undertaken to the Landscape and Visual Impact Assessment (LVIA) is generally considered to accord with best practice.	It is noted that the approach to the LVIA is acceptable and considered to be in accordance with best practice guidance.
		The inclusion of a night-time assessment as requested is welcomed	Noted
		The changes to the proposed development since the Preliminary Environmental Impact Report (PEIR) dated January 2022 appear to be negligible. There is no noticeable reduction in development footprint, and the landscape strips/areas around the Site remain narrow. Therefore, the changes presented are unlikely to mitigate/change the majority of landscape and visual effects reported and the residual harms indicate that the Scheme has overdeveloped the Site. This is	The illustrative Landscape Strategy (document reference: 6.3.11.20, APP-304) and illustrative Landscape Sections (document reference: 6.3.11.17, APP-301 and 6.3.11.18, APP-301) show the proposed landscape mitigation. The mitigation and enhancement principles in ES Chapter 11 (document reference.: 6.1.11. APP-120) can be summarised as:

RR Reference	Name/Organisation	Matter	Applicant
		<p>expected to be a topic in which the Council and the Applicant significantly disagree.</p>	<ul style="list-style-type: none"> - Overall green and blue open space accounts for 28% of the Main HNRFI Site; - The Western Amenity Area extends to approximately 22ha; and - Maximum built height parameters have been reduced by 2-5m, which represents a 7-18% reduction in maximum building height parameter. <p>As identified in paragraph 11.123 of ES Chapter 11 (document reference: 6.1.11, APP-120), corridors up to 70m in places would provide broad natural green ways on the site's boundaries.</p>
		<p>The effects to various receptors and viewpoints have been amended from the PEIR, but the important overarching conclusion is that there are still a large number of residual significant effects remaining at Year 15.</p>	<p>It is acknowledged that there would be significant adverse residual effects on identified representative landscape and visual receptors, as noted at paragraphs 11.189, 11.190 and 11.191 in the Summary and Conclusion of Chapter 11: Landscape and Visual Effects of the ES (document reference: 6.1.11, APP-120). These will be considered by the ExA in the decision making process alongside the benefits of the scheme.</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>Not all of the details provided and the methods employed within the LVIA are agreed with and the residual effects identified do not fully illustrate the scale of landscape change.</p>	<p>The LVIA has been undertaken in accordance with best practice guidance and follows the methodology outlined in Annex 1 of the Landscape and Visual Baseline, provided in Appendix 11.1 (document reference: 6.2.11.1, APP-191) of ES Chapter 11 (document Reference: 6.1.11, APP-120). The methodology has been agreed with Blaby District Council, Leicestershire County Council and Hinckley and Bosworth Borough Council as set out in the consultation summary in paragraph 11.33 of ES Chapter 11 (document reference: 6.1.11, APP-121). The extent to which there is disagreement with regard to the assessment of effects is set out within the Statements of Common Ground.</p>
		<p>It is considered that a number of these receptors have been under assessed, but even against the Applicant's submission, the scope of landscape harm at Year 15 illustrates that the Scheme essentially is not/cannot be effectively mitigated. It would cause significant harm to the surrounding landscape and visual setting, including the public rights of way and settlements. The landscaping proposed is simply insufficient to enable appropriate assimilation into the wider countryside setting.</p>	<p>All identified representative landscape and visual receptors have been assessed using professional judgement in accordance with best practice guidance GLVIA3. The methodology is set out within Annex 1 of the Landscape and Visual Baseline Assessment (document reference: 6.2.11.1, APP-191).</p> <p>It is acknowledged that there would be significant adverse residual effects on identified</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>representative landscape and visual receptors, as noted at paragraphs 11.189, 11.190 and 11.191 in the Summary and Conclusion of Chapter 11: Landscape and Visual Effects of the ES (document reference: 6.1.11, APP-120). These will be considered by the ExA in the decision making process alongside the benefits of the scheme.</p>
		<p>Clarify how judgements on susceptibility and value have been derived for all landscape and visual receptors, and applied in practice: for landscape refer to sensitivity and values set out in the relevant Landscape Character Area (LCA) and provide clear links back to evidence to underpin professional judgements, and provide a narrative to show how the judgements have been reached in accordance with the Guidelines for Landscape and Visual Impact Assessment 3.</p>	<p>The applied methodology is outlined in Annex 1 of the Landscape and Visual Baseline, provided in Appendix 11.1 (document reference: 6.2.11.1, APP-191) of ES Chapter 11 (document reference: 6.1.11, APP-120). The assessment criteria at Tables A1.1, A1.2, A1.4 describes the judgements that have been made to arrive at the values shown in the assessment.</p>
		<p>Provide justification as to why an additional viewpoint representing the users of rights of way that cross the Site is not included in the LVIA</p>	<p>Representative viewpoint locations were agreed via email correspondence with Leicestershire County Council's Landscape Architect who was acting on behalf of Blaby District Council between January and March 2019. This is set out at paragraph 11.33 of ES Chapter 11 (document reference: 6.11.1). They include views from the majority of footpaths that cross the site at Photoviewpoint (PVP) 3 (PRoW U52/6) PVP 4</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>(PRoW U52/8), PVP 5 (PRoW V23/1), PVP 6 (PRoW U50/3), PVP 8 (PRoW V29/6) and PVP 37 (PRoW V29/7). These are assessed in Technical Appendices 11.5 and 11.6 (document references: 6.2.11.5, APP-195 and 6.2.11.6, APP-196) with significant impacts identified.</p>
		<p>Clarify that the maximum/optimum measures have been put in place to mitigate significant adverse landscape and visual effects of the Scheme</p>	<p>The illustrative Landscape Strategy (document ref 6.3.11.20), illustrative Landscape Sections (document ref 6.3.11.17, APP-301 and 6.3.11.18, APP-302) show the proposed landscape mitigation and Proposed Photomontages (document reference: 6.3.11.16, APP-300) illustrate the effectiveness of the mitigation from selected representative viewpoints.</p> <p>The mitigation and enhancement principles in ES Chapter 11 (document reference: 6.1.11, APP-120) can be summarised as:</p> <ul style="list-style-type: none"> - Overall green and blue open space accounts for 28% of the Main HNRFI Site; - The Western Amenity Area extends to approximately 22ha; and

RR Reference	Name/Organisation	Matter	Applicant
			<p>- Maximum built height parameters have been reduced following visual assessment.</p> <p>These measures have been put in place to allow for the best reasonably practicable mitigation, particularly from the most sensitive receptors within Burbage Common and Woods Country Park where significant residual effects have been eliminated.</p>
		<p>The LVIA is also considered to not sufficiently clarify a number of elements, including: - The effects on the Elmesthorpe Settlement Character Area (SCA) and Barwell Urban Character Area (UCA) at Construction, Year 1 and Year 15; The photo viewpoints indicate significant visual impacts from the villages at Construction and Year 1 and 15 of operation.</p>	<p>The visual assessment has identified a limited number of elevated locations within Elmesthorpe and Barwell where views of the development would be visible. These views only occur at specific settlement edge locations and do not represent effects on the settlements as a whole. Overall effects on the character of these settlements is considered to be accurately represented by the assessment of effects on Elmesthorpe SCA and Barwell UCA as described in ES Chapter 11 Appendices 11.5 (document reference: 6.2.11.5, APP-195) and Appendix 11.6 (document Reference: 6.2.11.6, APP-196).</p>
		<p>Provision of further information to justify the magnitude of change ratings for all landscape and visual receptors, in</p>	<p>Likely effects on landscape and visual receptors – including the justification of the magnitude of</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>particular to confirm/clarify judgements on 'scale of the change', 'geographical extent' and 'duration and reversibility/proportion', in line with the methodology</p>	<p>change – are identified in ES Chapter 11 Appendices 11.5 (document reference: 6.2.11.5, APP-195) and Appendix 11.6 (document Reference: 6.2.11.6, APP-196).</p> <p>This is in accordance with the applied methodology as outlined in Annex 1 of the Landscape and Visual Baseline, provided in Appendix 11.1 (document reference: 6.2.11.1, APP-191) of ES Chapter 11 (document Reference: 6.1.11, APP-120).</p> <p>The Chapter has been updated to include additional narrative as requested by HBBC and BDC and ES Chapter 11 and Appendices 11.1, 11.5 and 11.6 resubmitted on 22nd September.</p>
		<p>Provision of further justification/clarification for the planting growth rates assumed within the Year 15 photomontages.</p>	<p>A methodology for the Photomontages produced is contained within Annex 5 of the Landscape and Visual Baseline (Document Reference: 6.3.11.1, APP-285). A description of the vegetation growth rates used in the Year 15 Views is provided at paragraph 1.201 of the Landscape and Visual Baseline with examples of selected species given in Table 1.10. It should be noted that the growth rates described are conservative in their assumptions as the majority of the structural planting would be provided during the enabling</p>

RR Reference	Name/Organisation	Matter	Applicant
			works and will have been in place for up to 10 years at year 1 following completion of the whole development and for up to 25 years by Year 15 following completion of the whole development.
		<p>The quantum of justification for the nighttime effect on landscape and visual receptors generally, including:</p> <p>Provision of baseline descriptions of lighting in relation to individual landscape and visual receptors. The impact of the lighting cannot be fully assessed without this baseline information;</p> <p>Clarify what the night-time construction effects are for Landscape Character Area (LCA) 1: Aston Flamville Wooded Farmland, LCA 6: Elmesthorpe Floodplain, and LCA 15: Stoney Stanton Rolling Farmland.</p> <p>Provide further information for the night-time visual assessment at construction for photo viewpoints (9, 12, 19, 20, 22, 24, 25 and 32, in particular judgements and accompanying narrative on overall sensitivity (value and susceptibility), magnitude of change (scale of the change, geographical extent and duration and reversibility/proportion) and overall effects. Additional concerns in respect of the lighting/night time impact is set out within section 8 above.</p>	<p>The baseline description of night-time conditions is described in the Baseline Conditions: Night-time Visual Amenity section of the Landscape and Visual Baseline (document reference: 6.3.11.1, APP-285). And refers to the CPRE's Interactive Map of England's Light Pollution and Dark Skies as well as on site night-time assessment at 10 representative viewpoint locations.</p> <p>The applied methodology for the night-time assessment is provided in paragraphs A1.33 to A1.37 of Annex 1 of the Landscape and Visual Baseline.</p> <p>The Lighting Strategy (document reference: 6.2.3.2, APP-132 to APP-134) details the various measures that are proposed to limit the light spill and effects associated with lighting at night.</p> <p>The night-time photomontages are for illustrative purposes. The final calculated levels shall be</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>confirmed at the detailed stage by specific lighting impact assessments where required.</p> <p>The night-time construction effects have been Described more fully in the updated Landscape and Visual ES Chapter and accompanying appendices 11.1, 11.5 and 11.6 (document references: 6.11.1, 6.2.11.1, 6.2.11.5 and 6.2.11.6, APP-191, APP-195, APP-196) submitted 22 September 2023.</p>
		<p>Further detail and discussion is required in respect of the long-term management of the proposed wood abutting Burbage Common woods. For example, has the naming of the wood come through public engagement and is there scope for it to be managed in a joined up approach to Burbage Common?</p>	<p>Management principles are outlined in the Landscape Ecological Management Plan (document reference: 17.2, APP-360), which focusses on the establishment and ongoing management and maintenance of the ecological and landscape areas throughout the proposed development. Discussions have been held with the Open Spaces Officer with regard to habitat management and these will continue throughout the development of the detailed design.. The naming of the wood acknowledges historic name of the bridge on Burbage Common Road 'Ingles Bridge'.</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>The approach undertaken to the Landscape and Visual Impact Assessment (LVIA) is generally considered to accord with best practice</p>	<p>It is noted that the approach to the LVIA is acceptable and considered to be in accordance with best practice guidance.</p>
		<p>In terms of the contents of the Landscape and Visual Impact Assessment, concern is raised in respect of the extent of residual significant effects at Year 15 even with mitigation planting included. The landscaping proposed is not considered sufficient to enable assimilation into the countryside setting.</p>	<p>The applied design principles have been outlined in the mitigation and enhancement section at paragraph 11.134 – 11.137 of the ES Chapter 11 (document reference: 6.1.11, APP-120). These can be summarised as:</p> <ul style="list-style-type: none"> - Overall green and blue open space accounts for 28% of the Main HNRFI Site and A47 Link Road Corridor combined; - The Western Amenity Area extends to approximately 22ha, which is approximately 25% of the Burbage Common and Woods Country Park; and <p>Maximum built height parameters have been reduced by 2-5m, which represents a 7-18% reduction in maximum building height parameter.</p> <p>As identified in paragraph 11.123 of ES Chapter</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>11 (document reference: 6.1.11, APP-120), corridors up to 70m in places would provide broad natural green ways on the site's boundaries.</p> <p>It is acknowledged that there would be significant adverse residual effects on identified representative views and landscape receptors, as noted in the Summary and Conclusion of Chapter 11: Landscape and Visual Effects of the ES (document reference: 6.1.11, APP-120). These will be considered by the ExA in the decision making process, alongside the benefits of the scheme.</p>
		<p>The scale of residual impacts indicate that the Scheme has overdeveloped the Site. In response to these identified impacts, the Applicant should propose a comprehensive package of wider landscape enhancement within the Scheme's zone of theoretical visibility.</p>	<p>It is acknowledged that there would be significant adverse residual effects on identified representative landscape and visual receptors, as noted at paragraphs 11.189, 11.190 and 11.191 in the Summary and Conclusion of Chapter 11: Landscape and Visual Effects of the ES (document reference: 6.1.11, APP-120).</p>
		<p>Detailed concerns to the assessment include:</p>	<p>N/A</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>How judgements on susceptibility and value have been derived.</p>	<p>The methodology for the LVIA is provided in Annex 1 of the Landscape and Visual Baseline, provided in Appendix 11.1 (Document Reference: 6.2.11.1, APP-191) of ES Chapter 11 (document reference: 6.1.11, APP-120).</p> <p>The susceptibility to development and value of identified receptors is outlined in the Landscape and Visual Baseline (document reference: 6.2.11.1, APP191).</p> <p>This has been updated to include additional narrative as requested by HBBC and BDC and ES Chapter 11 and Appendices 11.1, 11.5 and 11.6 resubmitted on 22nd September.</p>
		<p>Additional information necessary for the night time assessment.</p>	<p>The baseline description of night-time conditions is described in the Baseline Conditions: Night-time Visual Amenity section of the Landscape and Visual Baseline (document reference: 6.3.11.1, APP-285).</p> <p>The applied methodology for the night-time assessment is provided in paragraphs A1.33 to A1.37 of Annex 1 of the Landscape and Visual Baseline.</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>The Lighting Strategy (document reference: 6.2.3.2, APP-132 to APP-134) details the various measures that are proposed to limit the light spill and effects associated with lighting at night.</p> <p>The Applicant will also provide a Technical Note for Lighting which will contain further guidance, information, and quantitative assessment to demonstrate that the Proposed Development can be provided with an external lighting installation that complies with the criteria as set out in the Lighting Strategy, while not exceeding the obtrusive light limitations for Environmental Zone E2 post-curfew conditions. This Technical Note is intended to provide additional information to supplement the original Lighting Strategy as part of the Statement of Common Ground (SoCG) process with the relevant consultees. This Technical Note shall be appended to the BDC SoCG and submitted at Deadline 2 (24/10/2023).</p>
		Omission of a viewpoint to represent users of the rights of way that cross the Site	Representative viewpoint locations were agreed via email correspondence in January 2021. They include views from the majority of footpaths that

RR Reference	Name/Organisation	Matter	Applicant
			cross the site at Photoviewpoint (PVP) 3 (PRoW U52/6) PVP 4 (PRoW U52/8), PVP 5 (PRoW V23/1), PVP 6 (PRoW U50/3), PVP 8 (PRoW V29/6) and PVP 37 (PRoW V29/7). These are assessed in Technical Appendices 11.5 and 11.6 (Document references 6.2.11.5, APP-195 and 6.2.11.6, APP-196) with significant impacts identified.
		<p>The Applicant has failed to adequately mitigate the Scheme and should propose a comprehensive package of wider landscape enhancement within the Scheme's zone of theoretical visibility.</p> <p>Obligations may be required in respect of the long-term management of the landscaped areas, particularly to ensure that the areas adjacent to Burbage Common are managed in coordination with the Common.</p>	<p>The level of mitigation proposed is considered proportionate given that around 25% of the Main HNRFI Site and A47 Link Road Corridor is green infrastructure with additional amenity areas and street trees within the logistics park. Approximately 20,000 trees will be planted as part of the proposals.</p> <p>Management of the landscape will be through a Landscape and Ecological Management Plans for each phase as set out in DCO requirement 22.</p>
	Ecology		
		<p>The quantum of ecological work undertaken is recognised and that sufficient Phase 1 and 2 species surveys are considered to have been completed and in general accordance with standard guidance. In terms of the content of the assessment, the Council have a number of comments and concerns.</p>	Noted

RR Reference	Name/Organisation	Matter	Applicant
		<p>The level of importance afforded to various protected species is not agreed, with them generally being undervalued. This includes:</p> <ul style="list-style-type: none"> - Bats should not only be afforded 'Local' importance. - Breeding birds, such as lapwing and skylark, are considered to be higher than 'District' importance. - Otters are considered to be higher than 'District' importance. 	<p>As per CIEEM EIA guidelines, “Deciding the importance of species populations should make use of existing criteria where available. For example, there are established criteria for defining nationally and internationally important populations of waterfowl. The scale within which importance is determined could also relate to a particular population, e.g. the breeding population of common toads within a suite of ponds or an otter population within a catchment. When determining the importance of a species population, contextual information about distribution and abundance is fundamental, including trends based on historical records. For example, a species could be considered particularly important if it is rare and its population is in decline.”</p> <p>This guidance is referred to at paragraph 1.55 of the Ecology Baseline (document reference: 6.2.12.1, APP-197).</p> <p>When a particular species is a national priority species or declining at a national level, it does not automatically make the population recorded of that level of importance, unless it makes up a</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>significant proportion of the local/county/national/international wintering/breeding/migratory population. In other words, the level of protection or conservation status of a particular species is not necessarily synonymous with its importance in EIA terms.</p> <p>In the context of Lapwing (for example), the Leicestershire and Rutland Bird Report 2020 classifies Lapwing as an 'Abundant winter visitor / uncommon migrant breeder'.</p> <p>Breeding Bird Surveys estimated 2 - 5 pairs of breeding lapwing utilising the site. This is not considered to be of any greater significance than district level, as these are not regionally or nationally significant numbers when considered in the context of wider population data.</p> <p>Similarly, the bat assemblage recorded within the Main Order Limits is typical of an urban edge farmland site in central England, with common and widespread generalist species accounting for the vast majority of foraging and commuting activity. Survey data to date suggests the buildings on site support day roosts supporting low number of common species. The assemblage is therefore only of local value.</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>It appears that Phase 2 surveys were only conducted within the main order limits and not the full DCO order limits, LUC, on behalf of the Council, queries the ability to assume 'negligible importance' without undertaking surveys.</p>	<p>As stated within the Ecology Baseline (document reference: 6.2.12.1, APP-197), the Main Order Limits includes the Main HNRFI Site, contiguous areas to the north-west, south and east, respectively to contain the corridor of a proposed link road that would cross the Leicester to Hinckley railway and connect to the B4668/A47 Leicester Road (the 'A47 Link Road'), the proposed works to M69 Junction 2 and a section of the B4669 Hinckley Road towards the village of Sapcote. The DCO Site does include additional non-contiguous areas of land which will be subject to highway enhancements, traffic management measures, and pedestrian level crossings. An extended Phase 1 survey was undertaken on the 14 April 2022 of the additional areas included for the highways works, A review of the proposals for these non-contiguous areas found them to be ecologically insignificant, given that they typically involve development of already developed areas.</p> <p>Where impacts on semi-natural habitats are required (i.e. the construction of the pedestrian footbridge across the railway), impacts to habitat will be temporary in nature, and will not significantly impact protected species (e.g. no</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>impacts to trees with bat roost potential, commuting bats, badger setts etc).As such, no Phase 2 surveys are proposed in these areas. Update habitat walkover surveys are scheduled for 2024/2025 and will include all areas where the proposals will impact semi-natural habitats. Management Plans (i.e. CEMP (document reference: 17.1, APP-359) secured by Requirement 7 will ensure appropriate working methodologies for any removal of habitat to ensure no adverse impacts on protected species.</p>
		<p>The Council disagrees with the grading of importance to habitats and species, which appears to be based on their abundance within the order limits as opposed to their status or level of protection</p>	<p>As per CIEEM EIA guidelines, "Deciding the importance of species populations should make use of existing criteria where available. For example, there are established criteria for defining nationally and internationally important populations of waterfowl. The scale within which importance is determined could also relate to a particular population, e.g. the breeding population of common toads within a suite of ponds or an otter population within a catchment. When determining the importance of a species population, contextual information about distribution and abundance is fundamental, including trends based on historical records. For example, a species could be considered</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>particularly important if it is rare and its population is in decline."</p> <p>This guidance is referred to at paragraph 1.55 of the Ecology Baseline (document reference: 6.2.12.1, APP-197).</p> <p>When a particular species is a national priority species or declining at a national level, it does not automatically make the population recorded of that level of importance, unless it makes up a significant proportion of the local/county /national/international wintering/ breeding/ migratory population. In other words, the level of protection or conservation status of a particular species is not necessarily synonymous with its importance in EIA terms.</p> <p>In the context of Lapwing (for example), the Leicestershire and Rutland Bird Report 2020 classifies Lapwing as an 'Abundant winter visitor / uncommon migrant breeder'.</p> <p>Breeding Bird Surveys estimated 2 - 5 pairs of breeding lapwing utilising the site. This is not considered to be of any greater significance than district level, as these are not regionally or</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>nationally significant numbers when considered in the context of wider population data.</p> <p>Similarly, the bat assemblage recorded within the Main Order Limits is typical of an urban edge farmland site in central England, with common and widespread generalist species accounting for the vast majority of foraging and commuting activity. Survey data to date suggests the buildings on site support day roosts supporting low number of common species. The assemblage is therefore only of local value.</p>
		<p>There is a general disagreement with the assigning of value to ecological receptors – this is heavily based on presence within order limits rather than based on national decline/legal protection.</p>	<p>As outlined within the Ecology Baseline (document reference: 6.2.12.1, APP-197), the majority of the Main Order Limits is of only limited (Negligible or Site-level) intrinsic nature conservation importance, comprising mainly arable grassland, arable land, improved grassland, species-poor semi-improved grassland and built areas. Other habitats, including the network of ponds, a stream, mature standard trees, boundary hedgerows and woodland have been assigned Local or higher-level intrinsic nature conservation value.</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>There is a lack of consideration to habitat fragmentation during the operational phase, including the provision of only one relatively narrow corridor in a north-east/south-west direction.</p>	<p>The assessment of the likely impacts includes fragmentation. As per paragraph 12.151 of the Ecology and Biodiversity chapter (document reference: 6.2.12, APP-121), the Proposed Development has been designed to incorporate the hedgerow network and minimise its fragmentation where possible, particularly around the perimeters. It is acknowledged in the assessment that the direct loss and fragmentation of the existing hedgerow network is considered to be of high magnitude and extent, with appropriate mitigation proposed on that basis. Currently the net gain calculations show a 7.12% net linear gain, before any local or off-site solutions have been implemented. Future iterations of the Net Gain metric will ensure 10% net gain in hedgerow units will be achieved - a significant factor in terms of alleviating fragmentation impacts.</p>
		<p>There is also a lack of consideration to the retention of existing hedgerows/features of note within the Site area to minimise need to displace fauna</p>	<p>As outlined in Table 12.7 of the Ecology and Biodiversity Chapter (document reference: 6.2.12, APP-197 and APP-198), the development proposals will result in the unavoidable loss of approximately 13,990m of hedgerow. However, in line with local and national policy, and in line</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>with the forthcoming Environment Act 2021, the proposals will deliver at least 7% net gain in hedgerows on site, with additional gains sought elsewhere where necessary. Where possible, features of value have been retained or losses minimised.</p>
		<p>There is a general lack of detail provided for long term ecological management plans.</p>	<p>The existing LEMP (document reference: 17.2, APP-360 is only outline in nature, with a detailed LEMP(s) secured via Requirement 22. Sufficient detail will therefore be provided at the detailed design stage.</p>
		<p>The mechanism securing the implementation of Biodiversity Net Gain (BNG) are unclear and may necessitate S106 Obligations</p>	<p>Requirement 30 is written in a ‘Grampian style’ – and accords in the planning guidance for the use of planning conditions (PPG – paragraph 09 Reference ID: 21a-009-2014306) in the context that the full BNG commitment may not be achieved on land that is presently within the control of the Applicant.</p> <p>Discussions are ongoing to secure off site BNG credits locally and discussions have also taken place with the Environment Bank in relation to their BNG credit system.</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>Moreover, little consideration appears to have been provided to the ecological impacts of lighting.</p>	<p>Lighting within the central/operational parts of the development will necessarily be well-lit. A sensitive lighting strategy (document reference: 6.2.3.2, APP-132 to APP-134) has been designed to ensure that light spill to surrounding habitats has been kept to a minimum and dark corridors surrounding the proposals will ensure continued opportunities for faunal species.</p>
		<p>In terms of the BNG, it is difficult to provide any meaningful comment as the mapping associated with the BNG has not been provided. Mapping should be included within the metric 3.1 and associated reporting. This also links the Biodiversity Improvement Area and Landscape Enhancement Management Plan that also need to be provided for full review</p>	<p>Figure 12.3 (document reference: 6.3.12.4, APP-309) shows the pre-development site. The Post-development BIA Plan is provided at Annex 2 of the Biodiversity Impact Assessment Calculations (document reference: 6.2.12.2, APP-198).</p> <p>The illustrative Landscape Strategy (document ref.: 6.3.11.20, APP-304) and illustrative Landscape Sections (document reference: 6.3.11.17, APP-301 and 6.3.11.18, APP-302) show the proposed landscape mitigation.</p>
		<p>Additionally, completed DEFRA BNG metric and supporting condition sheets, including assessor comments and supporting rationales for decision making (such as strategic significance</p>	<p>It has been discussed through the SoCG process that a full BIA report, inclusive of condition assessments and assessor comments will be provided at detailed design stage (Requirement</p>

RR Reference	Name/Organisation	Matter	Applicant
		and 'fairly' condition selection) needs to be provided for review.	<p>32). This will include a detailed Defra BNG metric with additional supporting rationales for decision making.</p> <p>As outlined in the BIA report Appendix 12.2 (document reference: 6.2.12.2, APP-198), the 'fairly good' condition was selected within the Defra metric for created grassland on precautionary basis, which in line with the Rochdale Envelope approach, is considered appropriate.</p> <p>The existing BIA report states that 'other neutral grassland' of 'fairly good' condition will be created (paragraph 1.20). As it is considered grassland of 'Moderate' condition can be readily achieved, and as there is no defined condition assessment for 'Fairly good' condition, 'Good' condition grassland will be targeted in any event.</p> <p>The LEMP (or indeed, the series of LEMPs) secured via Requirement 22 will also outline the necessary management and monitoring measures required to achieve 'good' condition grassland.</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>The Council understands that the Applicant has committed to delivering 10% BNG in relation to the Scheme and that the Scheme may have to comply with the BNG requirements of the Environment Act 2021. The Scheme as proposed fails to clearly demonstrate and secure 10% BNG, including its long-term management, and further mitigation is required in this respect.</p>	<p>Requirement 30 will ensure the development delivers a 10%. Whilst BNG assessments are ongoing, current calculations show there is sufficient scope to deliver net gains on site, with options to deliver additional through off-site solutions.</p>
	Heritage		
		<p>In terms of the assessment undertaken, the Council considers that the potential impacts upon the settings of certain designated heritage assets have been undervalued, being reduced to a level that suggests that the effects on their significance is either negligible or neutral. This includes the Elmesthorpe Church, Ruined Nave and West Tower Scheduled Monument.</p>	<p>The Applicant and BDC have discussed in their SoCG discussions that the submitted Cultural Heritage ES Chapter 13 (document reference: 6.1.13, APP-122) includes a comprehensive assessment of the impact upon the historic environment, including the setting of nearby designated heritage assets. This includes the Elmesthorpe Church, Ruined Nave and West Tower Scheduled Monument The impacts identified in respect of relevant heritage assets are reported individually in detail in paragraphs 13.172 to 13.197 of ES Chapter 13 (document reference 6.1.13, APP-122).</p> <p>ES Chapter 13 (document reference 6.1.13, APP-122) has been resubmitted 11 September 2023, with Table 13.8 revised to set out the identified</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>impacts on individual designated heritage assets more explicitly and thereby address BDC's concern that the impacts as previously presented were undervalued.</p>
		<p>Concern is raised in respect of the amalgamation of all heritage assets into a single entity in Table 13.8 (ES Chapter 13 Cultural Heritage document reference 6.1.13), given the varying magnitude of change expected to occur to the various assets. A single conclusion value is considered to mask the range of impact that will occur.</p>	<p>The Applicant and BDC have discussed in their SoCG discussions that an appropriate methodology has been employed to assess relevant heritage assets and the impacts of the Proposed Development. Given the different level of significance of these assets along with the varying magnitude of change they are to experience, BDC considers that all of the affected assets should be identified separately within Table 13.8 of the ES to give a more explicit representation of the likely effects. The impacts identified in respect of relevant heritage assets are reported individually in detail in paragraphs 13.172 to 13.197 of ES Chapter 13 (document reference: 6.1.13, APP-122).</p> <p>ES Chapter 13 (document reference 6.1.13, APP-122) has been resubmitted 11 September 2023, with Table 13.8 revised to set out the identified impacts on individual designated heritage assets more explicitly and thereby address BDC's</p>

RR Reference	Name/Organisation	Matter	Applicant
			concern that the impacts as previously presented were unclear.
		<p>The photomontages are not considered to present a full picture against which to assess the relationship of the heritage assets to the Scheme. For example, the railport and associated light and gantry cranes would be visible in viewpoint 19; photomontages of Wentworth Arms and Stables are insufficient to establish the level of impact.</p>	<p>The Applicant and BDC have discussed in their SoCG discussions that the submitted Cultural Heritage ES Chapter 13 (document reference: 6.1.13, APP-122) includes a comprehensive assessment of the impact upon the historic environment, including the setting of nearby designated heritage assets. The SoCG discussions between the Applicant and BDC has set out that , in each case, the impact of HNRFI on the significance of relevant designated heritage assets falls within the category of ‘less than substantial harm’. The absence of details of light and gantry cranes in viewpoints is not considered to materially affect the conclusions of Cultural Heritage ES Chapter 13 (document Reference: 6.1.13, APP-122) in respect of the impact of the Proposed Development on the Wentworth Arms and Stables Grade II listed building, or any other heritage asset under consideration. The impact on Wentworth Arms and Stables Grade II listed building is identified at paragraph 13.178 as resulting in a permanent minor adverse significance of effect.</p>

RR Reference	Name/Organisation	Matter	Applicant
	Flood and Drainage	<p>30 homes, as well as a commercial property and a school in Stoney Stanton flooded in 2019 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.</p>	<p>The applicant's consultant has liaised with the Environment Agency and Lead Local Flood Authority on matters of flood risk and surface water through the NSIP process to ensure that their requirements are met, and best practise is followed. The Environment Agency and Lead Local Flood Authority have both confirmed that they are comfortable with the Proposed Scheme. To confirm, the Main HNRFI Site does not discharge surface water towards Stoney Stanton.</p>
	Geology and Contamination		
		<p>The Council have no concerns in respect of the work undertaken or proposed additional investigative work programmed in respect of the geology and contamination.</p>	Noted
	Waste		
		<p>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.</p>	Comments noted

RR Reference	Name/Organisation	Matter	Applicant
		<p>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</p>	<p>ES Chapter 16: Geology, soils and contamination (document reference: 6.1.16, APP-125) references asbestos quite extensively, both in existing buildings in the farm buildings and as a potential ground contaminant (Section 16.91 and Table 16.13). The Remediation Strategy and Earthworks specifications will detail procedures for dealing with unforeseen contamination.</p> <p>Paragraphs 16. 123 and 16.124 discuss mitigation measures in relation to asbestos in building and within the soil.</p> <p>“Demolition of existing buildings must be completed in accordance with Control of Asbestos Regulations 2012. Prior to demolition a full asbestos survey must be completed to identify all asbestos and enable a plan of work to be prepared to safely remove any asbestos.</p> <p>Any asbestos contaminated soils may be retained on site beneath hardstanding subject to a risk assessment and preparation or a safe system of work under the Control of Asbestos Regulations 2012.”</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>These measures for dealing with unforeseen contamination will be set out in the remediation strategy to be developed as part of detailed design. The SWMMP will be developed as further ground investigation is completed and material types and waste streams are defined. As stated in Paragraph 16.133 and 16.157 a Material Management Plan (MMP) will be prepared to manage the re-use of excavated soils.</p> <p>In general terms the procedure would comprise a watching brief during the demolition and earthworks to identify and assess any areas of potential contaminated soil. Where unforeseen contamination is identified, the earthworks in that areas will be suspended and a specialist will inspect the ground and determine a suitable remediation approach to deal with the contamination, to be agreed with the LPA. Where asbestos is encountered works will be stopped and the area made safe. Depending on the future cover requirements of the cut and fill, the contaminated soils</p> <p>If the soils need to be excavated as part of the bulk cut and fill earthworks, then an asbestos risk assessment and plan of work will be prepared by</p>

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			<p>the contractor to comply with the requirements of Control of Asbestos Regulations (2012). If the risk from asbestos is significant the works would be completed as Licensed asbestos works.</p>
		<p>However, with recognition that national and local planning policy seeks to minimise climate change and maximise renewable energy use, the lack of a commitment to Net Zero energy Requirements for operation is disappointing. By only designing to BREEAM: Very Good, the HNRFI is unlikely to be future proofed – an aim stated in the Opportunities and Constraints section of the Design and Access Statement (document reference 8.1).</p>	<p>HNRFI supports the Draft National Policy Statement for Renewable Energy Infrastructure 2021 (NPS EN-1 – draft). 100% of the available roof space is proposed for the provision of photovoltaic panels with an overall generation potential of 42.4 megawatts peak (MWp). This provision has been maximised based on the size of the scheme. With further incorporation of power efficiency measures which will be considered as the scheme is designed, such as battery storage, this level of generation allows the site to be largely self-sufficient in normal operation.</p> <p>The Applicant as part of their wider business has moved to BREEAM Excellent. This will be updated in the Design Code (document reference 13.1 APP-354) and Design and Access Statement (document reference 8.1 APP-349) to be submitted at Deadline 2.</p>
		<p>Truly sustainable projects that aim to be future proofed and meet the challenge of net zero would need to go beyond what</p>	<p>HNRFI will contribute to “achieving national targets to reduce greenhouse gas emissions</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>has been outlined in the Scheme. The timescale for construction means that construction and energy targets will continue to be increased, leaving the Scheme potentially lagging behind other proposals.</p>	<p>focussing new development in the most sustainable locations and seeking site layout and sustainable design principles which reduce energy demand and increase efficiency.”</p> <p>The assessment of effects on climate changes and resilience to its impacts is proportionate to the information known at the time of writing and reflective of an application made where the proposals are in outline development.</p> <p>As the project progresses through detailed design and construction phases, a more refined and comprehensive understanding of the project’s specifics allows for more achievable and strategic net-zero plans and a greater ability to respond to emerging technologies and sustainability opportunities. The commitment to staying up-to-date with the latest data and research ensures that informed decisions that prioritise sustainability and minimise adverse effects on the climate are made.</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>The necessary building specification to ensure net zero operation should be secured in the Scheme's Requirements</p>	<p>The design proposals are reflective of and consistent with legislative and policy requirements at the time of writing.</p>
		<p>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. It would be disappointing to learn during the latter part of the construction phase that more solar capacity could have been generated were the applicant to have submitted a separate DCO for more than 49.9 Mw of electricity generation.</p>	<p>The Energy Strategy [document reference 6.2.18.1, APP-217] determines that peak consumption for the entire HNRFI site, inclusive of 100% EV charging, would not exceed 50Mw. The Energy Strategy has therefore been devised to meet 100% of HNRFI's needs. This supports the Draft National Policy Statement for Renewable Energy Infrastructure 2021 (NPS EN-1 – draft).</p> <p>The Planning Act 2008 defines a Generating Station at Section 15. Should an occupier wish to use solar power to generate additional renewable energy, then depending upon statutory provisions at that time, a further DCO may be required.</p>
		<p>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 CHP and an uncertain and unproven technology is being considered ahead of already widely used heat pump technology. Both Ground Source Heat</p>	<p>The proposed infrastructure allows the future deployment of current and emerging technologies in an economic manner for occupiers, strongly encouraging their adoption and the progressive improvement in energy</p>

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		Pumps and Air Source Heat Pumps should be used and if either are to be excluded this should be justified.	<p>performance through the operating life of the site.</p> <p>The infrastructure already maximises onsite renewable solar generation, includes substantial electricity storage and pooling through the microgrid. Further, it is adaptable and allows for further development at unit and central areas. The initial expectations will not prejudice or constrain future technological developments.</p> <p>The Energy Strategy Appendix 18.1 (document reference: 6.2.18.1, APP-217) details the potential for renewable energy provision during the operational phase, which will greatly reduce GHG emissions compared to procuring this energy from the National Grid. This strategy has been developed to optimise potential onsite to its greatest means, therefore minimising energy consumption from on-grid and non-renewable services as much as feasible.</p> <p>Where surplus energy is generated, it is proposed that this energy is captured and stored onsite for future use.</p> <p>For heating, the Energy Strategy provides a summary assessment of current technologies</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>relevant for the office spaces, where air source heat pumps are typically preferred due to the low loading and seasonal usage. For warehouse spaces the use of gas has been excluded, and if any occupier does require some heating to the warehouse, ground source will be included in their assessment.</p> <p>Continuity and certainty of supply have been considered for the operational site (inclusive of rail operations and other safety-critical aspects). To ensure smooth operations, safety compliance, and overall project success, it is crucial to provide reliable electricity supply to the site throughout the construction process. It should be noted that a Combined Heat and Power (CHP) energy centre is to be used as emergency redundancy in the event of a grid failure and/or the on-site PV been non-operational (e.g. snow cover). The infrequent use of such a facility means that it does not compromise the sustainability of the wider energy strategy.</p>
		<p>Currently Ground Source Heat Pumps are not proposed as part of the Scheme, but they should be because they make the on site generated renewable energy (from solar) go further which takes the pressure off of finite energy resources.</p>	<p>Heat pumps coupled with heat storage are indeed well matched to renewable generation. Ground source heat pumps are not being excluded from consideration for the site.</p>

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			<p>For heating, the Energy Strategy (document reference: 6.2.18.1, APP-217) provides a summary assessment of current technologies relevant for the office spaces, where air source heat pumps are typically preferred due to the low loading and seasonal usage.</p> <p>For warehouse spaces, heating is increasingly not required, or required to a low temperature and only seasonally. The use of gas has been excluded in the design, and if any occupier does require some heating to the warehouse, ground source will be included in their assessment.</p> <p>The Energy Strategy Appendix 18.1, (document reference 6.2.18.1, APP-217) details the potential for renewable energy provision during the operational phase, which will greatly reduce GHG emissions compared to procuring this energy from the National Grid. This strategy has been developed to optimise potential onsite to its greatest means, therefore minimising energy consumption from on-grid and non-renewable services as much as feasible. Where supplementary energy is generated, it is proposed that this energy is captured and stored onsite for use during peak hours and when</p>

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			<p>generation maybe limited due to seasonal effects. The Energy Strategy provides a summary of the assessment relates to seasonal small heating loads expected to be required for office spaces, and in those use cases, air source heat pumps are typically preferred. It does not explicitly rule out the of GSHP but it is ordinarily not a requirement of warehouse spaces. Wherever warehouse or process heating is required by an occupier, all available technologies will be considered on a case by case taking into account factors such as heat demand, available space, cost analysis, and specific project requirements to determine the most suitable heating and cooling solution. The assessment will consider the grade, quantum and pattern of heat required.</p>
		<p>There ought to be an assumption that the HNRFI 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.</p>	<p>The Energy Strategy (document reference: 6.2.18.1, APP-217) sets out the objective of the site to be self-generating for its power and the feasibility of the different technologies currently available, which could further add to the sustainable credentials of the scheme. Para 11.1.8 sets out that these technologies are in line with national and local planning policy. Para 11.1.10 sets out a commitment where possible to</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>exceed minimum requirements during detailed design.</p>
		<p>It is disappointing that reliance is being placed on fossil fuels for a main energy source to the facility.</p>	<p>Fossil fuels are certainly not a main source of energy provision (document reference: 6.2.18.1, APP-217). The energy infrastructure design expressly optimises the path to net zero operations and minimises reliance on fossil fuels.</p> <p>Onsite renewables used directly when generated or after storage in batteries are the first supply. Grid electricity is the second. The use of battery storage will enhance the ability of occupiers to use only renewable grid energy. Any CHP or standby generation would only be used in exceptional circumstances during a failure of supply.</p> <p>The Energy Strategy Appendix 18.1, (document reference 6.2.18.1, APP-217) concludes that 83% of the peak operational energy requirements would be produced by solar photovoltaics (PV) with 100% of the total available roof space (excluding areas required for rooflights, drainage and safe access) to be covered by PV cells.</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>It doesn't appear that decarbonisation of heat via heat networks and the utilisation of ground, water or air source 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.</p>	<p>As described in the energy strategy (document reference: 6.2.18.1, APP-217) the site infrastructure has been conceived to be future proof and enable net zero operations to be achieved as soon as feasible. The initial PV deployment is maximised in order to drive that accomplishment.</p> <p>Distribution from an energy centre is designed to store, pool and distribute electricity between units; provision is included for heat distribution should any occupier generate surplus.</p> <p>The electricity supply hierarchy begins with onsite renewables used when generated or after storage in batteries as the first supply. Grid electricity is the second. The use of battery storage will enhance the ability of occupiers to use only renewable grid energy. Any CHP or standby generation would only be used in exceptional circumstances when the other supplies are not sufficiently available.</p>
		<p>In terms of energy use, it is far more efficient to use renewable energy power directly via the grid or to store this close to where it's produced for later use. This may well be via battery or conversion to hydrogen. To assume that hydrogen will be</p>	<p>As set out in the Energy Strategy (document reference: 6.2.18.1, APP-217), onsite renewable generation and battery storage are already central to the site design.</p>

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		<p>widely available for use in CHP plants at some unknown point in the future is a risk and does not make sense from a climate resilience or sustainability perspective.</p>	<p>Whilst Government policy is to decarbonise the gas grid, it is not assumed that this will be achieved. Surplus electricity generated on site and after battery storage is filled, could be used for local electrolysis for use as a transport fuel or instead of grid gas, whether or not fully decarbonised.</p>
		<p>The Council 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).</p>	<p>The design already includes for heat pumps to the office areas, which would meet that objective. Gas has been excluded in the design from use for heating.</p> <p>Should any occupier require any heat or cooling for warehouse areas, this will also be provided using heat pumps. It is anticipated that electricity for any such heat pumps would be locally generated renewably, and that heat storage would also be included</p>
		<p>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 GHG emissions arising from space heating (scope 1) and</p>	<p>As described in the energy strategy (document reference: 6.1.18, APP-127), heat pumps are essential to the design. Gas heating has been excluded from consideration.</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>the potential to eliminate emissions arising from it, it's not clear why this hasn't been proposed.</p>	
		<p>The Scheme is adopting a 'fabric first' approach to development which prioritises the energy efficiency of a property right from conception, at the start of the design and development process. This approach is supported to minimise the energy Requirements of the buildings for operation. It is not however clear what innovative approaches, if any, are being considered and allowed for in this development beyond that typically included in such new warehouse units.</p>	<p>The Applicant has developed a 'Blueprint Design' document for the design and specification of its buildings and sites to ensure that its buildings are consistently of the highest quality and meet / exceed all current legislation.</p> <p>In addition, and as a Gold Member of UKGBC (United Kingdom Green Building Council), the Applicant is not only striving to ensure that all their new developments reduce the quantity of embedded carbon within their buildings and the built environment within which they reside, but also, by working in conjunction with the Contractors that will ultimately deliver their buildings, tap into their supply chains to push this aspiration further.</p> <p>The Applicant is also committed to ensuring that their schemes are future proofed for inclusion of emerging technologies and energy provisions such as Battery Storage and Hydrogen.</p> <p>The Applicant commits to providing a minimum of 20% of the car parking bays with electric vehicle charging systems and the balance of 80%</p>

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			<p>is future proofed by installing the necessary infrastructure in readiness for upgrading to electric vehicle charging in the future.</p> <p>The Applicant has committed to ensuring that all their developments achieve a Net Zero Carbon in Construction rating.</p>
		<p>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.</p> <p>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.</p>	<p>Water harvesting systems require significant amounts of infrastructure which significantly increases the embodied carbon of the building, they are power hungry, making the carbon in operation increase for the life of the building, they require considerable additional maintenance, which has negative impacts on both cost and carbon and they can only be relied on for a proportion of the year, so you have to have a mains connection which feeds all of the water fittings anyway.</p>
		<p>The Scheme'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.</p>	<p>Sustainable Transport Strategy and Plan (document reference: 6.2.8.1 pt 15 of 20, APP-153) Contains detail of DRT services and further sustainable transport provision this is to be read in tandem with The Framework Travel Plan (document reference: 6.2.8.2, APP-159)</p>

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		<p>The Scheme's 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. 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 Scheme's proposed S106 Planning Obligation Heads of Terms (document reference 10.1), should be provided by the Applicant.</p>	<p>Sustainable Transport Strategy and Plan (document reference: 8.2.8.1 pt 15 of 20, APP-153) Contains detail of DRT services and further sustainable transport provision this is to be read in tandem with The Framework travel Plan (document reference: 6.2.8.2, APP-159)</p> <p>The Applicants approach responds appropriately to the provision of the NPS-NN impacts on transport networks. An LPA may ask for more provisions to be made towards alternative choice of transport. The issue for consideration is whether the measures put forward by the Applicant are satisfactory in the context of the guidance in the NPS – and the approach in national planning policy that developments should not be refused on transport has grounds unless the cumulative residual impacts are 'severe' (Framework 111).</p> <p>The Sustainable Transport Strategy and Plan as well as the mechanisms for securing sustainable transport measures are still under discussion with the local authorities.</p>

RR Reference	Name/Organisation	Matter	Applicant
		Further Requirements or S106 Obligations are needed in respect of water conservation and ensuring the Scheme has the capability to operate at net zero in the future.	Water harvesting systems require significant amounts of infrastructure which significantly increases the embodied carbon of the building, they are power hungry, making the carbon in operation increase for the life of the building, they require considerable additional maintenance, which has negative impacts on both cost and carbon and they can only be relied on for a proportion of the year, so you have to have a mains connection which feeds all of the water fittings anyway.
	Cumulative and in Combination Effects		
		Despite all of the information tabled in respect of the Scheme, no clear conclusions are actually provided within the Cumulative and In-Combination Effects paragraph.	Table 20.2 of ES Chapter 20 (document reference: 6.1.20, APP-129) summarises the outcome of the cumulative assessments, the detailed cumulative assessment is provided within each technical chapter of the ES and also set out in ES Appendix 20.1 (document reference: 6.2.20.1, APP-226).
		The design of the scheme as proposed in its current form warrants further consideration, discussion and assessment.	Chapter 4 of the ES (document reference 6.1.4, APP-113) sets out the masterplanning approach that has been taken for the site and the evolution of this in response to site constraints, survey

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			<p>work and consultation. This is set out in paragraphs 4.132 to 4.183. The location of different elements of the Proposed Development within the site itself has been driven by a number of different factors including rail connectivity, highways, location to residential receptors and to ecological and other environmental sites and receptors. All these factors have been balanced against the market drivers to result in the layout proposed. BDC have provided a document commenting on design matters 13 September 2023 which they intend to submit as an appendix to their Deadline 1 response. In response to this document the Applicant will respond at Deadline 2.</p>
RR-0731	Leicestershire County Council	Highways and Transport	<p>Matters pertaining to the comments below are addressed in the Highways Position Statement attached at Appendix A.</p>
		<p>There is no agreement to the following elements of the proposed development:</p> <ul style="list-style-type: none"> • Trip generation - including discrepancies in employee numbers and addition of a lorry park 	<p>LCC signed off the trip generation on 04/10/2021. Proposals have not materially changed since this agreement. Trip generation figures part 4 of 20 (document reference: 6.2.8.1, APP-142) have been agreed through substantial negotiation with the TWG, of which LCC is a member. The</p>

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			<p>basis of trip generation is set out unambiguously in the Transport Assessment. The trip generation has always been based on floor area as per the standard approach to Transport Assessment. This was as discussed during the preliminary hearing/ISH 1 and a short supplementary note is to be provided at Deadline 1 (Appendix A Employee numbers and trip generation note) (document reference: 18.1.1) detailing this.</p> <p>The base data was used from other RFI applications and refined/amalgamated with other distribution sites to produce trip rates for both car and HGV movements. The employee numbers sit independent to this derivation as these are often uncertain at the time of submission and have an indirect link to trip rates, rather than a direct relationship, owing to matters such as shift patterns.</p> <p>The estimates of employment have been derived by the socio-economic assessment which states a range, the lower value being 8,400 and an upper ceiling of up to 10,400 employees. This was based on the HCA Employment Density Guide 3rd edition. In practice the employment figure is expected to be between the lower and upper estimates.</p>

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			<p>On review of the absolute projected trip generation figures (Table 7 within the Trip Generation Addendum note) these equate to approximately 8,200 car trips for the site (half the arrivals plus departures). For the lower employment figures, these would be extremely robust with close to 100% of employees driving to site in their own car, which is unrealistic. For the upper employee estimate this value would be around 78% mode share, which remains robust and in line with other distribution sites. The figures used for car trips are high when compared with the floorspace and usage. This was to test the infrastructure provision with a likely worst case.</p>
		<p>In addition, it is concerning to note at paragraph 2.26 of the submitted Transport Assessment it states that an addendum Transport Assessment will be prepared at a later date, which will include a final Transport Assessment, further traffic modelling information, and Road Safety Audits. Moreover, no timetable is provided for this submission.</p> <p>1.As a consequence of the above there is also no agreement to:</p> <ul style="list-style-type: none"> • Red line order limits 	<p>The additional work referred to relates to the Rugby Rural Area Model (RRAM) assessment to be carried out for Warwickshire County Council and NH. A summary of the technical findings of the model has been submitted on 11/09/23 and demonstrate J1 M69 to be the key area of impact for review. The junction was subject to a detailed micro-simulation model as part of the submission.</p>

RR Reference	Name/Organisation	Matter	Applicant
		<ul style="list-style-type: none"> • Draft Development Consent Order • s106 Heads of Terms 	<p>The Applicant welcomes LCC's constructive engagement with the Application in order to ensure the efficient examination of the Application. To this end the Applicant invites LCC to engage on any remaining matters of disagreement pursuant to the Highways Position Statement in order that these can be recorded in a SOCG.</p>
		<ul style="list-style-type: none"> • Strategic model outputs including furnessing methodology and lack of phased testing 	<p>The furnessing methodology and its outputs have been shared from early in the model process. Points made by LCC and NH at the time related to changes in methodology to account for the fact that Junction 2 would have wholly new arms. Discussions were held with LCC Network Data Intelligence (NDI)and their consultants who broadly agreed with the BWB approach – which was ultimately included in the DCO submission. An updated methodology technical note was submitted to the ExA on 11/09/23. This was for clarification purposes and did not change the data outputs.</p>
		<ul style="list-style-type: none"> • Access infrastructure including its design, capacity and deliverability 	<p>Access infrastructure is described in the Project Description, Chapter 3 of the ES (document</p>

RR Reference	Name/Organisation	Matter	Applicant
		<ul style="list-style-type: none"> Impact of the development and role of the access infrastructure in the interpretation of modelling results 	<p>reference 6.1.3, APP-12) and shown on the Highways Plans (document reference 2.4 to 2.5, APP-021 to APP-035). This is assessed in the Transport Assessment (document reference: 6.2.8.1 APP-138 to APP-158) Environmental Statement - Appendix 8.1 -Transport Assessment.</p>
		<ul style="list-style-type: none"> Mitigation strategy and package, including local and strategic junction assessments, design, and lack of testing of mitigation strategy in strategic model 	<p>A list of junctions for review was provided by LCC following the strategic model outputs in August 2022. These were fully reviewed and addressed within the TA submission as part of the DCO (document reference: 6.2.8.1, APP-155).</p>
		<p>Impacts on rail including Narborough crossing and future passenger provision</p>	<p>The Narborough Level crossing was subject to scrutiny by the LHA and models were adjusted to suit the existing and forecast delays.</p> <p>Network Rail have undertaken a detailed analysis of Narborough Station and the barrier down time. Based on the pre-pandemic timetable, in the morning peak hours 7 – 10 am, there is only one possible time an additional intermodal freight train could run. In the afternoon, between 4 – 7 pm only two could run. Each train travelling at 75 miles per hour would cause a maximum barrier downtime of 2.5mins. This is far less than</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>a stopping passenger train coming from Leicester, which is 4-5 minutes.</p> <p>Network Rail is satisfied that sufficient capacity has been identified for HNRFI services in the Working Timetable. This allows for known passenger service development aspirations identified by Midlands Connect, to better link Birmingham, Nuneaton, Hinckley and Leicester.</p>
		<p>HGV Management Plan and Route Strategy including method of enforcement</p>	<p>The HGV Strategy (document reference: 17.4, APP-362) is for agreement. The premise is based on precedent from Redditch Gateway, which is operational and is agreed with the relevant authorities. This places the onus on the applicant to enforce transgressions through penalties on operators at the site. The Applicant is happy to explain this position in dialogue with LCC if necessary.</p>
		<p>Public Right of Way Strategy including rail crossings Strategic Planning Policy</p>	<p>The Public Right of Way Strategy is currently under discussion as part of the LCC SoCG discussions, the LCC SoCG will be submitted at Deadline 2. The Public Right of Way Strategy is to be controlled under Requirement 26.</p>

RR Reference	Name/Organisation	Matter	Applicant
		Construction Traffic Management Plan and construction traffic routeing impacts	<p>The Construction Traffic Management Plan sets out the strategy for managing traffic through the phasing of the site and routing of vehicles. This will be a live document and subject to further discussions and agreement as construction comes forward. This will be controlled under Requirement 24 (separate from the CEMP for ease of consultation with the Highway Authority).</p>
		Framework Site Wide Travel Plan	<p>With regard to operational traffic, Requirements 8 and 9 of the DCO ensure that the development traffic is controlled through the Framework Site Wide Travel Plan (FSWTP) (document reference: 6.2.8.2, APP-159) and the Sustainable Transport Strategy (STS) (document reference: 6.2.8.1, APP-153).</p> <p>The Applicant also notes that there is no such requirement included in other rail freight DCOs. Any specific comments on the FSWTP or the STS are invited 9.</p>

RR Reference	Name/Organisation	Matter	Applicant
		Sustainable Transport Strategy	See above
		Walking Cycling and Horse-Riding Assessment	The Walking Cycling and Horse Riding Assessment has been carried out and submitted with the DCO, it is not required to be agreed with Highway Authorities (GG142)
		<ul style="list-style-type: none"> • The impact on the demand for housing is underestimated and the employees beyond the construction phase would be drawn from a wider area than considered by the Applicant. • Greater weight must be given to the policies and proposals in the relevant development plan documents. • The impact of the proposed development on the operation of Croft Quarry, its committed extension to mineral workings and consequential impact on rail capacity. 	<p>The impact of the development on socio-economic impact issues have been addressed in the ES Chapter 7 Socio-Economic (document reference: 6.1.7, APP-116). The planning authorities accept the need for an SRFI from the Leicester and Leicestershire Warehouse and Logistics Study. This is to form an evidence base for the preparation of the review of development plans. As such, the LPAs will need to make provision for other development needs such as housing within the local plan reviews.</p> <p>The primary basis for decisions taking is the NPS-NN. The provisions of a development plan may be 'important and relevant' to the decision taking (S104 Planning Act 2008) but cannot be given greater weight than the NPS. The Planning Statement (Document Reference 7.1, APP-347)</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>has given weight to these policy provisions in the development plan that are not addressed within the NPS.</p> <p>The availability of rail freight paths has taken account of committed extensions to Croft Quarry.</p>
		Public Health	
		<p>Vulnerable groups not adequately considered such as in relation to active travel, severance, road safety and air quality Proposed development potentially exacerbating existing health inequalities including for Gypsy and Travellers community and children and young people in Earl Shilton and Barwell</p> <p>Impacts of Noise, Lighting and Air Quality during construction and development not fully considered in relation to human health.</p>	<p>All tangible changes in environmental and socio-economic conditions with the potential to influence public health have been assessed and addressed through the assessment process set to objective thresholds and guidance that are protective of the environment and health and facilitate sustainable development. This includes impacts of noise, lighting and air quality during construction.</p> <p>A Health and Equality Briefing Note Appendix 7.1 (document reference: 6.2.7.1, APP-137) has been further provided to aid navigation of the DCO and summarise how and where health has been addressed.</p> <p>Protected Characteristics, including the travelling</p>

RR Reference	Name/Organisation	Matter	Applicant
			community are further considered in Appendix 7.2 Equalities Impact Assessment (document reference: 6.2.7.2 AS-001), at the request of PINS on behalf of the SoS.
		<ul style="list-style-type: none"> Stress mitigation not covered for Construction or Operational phases (diversions, interruptions to utilities, dust, noise).] 	The effect on the community during construction, including possible stress, will be managed under the Construction Environmental Management Plan (CEMP) (document reference: 17.1 APP-359,).
		Concern some of the datasets used in relation to public health are incorrect.	While the Applicant acknowledges that other datasets exist, it does not accept that any of the datasets used in relation to public health are incorrect.
		Insufficient consideration is given to the siting and space of indicative wellbeing zones and potential health risks.	<p>The Applicant has prepared a SOCG on public health matters, which sets out the areas of principal matters of agreement and disagreement. This draft SoCG will be submitted at Deadline 2.</p> <p>The wellbeing zones, as shown on the illustrative masterplan, are indicatively located at this stage,</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>with their final location being determined as part of the detailed design process.</p> <p>Notwithstanding this however, the 4no. locations that have currently been illustrated, are located adjacent to the new publicly accessible pathways and bridleways and set within the landscaped, green corridor that runs around the perimeter of the main development areas in the north and west, and the new extension to Burbage Common to the south of the main development area and A47 Link Road.</p> <p>These locations are set away from the main highways and operational areas of the main development area, and will only be utilised by pedestrians, cyclists and equestrians, with the sole exception being the occasional vehicles required for the maintenance of these areas.</p> <p>As mentioned, these locations have been sited specifically within the green corridors and new Public Open Space, and in the case of two of the locations, adjacent to new water bodies, to enhance the feeling of tranquillity in these locations.</p> <p>All of the locations will include activity equipment as well as areas of social seating and are for use by the general public and employees</p>

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			<p>alike. It is also important, that these locations are visible along the prescribed routes for personal safety and security and not set apart.</p> <p>It is therefore considered that the locations, as illustratively shown, are both considered and appropriate to their use and purpose.'</p>
		Net Zero and Sustainability	
		<p>The Net Zero Leicestershire Strategy and Action Plan and associated Roadmap Research evidence base, and Leicestershire Climate and Nature Pact have not been considered.</p>	<p>Chapter 18 (document reference: 6.1.18, APP-127) acknowledges established commitments at the time of writing. The chapter makes reference to LCC's declaration of a Climate Emergency, the subsequent 'Environment Strategy' (2018-2030) and acknowledges commitments to "minimising its environmental impacts, protecting and enhancing the Leicestershire environment and helping to deliver sustainable development by recognising and fostering the links between the environment, people and our economy"</p> <p>Consultation on LCCs 'Net Zero Leicestershire' campaign and subsequent publication of the Strategy were undertaken during periods of submission to the Planning Inspectorate. Though</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>not explicitly referenced in Chapter 18, TSL support the principle commitments of the 'Net Zero Strategy', namely; 'deliver low-carbon, affordable transport choices', 'to reduce demand for energy, support the switch to low carbon energy and heat, and increase renewable energy generation' and 'grow the County's low carbon economy'. TSL are committed to the principles of the 'Leicestershire climate and nature pact'.</p> <p>The Energy Strategy (Appendix 18.1, (document reference: 6.2.18.1, APP-217) details the potential for renewable energy provision during the operational phase, which will greatly reduce GHG emissions compared to procuring this energy from the National Grid. This strategy has been developed to optimise potential onsite to its greatest means, therefore minimising energy consumption from on-grid and non-renewable services as much as feasible. Where supplementary energy is generated, it is proposed that this energy is captured and stored onsite for use during peak hours and when generation maybe limited due to seasonal effects. It should be noted that a Combined Heat and Power (CHP) energy centre is to be used "as a last resort such as during a grid failure" and that "even ahead of general decarbonisation of the</p>

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			<p>gas grid, when it is used in combination with fossil fuels such as gas and diesel or even refuse-derived fuels, it is still more energy efficient than obtaining energy from the National Electricity Grid” (Appendix 18.1). The provision of CHP is therefore a more reliable and sustainable means of energy generation under emergency circumstances.</p>
		<p>Scoping of GHG emissions excludes key emissions sources from waste, land use, land use change and forestry and energy</p>	<p>The methodology is consistent with that agreed with the planning inspectorate prior to assessment (paragraphs 18.37 and 18.39) during which LCC were consulted. Paragraph 18.61 explains: "As set out in the EIA Scoping Report (dated November 2020) (document reference: 6.2.6.1, APP-135) the GHG emissions sources set out in Table 18.4 have been excluded from the assessment. Whilst it is recognised that the infrastructure provided can lock-in positive or negative user behaviour in operation, the GHG emissions are influenced by a number of factors beyond design decisions." Furthermore, "in accordance with IEMA guidance (2022) (see paragraph 18.53), where information is limited it is deemed suitable to provide a qualitative assessment of these GHG emissions rather than a quantitative assessment. Quantitative</p>

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			assessments of emissions sources not assessed in this chapter are set out in Table 18.4." (paragraph 18.62).
		20% of Total number of Parking Spaces being for Electric Vehicles is insufficient and mitigation does not facilitate transition to ultra low emission vehicles or decarbonised road freight.	Under the proposals, the HNRFI development site will deliver a minimum of 20% EV charging spaces for both LDV and HGV with capacity to provide 100% dependent on phasing and demand. This is confirmed by the Design and Access Statement (Document Reference 8.1, APP-349). The Sustainable Transport Strategy and Plan (document reference: 6.2.8.1, APP-153) provides further information.
		Insufficient consideration to minimisation of fossil fuel usage from gas CHP infrastructure	The Energy Strategy (Appendix 18.1, (document reference: 6.2.18.1, APP-217) details the potential for renewable energy provision during the operational phase, which will greatly reduce GHG emissions compared to procuring this energy from the National Grid. This strategy has been developed to optimise potential onsite to its greatest means, therefore minimising energy consumption from on-grid and non-renewable services as much as feasible. Where supplementary energy is generated, it is proposed that this energy is captured and stored

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			<p>onsite for use during peak hours and when generation maybe limited due to seasonal effects. It should be noted that a Combined Heat and Power (CHP) energy centre is to be used “as a last resort such as during a grid” and that “even ahead of general decarbonisation of the gas grid, when it is used in combination with fossil fuels such as gas and diesel or even refuse-derived fuels, it is still more energy efficient than obtaining energy from the National Electricity Grid” (Appendix 18.1). The provision of CHP is therefore a more reliable and sustainable means of energy generation under emergency circumstances.</p>
		GHG emissions post mitigation	<p>Table 18.22 of Chapter 18 (document reference: 6.1.18, APP-127), provides a useful summary of the total calculated GHG emissions pre and post-mitigation for the construction and operation of the scheme. This table presents a conservative estimate of residual emissions, which excludes the GHG reductions that would come from the modal shift of freight from road to rail and the potential reductions that would come over time from a decarbonisation of the energy grid and the emergence of low carbon vehicles and trains.</p>

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		Socioeconomics	
		Potential impacts in relation greater demand for shared accommodation in existing settlements.	Shared accommodation is often related to the construction phase of development. According to the APS in March 2022, there were some 52,300 residents in the construction Study Area employed in construction, and approximately 51,700 construction employees that work in the Study Area. This shows that there are more residents employed in the construction sector than there are jobs in the sector, indicating that the Study Area is a net exporter of construction workers. Therefore, the addition of 737 net additional construction jobs (on and off site) will likely be met by the existing local workforce. Consequently, this will have a negligible impact on demand for housing resulting in a neutral effect.
		<ul style="list-style-type: none"> • Concerns around the benefits of construction for local population and suppliers will not be appropriately secured. • Concerns regarding impact on health service provision. 	The evolving Employment and Skills Plan will ensure that the effects of construction and operational employment are captured locally as anticipated.

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			<p>As this is not a residential development it is considered that health services will not be impacted as people ordinarily access health services where they live rather than where they are employed.</p>
		<p>Concerns regarding the availability of local workforce to match required skills and how an effective training strategy will be secured.</p>	<p>The availability of labour supply will be detailed in the evolving Employment and Skills Plan.</p> <p>Although unemployment levels are low in the area, there are still approximately 46,100 unemployed people in the Study Area. The Study Area performs worse in youth unemployment in 16–24-year-olds at 13.5% compared to 12.9% at the England level, which the Proposed Development could help to address.</p> <p>In terms of construction employment, according to the Jobseekers' Allowance data (June 2022) (ONS), there are 1,250 individuals claiming JSA in the Study Area who usually work as labourers in the building and woodworking trades, and in other construction trades. The data also shows that overall, 2,535 individuals claim JSA. This means that 49% of individuals claiming JSA within the Study Area are looking for work in the construction sector. In England, the data</p>

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			<p>indicates that 29,225 out of 84,680 individuals claiming JSA are within the construction sector, which is 35% in percentage terms. Therefore, the Study Area has a higher proportion of JSA Claimants in construction and building and woodworking trades than England.</p> <p>As detailed in Environmental Statement Chapter 7: Land Use and Socio-Economic Effects (document reference: 6.1.7, APP-116), the area is a net exporter of construction staff, so the construction workforce is likely to be locally sourced, with no material impact on local health care capacity or demand.</p>
		Ecology	
		Lack of lighting plan showing maximum luminaires limit for lighting used in proximity to sensitive ecological receptors in accordance with ILP Guidance Note 08.	The Lighting Strategy (part 2 of 3) (document reference: 6.2.3.2, APP-133) includes a Proposed External Lighting layout which itself includes lux contours for the main development footprint and lumens per lamp type. The plan shows that the open space in the south and west of the site will typically be subject to 1lux or less.

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		<p>The proposals show an intent to deliver BNG but it is currently unclear as to how both on and off site BNG will be provided, secured and delivered.</p>	<p>Requirement 30 is written in a 'Grampian style' – and accords in the planning guidance for the use of planning conditions (PPG – paragraph 09 Reference ID: 21a-009-2014306) in the context that the full BNG commitment may not be achieved on land that is presently within the control of the Applicant.</p> <p>Discussions are ongoing to secure off site BNG credits locally and discussions have also taken place with the Environment Bank in relation to their BNG credit system</p>
		<p>Flood Risk and Drainage</p>	
		<p>It is considered that Flood Risk and Drainage will be a key issue for consideration of the proposed development. However, the Examining Authority should note that statutory responsibility falls with the Environment Agency (EA) for this type of development. Albeit the Lead Local Flood Authority (LLFA) are directly liaising with the EA and with the Applicant in particular in relation to the surface water proposals</p>	<p>The applicant's consultant has liaised with the Environment Agency and Lead Local Flood Authority on matters of flood risk and surface water through the NSIP process to ensure that their requirements are met, and best practise is followed. The Environment Agency and Lead Local Flood Authority have both confirmed that they are comfortable with the Proposed Scheme.</p>

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RR-1019	North Warwickshire Borough Council	The Borough Council is concerned about the impact on the A5 especially between the M69 and M42	Impacts on the A5 have been modelled and reviewed within the mitigation strategy.
		Concerned about the ability to ensure occupiers on site use the rail facilities	The matter of the phasing of the construction of the railport is covered comprehensively in the highways position statement attached at Appendix A.
		Concerned that this site provides for wider than the immediate areas and can deliver employment for the West Midlands.	<p>The evolving Employment and Skills Plan will ensure that the effects of the construction and operational employment are captured locally as anticipated.</p> <p>The construction of the HNRFI would help support construction firms operating in the West Midlands region and provide jobs in the industry. The construction phase is estimated to support 737 net additional on and off site construction jobs per annum over the 10-year construction period, including 461 on site jobs per annum. Businesses in the local and regional economy would benefit from the trade linkages that would be established to construct the development, meaning that further indirect jobs would be supported locally in suppliers of construction</p>

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			<p>materials and equipment. Local businesses would generally also benefit to some extent from temporary increases in expenditure as a result of the direct and indirect employment effects of the construction phase, for example, as construction workers spend their wages in local shops, accommodation and other facilities. Accounting for the positive multiplier effects and discounting for potential adverse displacement effects, results in an estimate of an additional 275 jobs created off-site per annum over the 10-year construction period. The majority of these would be in businesses linked to the construction sector but would also be in local businesses such as cafes and accommodation that would benefit from the new expenditure associated with the on-site workers. It should be noted that 5 out of the 12 local authorities within the construction Study Area are located within the West Midlands region, with the rest located within the East Midlands.</p> <p>Operational phase jobs would also be generated once the construction has been completed and the Proposed Development is occupied. Employment on-site is estimated to be between 8,400-10,400 workers once fully occupied depending on the employment density applied.</p>

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			<p>Once displacement and multiplier effects have been considered, the Proposed Development is expected to generate some 10,400 to 12,900 on and off-site jobs. However, it will also safeguard between 2,100 to 2,600 jobs in the LLEP area by relocating logistics activities to a more sustainable location and built environment. It should be noted that 6 out of 16 local authorities within the Study Area are located within the West Midlands region.</p>
RR-1189	Rugby Borough Council	The impact on the highway within Rugby Borough must be assessed in conjunction with WCC and NH	NH and WCC have formed part of the TWG and have been kept informed throughout the applicant's involvement. Further detail on the TWG is contained within Appendix A, Highway Position Statement.
		Chapter 8 of the Environmental Statement, table 8.28 incorrectly refers to works to the B4027 and Coal Pit Lane falling within Harborough District, parts of these works are within Rugby Borough	Noted

RR Reference	Name/Organisation	Matter	Applicant
RR-0474	Hinckley and Bosworth Borough Council		
		<p>The principal concern of the Council is that without careful consideration of the Zone of Influence that any Cumulate Environmental Assessment will sever the overall assessment of impacts</p>	<p>The CEA for the Proposed Development has been undertaken in line with the structure and approach set out in the Planning Inspectorate's Advice Note Seventeen: Cumulative effects assessment relevant to nationally significant infrastructure projects.</p> <p>As set out in paragraph 20.19 of ES chapter 20 (document reference: 6.1.20, APP-129), during the Section 42 and 47 consultations, relevant planning authorities were invited to provide comment on the approach and the projects to be considered, this included the proposed zones of influence for the technical disciplines. The initial zones of influence were set out within the EIA Scoping Report submitted to the Planning Inspectorate in 2020 and have been subject to discussions with consultees throughout the EIA process. Where comments have been received, these have been incorporated into the CEA and the findings presented in the ES.</p>

RR Reference	Name/Organisation	Matter	Applicant
		Site selection	
		<p>HBBC is concerned that the Promoter has not demonstrated the specific market need for this Scheme in this specific open countryside location.</p> <p>Limited commentary or analysis has been offered on the logic or assessment of alternative sites across the County with no enhancement of the original site assessment undertaken. Appropriate justification for the Scheme needs to be provided.</p>	<p>The Market Needs Assessment (document reference 16.1, APP-357) has explained the 'Market for Hinckley NRFI' (paragraphs 6.6-6.16).</p> <p>Both the Leicester and Leicestershire Strategic Distribution Study 2021 and HNRFI Logistics Demand and Supply Assessment (document reference: 16.2, APP-358) clearly establish the needs case for the HNRFI. This matter is being covered in the SoCG and the Applicant understands the parties position as agreeing that this need is identified in the Leicester and Leicestershire Strategic Distribution Study 2021 which was commissioned and agreed by the relevant Local Authorities. The level of disagreement is on the level of future need.</p> <p>Paragraphs 4.83 – 4.89 of the NPS provide specific policy guidance on the assessment principles for SRFI, including their function, locational requirements and scale and design. This policy advice was taken into account in the Applicant's assessment of locations and design options. The Applicant then considered seven</p>

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			<p>potential locations within the area of Leicester and Leicestershire Enterprise Partnership's Strategic Economic Plan 2014-20.</p> <p>Chapter 4 of the Environmental Statement (document reference: 6.1.4, APP-113) sets out the process that was followed in terms of considering alternative sites and the reasons for selection, this chapter also explored design options for the main site. Further to this, as reported in Chapter 3 of the Environmental Statement (document reference: 6.1.3, APP-113), a number of environmental mitigation measures are included within the design with the intention of designing out environmental effects.</p> <p>The reasons for sites being discounted are very clear and have been expressed as such. Further enhancement of the original site assessment would not change the conclusion reached.</p>
		Loss of Countryside	
		It is a significant greenfield site that if developed will represent a permanent loss of this open countryside.	It is acknowledged, that the site is a greenfield site which would be removed from the open countryside as a result of the proposed

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			<p>development. As indicated on the Illustrative Landscape Strategy (document reference: 6.3.11.20, APP-304), there would be areas of strategic landscape planting within the site to soften views of the proposals and integrate the scheme into the local landscape. An area of around 22ha of publicly accessible green space is proposed adjacent to Burbage Common to enhance biodiversity and recreational access opportunities in the area.</p> <p>The LPAs have accepted in the Statement of Common Ground on Planning that:</p> <ul style="list-style-type: none"> i) There is a need for a SRFI within Leicestershire ii) That the scale and locational requirements for an SRFI could not be accommodated within the limits of a built-up area within the limits of Blaby District or Hinckley and Bosworth Borough. <p>The NPS (paragraph 4.84) states ‘because the vast majority of freight in the UK is moved by road, proposed new rail freight interchanges should have good access as this will allow rail to efficiently compete with and work alongside road freight, to achieve modal shift to rail. Due to</p>

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			these requirements, it may be that countryside locations are required for SRFIS'.
		<p>Requirements</p> <p>Not satisfied that the currently proposed Requirements adequately ensure the delivery of a rail-based scheme</p>	The phasing of the construction of the railport and dDCO Requirement 10 is covered comprehensively in the highways position statement attached at Appendix A.
		<p>Policy</p> <p>The Scheme conflicts with the required delivery of rail infrastructure and connected buildings at the outset of the Scheme stated in paragraph 4.84 of the Draft NN NPS.</p>	The transitional provisions set out in the draft NPS (paragraph 1.16) make clear that The Secretary of State has decided that for any application accepted for examination before designation of the 2023 amendments, the 2015 NPS should have effect in accordance with the terms of the NPS. In so far as the draft NPS represents the current thinking of the Government paragraph 4.84 should be read together with paragraphs 4.85-4.86. This is the approach that has been taken by the Secretary of State in the determination of the DCO for West Midlands Gateway.

RR Reference	Name/Organisation	Matter	Applicant
		<p>Need</p> <p>The Leicester and Leicestershire Strategic Distribution Study (updated March 2022) recognises that the Hinckley NRFI site being promoted would meet the anticipated demand to 2041 for rail-served warehousing in Leicestershire.</p>	<p>Acknowledged and agreed within The Statement of Common Ground on Planning.</p>
		<p>Transport Assessment</p> <p>The Transport Assessment (document reference 6.2.8.1) appears to be predicated on the lower employment level (e.g. paragraph 5.1). This under estimation of workers on site by 24% could significantly alter the quantum of vehicle movements and potential vehicle routing."</p> <p>A consistent approach should be taken, representing the highest level of development achievable within the parameters plan submitted with the Scheme. This inconsistent approach between the technical consultants' results in inaccuracies being created in terms of the benefits and harms.</p> <p>Any changes to the highway quantum and routing of highway movements will have a knock-on effect upon the other environmental areas such as noise / vibration, air quality reports, and sustainable travel.</p>	<p>Trip generation figures had been agreed through substantial negotiation and technical appendices including detailed review of the onward freight percentages and their derivation pt 4 of 20, (document reference: 6.8.2.1 APP-141). The trip generation has always been based on floor area as per the standard approach to Transport Assessment. The base data was used from other RFI applications and refined/amalgamated with other distribution sites to produce trip rates for both car and HGV movements. The employee numbers sit independent to this derivation as these are often uncertain at the time of submission. Estimates have been stated for the socio-economic purposes. The lower value being 8,400 and the socio-economic report stating and upper ceiling of up to 10,400 employees. This was</p>

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		<p>Concern is therefore raised by HBBC in respect of the accuracy of the assessment undertaken.</p> <p>Wide-ranging impacts of highways congestion and the consequential impacts of that congestion on the long-term sustainability of Hinckley as part of the regional network of economies in the County. The economic implications of congestion have not been adequately considered with TSL having in HBBC's view, failed to adequately mitigate impact.</p>	<p>based on the HCA Employment Density Guide 3rd edition. On review of the absolute projected trip generation figures (Table 7 within the Trip Generation Addendum note) (document reference: 6.2.8.1, APP-141) these equate to approximately 8,200 car trips the site (half the arrivals plus departures). For the lower employment figures, this would be extremely robust with close to 100% of employees driving to site in their own car, which is unrealistic. For the upper employee estimate this value would be around 78% mode share, which remains robust and in line with other distribution sites. The figures used for car trips are high when compared with the floorspace and usage. This was to test the infrastructure provision with a likely worst case. A clarification note as referred to above has been submitted at Deadline 1 following a request from the ExA at ISH1 (Appendix A Employee numbers and trip generation note) (document reference: 18.1.1).</p>
		<p>Transport Modelling</p> <p>The Scheme's transport and traffic related impacts are of significant concern; its impacts, mitigation, and modelling in terms of both the strategic and local road networks and its</p>	<p>Strategic modelling inputs and base models were all agreed with the key highway authorities at the time. See Appendix A to this report for the</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>approach to vehicular movements and sustainable travel is inadequate; moreover, it has failed to appropriately assess the impacts of increased barrier down time on Narborough Level Crossing.</p> <p>The inadequacy of these mitigation measures and assessments is likely to result in significant and wide-ranging impacts including, but not limited to, congestion, noise, air quality and carbon emissions.</p> <p>A significant body of objection continues to be raised by HBBC highways consultant (Markides) in which strong concerns in respect of the highway impacts of the Scheme and the accuracy of the information provided. An overarching concern is the expected level of employment used to underpin highway movements.</p>	<p>Highways Position Statement. The mitigation approach has been based on the impacts reported from the strategic model forecasts and which address the impacts from the development and its associated access infrastructure. Mitigation is discussed within Section 9 of the Transport Assessment (document reference 6.2.8.1, APP-138)</p> <p>The Narborough Level crossing was subject to scrutiny by the LHA and models were adjusted to suit the existing and forecast delays Network Rail have undertaken a detailed analysis of Narborough Station and the barrier down time. Based on the pre-pandemic timetable, in the morning peak hours 7 – 10 am, there is only one possible time an additional intermodal freight train could run. In the afternoon, between 4 – 7 pm only two. Each train travelling at 75 miles per hour would cause a maximum barrier downtime of 2.5mins. This is far less than a stopping passenger train coming from Leicester, which is 4-5 minutes. In each hour the total barrier down time would be approximately 20 minutes, with 40 minutes open which is well within Network Rails acceptable barrier down time at a level crossing.</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>The Promoter has failed to appropriately mitigate the Scheme's impacts on both the SRN and the local road network. Issues with congestion on the SRN have been highlighted but no mitigation has been proposed while by-pass options around the southern villages of Blaby District have been prematurely discounted.</p>	<p>The mitigation scheme is designed to address the impacts of the development and its access infrastructure. Underlying existing issues have been analysed, but mitigation of these elements are not the responsibility of the DCO application. Bypasses proposed within the Fosse Way villages were subject to a public consultation in 2019. There was a large-scale opposition to them. Closer analysis of the technical data suggested that a link between Junction 2 and the A47 better served the area overall. This was incorporated into the next phase of the modelling.</p>
		<p>Moreover, the Scheme's mitigation has not been agreed with the appropriate highway and planning authorities prior to submission of the application for the Scheme. This is a failing of the Promoter to follow the front-loaded approach envisaged in the Planning Act 2008.</p>	<p>Overall mitigation has been communicated throughout the process including the PEIR. Delays through repeated additional information or remodelling being requested by the TWG group has meant that the strategic model was agreed late in the process. Further detail is included in Appendix A, Highways Position Statement</p>
		<p>To reach common ground on the impacts of the Scheme, HBBC would recommend that technical shortcomings with the existing modelling including limited sensitivity tests and</p>	<p>It is contended that the approach to modelling has been robust and based upon outputs from the agreed strategic modelling inputs, these are</p>

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		<p>appropriate detailed modelling of Junction 21 of the M1. The consequences of significant changes to the Scheme's quantum and routing of highway movements are wide ranging across multiple chapters of the ES.</p>	<p>robust and have provided a sound basis for the ES assessments. Interpretation of the highway impacts is based on professional judgement with suitable solutions identified where proportionate and appropriate.</p>
		<p>Need</p> <p>Assuming that the basis of the currently adopted National Policy of Transport is material to the proposed NSIP, the drivers of need for strategic rail freight interchanges are set out in the Summary of Need in paragraphs 2.1 to 2.11 of the NPS.</p> <p>While there is recognition that existing operational SRFIs and other intermodal RFIs are situated predominantly in the Midlands and the North the objective of the policy is to ensure an optimisation of the network across several critical parameters.</p> <p>In considering the proposed development, and, when weighing its adverse impacts against its benefits, the Examining Authority and the Secretary of State will consider:</p> <ul style="list-style-type: none"> • Its potential benefits, including the facilitation of economic development, including job creation, housing, and environmental improvement, and any long-term or wider benefits. 	<p>This comment is noted.</p> <p>The Government expects developers to bring forward new sites for SFRIs, and because of the locational requirements, including rail requirements; good road access and being appropriately located to the markets they will serve, recognise that the opportunities to identify viable alternative sites will be limited. (NPS NN 2.56-4.84)</p> <p>The EIA Directive requires projects with significant environmental effects to include an outline of the main alternatives studied by the Applicant, and an indication of the main reasons for the Applicant's choice, taking into account the environmental effects. (NPS NN 4.26)</p>

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		<ul style="list-style-type: none"> • Its potential adverse impacts, including any longer-term and cumulative adverse impacts, as well as any measures to avoid, reduce or compensate for any adverse impacts. <p>In this context, environmental, safety, social and economic benefits, and adverse impacts, should be considered at national, regional, and local levels. Given the lack of clarity in the site selection process – described earlier in the previous section - HBBC would want to understand more fully what weighting was given to these principles against the drivers of need. The main point of concern is these needs case therefore is whether a site selection and master planning process is sufficient robust.</p>	<p>The Government requires an expanded network of SFRIs and has not imposed any limit on the number of SFRIs or the geographical spread of SFRIs. The merits or disadvantages of HNRFI are to be tested to the appropriate extent using the tests set out in the relevant NPSs. The Applicant should demonstrate in the submission how the proposal meets the guidance within the NPS NN, as the primary basis for decision taking.</p> <p>As explained in the Market Needs Assessment, (Document 16.1 paragraph 2.10) a feature of the railway network, built largely in the Victorian era, is for routes to follow river valleys, so as to minimise significant changes to the topography (gradients). Much of the network therefore routes through the floodplain. The sites of a SRFI within a floodplain would not be viable to a developer. A decision not to proceed with sites lying within the flood plain has been taken by the Applicant, without the need for extensive and costly environmental assessments for the alternative sites that were considered during the early stages of the site for an SRFI. The site for HNRFI is the only location in Leicestershire which the Applicant had significant confidence in</p>

RR Reference	Name/Organisation	Matter	Applicant
			making the substantial investment in bringing forward a DCO application order for a SRFI.
		<p>The environmental advantages of rail freight have already been noted at paragraph 2.40 and 2.41 Nevertheless, for developments such as SRFIs, it is likely that there will be local impacts in terms of land use and increased road and rail movements, and it is important for the environmental impacts at these locations to be minimised.</p> <p>While National Policy recognises that development of the national road and rail networks is expected to be sustainable against its objectives of need, these are expected to be designed to minimise social and environmental impacts and improve quality of life. In delivering new schemes, the policy is explicit in instructing promoters to avoid and mitigate environmental and social impacts in line with the principles set out in the NPPF and the Government’s planning guidance.</p> <p>It is not entirely clear that there is sufficient robust evidence base that considered reasonable opportunities have been completed in the site sifting exercise to deliver environmental and social benefits as part of schemes. Specifically, the Environmental Assessment is dependent on the reliance of an agreed model without which arguably creates doubt that the adverse local impacts on noise, emissions, landscape/visual amenity, biodiversity, cultural heritage, and water</p>	<p>It is acknowledged that good design for national networks should the principal objective of the scheme by eliminating or substantially mitigating the identified problems by improving operational conditions and simultaneously minimising adverse impacts. (NPS-NN 4.31)</p> <p>The principal objective of the scheme is the delivery of an SFRI. The NPS-NN properly acknowledges that ‘given the nature of much of national network infrastructure particularly SFRIs’ there may be a limit on the extent to which it can contribute to the enhancement of the quality of the area. A SFRI is a ‘large multi-purpose rail freight interchange and distribution centre linked into both rail and trunk road systems. It has rail served warehousing and container handling facilities...’ (NPS-NN footnote 42) Necessarily the functionality of a SRFI will comprise large scale warehouses to suit occupier demand to operate as national and regional distribution centres. The form and scale of a SRFI will inevitably have a substantial impact upon the location in which the SFRI is located – especially a location in the countryside. The LAs accept that</p>

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		<p>resources are fully understood or likely to be comprehensively considered. The significance of these effects in Hinckley and Bosworth and the effectiveness of mitigation is uncertain at the strategic and non-locationally specific level. Therefore, whilst The Promoter has taken sufficient consideration, is it in accordance with National Policy and in an environmentally sensitive way, including considering opportunities to deliver environmental benefits, some adverse local effects of development may remain.</p>	<p>the need cannot be met from land within an existing urban area. The Applicants consider that the landscape and visual impact has been sufficiently mitigated. Furthermore the identification of the development zones on the Parameters Plan are not intended to depict 'wall to wall' hardstanding/footplates of buildings. Detailed landscaping proposals will be included within each phase of development in accordance with Requirement 04.</p> <p>Chapter 4 of the Environmental Impact Assessment (Site Selection and Evolution) explains the main alternatives considered by the Applicant and provides the main reason for the Applicant's choice in selecting HNRFI as the site for a SRFI. The genesis of the site search for a SRFI derives from the conclusions of the 'Leicester and Leicestershire Strategic Distribution Sector Share Fund Report' November 2014. This report, commissioned by all the Planning Authorities intended to form an evidence base for Local Plan reviews. The LAS accept the need for a SRFI within Leicestershire in the draft SoCG.</p> <p>The Relevant Representation refers to the Applicant's 'reliance of an agreed model.'</p>

<u>RR Reference</u>	<u>Name/Organisation</u>	<u>Matter</u>	<u>Applicant</u>
			<p>Thereafter the commentary is not clear as to its meaning other than if HBBC meant to say, 'is dependent on the reliance of [traffic] model [which is not] agreed.</p> <p>'The Applicant's transport engineers have endeavoured to reach agreement with the relevant highway authorities on the output of the transport modelling. The impacts have been agreed with the relevant highway authorities. The Applicant considers the environmental impact analysis arising from the transportation impacts of HNRFI, and the mitigation content need for the DCO are robust. In the context of national planning policy, the residual cumulative impacts on the road network would not be 'severe.'</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>Need</p> <p>The “judgement of viability” made within the market framework must be a factor in defining the needs case for the project. It is not clear whether there has been any engagement with the Government on how it expects to account any interventions. HBBC has concerns that no consideration or examination of the likely social value of the project or indeed the mechanisms through which these interventions are included as part of the business case aligns</p> <p>HBBC is mindful in the context of needs case, that where terms and commitments are expected to be made or are imposed. Given the importance of social value for all projects of nationally significance, we would expect a good deal more detail to be provided as part of the requirements of development consent. The structure of such commitments will be important where with agreement of the relevant authority and interested parties, that are seen as necessary, relevant to the planning policy commitments, relevant to the development to be consented, enforceable, precise, and reasonable in all other respects.</p>	<p>NPS-NN paragraph 4.8 refers to a ‘judgment of viability’. An illustration of a Government intervention is investment in the Strategic Rail Freight network. The Market Needs Assessment for (Rail Freight Market Demand and supply (document reference: 16.1, APP-357) refers to the interventions by Government to ‘grow rail freight’ (section 3) and the intervention by the Network Rail to clear gauge the strategic rail freight network – including Nuneaton to Felixstowe railway to W10. The socio-economic impacts of the development are addressed in the ES Chapter 7 (document reference: 6.1.7, APP-116)</p> <p>There is no specific Government investment intervention required to deliver this Scheme, which is entirely privately funded. Without privately funded investment in SRFI's, Government's wider intervention in the Strategic Rail Freight Network would create no benefits.</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>Policy</p> <p>Given the importance of the NPS as the primary source of national policy guidance for the Proposed Development HBBC is not convinced that the planning provisions in the NPS are consistent with the underlying commitment to the principles of securing sustainable patterns of development in NPPF.</p>	<p>The NPS-NN specifically addresses the consistency of the NPS with the National Planning Policy Framework (paragraphs 117-119). The basis of this representation is misconceived.</p> <p>SRFI's make a critical contribution to the decarbonising of logistics supply chains, designed and as such are designed to be a sustainable by their very construct.</p>
		<p>Site selection and scheme evolution</p>	
		<p>The Requirements should ensure that the rail freight interchange is built prior to first occupation of the first warehouse, that it remains operational for the lifetime of the operation of the warehousing, and that the first warehouses are rail connected.</p>	<p>The matter of the phasing of the construction of the railport and dDCO Requirement 10 is covered comprehensively in the highways position statement attached at Appendix A.</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>The Council are concerned that the Applicant has not sufficiently demonstrated the specific market need for this Scheme in this specific open countryside location. At present, the Scheme fails to achieve this and does not accord with the amendments made to the Strategic Rail Freight Interchange's Scale and Design section within the Draft National Policy Statement for National Networks dated March 2023 ("Draft NN NPS"). In particular, the Scheme conflicts with the required delivery of rail infrastructure and connected buildings at the outset of the Scheme stated in paragraph 4.84 of the Draft NN NPS.</p>	<p>Blaby District and Hinckley and Bosworth Borough have acknowledged the need for a SRFI within Leicestershire and accept that the scale and locational requirements for an SRFI cannot be accommodated within an existing urban area. On this basis, land beyond existing settlements is identified as open countryside in development plans, an open countryside location is required to meet the agreed need for the provision of a SRFI.</p> <p>Both the Leicester and Leicestershire Strategic Distribution Study 2021 and HNRFI Logistics Demand and Supply Assessment (document reference: 16.2, APP-358) clearly establish the needs case for the HNRFI. This matter is being covered in the SoCG and the Applicant understands the parties position as agreeing that this need is identified in the Leicester and Leicestershire Strategic Distribution Study 2021 which was commissioned and agreed by the relevant Local Authorities. The level of disagreement is on the level of future need.</p> <p>Estimated future demand is 2.5 times higher than current and known supply. The Applicant considers this a matter of fact based on the evidence detailed in Document reference APP-</p>

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			<p>358. This level of shortfall between demand and supply clearly evidences a large scale and strategic site such as the HNRFI is needed.</p> <p>The transitional provisions set out in the draft NPS (paragraph 1.16) make clear that The Secretary of State has decided that for any application accepted for examination before designation of the 2023 amendments, the 2015 NPS should have effect in accordance with the terms of the NPS. In so far as the draft NPS represents the current thinking of the Government paragraph 4.84 should be read together with paragraphs 4.85-4.86. This is the approach that has been taken by the Secretary of State in the determination of the DCO for West Midlands Gateway.</p>
		<p>A Strategic Rail Freight Interchange must have adequate links to the road network, in particular the Strategic Road Network (SRN). HBBC and its neighbouring authorities are not currently satisfied that the Scheme's sustainable access to the SRN is proven suitable, given the issues with the M1 J21 noted in this review.</p>	<p>The mitigation scheme is designed to address the impacts of the development and its access infrastructure. Underlying existing issues have been analysed, but mitigation of these elements are not the responsibility of the DCO application. Further detail is provided within the ES Appendix (document reference: 6.2.8.1, AP-138-APP- 158) (AS-016) Section 9 which outlines modelling and the mitigation response. Access infrastructure</p>

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			tested through the PRTM was also subject to agreement with the Transport Working Group
		If the project is to be promoted as a compliant development, commitments will require to be made in developing and enhancing the road network as defined in existing policy structures around the SRN.	There are several enhancements to the SRN and Local Highway network as outlined within the Transport Assessment and its appendices (document Reference: 6.2.8.1, APP-138-APP-158, APP). These have followed relevant policy structures.
		Given the already dense array of existing and recently approved rail freight interchanges and distribution centres in the Midlands, the promoter [TSL] will require to focus on outcomes of policy with an already well developed and settled position within Leicester and Leicestershire Enterprise Partnership's Strategic Economic Plan 2014-20 (March 2014).	<p>The Leicester and Leicestershire Strategic Distribution Study (updated March 2022) recognises that the Hinckley NRFI site being promoted would meet the anticipated demand to 2041 for rail-served warehousing in Leicestershire.</p> <p>HBBC agrees the need for the development in light of the Leicester and Leicestershire Strategic Distribution Study (updated March 2022)</p>
		HBBC has already flagged a number of concerns around the site selection including options 1 – 3 (Brooksby, Syston Fosse Way Junction and Syston Barkby Lane). The options are all to the north of Leicester and do not accord locationally with the	Paragraph 2.57 of the NPS acknowledges, most intermodal freight interchanges are located in the Midlands and North of England. These are hub regions both for the strategic road and rail

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		<p>Leicester and Leicestershire Enterprise Partnership's Strategic Economic Plan 2014-20 (March 2014) or the options also do not correlate with the more recent Leicester and Leicestershire Authorities Warehousing and Logistics in Leicester and Leicestershire: Managing growth and change (amended March 2022). Moreover, additional comment was provided in respect of the potential ability to locate facilities on land to the north of Stoney Stanton or between Hinckley and Nuneaton to the south of the A5. The lack of consideration of sites further to the west is particularly important. Whilst not within Leicestershire, the Solent and Felixstowe lines connect close to Nuneaton, providing the opportunity for a single facility to serve two ports which may represent a more suitable location.</p>	<p>networks and the UK economy that these networks serve. These regions also enjoy direct rail access to a range of large ports through which containerised goods pass.</p> <p>Paragraphs 4.83 – 4.89 of the NPS provide specific policy guidance on the assessment principles for SRFI, including their function, locational requirements and scale and design. This policy advice was taken into account in the Applicant's assessment of locations and design options.</p> <p>At the outset, the Applicant's strategic rail adviser Baker Rose Consulting examined in engineering terms the potential locations on the rail network in Leicestershire that might present opportunities for a SRFI in locations on or readily connectable to the F2N strategic rail freight route, using a combination of professional knowledge of the network, local knowledge, surveys, rail network maps and aerial photographs.</p> <p>Site options 1 to 3 were initially considered viable following this review. However, following full review options 1 to 3 were discounted for the following key reasons:</p>

RR Reference	Name/Organisation	Matter	Applicant
			<ul style="list-style-type: none"> • Option 1 at Brooksby was discounted due its propensity to flood, its relatively poor access to the strategic highway network and its location outside of the identified LLEP Growth Areas. The site is also in conflict with the purpose of a countryside protection policy in the Charnwood Local Plan. Such a remote location would not meet occupier requirements for direct strategic road access, adding to road haulage operating costs and the associated environmental impacts. • Option 2 Syston Junction was discounted in view of the site’s relative remoteness from the motorway network, its location outside a LLEP Growth Area and the adverse flood risk. • Option 3 at Barkby Lane was discounted in view of its poor road access, which would not suit occupier requirements, its proximity to housing and the restricted access to the existing railway. <p>The Environmental Assessment requires an outline of the main reasonable alternatives studies by the applicant and an indication of the main reasons for the applicant’s choice, taking into account the environmental effect (NPS paragraph 4.26). This requirement has been met</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>in ES Chapter 4 Site Selection and Evolution (document reference 6.1.4, APP-113).</p> <p>Potential sites within Leicestershire were considered and Brooksby, Syston Fosse Way and Syston Barkby Lane were indeed discounted.</p> <p>It is a fundamental requirement for locating a SRFI that it has 'effective connections for both rail and road' (NPS-NN 2.56). A location north of Stoney Stanton was considered by the Applicant (Option B: Croft) in ES Chapter 4 (document reference: 6.1.4, APP-113) Site Selection and Evolution. Such a location does not have good road access to the SRN. DfT Circular 1/22 National Highways and the Strategic Road Network makes clear that the principle of creating new junctions on the SRN should be identified at the plan making stage, in circumstances where an assessment of the potential impacts on the SRN can be considered alongside whether such new infrastructure is essential for the delivery of strategic growth. Where this has not occurred no new connections on those sectors of the network designed for high-speed traffic will be supported (other than in limited exceptions which do not include an SRFI). In consequence the approach taken by the</p>

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			<p>Applicant utilising an existing connection to the SRN is entirely reasonable. Land between Hinckley and Nuneaton to the south of the A5 is mainly Green Belt – situated within Warwickshire where no comparable study to the Warehousing and Logistics Study has been undertaken. The area of land that lies outside of the Green Belt is too small to accommodate a SRFI. A SRFI with the form and scale of development would cause substantial harm to the purposes of the Green Belt.</p> <p>The land to the west of the A5 (south of the railway) between Hinckley and Nuneaton is in the green belt. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. An SRFI in this location would fundamentally breach this purpose and effectively merge the communities of Hinckley and Nuneaton.</p> <p>Land further west of the West Coast Main Line (WCML) at Nuneaton has to route rail freight through Birmingham, either to reach Southampton or the Northwest and Scotland. This is restricting. HNRFI by contrast readily access the WCML at Nuneaton and can therefore access virtually all major markets and ports, not</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>just Felixstowe. If the Nuneaton Dive Under is developed to a suitable gauge, Southampton would be more readily accessible from HNRFI than sites further west of the WCML.</p> <p>The NPSNN (paragraph 2.56) makes clear that the number of locations suitable for SRFIs will be limited, which will restrict the scope for developers to identify viable alternative sites. . The merits or disadvantages of HNRFI are to be tested to the appropriate extent using the tests set out in the relevant designated NPSs. Rather the planning test is whether it is suitable when primarily considered against the provisions of the NPS. The decision taking matrix is provided for by S104 of the Planning Act 2008.</p> <p>ES Chapter 4 sets out the site selection process and outlines the reasons for selection (document reference 6.1.4, APP-113).</p>
		<p>Limited commentary or analysis has been offered on the logic or assessment of alternative sites across the County with no enhancement of the original site assessment undertaken.</p> <p>Appropriate justification for the Scheme needs to be provided. It is a significant greenfield site that if</p>	<p>The Applicant has in the process of discussing Statements of Common Ground sought agreement that acknowledges the adequacy of the Applicant's site selection process, and the choice made by the Applicant to promote the site for HNRFI.</p>

RR Reference	Name/Organisation	Matter	Applicant
		developed will represent a permanent loss of this open countryside.	<p>The reasons for sites being discounted are very clear and have been expressed as such. Further enhancement of the original site assessment could not change the conclusion reached.</p> <p>Chapter 4 of the Environmental Statement (document reference: 6.1.4, APP-113) explored design options for the main site. Further to this, as reported in Chapter 3 of the Environmental Statement (document reference: 6.1.3, APP-112), a number of environmental mitigation measures are included within the design with the intention of designing out environmental effects.</p> <p>Paragraphs 4.83 – 4.89 of the NPS provide specific policy guidance on the assessment principles for SRFI, including their function, locational requirements and scale and design. This policy advice was taken into account in the Applicant’s assessment of locations and design options. The Applicant then considered seven potential locations within the area of Leicester and Leicestershire Enterprise Partnership’s Strategic Economic Plan 2014-20.</p> <p>The reasons for sites being discounted are very clear and have been expressed as such. Further</p>

RR Reference	Name/Organisation	Matter	Applicant
			enhancement of the original site assessment would not change the conclusion reached.
		<p>We are also flagging concerns around the apparent conflict with HBBC Local Plan policies regarding the proposed scheme impacts directly on the Green Wedge and Wildlife Site allocations. In addition, related to this flagged conflict are the impacts of the scheme as a result of its proximity to a SSSI/. We are not convinced that the proposed mitigation measures to address impacts are fully quantified against the obvious significance of impacts in the Environmental Assessment as defined in site selection</p>	<p>The Hinckley and Bosworth Green Infrastructure Strategy (May 2020) has been considered in the preparation of the Illustrative Landscape Strategy (document reference: 6.3.11.20, APP-304) particularly in the creation of 22ha of new publicly accessible green space adjacent to Burbage Common and Woods Country Park which accords with Spatial Priorities 6 and 10 – to enhance the Southern Green Wedge and provide a more resilient Burbage Common and Woods.</p> <p>It should be noted that the enhancements actually fall within Blaby District although this does not diminish the role that these areas would play in the enhancement of the Country Park and the Green Wedge.</p> <p>Policy 6: Hinckley/Barwell/Earl Shilton/Burbage Green Wedge of the HBBC Core Strategy (adopted 2009) provides principles for development within the Green Wedge allocation. The site does not lie within the allocated area. It lies to the east of the identified Green Wedge and</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>provides a proposed extension to Burbage Common where it abuts the Green Wedge.</p> <p>The Applicant has acknowledged a tension with Policy 6 of the adopted 2009 Core Strategy for Hinckley and Bosworth Borough. Policy 6 encourages recreational uses within the Green Wedge. Some 22.62 hectares of open land will be provided by HNRFI as an extended recreational area to Burbage Common. It is acknowledged that the construction of the A47 link and its use will have some effect upon the underlying purpose of Policy 6 in respect of retaining the 'visual appearance of the area'. This impact should be weighed against the benefits to the recreational function of the Green Wedge which will be enhanced by the provision of new public open space. Overall, the impact upon Policy 6 will have to be weighed with the national benefits arising from HNRFI.</p>
		<p>The Council is not satisfied that the Scheme and the currently proposed Requirements adequately ensure the delivery of a rail based scheme, comply with the future direction of the draft NN NPS, and demonstrate a sustainable access to the SRN which are intrinsic to its consideration as a Strategic Rail Freight Interchange.</p>	<p>The matter of the phasing of the construction of the railport and dDCO Requirement 10 is covered comprehensively in the highways position statement attached at Appendix A. and The applicant has maintained throughout the process that measures to address underlying and existing</p>

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			<p>congestive problems at Junction 21 should not be the responsibility of the HNRFI mitigation package. This is based on overall impact of HNRFI and the lack of a proportionate intervention option. Current constraints at Junction 21 are driven by underbridges of the M1 on the circulatory carriageway. Widening to address such constraints would be of a significant magnitude. Impacts of the HNRFI site have been quantified and the impacts reported to the TWG core team on 10 October 2022- these are proportionately small. Mitigation addresses any impact on the A47 itself as a result of re-routing.</p>
		<p>A more detailed option appraisal offering detailed insights into the strengths of the site in terms of scale and location in comparison to neighbouring facilities and sites</p>	<p>A SRFI is a multi-purpose freight interchange and distribution centre linked to both the national rail and road networks.</p> <p>Strengths of the site and needs for the development are explored in detail in the Market Needs Assessment; Rail Freight Market Demand & Supply Document reference: 16.1 and the HNRFI Logistics Demand & Supply Assessment (document reference: 16.2, APP-358).</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>Detailed commentary and analysis needed on site enhancements required to fully appreciate and support project site development against alternatives in the County. Is this the best site and why?</p>	<p>Paragraphs 4.83 – 4.89 of the NPS provide specific policy guidance on the assessment principles for SRFI, including their function, locational requirements and scale and design. This policy advice was taken into account in the Applicant’s assessment of locations and design options. The Applicant then considered seven potential locations within the area of Leicester and Leicestershire Enterprise Partnership’s Strategic Economic Plan 2014-20.</p> <p>Chapter 4 of the Environmental Statement (document reference: 6.1.4, APP-113) explored design options for the main site. Further to this, as reported in Chapter 3 of the Environmental Statement (document reference: 6.1.3, APP-112), a large number of environmental mitigation measures are included within the design with the intention of designing out environmental effects.</p>
		<p>A detailed review of national policy and primary legislation as it applies to the project has been provided in the supporting environmental volumes of the Order. In broad terms we are satisfied that the spectrum of relevant policy and legislation has been adequately identified.</p>	<p>Noted</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>The Requirements should ensure that the rail freight interchange is built prior to first occupation of the first warehouse, that it remains operational for the lifetime of the operation of the warehousing, and that the first warehouses are rail connected. At present, the More detailed summary necessary for the Consenting Strategy and Planning Policy fails to achieve this and does not accord with the amendments made to the Strategic Rail Freight Interchange’s Scale and Design section within the Draft National Policy Statement for National Networks dated March 2023 (“Draft NN NPS”).In particular, the Scheme conflicts with the required delivery of rail infrastructure and connected buildings at the outset of the Scheme stated in paragraph 4.84 of the Draft NN NPS</p>	<p>The matter of the phasing of the construction of the railport and dDCO Requirement 10 is covered comprehensively in the highways position statement attached at Appendix A.</p> <p>The terminal operator does not operate the connecting mainline railway, nor does it control the train operating companies. There therefore cannot be a commitment for the terminal to remain operational. It could not be used for anything else though, without a new planning consent.</p>
		<p>Land use and socio-economic effects</p>	
		<p>The core technical reports found in the Environmental Information Volumes as well as the supporting and aligned sections under the needs case appear to adopt or apply inaccuracies and inconsistencies in the levels of employment generated by or because of the development. HBBC considers that the information provided to be factually inaccurate and incomplete/absent in several sections of the assessment. There are overarching issues with the approach to consistently using employment figures across the ES</p>	<p>The HNRFI is estimated to support 737 net additional on and off site construction jobs per annum over a 10-year construction period, including 461 on site jobs per annum.</p> <p>In terms of operational employment, the HNRFI is likely to accommodate a mix of National Distribution Centres (NDCs) and Regional Distribution Centres (RDCs). It is estimated that</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>the proposal would generate between 8,400-10,400 gross on-site jobs. Once leakage, displacement and multiplier effects have been considered, the Proposed Development is expected to generate some 10,400 to 12,900 on and off-site jobs. The effect of operational jobs from the Proposed Development is predicted to be moderate beneficial over the long term.</p> <p>Operational Employment for the proposed development was calculated by applying the standard job density ratios from the Homes and Communities Agency (HCA) Employment Density Guide (2015) to the floorspace of the Proposed Development. The HCA advises applying 95 sq.m of Gross External Area (GEA) per worker for National Distribution Centres (NDCs), and 77 sq.m (GEA) per worker for Regional Distribution Centres (RDCs). This range has been informed by research conducted by Prologis surveying their own logistics operations. The HNRFI is likely to accommodate a mix of NDCs and RDCs. Therefore, the different employment densities associated with each have been used to produce a range of employment estimates.</p> <p>Trip generation figures had been agreed through substantial negotiation and technical appendices</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>including detailed review of the onward freight percentages and their derivation. Additional clarification on the trip generation and the employee numbers is included within Appendix B; Highway Position Statement. The trip generation has always been based on floor area as per the standard approach to Transport Assessment. On review of the absolute projected trip generation figures (Table 7 within the Trip Generation Addendum note) (document reference: 6.2.8.1, APP-141) these equate to approximately 8,200 car trips the site (half the arrivals plus departures). Which, for the lower employment figures, would be extremely robust with close to 100% of employees driving to site in their own car. For the upper employee estimate this value would be around 78% mode share, which remains robust and in line with other distribution sites. The figures used for car trips are high when compared with the floorspace and usage. This was to test the infrastructure provision with a likely worst case.</p> <p>The trip generation figures have been used for the traffic related assessments for air quality and noise and therefore this represents a correct and robust assessment of the traffic related effects within the Rochdale envelope parameters.</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>A clarification note on the approach to the employment numbers and trip generation and how they relate to each other was requested by the ExA at ISH1. This note has been submitted at Deadline 1 (Appendix A Employee numbers and trip generation note) (document reference: 18.1.1).</p>
		<p>Concerns ranging from the Scheme's impact on housing need to the availability of employees.</p>	<p>The availability of labour supply will be detailed in the evolving Employment and Skills Plan. Although unemployment levels are low in the area, there are still approximately 46,100 unemployed people in the Study Area. The Study Area performs worse in youth unemployment in 16-24 year olds at 13.5% compared to 12.9% at the England level, which the Proposed Development could help to address.</p> <p>In terms of construction employment, according to the Jobseekers' Allowance data (June 2022) (ONS) there are 1,250 individuals claiming JSA in the Study Area who usually work as labourers in the building and woodworking trades, and in other construction trades. The data also shows that overall 2,535 individuals claim JSA. This means that 49% of individuals claiming JSA within</p>

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			<p>the Study Area are looking for work in the construction sector. In England, the data indicates that 29,225 out of 84,680 individuals claiming JSA are within the construction sector, which is 35% in percentage terms. Therefore, the Study Area has a higher proportion of JSA Claimants in construction and building and woodworking trades than England.</p> <p>In terms of the Proposed Development's impact on housing, in the absence of the HENA 2022 at the point of assessment, the Applicant used the HEDNA 2017 and also took into account the latest 5 year land supply (Table 7.11 in Environmental Statement Chapter 7: Land Use and Socio-Economic Effects (document reference: 6.1.7, APP-116)) to update the study. The Applicant understands the limitations of using 5-year trends for a longer time period and considers this as the best alternative. Environmental Statement Chapter 7: Land Use and Socio-Economic Effects (document reference 6.1.7, APP-116) states that the impact of additional residents due to the construction of the Proposed Development on housing demand is likely to be negligible in the short term, resulting in a neutral effect. The impact of the operational employment of the Proposed Development is anticipated to be low</p>

RR Reference	Name/Organisation	Matter	Applicant
			negative on the high sensitivity demand for housing, resulting in a minor adverse effect in the medium to short term.
		<p>The Transport Assessment (document reference 6.2.8.1) appears to be predicated on the lower employment level (e.g. paragraph 5.1). This under estimation of workers on site by 24% could significantly alter the quantum of vehicle movements and potential vehicle routing. A consistent approach should be taken, representing the highest level of development achievable within the parameters plan submitted with the Scheme. This inconsistent approach between the technical consultants results in inaccuracies being created in terms of the benefits and harms.</p>	<p>Trip generation figures had been agreed through substantial negotiation and technical appendices including detailed review of the onward freight percentages and their derivation pt 4 of 20, (document reference: 6.8.2.1 APP-141). The trip generation has always been based on floor area as per the standard approach to Transport Assessment. The base data was used from other RFI applications and refined/amalgamated with other distribution sites to produce trip rates for both car and HGV movements. The employee numbers sit independent to this derivation as these are often uncertain at the time of submission. Estimates have been stated for the socio-economic purposes. The lower value being 8,400 and the socio-economic report stating and upper ceiling of up to 10,400 employees. This was based on the HCA Employment Density Guide 3rd edition. On review of the absolute projected trip generation figures (Table 7 within the Trip Generation Addendum note) (document reference: 6.2.8.1, APP-141) these equate to approximately 8,200 car trips the site (half the</p>

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			<p>arrivals plus departures). For the lower employment figures, this would be extremely robust with close to 100% of employees driving to site in their own car, which is unrealistic. For the upper employee estimate this value would be around 78% mode share, which remains robust and in line with other distribution sites. The figures used for car trips are high when compared with the floorspace and usage. This was to test the infrastructure provision with a likely worst case. A clarification note as referred to above has been submitted at Deadline 1 (Appendix A Employee numbers and trip generation note) (document reference: 18.1.1) following a request from the ExA at ISH1.</p>
		<p>Furthermore, any significant changes to the highway quantum and routing of highway movements will have a knock-on effect upon the other environmental areas such as noise/vibration, air quality reports, and sustainable travel. Significant concern is therefore raised by the Council in respect of the accuracy of the assessment undertaken.</p>	<p>See above, noise and air quality reporting used data from the PRTM which the applicant maintains is a robust and agreed data source.</p>
		<p>The economic implications of congestion have not been adequately considered with TSL having in our view, failed to adequately mitigate impact.</p>	<p>The measures we have put forward as part of the transport and highway works effectively mitigates the traffic impacts of both the new infrastructure and the development itself. The</p>

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			<p>slip roads and the new A47 link alleviate existing congestion in the middle of Hinckley by drawing southbound M69 traffic away.</p> <p>By using the Strategic Road Network directly, this also prevents excessive development traffic from using local roads. All junctions identified as experiencing congestion, for which a cost effective solution is achievable, have mitigation proposals on them. The strategic modelling has allowed a view of where existing and future forecast congestion will be and capacity models have been developed to understand the impacts in further detail.</p> <p>Environmental Statement Chapter 7: Land Use and Socio-Economic Effects (document reference: 6.1.7, APP-11) also assesses how businesses and houses in the surrounding area will be affected. This takes into consideration the conclusions of Transport and Traffic, Air Quality and Noise Chapter alongside the proposed mitigation resulting in a discernible change in the attributes and quality of the local businesses and housing.</p>

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		<p>The report also provides no definitive list of receptors. It is assumed the receptor list is those included in Table 7.3 of document 6.1.7 in Volume X.X of the Order are not correlated in terms of the items in Table 7.2 (sensitivity scale) and Table 7.4 (magnitude) and so some receptors may not have been assessed.</p>	<p>A definitive list of receptors are found in Table 7.3 of Environmental Statement Chapter 7: Land Use and Socio-Economic Effects (document reference: 6.1.7, APP-116), November 2022. As per Paragraph 7.36 of Environmental Statement - Chapter 7 - Land Use and Socio-Economic Effects (Document Reference 6.1.7, APP-116), the assessment of private property and housing, community land and assets, development land and businesses, agricultural land holdings, and walkers, cyclists and horse-riders is based on DMRB LA 112 and hence the different approach used.</p>
		<p>In the interests of achieving Common Ground , we would recommend that the requirement 32 as proposed in the draft Development Consent Order (document reference 3.1) and obligation 3.1.2 of the Planning Obligation Heads of Terms (document reference 10.1) should identify specific targets, enforceability and a satisfactory contribution in respect of its value or longevity. A comprehensive and enforceable Framework Work, Skills and Training Programme is required.</p>	<p>The Employment and Skills Strategy is an evolving document.</p> <p>The Applicant has advised Blaby District Council of the test for Requirements and Planning Obligations (as set out at paragraphs 4.9-4.10) of the NPS. The Applicant will not commit to planning obligations which it cannot fulfil. Discussions are continuing with BDC concerning the 'programme' which has been identified. At this stage the programme is considered not to be</p>

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			<p>compliant with the statutory tests for planning requirements and obligations.</p> <p>Following a meeting between the Applicant and the relevant Authorities (BDC/HBBC/LCC) on the 20th September 2023, the authorities have indicated that a response will be provided to the Applicant on the submitted Skills and Training Strategy. The Applicant will continue to engage with the authorities on the provisions of this strategy.</p>
		Transport and Traffic	
		<p>Access appears severely constrained by existing congestion at J21 of the M1, for which no mitigation has been agreed or proposed. It appears that this issue leads to rerouting of traffic onto local roads such as the A47.</p>	<p>The applicant has maintained throughout the process that measures to address underlying and existing congestive problems at Junction 21 should not be the responsibility of the HNRFI mitigation package. This is based on overall impact of HNRFI and the lack of a proportionate intervention option. Current constraints at Junction 21 are driven by underbridges of the M1 on the circulatory carriageway. Widening to address such constraints would be of a significant magnitude and require RIS levels of Government investment. Impacts of the HNRFI site have been</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>quantified and the impacts reported to the TWG core team on 10 October 2022-Further information is included in Appendix A, Highways Position Statement these are proportionately small. Mitigation addresses any impact on the A47 itself as a result of re-routing.</p>
		<p>In addition, the modelling appears to indicate that some routeing of HGV and other traffic to the site does not use the local strategic national road network (M69/A5) but routes via HBBC other roads, due in part to the introduction of a new link road.</p>	<p>Strategic modelling has been carried out to understand distribution of traffic throughout the highway network. Some traffic will link to the local road network. APP-148 PRTM 2.2 Forecast Modelling provides an overview of the traffic flow changes, which indicates that The link road provides a significant improvement to infrastructure around Hinckley and Burbage- this leads to less through traffic in the town centre and a more direct link to the M69. The link also provides a diversion route should closures on the A5 limit access. This keeps all traffic to the A47 and the new link road.</p>
		<p>The rationale for the link road requires further consideration, and testing of the development without the link road will help provide this insight and enable the impacts on HBBC to be determined.</p>	<p>The link road was agreed for assessment with the Transport Working Group through the PRTM 2.2 Modelling Brief (document reference: 6.2. 8.1, APP-145). This is regarded as access infrastructure.</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>The strategic modelling for the site indicated severe issues with J21 of the M1, and consequent knock-on effects on other traffic. It is regarded as vital that full detailed modelling of this junction (and any other relevant junctions) be undertaken to understand the issues, and test mitigation.</p>	<p>The Strategic Modelling (document reference: 6.2.8.1, APP 148) indicates displacement of traffic from Junction 21 to Local Roads, the approach to mitigation has ensured that local roads impacted are modelled and mitigated where needed. Impacts at Junction 21 have been discussed with NH and LCC, see Appendix B for further detail. Mitigation through new bus services have been put forward, which align with NH's Circular 01/2022</p>
		<p>The Council understands that the ability of the SRN to accommodate the Scheme's impact without further mitigation, particularly in respect of Junction 21 of the M1, is doubtful.</p>	<p>Further commentary on the J21 discussion is included within Appendix A, Highways Position Statement.</p> <p>The applicant has maintained throughout the process that measures to address underlying and existing congestive problems at Junction 21 should not be the responsibility of the HNRFI mitigation package. This is based on overall impact of HNRFI and the lack of a proportionate intervention option. Current constraints at Junction 21 are driven by underbridges of the M1 on the circulatory carriageway. Widening to address such constraints would be of a significant magnitude and require RIS levels of Government</p>

RR Reference	Name/Organisation	Matter	Applicant
			investment. Impacts of the HNRFI site have been quantified and the impacts reported to the TWG core team on 10 October 2022-Further information is included in Appendix B, Highways Position Statement these are proportionately small. Mitigation addresses any impact on the A47 itself as a result of re-routing.
		<p>The Scheme's transport and traffic related impacts are of significant concern; its impacts, mitigation, and modelling in terms of both the strategic and local road networks and its approach to vehicular movements and sustainable travel is inadequate; moreover, it has failed to appropriately assess the impacts of increased barrier down time on Narborough Level Crossing.</p> <p>The inadequacy of these mitigation measures and assessments is likely to result in significant and wide ranging impacts including, but not limited to, congestion, noise, air quality and carbon emissions.</p>	See comments under transport modelling
		At present the proposal is to place an 'on-demand service' only which we believe should be extended in recognition of the relatively stable shift patterns of the Scheme's end use combined with the high number of proposed employees means that an element of fixed bus services should be	The Demand Responsive Transport (DRT) provides a degree of flexibility of bus services accessing surrounding villages which allows for 'many to one' service to access the site. As occupancy builds, fixed routes could be

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		<p>effective. Extending service across each of the main centres of development and on which the shift working patterns are expected to depend is a significant opportunity.</p>	<p>reviewed. The X6 currently is proposed to be significantly enhanced as a fixed route between Leicester and Coventry is to be delivered on first occupation.</p>
		<p>Issues with congestion on the SRN have been highlighted but no mitigation has been proposed while by-pass options around the southern villages of Blaby District have been prematurely discounted.</p> <p>Moreover, the Scheme's mitigation has not been agreed with the appropriate highway and planning authorities prior to submission of the application for the Scheme. This is a failing of the Applicant to follow the front-loaded approach envisaged in the Planning Act 2008.</p>	<p>The impact of the development and of the new access infrastructure has been run through Leicestershire's PRTM model for which all inputs to the forecast model were agreed with the Transport Working Group. This has allowed the applicant to understand and mitigate the development's impact on both the local road and strategic road network in accordance with the guidance set out in NPPF.</p>
		<p>Air Quality</p>	
		<p>The approach and extent of the assessment overall is considered appropriate, but there are a number of more specific concerns in respect of the assessment, which are outlined below. An overarching concern is whether the information included in the assessment is correct, given the inaccuracies considered to be included within the transport modelling and mitigation and the geographical origin and</p>	<p>Trip rates and generation used in the submission were agreed with the members of the Transport Working Group and are appended to the Transport Assessment (Environmental Statement - Appendix 8.1 – Transport Assessment [Part 4 of 20] Trip Generation Addendum and PINS document reference: 6.2.8.1, APP 141). The</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>mode of transportation of the employees. This may have a significant impact upon the air quality assessments and any expected mitigation as a result.</p>	<p>average of the rates derived from each of the SRFI studies were utilised for the calculations.</p> <p>Traffic flows have been extracted from the Leicestershire County Council Pan Regional Transport Model (PRTM). Inputs to the modelling were agreed by key members of the Transport Working Group convened for this project.</p> <p>Annual Average Daily Traffic (AADT) flows and Annual Average Weekday Traffic (AAWT) flows were provided for air quality and noise assessment purposes from the Leicestershire Regional Strategic model (PRTM) team. A range of factors were used specific to each road type and link assessed. The development traffic included in the PRTM model used the trip generation within the agreed Trip Generation Addendum document.</p>
		<p>We will require the assessment to be updated to reflect two common drivers / guideline requirements at: 1: The 2022 version of the DEFRA Technical and Policy Guidance that has been used. 2: The revised Air Quality Objectives are published by the Government in the later part of 2023, the assessments will be revised to take account of them.</p>	<p>The latest version (2022) of the Defra Technical and Policy guidance has been used in the air quality assessment (document reference: 6.1.9, APP-118). Modelled concentrations have been compared against the current relevant air quality objectives for England.</p>

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			<p>An air quality addendum (document reference: 6.4.1, AS-023) has been prepared and submitted which takes consideration of the quality assessment results in accordance with the revised PM2.5 air quality objectives published in early 2023.</p> <p>Overall, the impact of the HNRFI is predicted to be not significant in relation to the future PM2.5 objectives.</p>
		<p>No assessment appears to have been undertaken for the impact of the additional 'barrier downtime at Narborough and the implications of idling vehicles. With residential receptors and pedestrian traffic, including school children, adjacent to these affected highways, the implication to air quality needs to be addressed.</p>	<p>The railway line crossing at Narborough is located on Station Road. Station Road is not part of the modelled air quality road network as the trip generation for the scheme along Station Road does not exceed the Institute of Air Quality Management and Environmental Protection UK screening criteria for when significant impacts may be predicted. It is, therefore, considered that any changes in traffic flow at the railway crossing at Narborough will not cause any significant air quality impacts at the receptors identified.</p> <p>Our transport consultants have provided the following response with relation to the additional barrier down time at Narborough "Network Rail have undertaken a detailed analysis of</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>Narborough Station and the barrier down time. Network Rail is satisfied that sufficient capacity has been identified for HNRFI services in the Working Timetable. This allows for known passenger service development aspirations identified by Midlands Connect, to better link Birmingham, Nuneaton, Hinckley and Leicester. The Narborough Level crossing was subject to scrutiny by the LHA and models were adjusted to suit the existing and forecast delays. Network Rail have agreed that there is adequate capacity at the cross roads.”</p> <p>The latest version (2022) of the Defra Technical and Policy guidance has been used in the air quality assessment (document reference: 6.1.9, APP-118). Modelled concentrations have been compared against the current relevant air quality objectives for England.</p> <p>No significant changes in pollutant concentrations were predicted at the modelled individual receptor locations across the whole study area, for both the construction year and operational year, as detailed in the air quality assessment (document reference: 6.1.9, APP-118). The HNRFI is not predicted to cause any significant impacts with regards to air quality.</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>As the Council continues to assess the air quality impacts of the Scheme it will seek to identify any required air quality monitoring. The Council expect the Applicant to cover the expense of any monitoring the off-site impacts of the construction and operational phase, including equipment, ongoing monitoring and staffing. This may be relevant to both immediately adjacent to the site and some wider areas.</p>	<p>The air quality assessment (document reference: 6.1.9, APP-118) did not conclude in any requirements for monitoring during construction or operations, therefore no monitoring is required, therefore no monitoring has been advanced.</p>
		<p>The general methodology of the air quality assessments appears acceptable with the crucial exception of the transport and traffic issues identified in section 5 of this Representation. Those issues have the potential to create substantially different air quality impacts</p>	<p>Trip rates and generation used in the submission were agreed with the members of the Transport Working Group and are appended to the Transport Assessment (6.2.8.1 Environmental Statement - Appendix 8.1 – Transport Assessment [Part 4 of 20] - Trip Generation Addendum and PINS (document reference: 6.2.8.1, APP-141). The average of the rates derived from each of the SRFI studies were utilised for the calculations.</p> <p>Traffic flows have been extracted from the Leicestershire County Council Pan Regional Transport Model (PRTM). Inputs to the modelling were agreed by key members of the Transport Working Group convened for this project.</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>Annual Average Daily Traffic (AADT) flows and Annual Average Weekday Traffic (AAWT) flows were provided for air quality and noise assessment purposes from the Leicestershire Regional</p> <p>Strategic model (PRTM) team. A range of factors were used specific to each road type and link assessed. The development traffic included in the PRTM model used the trip generation within the agreed Trip Generation Addendum document.</p>
		<p>In reaching common ground we recommend that the transport and traffic issues identified in section 5 of this Representation be addressed in order to achieve a common and clear understanding of the issues around air quality impact.</p>	<p>Trip rates and generation used in the submission were agreed with the members of the Transport Working Group and are appended to the Transport Assessment (6.2.8.1 Environmental Statement - Appendix 8.1 – Transport Assessment [Part 4 of 20] - Trip Generation Addendum and PINS (document reference: 6.2.8.1, APP-141) The average of the rates derived from each of the SRFI studies were utilised for the calculations.</p> <p>Traffic flows have been extracted from the Leicestershire County Council Pan Regional Transport Model (PRTM). Inputs to the modelling</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>were agreed by key members of the Transport Working Group convened for this project.</p> <p>Annual Average Daily Traffic (AADT) flows and Annual Average Weekday Traffic (AAWT) flows were provided for air quality and noise assessment purposes from the Leicestershire Regional Strategic model (PRTM) team. A range of factors were used specific to each road type and link assessed. The development traffic included in the PRTM model used the trip generation within the agreed Trip Generation Addendum document.</p>
		Noise and Vibration	
		The approach and extent of the assessment overall is considered appropriate, but there are a number of more specific concerns in respect of the assessment, which are outlined below and are similar to the comments this Representation makes in respect of air quality in section 6.	Noted
		An overarching concern is whether the information included in the assessment is correct, given the inaccuracies considered to be included within the transport modelling and mitigation.	The noise and vibration assessment has assumed worst-case plant selection for the gantry cranes i.e. rubber tyre gantry (RTG) cranes which are

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		<p>This may have a significant impact upon the Noise Assessment and any subsequent mitigation. It is noted that the machinery proposed for the gantry crane has not been determined. This will represent an elevated piece of equipment with the potential to produce noise issues. The machinery to be installed should be confirmed and integrated appropriately into all noise and vibration assessment work or details should be provided prior to its installation. Paragraphs 10.311 – 10.313 of document 6.1.10 illustrate that the specific gantry crane installed and any associated fixings can influence the noise generation by up to 10 dB.</p>	<p>diesel powered. This presents a robust assessment methodology. However, in reality the noise levels associated with modern RTGs are lower due to engine enclosures and silencers on exhausts.</p> <p>Parameters have been defined in the DCO Application. The noise assessment has included consideration of the following as a worst-case scenario;</p> <ul style="list-style-type: none"> • The use of diesel operated vehicles which will produce higher noise levels than their electric counterparts. • Maximum noise levels associated with the gantry cranes and reach stackers have been included within the noise model at points where they could operate and the worst-case levels for each receptor reported (Chapter 10 Noise and Vibration (Document Reference 6.1.10, paragraph 10.189)) • The rail freight interchange to the south of the existing rail line facing receptors to the north. It has been assumed that there would be no screening provided by the buildings themselves and receptors to the north would

RR Reference	Name/Organisation	Matter	Applicant
			<p>have direct line of sight to the rail freight terminal.</p> <ul style="list-style-type: none"> • HGV movements for a worst-case hour during the daytime and night-time periods. This ensures that the maximum parameters in relation to HGV movements have been assessed and impacts and mitigation are considered robust. (Chapter 10 Noise and Vibration (Document Reference 6.1.10, paragraph 10.148)). • The impact of offsite road movements has included receptors up to 600m from the new road links or road links physically changed or by-passed by the project and the area within 50m of other roads links with the potential to experience a short term Basic Noise Level change of more than 1.0dB(A) as a result of the project. This is in line with Design Manual for Roads and Bridges LA111 . (Chapter 10 Noise and Vibration (Document Reference 6.1.10, paragraph 10.13)). • The noise levels predicted by the noise model for operational road traffic which is based on traffic data provided by the project transport consultants, are above those measured in the vicinity of Junction 2 of the M69 and Leicester Road. As the noise model is over predicting, it is considered that this represents a robust

RR Reference	Name/Organisation	Matter	Applicant
			<p>assessment case. (Chapter 10 Noise and Vibration (Document Reference 6.1.10, paragraphs 10.226 to 10.10.228, APP-119).</p> <p>The A47 link road has been included within the noise model at the location shown on the parameters plan, and passes in close proximity to Aston Firs and Burbage Common.</p>
		<p>The Council have concerns over the extent and proximity of acoustic fencing required to protect nearby residential properties and the impact this has upon their visual amenity. The inclusion of 4 and 6 metre high acoustic fencing around the Aston Firs Caravan Site is of particular concern and considered inappropriate (see figure 10.10 for the plan identifying the acoustic fencing locations</p>	<p>The acoustic fencing is being provided along the eastern and northern boundary of the Aston Firs Caravan Site. The eastern and northern boundaries currently have hedgerow vegetation at a height of 6- 8m (see Hedgerows H368, H369, H372 and H394 on Sheet 33 and 38 of the Tree Constraints Plan and in the Schedules in Annex 2 of the Arboricultural Impact Assessment (document reference 6.2.11.4, APP-194) which prevent an outlook and would be retained for amenity purposes. It should also be noted that internal hedgerows and amenity buildings and the internal layout of the site also prevents views from the caravans themselves, particularly given the single storey nature of them limits views out from the site. There would therefore be limited change from a visual perspective.</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>No assessment appears to have been undertaken for the impact of the additional 'barrier down' time at Narborough Level Crossing, including the implications of idling vehicles. With residential receptors and pedestrian traffic, including school children, adjacent to these affected highways, the implication to noise and vibration needs to be addressed.</p>	<p>The additional trains using the line are not dependant on the HRFI being brought forward and the capacity and running of trains will be managed by third parties. Therefore, the noise and vibration impacts from additional trains and stationary traffic as a result of the barrier downtime at Narborough is not a consideration of this assessment.</p>
		<p>The approach and extent of the assessment overall is considered appropriate, but there are a number of more specific concerns in respect of the assessment. An overarching concern is whether the information included in the assessment is correct, given the inaccuracies considered to be included within the transport modelling and mitigation. This may have a significant impact upon the Noise Assessment and any expected mitigation as a result.</p>	<p>The trip generation for the development is based on the proposed floor area which is the standard approach, and is unlikely to change. The noise impact assessment has utilised the trip generation to determine HGV movements and loading/unloading activities around the site. The approach and the conclusions of the assessment are robust.</p> <p>Traffic flows have been extracted from the Leicestershire County Council Pan Regional Transport Model (PRTM). Inputs to the modelling were agreed by key members of the Transport Working Group convened for this project. Twenty-four hour AADT and AAWT flows were included in outputs received from LCC Network</p>

RR Reference	Name/Organisation	Matter	Applicant
			Data Intelligence (NDI) team as part of the modelling output.
		<p>The working hours proposed in the Construction Environmental Management Plan and Construction Traffic Management Plan are not acceptable. Whilst 0700 to 1900 hours Monday to Saturday may be acceptable for certain phases, construction works or construction areas, some elements will have an unacceptable impact on sensitive receptors and thus shorter, targeted working hours are likely to be required.</p>	<p>The extended construction hours will mainly be utilised for groundworks which will need to make the most of daylight hours, particularly in the summer months. By contrast, working hours in the winter months are likely to be shorter due to reduced daylight hours. It is hoped by utilising the daylight hours in the summer, the overall time on site for these activities will be reduced, therefore shortening the construction period over the longer term.</p> <p>Any impacts at sensitive receptors as a result of noise and vibration during the construction phase can be controlled through the Construction Environmental Management Plan (CEMP) (document reference: 17.1, APP-359) secured through requirement 7, and industry best practice measures.</p>
		<p>As the HBBC - with the support of neighbouring authorities - continues to assess the air quality impacts of the Scheme it will seek to identify any required air quality monitoring. HBBC expect TSL to support the cost of monitoring of the off-site</p>	<p>The air quality assessment, in Chapter 10 of the Environmental Statement (document reference 6.1.9, APP-118) did not conclude in any requirements for monitoring during construction</p>

RR Reference	Name/Organisation	Matter	Applicant
		impacts of the construction and operational phase, including equipment, ongoing monitoring and staffing. This may be relevant to both immediately adjacent to the Site and some wider areas.	or operations, therefore no monitoring is required, therefore no monitoring has been advanced.
		Landscape and Visual Effects	
		<p>The approach undertaken to the Landscape and Visual Impact Assessment (LVIA) is generally considered to accord with best practice. Our opinion remains that the proposed HNRFI is a major development (height and scale) with significant landscape and visual effects that are far reaching. This would result in permanent significant residual adverse effects being experienced for a large number of landscape and visual receptors during both the day and night (as summarised in Table 1.2 above). The LVIA shows that for the majority of receptors these cannot be mitigated.</p>	<p>It is noted that the approach to the LVIA is acceptable and considered to be in accordance with best practice guidance.</p> <p>It is acknowledged that there would be significant adverse residual effects on identified representative views and landscape receptors, as noted in the Summary and Conclusion of Chapter 11: Landscape and Visual Effects of the ES (document reference: 6.1.11, APP-120). These will be considered by the Inspector in the decision-making process, alongside the benefits of the scheme.</p>
		Notwithstanding the queries and clarifications stated above, the LVIA identifies significant landscape and visual effects, that will need to be weighed in the overall planning balance.	It is acknowledged that there would be significant adverse residual effects on identified representative landscape and visual receptors, as noted at paragraphs 11.189, 11.190 and 11.191

RR Reference	Name/Organisation	Matter	Applicant
			<p>in the Summary and Conclusion of Chapter 11: Landscape and Visual Effects of the ES (document reference: 6.1.11, APP-120).These will be considered by the ExA in the decision making process, alongside the benefits of the scheme.</p>
		<p>The inclusion of a night-time assessment as requested is welcomed. Notwithstanding this, there are a number of significant issues and impacts and issues associated with this topic area, including the detail included within the night-time assessment that has been provided.</p>	<p>The night-time assessment provided in Chapter 11 of the ES (document reference: 6.1.11, APP-120) is based on the proposed Lighting Strategy (document reference: 6.2.3.2, APP-132-134.) which has been modelled in the Night-time Photomontages at Figure 11.12 (Document Reference: 6.3.11.12, APP-296). It is acknowledged that there will be significant residual night-time effects as noted within Table 11.23 in Chapter 11 (document reference: 6.1.11, APP-120). These will be considered by the ExA in the decision making process alongside the benefits of the scheme.</p>
		<p>In terms of the contents of the Landscape and Visual Impact Assessment, concern is raised in respect of the extent of residual significant effects at Year 15 even with mitigation planting included. The landscaping proposed is not considered sufficient to enable assimilation into the countryside setting. The scale of residual impacts indicate that the Scheme has</p>	<p>It is acknowledged that there would be significant adverse residual effects on identified representative landscape and visual receptors, as noted at paragraphs 11.189, 11.190 and 11.191 in the Summary and Conclusion of Chapter 11:</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>overdeveloped the Site. In response to these identified impacts, the Applicant should propose a comprehensive package of wider landscape enhancement within the Scheme's zone of theoretical visibility. Detailed concerns to the assessment include: 1: How judgements on susceptibility and value have been derived. 2: Additional information necessary for the night-time assessment. 3: Omission of a viewpoint to represent users of the site</p>	<p>Landscape and Visual Effects of the ES (document reference: 6.1.11, APP-120).</p> <p>The methodology for the LVIA is provided in Annex 1 of the Landscape and Visual Baseline, provided in Appendix 11.1 (document reference: 6.2.11.1, APP-191) of ES Chapter 11 (document reference: 6.1.11, APP-120).</p> <p>The susceptibility to development and value of identified receptors is outlined in the Landscape and Visual Baseline (document reference: 6.2.11.1, APP-191).</p> <p>Representative viewpoint locations were agreed via email correspondence in January 2021. This is set out at paragraph 11.33 of ES Chapter 11 Landscape and Visual Effects (document reference: 6.1.11, APP-120).</p>
		<p>The Applicant appears to have excluded measures that would adequately mitigate the Scheme</p>	<p>The applied design principles have been outlined in the mitigation and enhancement section at paragraph 11.134 – 11.137 of the ES Chapter 11 Landscape and Visual Effects (document reference: 6.1.11, APP-120). These can be summarised as:</p>

RR Reference	Name/Organisation	Matter	Applicant
			<ul style="list-style-type: none"> - Overall green and blue open space accounts for 28% of the Main HNRFI Site and A47 Link Road Corridor combined; - The Western Amenity Area extends to approximately 22ha, which is approximately 25% of the Burbage Common and Woods Country Park; and - Maximum built height parameters have been reduced by 2-5m, which represents a 7-18% reduction in maximum building height parameter. <p>As identified in paragraph 11.123 of ES Chapter 11- Landscape and Visual Effects (document reference: 6.1.11, APP-120), corridors up to 70m in places would provide broad natural green ways on the site's boundaries.</p> <p>It is acknowledged that there would be significant adverse residual effects on identified representative views and landscape receptors, as noted in the Summary and Conclusion of Chapter 11: Landscape and Visual Effects of the ES (document reference: 6.1.11, APP-120). These will be considered by the Inspector in the</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>decision-making process, alongside the benefits of the scheme.</p>
		<p>We would support a comprehensive package of wider landscape enhancement within the Scheme's zone of theoretical visibility. Obligations may be required in respect of the long-term management of the landscaped areas, particularly to ensure that the areas adjacent to Burbage Common are managed in coordination with the Common.</p>	<p>As indicated on the Illustrative Landscape Strategy (document reference: 6.3.11.20, APP-304), there are extensive areas of strategic landscape planting proposed. An area of approximately 22ha is proposed as publicly accessible green space adjacent to Burbage Common and Woods Country Park (roughly 25% of the existing country park area) with approximately 28% of the Main HNRFI Site proposed as green and blue land.</p> <p>Management principles are outlined in the Landscape Ecological Management Plan (document reference: 17.2, APP-360), which focusses on the establishment and ongoing management and maintenance of the ecological and landscape areas throughout the proposed development. The Applicant is currently consulting with the Country Park Manager to ensure management aspirations are aligned.</p>

RR Reference	Name/Organisation	Matter	Applicant
		Ecology and Biodiversity	
		The quantum of ecological work undertaken is recognised and that sufficient Phase 1 and 2 species surveys are considered to have been completed and in general accordance with standard guidance. In terms of the content of the assessment See LUC comments	Noted
		HBBC and its neighbouring Authorities have a number of comments and concerns. In general, the Council agree with the position stated in respect of important ecological features within the order limits. However, the level of importance afforded to various protected species is not agreed, with them generally being undervalued. This includes: 1: Bats should not only be afforded 'Local' importance. 2: Breeding birds, such as lapwing and skylark, are considered to be higher than 'District' importance. 3: Otters are considered to be higher than 'District' importance. All former European Protected Species should be of 'National' level importance irrespective of their presence within the main order limits.	As per CIEEM EIA guidelines, "Deciding the importance of species populations should make use of existing criteria where available. For example, there are established criteria for defining nationally and internationally important populations of waterfowl. The scale within which importance is determined could also relate to a particular population, e.g. the breeding population of common toads within a suite of ponds or an otter population within a catchment. When determining the importance of a species population, contextual information about distribution and abundance is fundamental, including trends based on historical records. For example, a species could be considered particularly important if it is rare and its population is in decline."

RR Reference	Name/Organisation	Matter	Applicant
			<p>This guidance is referred to at paragraph 1.55 of the Ecology Baseline (document reference: 6.2.12.1, APP-197).</p> <p>When a particular species is a national priority species or declining at a national level, it does not automatically make the population recorded of that level of importance, unless it makes up a significant proportion of the local/county/national/international wintering/ breeding/ migratory population. In other words, the level of protection or conservation status of a particular species is not necessarily synonymous with its importance in EIA terms.</p> <p>In the context of Lapwing (for example), the Leicestershire and Rutland Bird Report 2020 classifies Lapwing as an 'Abundant winter visitor / uncommon migrant breeder'.</p> <p>Breeding Bird Surveys estimated 2 - 5 pairs of breeding lapwing utilising the site. This is not considered to be of any greater significance than district level, as these are not regionally or nationally significant numbers when considered in the context of wider population data.</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>Similarly, the bat assemblage recorded within the Main Order Limits is typical of an urban edge farmland site in central England, with common and widespread generalist species accounting for the vast majority of foraging and commuting activity. Survey data to date suggests the buildings on site support day roosts supporting low number of common species. The assemblage is therefore only of local value.</p> <p>The same approach has been used to assess otter.</p>
		<p>The Applicant's Ecological Report (document 6.2.12.1) states that baseline information is presented for the main order limits and that other areas within the Development Consent Order (DCO) limits are 'typically of negligible ecological importance'. However no data is presented to support this assumption. It appears that phase 2 surveys were only conducted within the main order limits and not the full DCO order limits, LUC queries the ability to assume 'negligible importance' without undertaking surveys</p>	<p>As stated within the Ecology Baseline, the Main Order Limits includes the Main HNRFI Site, contiguous areas to the north-west, south and east, respectively to contain the corridor of a proposed link road that would cross the Leicester to Hinckley railway and connect to the B4668/A47 Leicester Road (the 'A47 Link Road'), the proposed works to M69 Junction 2 and a section of the B4669 Hinckley Road towards the village of Sapcote. The DCO Site does include additional non-contiguous areas of land which will be subject to highway enhancements, traffic management measures, and pedestrian level crossings. An extended Phase 1 survey was</p>

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			<p>undertaken on the 14 April 2022 of the additional areas included for the highways works. A review of the proposals for these non-contiguous areas found them to be ecologically insignificant, given that they typically involve development of already developed areas.</p> <p>Where impacts on semi-natural habitats are required (i.e. the construction of the pedestrian footbridge across the railway), impacts to habitat will be temporary in nature, and will not significantly impact protected species (e.g. trees with bat roost potential, commuting bats, badger setts etc.).</p> <p>As such, no Phase 2 surveys are proposed in these areas. Update habitat walkover surveys are scheduled for 2024/2025 and will include all areas where the proposals will impact semi-natural habitats. Management Plans (i.e. the detailed CEMP secured by Requirement 7) will ensure appropriate working methodologies for any removal of habitat to ensure no adverse impacts on protected species.</p>
		<p>The Council disagrees with the grading of importance to habitats and species, which appears to be based on their</p>	<p>As per CIEEM EIA guidelines, “deciding the importance of species populations should make</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>abundance within the order limits as opposed to their status or level of protection.</p> <p>There is a general disagreement with the assigning of value to ecological receptors – this is heavily based on presence within order limits rather than based on national decline/legal protection.</p> <p>There is a lack of consideration to habitat fragmentation during the operational phase, including the provision of only one relatively narrow corridor in a northeast/south-west direction. There is also a lack of consideration to the retention of existing hedgerows/features of note within the Site area to minimise need to displace fauna (including protected species).</p> <p>There is a general lack of detail provided for long term ecological management plans. The overall enhancements proposed are therefore difficult to quantify. The mechanism securing the implementation of Biodiversity Net Gain (BNG) are unclear and may necessitate S106 Obligations.</p> <p>Moreover, little consideration appears to have been provided to the ecological impacts of lighting.</p> <p>In terms of the BNG, it is difficult to provide any meaningful comment as the mapping associated with the BNG. This also links the Biodiversity Improvement Area and Landscape</p>	<p>use of existing criteria where available. For example, there are established criteria for defining nationally and internationally important populations of waterfowl. The scale within which importance is determined could also relate to a particular population, e.g. the breeding population of common toads within a suite of ponds or an otter population within a catchment. When determining the importance of a species population, contextual information about distribution and abundance is fundamental, including trends based on historical records. For example, a species could be considered particularly important if it is rare and its population is in decline."</p> <p>This guidance is referred to at paragraph 1.55 of the Ecology Baseline (document ref: 6.2.12.1). It has been assumed that 'Biodiversity Improvement Area' is an error, and in fact refers to the Biodiversity Impact Assessment Calculations (Appendix 12.2, Document reference: 6.2.12.2)</p> <p>When a particular species is a national priority species or declining at a national level, it does not automatically make the population recorded of that level of importance, unless it makes up a</p>

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		<p>Enhancement Management Plan that also need to be provided for full review.</p> <p>Additionally, completed DEFRA BNG metric and supporting condition sheets, including assessor comments and supporting rationales for decision making (such as strategic significance and 'fairly' condition selection) needs to be provided for review.</p>	<p>significant proportion of the local/county /national/international wintering/ breeding/ migratory population. In other words, the level of protection or conservation status of a particular species is not necessarily synonymous with its importance in EIA terms.</p> <p>In the context of Lapwing (for example), the Leicestershire and Rutland Bird Report 2020 classifies Lapwing as an 'Abundant winter visitor / uncommon migrant breeder'.</p> <p>Breeding Bird Surveys estimated 2 - 5 pairs of breeding lapwing utilising the site. This is not considered to be of any greater significance than district level, as these are not regionally or nationally significant numbers when considered in the context of wider population data.</p> <p>Similarly, the bat assemblage recorded within the Main Order Limits is typical of an urban edge farmland site in central England, with common and widespread generalist species accounting for the vast majority of foraging and commuting activity. Survey data to date suggests the buildings on site support day roosts supporting low number of common species. The assemblage is therefore only of local value.</p>

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			<p>The Ecology Baseline (document reference: 6.2.12.1, APP-197), the majority of the Main Order Limits is of only limited (Negligible or Site-level) intrinsic nature conservation importance, comprising mainly arable grassland, arable land, improved grassland, species-poor semi-improved grassland and built areas. Other habitats, including the network of ponds, a stream, mature standard trees, boundary hedgerows and woodland have been assigned Local or higher-level intrinsic nature conservation value.</p> <p>The assessment of the likely impacts includes fragmentation. As per paragraph 12.151 of the Ecology and Biodiversity chapter (document reference: 6.2.12, APP-121), the Proposed Development has been designed to incorporate the hedgerow network and minimise its fragmentation where possible, particularly around the perimeters. It is acknowledged in the assessment that the direct loss and fragmentation of the existing hedgerow network is considered to be of high magnitude and extent, with appropriate mitigation proposed on that basis. Currently the net gain calculations show a 7.12% net linear gain, before any local or off-site solutions have been implemented. Future iterations of the Net Gain metric will ensure 10%</p>

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			<p>net gain in hedgerow units will be achieved - a significant factor in terms of alleviating fragmentation impacts.</p> <p>The existing LEMP (document reference: 17.2, APP-360 is only outline in nature, with a detailed LEMP(s) secured via Requirement 22. Sufficient detail will therefore be provided at the detailed design stage. Requirement 30 is written in a 'Grampian style' – and accords in the planning guidance for the use of planning conditions (PPG – paragraph 09 Reference ID: 21a-009-2014306) in the context that the full BNG may not be achieved on land that is presently within the control of the Applicant. Discussions are ongoing to secure off site BNG credits locally and discussions have also taken place with the Environment Bank in relation to their BNG credit system.</p> <p>Lighting within the central/operational parts of the development will necessarily be well-lit. A sensitive lighting strategy (document reference: 6.2.3.2, APP-132 to APP-134) has been designed to ensure that light spill to surrounding habitats has been kept to a minimum and dark corridors surrounding the proposals will ensure continued</p>

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			<p>opportunities for faunal species. EDP to provide further input</p> <p>Figure 12.3 (document reference: 6.3.12.4, APP-309) shows the pre-development site. The Post-development BIA Plan is provided at Annex 2 of the Biodiversity Impact Assessment Calculations (Document Reference: 6.2.12.2, APP-198).</p> <p>The illustrative Landscape Strategy (document ref.: 6.3.11.20, APP-304) and illustrative Landscape Sections (Document Reference: 6.3.11.17, APP-301 and 6.3.11.18, APP-302) show the proposed landscape mitigation.</p> <p>It has been agreed through the SoCG process that a full BIA report, inclusive of condition assessments and assessor comments will be provided at detailed design stage (Requirement 32). This will include a detailed Defra BNG metric with additional supporting rationales for decision making.</p> <p>As outlined in the BIA report Appendix 12.2 (document reference: 6.2.12.2, APP-198), the 'fairly good' condition was selected within the Defra metric for created grassland on precautionary basis, which in line with the</p>

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			<p>Rochdale Envelope approach, is considered appropriate.</p> <p>The existing BIA report states that 'other neutral grassland' of 'fairly good' condition will be created (paragraph 1.20). As it is considered grassland of 'Moderate' condition can be readily achieved, and as there is no defined condition assessment for 'Fairly good' condition, 'Good' condition grassland will be targeted in any event.</p> <p>The LEMP (or indeed, the series of LEMPs) secured via Requirement 22 will also outline the necessary management and monitoring measures required to achieve 'good' condition grassland.</p>
		<p>There is an opportunity to secure strong Biodiversity Net Gain (BNG) through commitments within the Order. Blaby District Council have identified the use of a suitable S106 Obligations. However there is concern that meaningful comment is needed in setting out how a strategy might support links with Biodiversity Improvement Area and Landscape Enhancement Management Plan . Additionally, completed DEFRA BNG metric and supporting condition sheets, including assessor comments and supporting rationales for decision making (such</p>	<p>Work is still underway to maximise on site gains and secure off site solutions. It has been agreed through the SoCG process that a full BIA report, inclusive of condition assessments and assessor comments will be provided at detailed design stage (Requirement 32). This will include a detailed Defra BNG metric with additional supporting rationales for decision making.</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>as strategic significance and 'fairly' condition selection) needs to be provided for review</p>	<p>As outlined in the BIA report Appendix 12.2, (document reference: 6.2.12.2, APP-198), the 'fairly good' condition was selected within the Defra metric for created grassland on precautionary basis, which in line with the Rochdale Envelope approach, is considered appropriate.</p> <p>The existing BIA report states that 'other neutral grassland' of 'fairly good' condition will be created (paragraph 1.20). As it is considered grassland of 'Moderate' condition can be readily achieved, and as there is no defined condition assessment for 'Fairly good' condition, 'Good' condition grassland will be targeted in any event.</p> <p>The detailed BIA (Requirement 32) will state that 'Good' condition will be targeted for certain grassland habitat creation. The LEMP (document reference: 17.2, APP-360) (or indeed, the series of LEMPs) secured via Requirement 22 will also outline the necessary management and monitoring measures required to achieve 'good' condition where appropriate.</p> <p>The detailed LEMP(s) will provide detail on the long-term management of new and retained</p>

RR Reference	Name/Organisation	Matter	Applicant
			habitats, ensuring biodiversity benefits are secured in the long-term.
		<p>The Council understands that the Applicant has committed to delivering 10% BNG in relation to the Scheme and that the Scheme may have to comply with the BNG requirements of the Environment Act 2021.</p> <p>The Scheme as proposed fails to clearly demonstrate and secure 10% BNG, including its long-term management, and further mitigation is required in this respect.</p>	<p>Work is still underway to maximise on site gains and secure off-site solutions. It has been discussed through the SoCG process that a full BIA report (Requirement 32) will be provided at detailed design stage. This will include a detailed Defra BNG metric with assessor comments and supporting rationales for decision making. The detailed LEMP will provide detail on the long-term management of new and retained habitats, ensuring biodiversity benefits are secured in the long-term. The Requirements (as drafted) include detailed BIA (32) (document reference: 6.2.12.2, APP-198) and LEMP (22) (document reference: 17.2, APP-360).</p>
		<p>In support of the national requirements expected for major infrastructure we would recommend the quantum of ecological work undertaken requires to clearly demonstrate and secure 10% BNG including its long-term management. We would suggest that these include:</p> <p>1: Proper evaluation of the importance of a number of protected species;</p>	<p>TSL have committed to securing a 10% net gain which will be delivered through a mix of on site, off-site and credit provisions, and managed in the long-term through a detailed LEMP, or indeed series of LEMPs on phase-by-phase basis (Requirement 22) which will be subject to regular review.</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>2: Full baseline information to confirm the statement that the main order limits are 'typically of negligible ecological importance';</p> <p>3: Detailed long term mitigation plans provided to underpin any enhancements; and</p> <p>4: Meaningful commentary on the Biodiversity net Gain with clear associated mapping</p>	<p>The importance of protected species has been properly evaluated and assigned appropriate importance.</p> <p>Full baseline information has been provided - the vast majority of the site is arable land or intensively grazed improved grassland - both of negligible intrinsic ecological importance.</p> <p>As above, non-contiguous areas are ecologically insignificant, given that they typically involve development of already developed areas. Updated BIA (Requirement 32) and LEMP (Requirement 22) documents will provide further detail regarding proposed habitats and suitable long-term management.</p>
		Surface Water and Flood Risk	
		Flood Risk and Drainage will be a key issue for consideration of the proposed development. However, the statutory responsibility falls with the Environment Agency 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	Comments noted. The applicant's consultant has liaised with the Environment Agency and Lead Local Flood Authority on matters of flood risk and surface water through the NSIP process to ensure that their requirements are met, and best practise is followed. The Environment Agency and Lead Local Flood Authority have both

RR Reference	Name/Organisation	Matter	Applicant
			confirmed that they are comfortable with the Proposed Scheme.
		Energy and Climate Change	
		<p>We are in a Climate Emergency. Following publication of the recent key 2021 IPCC report on the science of climate change, the head of the UN has described the world as on 'Code Red for humanity'.</p> <p>Scientists across the globe agree that it is human activity that is disrupting our climate and people across the world are suffering the impacts of global heating now. This summer alone there have been recording high temperatures and devastating fires in Greece, North America, Siberia and Australia, and flooding in China, Germany and even in this country. While unprecedented droughts, fires and floods are leading to broken food supplies and migration of populations in the global south.</p> <p>This is happening at a current 1.2- degree Celsius increase over pre[1]industrial temperatures. Current and planned activity so far will take the temperature to well over 3-4 degrees this century and condemn most of the planet to become uninhabitable.</p>	These statements are agreed and reflective of the Applicant's methodology.

RR Reference	Name/Organisation	Matter	Applicant
		<p>It is against this background, that TSH is asking us to consider the environmental impact of the SRFI on carbon and climate change.</p> <p>The Promoter acknowledges that the amended Section 1 of the Climate Change Act 2008 sets a GHG emissions reduction target for the UK of 100 per cent by 2050, compared to a 1990 baseline (the 'Net Zero' target). Similarly, the NPS outlines the Government's policy framework for rail freight expansion. With respect to climate change, UK Government's objective is to: 'ensure that the transport and rail freight make a significant and cost-effective contribution towards reducing global emissions.</p>	
		<p>Zero energy Requirements for operation is disappointing. By only designing to BREEAM: Very Good, the HNRFI is unlikely to be future proofed – an aim stated in the Opportunities and Constraints section of the Design and Access Statement (document reference: 8.1).</p> <p>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 Scheme. The timescale for construction means that construction and energy targets will continue to be increased, leaving the Scheme potentially lagging behind other proposals. As it will have a development</p>	<p>It is understood that development which mitigates and adapts to Climate Change will be supported. Chapter 18 (document reference: 6.1.18, APP-127) sets out mitigation to ensure that all proposed development minimises vulnerability and provides resilience to climate change and will contribute to achieving national targets to reduce greenhouse gas emissions by encouraging the use of sustainable materials and construction methods and supporting the Government's zero carbon buildings policy which will be increased progressively over the plan</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>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 Scheme's Requirements.</p> <p>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. It would be disappointing to learn during the latter part of the construction phase that more solar capacity could have been generated were the applicant to have submitted a separate DCO for more than 49.9 Mw of electricity generation.</p> <p>A missed opportunity like this undermines the green credentials of the Scheme. 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 CHP and an uncertain and unproven technology is being considered ahead of already widely used heat pump technology. There ought to be an assumption that the HNRFI 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</p>	<p>period, where feasible, to support the Government's longer-term aspirations for sustainable design. It further meets policy by introducing the use of renewable, low carbon and decentralised energy at the commercial scale.</p> <p>The Applicant as part of their wider business has moved to BREEAM Excellent. This will be updated in the Design Code (document reference 13.1 APP-354) and Design and Access Statement (document reference 8.1 APP-349) to be submitted at Deadline 2.</p> <p>The Energy Strategy Appendix 18.1, (document reference: 6.2.18.1, APP-217) details the potential for renewable energy provision during the operational phase, which will greatly reduce GHG emissions compared to procuring this energy from the National Grid. This strategy has been developed to optimise potential onsite generation to its greatest means, therefore minimising energy consumption from on-grid and non-renewable services as much as feasible. Where supplementary energy is generated, it is proposed that this energy is captured and stored onsite for use during peak hours and when</p>

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		<p>solar or wind) and lack of transportation infrastructure. It is disappointing that reliance is being placed on fossil fuels for a main energy source to the facility. It doesn't appear that decarbonisation of heat via heat networks and the utilisation of ground, water or air source heat pumps have been fully explored by the Applicant. Instead, Gas CHP and possibly hydrogen have been proposed.</p> <p>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. In terms of energy use, it is far more efficient to use renewable energy power directly via the grid or to store this close to where it's produced for later use. This may well be via battery or conversion to hydrogen. To assume that hydrogen will be widely available for use in CHP plants at some unknown point in the future is a risk and does not make sense from a climate resilience or sustainability perspective.</p>	<p>generation maybe limited due to seasonal effects.</p> <p>The scale of PV Installation proposed is exceptionally high. It is limited only by the available roof areas, with areas also being provided for rooflights to minimise artificial lighting requirements. The PV provision exceeds the areas required by BREEAM Excellent by a factor of several times.</p> <p>The energy infrastructure design approach is inherently future-proofed, being adaptable to facilitate energy sharing across the site using a site-wide microgrid and provision for a heat main and the deployment of technologies that are currently unproven or uneconomic, such as large-scale electricity storage.</p> <p>Leaving the operational site (inclusive of rail operations and other safety-critical aspects) without electricity could lead to various inefficiencies, increased risks, and compromised safety. To ensure smooth operations, safety compliance, and overall project success, it is crucial to provide reliable electricity supply to the site throughout the construction process. It should be noted that a Combined Heat and</p>

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			<p>Power (CHP) energy centre is itself to be hydrogen ready and to be used “as a last resort such as during a grid interruption” and that “even ahead of general decarbonisation of the gas grid, when it is used in combination with fossil fuels such as gas and diesel or even refuse-derived fuels, it is still more energy efficient than obtaining energy from the National Electricity Grid” (Appendix 18.1). The provision of CHP is therefore a more reliable and sustainable means of energy generation under exceptional circumstances.</p>
		<p>The provision of up to 10,400 jobs in an unsustainable location substantially served by unsustainable private vehicular employee movements seriously undermines the Scheme’s ability to deliver the climate change benefits envisaged in the National Networks National Policy Statement (NN NPS). The Scheme’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. The Scheme’s 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</p>	<p>Climate change impacts associated with the operational traffic and employee movements feature within the ES (6.1.18 and 6.2.18.3). This assessment has determined the mitigated effect of the scheme to be “non-significant” (para 18.288). Suggested mitigation measures within the chapter include the adoption of green technologies, future proofing the site and incentivising green technologies, green procurement, training and skill development, local hiring, travel plans, sustainable transport plans and carbon offsetting. By integrating environmental stewardship into the project’s core objectives, it will create jobs while still</p>

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		<p>to infrastructure and investment is required to provide options to employees of the Scheme. 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 Scheme's proposed S106 Planning Obligation Heads of Terms (document reference 10.1), should be provided. 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.</p>	<p>aligning with national climate policies and objectives.</p> <p>The Sustainable Transport Plan (document reference: 6.2.8.1, APP-153) and Strategy outlines the proposals to enhance access to the site for sustainable modes. The applicant is committed to making sustainable travel to the site attractive. The new infrastructure provides 2.5km of new cycle and footway on the link road which tie into the current Hinckley Cycle Routes into the town centre and the PRow routes around the site. Measures to enhance the connectivity to the town centre, inclusive of the measures suggested here are mentioned within our reporting. The travel plan itself will be managed by on-site facilities management cover the whole site and is to be updated regularly. EV charging facilities are provided within each of the plots as per the LCC standards.</p> <p>The X6 service is to be significantly enhanced as part of a public bus service and open from the earliest phases of occupation. The Demand Responsive Transport operated by Vectare is to be a privately funded service for the locality. This will encompass connections to Hinckley and the surrounding towns and villages. The service will be subject to change as the operational specifics</p>

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			of the service are likely to be amended following occupation.
		Currently the expected offer of offsite 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.	A package of transport and access improvements which will help reduce GHG emissions associated with the transport of employees to and from the Main HNRFI Site during the operational phase. This includes provision of high quality, safe and convenient walking and cycling routes permeating through the Main HNRFI Site and a Framework Site Wide Travel Plan (document reference 6.2.8.2, APP-159) minimises and mitigates GHG emissions associated with staff vehicle movements. HNFRI Encourages the phasing out of fossil fuels by providing capacity to meet 100% low-carbon energy vehicles and championing the use of sustainable transport types.
		The Scheme in its current form results in unnecessary energy, water, and climate impacts. The proposed buildings will not be capable of net-zero operation in 2050, the Scheme fails to justify the proposed energy technologies and has potentially failed to capitalise on its full solar potential. The sustainable travel strategy is inadequate and compounds the Site's unsustainable locational issues.	The scheme has been designed with a primary focus on limiting its effects on climate change, meaning that careful consideration has been given to mitigating greenhouse gas emissions and promoting sustainable practices throughout its development and operation. An Energy Strategy (document reference: 6.2.18.1, APP-

RR Reference	Name/Organisation	Matter	Applicant
			<p>217) is provided that clarifies the omission of some technologies and explains limitations. Headline commitments to limiting the effects of HNRFI on climate change include:</p> <ul style="list-style-type: none"> • A commitment to Net-Zero construction. • Onsite renewable solar generation on a scale that is likely to achieve net zero operation from first occupation, well ahead of 2050. • Maximising all available space for solar PV providing energy to an on-site microgrid and battery storage network. Where there is a shortfall in terms PV energy output, additional energy will be made up via an on-site battery storage system once building load profiles are known before import from the Grid supply. • Air Source Heat Pumps. • Sustainable Drainage Systems designed to account for predicted climatic trends and rainwater harvesting • There may be an opportunity to distribute excess heat around the site generated by the CHP subject to suitable demand

RR Reference	Name/Organisation	Matter	Applicant
			<ul style="list-style-type: none"> • Improving energy performance of buildings and reducing energy consumption through efficiency measures. This includes increasing the efficiency of plant by procuring cleaner equipment. • A package of transport and access improvements which will help reduce GHG emissions associated with the transport of employees to and from the Main HNRFI Site during the operational phase. This includes provision of high quality, safe and convenient walking and cycling routes permeating through the Main HNRFI Site and a Framework Site Wide Travel Plan (document reference: 6.2.8.2, APP-159) minimises and mitigates GHG emissions associated with staff vehicle movements. • Encouraging the phasing out fossil fuels by providing capacity to meet 100% low-carbon energy vehicles and plant and championing the use of sustainable transport types. <p>In summary, Chapter 18 of the Environmental Statement (document reference: 6.1.18, APP-127) assesses HNRFI's predicted effects on</p>

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			<p>climate change: in summary HNFRI aims to minimise its contribution to climate change, making it a more environmentally responsible and resilient development in the face of climate challenges. Such initiatives align with global and national efforts (including legislative and policy requirements) to combat climate change and create a more sustainable future: the NPS outlines the Government's policy framework for rail freight expansion. With respect to climate change, UK Government's objective is to: 'ensure that the transport and rail freight make a significant and cost-effective contribution towards reducing global emissions'.</p> <p>We are committed to maintaining a rigorous approach to environmental impact assessment. As the Applicant progresses through each detailed design phase, the Applicant will continually reassess and refine their evaluations as more information becomes available. The Applicant's commitment to staying up-to-date with the latest data and research ensures that informed decisions that prioritise sustainability and minimise adverse effects on the climate can be made.</p>

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		<p>We would recommend a detailed strategy providing an explanation of the enhanced Requirements and obligations proposed and necessary to achieve net zero commitments.</p>	<p>Through the Energy Strategy (document reference: 6.2.18.1, APP-217) and Chapter 18 of the Environmental Statement (document reference: 6.1.18, APP-127), the Applicant has set a clear target to achieve net-zero carbon emissions during construction in para 2.4 of Environmental Statement - Appendix 18.2 - RIBA Stage 1 - Embodied Carbon Report (document reference: 6.2.18.2, APP-218). To achieve the net-zero commitment, the Applicant understands that reducing their direct emissions and implementing sustainable practices are of utmost importance. However, it is acknowledged that certain residual emissions may be challenging to eliminate entirely in the short term. In those cases, the Applicant is committed to offsetting remaining emissions through accredited schemes in the UK.</p> <p>In selecting offsetting schemes, the Applicant prioritised those that align with internationally recognised standards, such as the UK Green Building Councils of which the Applicant is a member. These schemes offer rigorous methodologies for calculating emissions reductions and have robust mechanisms to</p>

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			<p>ensure the integrity and permanence of offset projects. Furthermore, the Applicant are committed to supporting projects within the UK to maximise local benefits and contribute to the country's sustainable development. By investing in UK-based offset projects, the Applicant aims to support initiatives that deliver broader environmental, social, and economic co-benefits to local communities.</p> <p>Regular monitoring, reporting, and transparent communication will be integral to the Applicant's commitment. The Applicant will provide stakeholders with updates on our progress towards achieving net-zero, including details of our offset projects and their verified emissions reductions.</p>
		Cumulative and in combination effects	
		Despite all of the information tabled in respect of the Scheme, no clear conclusions are actually provided within the Cumulative and In Combination Effects paragraph.	Table 20.2 of ES Chapter 20 (document reference: 6.1.20, APP-129) summarises the outcome of the cumulative assessments, the detailed cumulative assessment is provided within each technical chapter of the ES and also set out in ES Appendix 20.1 (document reference: 6.2.20.1, APP-226).

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		<p>There is considerable concern raised across several technical reviews of the lack of clarity as to the how and to what extend cumulative impacts are going to be considered. The guidance from the Planning Inspectorate strongly advises applicants “to take advantage of pre-application consultation with the consultation bodies including the relevant authorities and other relevant organisations, to ensure that the shortlist of ‘other existing development and/or approved development’ identified for CEA is comprehensive and accurate.” While some information is provided in Environmental Assessment, concerns raised by the authorities on the lack of robustness in the structure of a CEA and moreover no engagement with the Planning Authority which assist with identifying a comprehensive suite of mitigation measures submitted with the application for development consent that might otherwise remain unresolved and require exploration during the examination. We are clear that relevant data is available from a variety of sources including directly from the HBBC own web resource, the Planning Inspectorate’s and potentially through direct liaison with other stakeholders including Blaby District and the County, other statutory bodies, and relevant applicants/developers.</p>	<p>The CEA for the Proposed Development has been undertaken in line with the structure and approach set out in the Planning Inspectorate’s Advice Note Seventeen: Cumulative effects assessment relevant to nationally significant infrastructure projects.</p> <p>The methodology that Has been adopted to determine zones of influence for the technical disciplines and the long list of developments is set out in paragraphs 20.5 to 20.16 of ES Chapter 20 (document reference 6.1.20, APP-129).</p> <p>As set out in paragraph 20.19 of ES Chapter 20 Cumulative and In-Combination Effects (document reference: 6.1.20, APP-129) during the section 42 and section 47 consultations on the PEIR, relevant planning authorities and stakeholders were invited to advise on which projects should be considered in the assessment of cumulative effects. Where responses were received, these were incorporated into the CEA process.</p> <p>Where required, mitigation measures are set out in each technical topic chapter of the ES, in addition the Register of Environmental Actions</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>and Commitments (REAC) contains all mitigation measures specified through the EIA process including their securing mechanism, this is contained in chapter 21 Conclusion of the ES (document reference: 6.1.21, APP-130).</p>
		<p>Additionally, no summary of the actual impact of the development upon receptors is provided within the document – e.g. impact to amenity to residential properties (noise, air quality, visual etc). This should form a critical element of the conclusions of a development in order to allow a fully balanced decision to be made on a proposal. The NPS acknowledges that SRFIs will necessarily give rise to ‘increased road and rail movements’ (paragraph 2.51). The planning issue is whether the increase in traffic movement can be accommodated on the surrounding highway network, with the provision of improvements to the network (M69 J2; A47 Link; off-site highway works) without resulting in a ‘residual cumulative impact which would be ‘severe’’ (Framework 111). The conclusions reached in the Environmental Assessment are that the proposals are satisfactory in the context of the provisions of the NPS (NPS 5.213).</p>	<p>Table 20.2 of ES Chapter 20 (document reference: 6.1.20, APP-129) summarises the outcome of the cumulative assessments, the detailed cumulative assessment is provided within each technical chapter of the ES and also set out in ES Appendix 20.1 (document reference: 6.2.20.1, APP-226).</p> <p>Table 20.3 and paragraphs 20.22 – 20.34 of ES Chapter 20 (document reference: 6.1.20, APP-129) set out the conclusions of the assessment of in-combination effects (where a single receptor is affected by more than one residual effect from the proposed development). This section particularly focuses on the effects to local residents, ecological receptors, road users and heritage assets.</p> <p>The Transport Assessment undertaken for the Proposed Development factors in future committed development, general population growth and job growth, therefore cumulative</p>

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			<p>effects in relation to transport are inherent within the modelling work that has been undertaken. As a result, any effects arising from the assessments based on the model values are also cumulative effects, this in turn applies to air quality and noise traffic related effects. The outcomes of the transport assessment are set out in ES chapter 8 (document reference: 6.1.8, APP-117) and ES Appendix 8.1 (document reference: 6.2.8.1, APP-138).</p>
		<p>We agree that to underpin any assessment of impacts and to ensure that the shortlist of 'other existing development and/or approved development' identified for the CEA is comprehensive and accurate, a dedicated working group is convened to address the data requirements and boundaries of the Zol.</p>	<p>The CEA for the Proposed Development has been undertaken in line with the structure and approach set out in the Planning Inspectorate's Advice Note Seventeen: Cumulative effects assessment relevant to nationally significant infrastructure projects.</p> <p>As set out in paragraph 20.19 of ES chapter 20 (document reference: 6.1.20, APP-129), during the Section 42 and 47 consultations, relevant planning authorities were invited to provide comment on the approach and the projects to be considered, this included the proposed zones of influence for the technical disciplines. The initial zones of influence were set out within the EIA Scoping Report submitted to the Planning</p>

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			<p>Inspectorate in 2020 and have been subject to discussions with consultees throughout the EIA process. Where comments have been received, these have been incorporated into the CEA and the findings presented in the ES</p>
		<p>We would expect to have proactive engagement with the Promoter on the parameters of the Zol as well as supporting the assessment of in-combination and cumulative impact in accordance with Table 2 in Advice Note 17.</p>	<p>The CEA for the Proposed Development has been undertaken in line with the structure and approach set out in the Planning Inspectorate's Advice Note Seventeen: Cumulative effects assessment relevant to nationally significant infrastructure projects.</p> <p>As set out in paragraph 20.19 of ES chapter 20 (document reference: 6.1.20, APP-129), during the Section 42 and 47 consultations, relevant planning authorities were invited to provide comment on the approach and the projects to be considered, this included the proposed zones of influence for the technical disciplines. The initial zones of influence were set out within the EIA Scoping Report submitted to the Planning Inspectorate in 2020 and have been subject to discussions with consultees throughout the EIA process. Where comments have been received, these have been incorporated into the CEA and the findings presented in the ES.</p>

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		<p>We would recommend that a detailed summary of the actual impact of the development upon receptors is provided within the document – e.g. impact to amenity to residential properties (noise, air quality, visual etc) to inform the DCO Requirements and underpin the Commitments. As yet the information within the Environmental Construction Management Plan is limited and needs substantive work to build consensus and agreement.</p>	<p>ES chapter 20 (document reference: 6.1.20, APP-129) identifies those receptor groups where “in-combinatio” effects would be experienced, i.e., effects from multiple elements of the Proposed Development (air, noise etc). Paragraphs 20.22 to 20.34 summarise the findings of these assessments. The effects on local residents are set out in paragraphs 20.26 to 20.34.</p> <p>The effects upon local residents and any appropriate mitigation to address them are set out in the relevant technical chapters of the ES and contained within the REAC in ES Chapter 21 (document reference 6.1.21, APP-130). The CEMP (document reference: 17.1, APP-359) specifies the overarching principles and measures to manage and mitigate the effects of the activities associated with the construction of the Proposed Development and will be further developed once the appointment of the Principal Contractor for the project has been confirmed and a detailed construction programme has been developed. The detailed phase specific CEMPs will be secured by requirement 7 of the DCO.</p>

RR Reference	Name/Organisation	Matter	Applicant
		National Policy and Drivers of Need	
		<p>The Act as the principal instrument on which any NSIP should be defined. Also, we agree that the primary policy statement for the determination of this proposal is specifically provided by the NPS. Additionally, under the provisions of Section 104 of The Act, the correct starting point for the determination of any NSIP application is the NPS. However, it does not exclude the material value of a Development Plan. National Policy also makes it clear that where there are specific environmental and technical considerations for the Proposed Development, weight will be given to additional policy relevant to needs case. In terms of the Scale and Design, in the review of the ES for the</p> <p>Proposed Development we are not wholly clear as to the logic or the strength of the case on “rail connected or rail accessible” facilities. The initial stages of the development must provide an operational rail network connection and areas for intermodal handling and container storage Where TSH have sought to use ‘rail accessible’ definition through its review of the Examining Authority’s Report of Findings and Conclusions and Recommendations to the Secretary of State for Transport on the West Midlands Rail Freight Interchange (Planning Inspectorate ref. TR050005), we are unclear as to whether the interpretation is in fact accurate. At the very least we would expect a more detailed analysis to be offered on the</p>	<p>As the Examining Authority acknowledges in reporting on West Midlands Rail Freight Interchange there is no universally accepted definition as to what each of these terms convey. In order to avoid confusion, the Examining Authority adopted an approach to the terms which has been followed for HNRFI. The parameters plan demonstrates that Development Zones D1, D2, E1, E2 can be ‘rail connected’. All other development zones can be ‘rail served’. The Applicant considers that the</p> <p>DCO provides certainty as to which development zones will be ‘rail connected’ with the remainder being ‘rail served’. All zones will be ‘rail accessible’.</p>

RR Reference	Name/Organisation	Matter	Applicant
		concept of connectivity and accessibility beyond standard Design and Access Statements.	
		<p>Drivers of need for strategic rail freight interchanges are set out in the Summary of Need in paragraphs 2.1 to 2.11 of the NPS. While there is recognition that existing operational SRFIs and other intermodal RFIs are situated predominantly in the Midlands and the North the objective of the policy is to ensure an optimisation of the network across several critical parameters. In considering the proposed development, and, when weighing its adverse impacts against its benefits, the Examining Authority and the Secretary of State will consider:</p> <ul style="list-style-type: none"> • Its potential benefits, including the facilitation of economic development, including job creation, housing, and environmental improvement, and any long-term or wider benefits. • Its potential adverse impacts, including any longer-term and cumulative adverse impacts, as well as any measures to avoid, reduce or compensate for any adverse impacts. In this context, environmental, safety, social and economic benefits, and adverse impacts, should be considered at national, regional, and local levels. Given the lack of clarity in the site selection process – described earlier in the previous section— we would want to understand more fully what weighting was given to these principles against the 	<p>The Leicester and Leicestershire Strategic Distribution Study (updated March 2022) recognises that the Hinckley NRFI site being promoted would meet the anticipated demand to 2041 for rail-served warehousing in Leicestershire. This is acknowledged and agreed within The Statement of Common Ground on Planning.</p> <p>HNRFI is on the Leicester to Nuneaton section of the Felixstowe to the Midlands and the North Strategic Freight Network, connecting to the East Coast Main Line at Peterborough, the Midland Main Line at Leicester and the West Coast Main Line at Nuneaton. It is therefore perfectly placed to serve a wide variety of origins and destinations nationally, which will benefit the local market with a potentially wider, earlier opportunity to use rail than other terminals can, acting as a hub as well as a highly efficiently located terminal.</p> <p>Since the HNRFI consultation and as part of Great British Railways Transition Team (GBRTT) freight review, GBRTT is considering how more regional</p>

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		<p>drivers of need. The main point of concern is these needs case therefore is whether a site selection and masterplanning process is sufficient robust. Given the importance of the NPS as the primary source of national policy guidance for the Proposed Development we are not convinced that the planning provisions in the NPS are consistent with the underlying commitment to the principles of securing sustainable patterns of development in NPPF. Are the drivers of need are adequately addressed in the site selection and sifting exercises?</p>	<p>rail terminals can be developed, in order to help with ‘levelling up’ and growing rail freight share of the logistics transport market, to help reduce carbon emissions. A hub operation at HNRFI in the early years of such terminals in particular, could be of considerable benefit in achieving this aim, by consolidating flows as set out in the Market Needs Assessment (document reference: 16.1, APP-357) para 4.28 – 2.32.</p> <p>The Market Needs Assessment (document reference: 16.1, APP-357) has explained at paragraph 6.12, the different markets served by existing SRFIs and HNRFI. The contention that there is capacity at existing SRFIs is misconceived. Each serves a distinct market and HNRFI is exceptional in its rail connectivity as explained above.</p> <p>The Government considers there is a ‘compelling need’ for an ‘expanded network of SRFIs (NPS 2.56). As set out in the Market Needs Assessment (document reference: 16.1, APP-357) para 1.10, Midland Connect in its August 2022 publication – Our Freight Routemap for the Midlands refers to the importance of supporting SRFI’s and the effective access to associated</p>

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			<p>warehousing and clearly sets out the benefits of so doing.</p> <p>The Midlands is the largest economy outside of London and the South-East and a major exporter as well as importer. It has no coast, so virtually all movements have to go via road or rail. In terms of imports and exports that constituted £112bn per annum of goods moved at Q1 2022, (The Market Needs Assessment (document reference: 16.1, APP-357) para 5.13).</p> <p>To put this in context the UK's road freight sector has an annual revenue of c£33.3bn, comprising 58,874 business, of which the Midlands has the far highest proportion, at 27.7% This compared to rail currently at £1.2bn comprising 102 businesses with only 4 major train operating companies. (The Market Needs Assessment (document reference: 16.1, APP-357) para 4.1– 4.14.)</p> <p>There is clearly considerable potential for more freight to be moved by rail within these volumes. It is therefore inevitable that in order to have a greater volume of freight moved by rail, certain regions with high density of logistics businesses</p>

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			<p>and manufacturing, such as the Midlands, will require a higher density of SRFI's.</p> <p>As demonstrated above, HNRFI provides a critically important development for the local market, the region and beyond.</p> <p>The NPS-NN specifically addresses the consistency of the NPS with the National Planning Policy Framework (paragraphs 117-119). The basis of this representation is misconceived.</p> <p>SR'I's make a critical contribution to the decarbonising of logistics supply chains, designed and as such are designed to be a sustainable by their very construct.</p> <p>The site selection properly identified issues with possible alternatives which clearly prevented then being taken further. In the c8 years since this site had first been proposed and long been in the public domain, no alternatives have been proposed, which in a commercial development market, they would have if they were considered viable.</p>

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		<p>The “judgement of viability” made within the market framework must be a factor in defining the needs case for the project. It is not clear whether there has been any engagement with the Government on how it expects to account any interventions. We have concerns that no consideration or examination of the likely social value of the project or indeed the mechanisms through which these interventions are included as part of the business case aligns. It is correct to flag that in the policy review of the development plans for Hinckley and Bosworth that largescale transport facilities of the form of a SRFI are not defined. That however does not preclude relevant policy about the establishment of large-scale developments at the proposed site. More specifically we would be mindful of the material relevance of local development plan policy on the status and relevant weight given to the protection and commitment to environment. In addition, we are not convinced that sufficient weight has been given the expressed concerns on Core Strategy Policy 5: Transport Infrastructure in the Sub-regional Centre in which the draft Plan refers to the HNRFI (paragraphs 8.38 – 8.39). We are not convinced that sufficient consideration has been given to wider implications on the borough, on “the natural environment and transport infrastructure”. Specifically, without clarity on the Zone of Influence (“Zol”) and the detail of a Cumulative Environmental Assessment (“CEA”) it is difficult to judge whether significance of impact has been correctly defined as major or severe.</p>	<p>The Government is not required to make any investment interventions in order for this scheme to be developed. There is no public sector funding involved. The Government will not need to account for any public sector interventions.</p> <p>The Applicant has engaged comprehensively with Network Rail who fully support the scheme, having independently assessed its impact on its network; and its benefits to its national freight policy. The social values are imbedded in Government policy, not least to move more freight by rail; and to develop more rail freight terminals in order to achieve this.</p> <p>The CEA for the Proposed Development has been undertaken in line with the structure and approach set out in the Planning Inspectorate’s Advice Note Seventeen: Cumulative effects assessment relevant to nationally significant infrastructure projects.</p> <p>As set out in paragraph 20.19 of ES chapter 20 (document reference: 6.1.20, APP-129), during the Scoping Report, Section 42 and 47 consultations, relevant planning authorities were invited to provide comment on the approach and the projects to be considered, this included the</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>proposed zones of influence for the technical disciplines. Where comments were received these were incorporated into the CEA and the findings presented in the ES.</p> <p>Table 20.2 of ES Chapter 20 (document reference: 6.1.20, APP-129) summarises the outcome of the cumulative assessments, the detailed cumulative assessment is provided within each technical chapter of the ES and also set out in ES Appendix 20.1 (document reference: 6.2.20.1, APP-226).</p>
		<p>We are mindful in the context of needs case, that where terms and commitments are expected to be made or are imposed. Given the importance of social value for all projects of nationally significance, we would expect a good deal more detail to be provided as part of the requirements of development consent.</p>	<p>The Applicant considers that the requirements are comprehensive and proportionate and indeed they are in line with, and in some cases more detailed than, other similar DCOs for rail freight schemes.</p>
		<p>The environmental advantages of rail freight have already been noted at paragraph 2.40 and 2.41 Nevertheless, for developments such as SRFIs, it is likely that there will be local impacts in terms of land use and increased road and rail movements, and it is important for the environmental impacts at these locations to be minimised. While National Policy recognises that development of the national road and rail</p>	<p>The genesis of the site search by TSH for a SRFI was the findings of the Leicester and Leicestershire Warehouse and Logistics Study (Final Draft 2014). The fundamental operational requirements for a SRFI limit site selection – as explained at paragraphs 2.6-2.11 of The Market Needs Assessment (document reference: 16.1,</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>networks is expected to be sustainable against its objectives of need, these are expected to be designed to minimise social and environmental impacts and improve quality of life. In delivering new schemes, the policy is explicit in instructing promoters to avoid and mitigate environmental and social impacts in line with the principles set out in the NPPF and the Government's planning guidance. It is not entirely clear that there is sufficient robust evidence base that considered reasonable opportunities have been completed in the site sifting exercise to deliver environmental and social benefits as part of schemes. Specifically, the PIER is dependent on the reliance of an agreed model without which arguably creates doubt that the adverse local impacts on noise, emissions, landscape/visual amenity, biodiversity, cultural heritage, and water resources are fully understood or likely to be comprehensively considered. The significance of these effects in Hinckley and Bosworth and the effectiveness of mitigation is uncertain at the strategic and non[1]locally specific level. Therefore, whilst TSH have taken sufficient consideration, is it in accordance with National Policy and in an environmentally sensitive way, including considering opportunities to deliver environmental benefits, some adverse local effects of development may remain.</p>	<p>APP-357). The NPS (paragraph 2.56) states that it is for developers to identify viable alternative sites. The ES Chapter 4 Site Selection and evaluation (document reference: 6.1.4, APP-113) has explained the analysis undertaken by the Applicant in selecting the site as a location which provided greatest confidence to the Applicant for a SRFI. All development brings about some degree of change. The scale and form of an SRFI necessarily will result in some residual impacts. The NPS specifically acknowledges this reality at paragraphs 2.51 and 4.30. The Applicant consider these impacts have been minimised in the design of HNRFI.</p>
		<p>The structure of such commitments will be important where with agreement of the relevant authority and interested parties, that are seen as necessary, relevant to the planning</p>	<p>The Applicant continues to discuss with the local authorities the Requirements which have been submitted.</p>

RR Reference	Name/Organisation	Matter	Applicant
		policy commitments, relevant to the development to be consented, enforceable, precise, and reasonable in all other respects.	
	Warwickshire County Council	Trip Generation	
		i. Trip rates agreed by WCC, based on surveys carried out 2011 and 2016 for similar rail freight interchanges;	Agree
		ii. Sites had no operational lorry parks at time of surveys. HNRFI lorry park should only be used by HGVs serving HNRFI (no new/diverted trips)	The HNRFI lorry park has always been planned as a private lorry park and will only be used by HNRFI HGV's.
		iii. No capacity assessment results provided for proposed site access/spine road junctions. Movements associated with lorry park may impact, these junctions should be modelled;	Additional capacity assessments have been carried out and issued to the TWG a
		iv. Discrepancy in documents submitted in respect of numbers of employees (circa 2000). If number of employees does not cross reference to trip generation sites surveyed, then modelling carried out will not provide an acceptable position to assess transport impacts.	Trip generation figures had been agreed through substantial negotiation and technical appendices including detailed review of the onward freight percentages and their derivation. The trip generation has always been based on floor area as per the standard approach to Transport

RR Reference	Name/Organisation	Matter	Applicant
			<p>Assessment. The base data was used from other RFI applications and refined/amalgamated with other distribution sites to produce trip rates for both car and HGV movements. The employee numbers sit independent to this derivation as these are often uncertain at the time of submission. Estimates have been stated for the socio-economic purposes. The lower value being 8,500 and the socio-economic report stating and upper ceiling of up to 10,400 employees. This was based on the HCA Employment Density Guide 3rd edition. On review of the absolute projected trip generation figures (Table 7 within the Trip Generation Addendum note) these equate to approximately 8,200 car trips the site (half the arrivals plus departures). Which, for the lower employment figures, would be extremely robust with close to 100% of employees driving to site in their own car. For the upper employee estimate this value would be around 78% mode share, which remains robust and in line with other distribution sites. The figures used for car trips are high when compared with the floorspace and usage. This was to test the infrastructure provision with a likely worst case.</p>

RR Reference	Name/Organisation	Matter	Applicant
		Modelling	
		i. Transport Assessment (TA) sets out three modelling scenarios, the with infrastructure but without development	Noted
		ii is not considered relevant – without rail freight interchange transport infrastructure will not be delivered. Adverse impacts of both infrastructure and HNRFI traffic should be mitigated by applicant;	See Highways Position Statement appended to this document
		ii. Impact on viability of Nuneaton Parkway in WCC Rail Strategy not considered. If HNRFI use all rail capacity for freight, no capacity for passenger growth and/or new stations to be accommodated eg. Nuneaton Parkway;	Network Rail have accounted for passenger trains in their assessment of HNRFI.
		iii. Modelling of HNRFI assessed for ‘with rail operations’ only, for 2026 & 2036. Mitigation will be triggered by differing scales of development at differing locations. Modelling required to identify triggers for mitigation to ensure safe and efficient network operation;	See Highways Position Statement
		iv. Furnessing process used to derive base and future year turning counts not agreed by TWG. Comparison required	Furnessing methodology and outputs have been shared from early in the model process. Points

RR Reference	Name/Organisation	Matter	Applicant
		<p>for turning counts derived and those in WCC Rugby Rural Area Model (RRAM) and National Highways (NH) VISSIM models for junctions within WCC network;</p>	<p>made by LCC and NH at the time related to changes in methodology to account for the fact that Junction 2 would have wholly new arms. Discussions were held with LCC NDI and their consultants who broadly agreed with the BWB approach- which was ultimately included in the DCO submission.</p> <p>Further comment was provided by LCC Highways Development Management (HDM) in June 2022, this was again incorporated into the final iteration of the Furnessing. NH had provided a technical note from their call off consultant AECOM (unconnected with the LCC NDI modellers) on the subject dated 03/09/21. This summarised that the "Approach described is generally considered to be sound, the process for deriving inputs to the Furness process is reasonable and the proposed process itself is correct" before describing specific observations and making clear recommendations. Outputs from the strategic modelling had been shared in April 2022 with further information shared up to early September 2022, based on requests for information by both NH and LCC. A commentary dated 29/09/22 was provided by NH which contained observations but no red flags. LCC provided a headline review of the information in</p>

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			<p>August 2022 which reiterated their position on 'no agreement' and requested the analysis of several additional junctions within the study area. A review and analysis for these junctions was included in the DCO TA submission.</p> <p>A further clarification on the furnishing was included in a submission to the ExA on 11/09/23. This did not change the outputs for the analysis</p>
		<p>v. A5/Gibbet Hill junction should be assessed in the VISSIM model (WCC response dated 17/08/2022). Modelled queues in LinSig submitted don't reflect those in NH VISSIM model, nor is scheme assessed currently proposed;</p>	<p>See Highways Position Statement, NH VISSIM covered a much wider network which required a separate validation process. This wasn't appropriate for the purposes of this assessment given the scale of the impact involved.</p>
		<p>vi. Padge Hall Farm (consented development site south of A5 near Dodwells) not been considered. Whilst more recently consented, package of highway improvements will influence HNRFI traffic routings – impacts should be assessed; vii. Impacts at A5 Longshoot-Dodwells should be assessed in the VISSIM model; viii. RRAM modelling outputs (TA Report paragraphs 2.26 and 7.31) not submitted. Unable to comment on impact to WCC network. Mitigation works require RSA's.</p>	<p>The model brief pt 8 of 20 (document reference: 6.2.8.1, APP-145) was signed off by both LCC and NH prior to the completion of the modelling runs. The (ii) scenario is important as part of the technical case as it demonstrates the impact the access infrastructure has on background traffic movement. It is this shift in movement which is more substantial than the development traffic impacts. To isolate these flows and compare against the 'with development with infrastructure' scenario is a useful comparator for the assessment. Mitigation has been developed</p>

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			<p>against the full 'with development with infrastructure' scenario.</p> <p>Network Rail has confirmed that there is capacity within the rail line. The freight paths allocated fall outside of the AM peak hours and there is one available within the PM peak.</p> <p>Mitigation on the highway network is primarily triggered around the delivery of the new slip roads, therefore highway works are to be delivered early in the construction process. Furnessing was largely agreed with NH and subject to additional comment by LCC in Spring 2022, this was included within the DCO submission- for more detail refer to NH commentary.</p> <p>Mitigation on the highway network is primarily triggered around the delivery of the new slip roads, therefore highway works are to be delivered early in the construction process.</p> <p>The VISSIM for Gibbett Hill was shared with the HNRFI team by NH. However, this formed part of a much larger area network for which the team didn't have all flows for validation. The key impact forecast for HNRFI was the roundabout</p>

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			<p>itself and therefore a LinSig was deemed more appropriate for capacity analysis.</p> <p>Padge Hall Farm consent was not granted until after the DCO submission. An assessment was made on what was agreed through the TWG in terms of the Uncertainty Log as is standard for such models. This was not committed nor were the works foreseen by any of the highway authorities. A 'line in the sand' was agreed for the model to proceed.</p>
		<p>4. HGV Routing</p> <ul style="list-style-type: none"> i. Proposed HGV routing strategy & ANPR measures don't include all routes advised by WCC (29/09/2022 - receipt acknowledged but no further engagement). Local concerns that existing major distribution centres HGV movements often 'rat-run' through local Warwickshire villages. ii. Proposed establishing a Community Liaison Group and Transport Review Group to address unforeseen transport impacts associated with HNRFI (EIA Scoping Opinion response 10/12/2020), no engagement on this matter. 	<p>All routes advised by WCC were included in the RRAM modelling for restricted routes as advised by WCC's modellers. The implementation of ANPR as part of the HGV routing strategy is proposed on those routes impacted by the HNRFI site only. There were extensive lengths of the WCC network within the RRAM which were not predicted to have a significant number of HGVs from HNRFI routing along them.</p> <p>Detailed information is contained within the HGV routing Strategy. It is too early in the process to set up a Community Liaison Group. However, this</p>

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			will be considered should the need arise. This has been discussed with WCC officers.
		5. Sustainable Travel i. Warwickshire settlements and environs within reasonable commuting distance of HNRFI. Reliance placed on improving X6 bus service between Coventry/Leicester via M69. Given proposed employee numbers, long-term travel provision must be made for employees from the larger towns ie. Hinckley, Rugby, Nuneaton, Bedworth, Bulkington, Atherstone, Tamworth.	<p>The sustainable transport strategy (Document Ref 6.2.8.1 pt 15 of 20, APP-153) identified key areas of likely employees through the distribution catchment produced from the PRTM. This highlighted Coventry and Leicester as the likely sources of the bulk of employees to the site. This has meant that concentration of the bus enhancement has been on the X6 and DRT services around Leicestershire.</p> <p>However, connections to Hinckley Rail station via bus and bike are proposed to enable combined journeys to and from Hinckley, Nuneaton and its environs.</p>
	Harborough District Council	1. The proposed development will generate significant additional traffic (HGV's and cars) on the highway network. Appropriate and adequate highway mitigation must be provided to address the impact of the scheme, both in general and particularly in advance of rail facilities & infrastructure being delivered and reaching optimal operating capacity.	Significant amounts of strategic modelling has been carried out throughout the preparation of the DCO. This has led to the planning of access infrastructure and highway upgrades which mitigate the impact of the HNRFI development. Please refer to the Highway Position Statement included within Appendix B

RR Reference	Name/Organisation	Matter	Applicant
		<p>2. Issues and concerns that the transport assessment work is undertaken to the full satisfaction of the relevant Highway Authorities, including the testing of alternative scenarios for HGV and car-based traffic growth (on the basis that utilization of rail-services by future occupiers is optional), and is robustly scrutinised to inform proposed on and off-site highway interventions.</p>	<p>Agreements on inputs to the Strategic Modelling were in place ahead of the production of the TA. Drafts of the TA and supplementary reports have been communicated with the TWG throughout the engagement process, including during PEIR. Please refer to the Highway Position Statement included within Appendix B</p>
		<p>3. Highway mitigation works, with greatest potential implications for residents / businesses of Harborough district, at the Cross in Hand roundabout (A5/ A426) are proposed 'subject to further capacity assessment' and are therefore currently uncertain in terms of nature, extent, and timing.</p>	<p>Mitigation is proposed based on outputs from the PRTM further checks run through the RRAM. The assumed upgrades to the Cross-in -Hand to be delivered by third parties have been reviewed. Should these not come forward the applicant is committed to delivering all the modelled changes at the junction.</p>
		<p>4. Highway mitigation measures in the vicinity of Broughton Astley are limited to the B4114/B581 junction, when compared to indicative proposals in the applicants earlier public consultation stages.</p>	<p>Measures proposed are to mitigate the impacts of the development and its infrastructure as forecast by the strategic traffic models. Underlying issues are beyond the remit of the DCO.</p>
		<p>5. Allocated sites and planned development set out in the Harborough Local Plan 2012-2031 (adopted April 2019) has</p>	<p>The Uncertainty Log required for input to the strategic model included all anticipated</p>

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		<p>potentially not been factored into cumulative assessments of transport impact, due to the Environmental Statement referring only to the superseded Harborough Core Strategy (2011).</p>	<p>development and was signed off by LCC and NH ahead of the forecast modelling run. Please refer to the Highway Position Statement included within Appendix B</p>
		<p>6. The applicant's consideration of the potential for upwards pressure on the need for housing, arising from the proposed development, is based on the Leicester & Leicestershire HEDNA (2017), which has since been superseded by the Leicester & Leicestershire Housing & Economic Needs Assessment (HENA, 2022)</p> <p>https://www.nwleics.gov.uk/files/documents/housing_and_economic_needs_assessment_june_2022/1 - Final-HENA-Report-June-22.pdf. Additional housing need is not apparently quantified, and its implications for Harborough district or other adjoining authorities within the HMA (reflecting forecast commuting patterns) is not clear. Notably, Magna Park located in Harborough district has undergone significant expansion since 2019, with its implications for housing considered in the Magna Park Employment Growth Sensitivity Study (2017)</p> <p>https://www.harborough.gov.uk/directory_record/2984/magna_park_employment_growth_sensitivity_study and agreed via the Duty to Cooperate as part of the LP preparation process.</p>	<p>In terms of the Proposed Development's impact on housing, in the absence of the HENA 2022 at the point of assessment, the Applicant used the HEDNA 2017 and also took into account the latest 5 year land supply (Table 7.11 in Environmental Statement Chapter 7: Land Use and Socio-Economic Effects (Document reference: 6.1.7, APP-116) to update the study. The Applicant understands the limitations of using 5 year trends for a longer time period and considers this as the best alternative.</p>

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		7. The proposed development should not exacerbate the documented shortage of on-site and off-site lorry parking provision in the East Midlands and surrounding local area.	On-site HGV parking is to be limited to those vehicles accessing the site. Parking provision aligns with Leicestershire's guidance for further information this is set out in document reference 6.8.2.1, APP-016, and therefore will not exacerbate the existing situation.
RR-0134	Blaby District Council	Site Selection and Evolution	
		There are a network of existing and recently approved rail freight interchanges and distribution centres in the Midlands. Whilst the Leicester and Leicestershire Enterprise Partnership's Strategic Economic Plan 2014-20 (March 2014) highlights 'Southwest Leicestershire' as an option (Option 5), it is only a potential growth location and no specific projects are identified in terms of a SRFI. The Leicester and Leicestershire Strategic Distribution Study (updated March 2022) recognises that the Hinckley NRFI site being promoted would meet the anticipated demand to 2041 for rail-served warehousing in Leicestershire, but it should be recognised that the Hinckley NRFI is only one option that could be taken forward. The Council are concerned that the Applicant has not sufficiently demonstrated the specific market need for this Scheme in this specific open countryside location	The Market Needs Assessment (document reference 16.1, APP-357) has explained the 'Market for Hinckley NRFI' (paragraphs 6.6-6.16). Both the Leicester and Leicestershire Strategic Distribution Study 2021 and HNRFI Logistics Demand and Supply Assessment (document reference: 16.2, APP-358) clearly establish the needs case for the HNRFI. The level of disagreement is on the level of future need. This matter is being covered in the SoCG and the Applicant understands the parties position as agreeing that this need is identified in the Leicester and Leicestershire Strategic Distribution Study 2021 which was commissioned and agreed

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			<p>by the relevant Local Authorities. The level of disagreement is on the level of future need. is now agreed via the SoCG with BDC, HBBC and LCC as initially it was raised as a matter in Version 2 of SoCGs and has now been removed.</p> <p>Estimated future demand is 2.5 times higher than current and known available supply. The Applicant considers this a matter of fact based on the evidence detailed in the HNRFI Logistics Demand and Supply Assessment (document reference: 16.2, APP-358). This level of shortfall between demand and supply clearly evidences a large scale and strategic site such as the HNRFI is needed.</p> <p>This is the only suitable viable site, having considered all alternatives.</p>
		<p>The Council is also mindful that the Leicester and Leicestershire Planning Authorities are conducting joint research in the potential apportionment of strategic distribution floorspace. The report is still being drafted and will need to be agreed by the instructing Planning Authorities before it can be published, but it could be completed prior to the conclusion of the Scheme's examination and be a material consideration in respect of need.</p>	<p>LCC, BDC, HBBC have all accepted the need for a SRFI within Leicestershire through the discussions that have taken place as part of agreeing the Statements of Common Ground, the area of disagreement is on the level of future need. A SRFI has to be of sufficient scale to be able to support the delivery of intermodal facilities. As the NPS acknowledges (paragraph 2.56) the number of locations suitable for SRFIs</p>

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			<p>will be limited. It is hence important, in the national interest, that such limited locations are used efficiently and effectively. It is suggested that an agreement may be reached on the opportunities of strategic distribution floorspace within the Country. If and when this report is published the Applicant will consider its relevance – and the weight should be given, within the development consent process under S104 of the Act.</p>
		<p>Requirements should ensure that the rail freight interchange is built prior to first occupation of the first warehouse, that it remains operational for the lifetime of the operation of the warehousing, and that the first warehouses are rail connected.</p>	<p>The matter of the phasing of the construction of the railport and DCO Requirement 10 is covered comprehensively in the highways position statement attached at Appendix A.</p> <p>The Applicant proposes that 105,000 sq metres of floor space may be occupied, prior to the rail port becoming operational (DCO Requirement 10). The Applicant considers that it is reasonable for construction (and occupation) to take place within construction Phase A as identified on illustrative works and phasing plan 1 (document reference: 2.18.1, APP-050). Details of the phase A works are set out in ES Chapter 3 Table 3.9 (document reference 6.2.3.1: APP-131).</p>

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			<p>Maritime, the Applicant's preferred operator for the rail port at HNRFI, state (Document Ref: 16.1 Appendix Letters of support): 'From our experience with other SRFIs start-ups, we believe that the opportunity to allow warehouse occupation and operations to take place ahead of rail terminal operations, is instrumental in allowing organic growth and encouragement of occupiers to utilise the SRFI to its full capacity'.</p> <p>The Applicant's proposed DCO requirement is clear that no additional floorspace would be permitted for occupation until the railport capable of handling four 775m trains per day has been completed. The approach to the phasing for the delivery of the first phase of the railport, is consistent with other approved SRFI DCOs and specifically the approach taken by the Secretary of State for Transport, in the decision on the West Midlands Rail Freight Interchange Order 2020. It is also consistent with the Secretary of State's acceptance in the recently approved Northampton Gateway Rail Freight Interchange Amendment Order 2023 where the timing for the opening of the rail terminal was varied to allow occupation of 232,260 sq.m of floorspace. The Secretary of State was clear in his Decision Letter,</p>

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			<p>having considered paragraph 4.88 together with paragraphs 4.83 and 4.85 of NPS that the amendment to the trigger for delivering the rail terminal was compliant with the NPS and that it is “entirely reasonable that a commercial undertaking should seek to generate income from the warehousing facilities before the rail connections becomes operational. The Secretary of State is satisfied that the Development as amended would comply with the policies of the NPSNN and its underlying objectives in respect of SRFI projects” (paragraph 24).</p> <p>In terms of the phasing of the HNRFI development DCO Requirement 10 allows for the construction of the railport to take place at the same time as the highways infrastructure as identified on illustrative works and phasing plan 1 (document reference 2.18.1). Details of the phase A works are set out in ES Chapter 3 at Table 3.9 (document reference: 6.2.3.1, APP-131).</p> <p>The Applicant has been working with Network Rail in detail since March 2019 and in doing so has secured a joint understanding of the deliverability of the mainline connections to a level beyond that previously secured prior to a DCO decision (normally to GRIP2 (now ES2)).</p>

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			<p>This particularly related to signalling and the Applicant is now working towards completing ES3, to assist an early start.</p> <p>Network Rail is satisfied that, on the basis of the development work undertaken to date, there are no rail obstacles to the development and taking into operational use of HNRFI.</p> <p>Network Rail has confirmed to the Applicant that it is confident that early connections can be delivered however the proposed DCO requirement provides flexibility and ensures that the development won't be stalled in the unlikely event of delays outside of the Applicant's control. The requirement also protects against the risk that while Network Rail agree that connections can be delivered early there is an element of risk that the relevant Network Rail teams may have to postpone work for the HNRFI connections if Network Rail teams or rail possessions are needed elsewhere on the line to deal with an emergency.</p> <p>The phasing strategy for the delivery of the rail port is considered to be in accordance with the new draft National Networks National Policy Statement (March 2023) para 4.86 and provides</p>

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			<p>an appropriate measure of flexibility in the development of HNRFI. The ability for rail connected buildings is designed in at the outset and will be built to market demand.</p> <p>The terminal operator does not operate the connecting mainline railway, nor does it control the train operating companies. There therefore cannot be a commitment for the terminal to remain operational. It could not be used for anything else though, without a new planning consent.</p>
		<p>The Scheme conflicts with the required delivery of rail infrastructure and connected buildings at the outset of the Scheme stated in paragraph 4.84 of the Draft NN NPS.</p>	<p>The transitional provisions set out in the draft NPS (paragraph 1.16) make clear that The Secretary of State has decided that for any application accepted for examination before designation of the 2023 amendments, the current 2015 NPSNN should have effect in accordance with the terms of the current NPSNN. In so far as the draft NPSNN represents the current thinking of the Government paragraph 4.84 should be read together with paragraphs 4.85-4.86. This is the approach that has been taken by the Secretary of State in the determination of Northampton Gateway DCO</p>

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			Non Material Amendment. the DCO for West Midlands Gateway.
		<p>The Council is not currently content that the Scheme's sustainable access to the SRN is proven suitable, given the issues with the M1 J21 noted in section 5 of this Representation.</p>	<p>The applicant has maintained throughout the process that measures to address underlying and existing congestive problems at Junction 21 should not be the responsibility of the HNRFI mitigation package. This is based on overall impact of HNRFI and the lack of a proportionate intervention option. Current constraints at Junction 21 are driven by underbridges of the M1 on the circulatory carriageway. Widening to address such constraints would be of a significant magnitude and require RIS levels of Government investment. Impacts of the HNRFI site have been quantified and the impacts reported to the TWG core team on 10 October 2022- these are proportionately small. Mitigation addresses any impact on the A47 itself as a result of re-routing.</p>
		<p>In terms of the options that were assessed, as part of the Council's Section 42 Statutory Consultation response dated 8 April 2022 ("S42 Response"), the Council raised concerns in respect of the relevance of site options 1 – 3 (Brooksby, Syston Fosse Way Junction and Syston Barkby Lane). Whilst the options are all to the north of Leicester and do not accord</p>	<p>Paragraph 2.57 of the NPS acknowledges, most intermodal freight interchanges are located in the Midlands and North of England. These are hub regions both for the strategic road and rail networks and the UK economy that these networks serve. These regions also enjoy direct</p>

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		<p>locationally with the Leicester and Leicestershire Enterprise Partnership’s Strategic Economic Plan 2014-20 (March 2014), or the options also do not correlate with the more recent Leicester and Leicestershire Authorities Warehousing and Logistics in Leicester and Leicestershire: Managing growth and change (amended March 2022), it does not mean that such sites should not be considered.</p>	<p>rail access to a range of large ports through which containerised goods pass.</p> <p>Paragraphs 4.83 – 4.89 of the NPS provide specific policy guidance on the assessment principles for SRFI, including their function, locational requirements and scale and design. This policy advice was taken into account in the Applicant’s assessment of locations and design options.</p> <p>At the outset, the Applicant’s strategic rail adviser Baker Rose Consulting examined in engineering terms the potential locations on the rail network in Leicestershire that might present opportunities for a SRFI in locations on or readily connectable to the F2N strategic rail freight route, using a combination of professional knowledge of the network, local knowledge, surveys, rail network maps and aerial photographs.</p> <p>Site options 1 to 3 were initially considered viable following this review. However, following full review options 1 to 3 were discounted for the following key reasons:</p>

RR Reference	Name/Organisation	Matter	Applicant
			<ul style="list-style-type: none"> • Option 1 at Brooksby was discounted due its propensity to flood, its relatively poor access to the strategic highway network and its location outside of the identified LLEP Growth Areas. The site is also in conflict with the purpose of a countryside protection policy in the Charnwood Local Plan. Such a remote location would not meet occupier requirements for direct strategic road access, adding to road haulage operating costs and the associated environmental impacts. • Option 2 Syston Junction was discounted in view of the site's relative remoteness from the motorway network, its location outside a LLEP Growth Area and the adverse flood risk. • Option 3 at Barkby Lane was discounted in view of its poor road access, which would not suit occupier requirements, its proximity to housing and the restricted access to the existing railway. <p>The Environmental Assessment requires an outline of the main reasonable alternatives studies by the applicant and an indication of the main reasons for the applicant's choice, taking into account the environmental effect (NPS paragraph 4.26). This requirement has been met</p>

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			in ES Chapter 4 Site Selection and Evolution (document reference: 6.1.4, APP-113).
		Additional comment was provided in respect of the potential ability to locate facilities on land to the north of Stoney Stanton or between Hinckley and Nuneaton to the south of the A5	It is a fundamental requirement for locating a SRFI that it has 'effective connections for both rail and road' (NPS-NN 2.56). A location north of Stoney Stanton was considered by the Applicant (Option B: Croft) in ES Chapter 4 Site Selection and Evolution. Such a location does not have good road access to the SRN. DfT Circular 1/22 National Highways and the Strategic Road Network makes clear that the principle of creating new junctions on the SRN should be identified at the plan making stage, in circumstances where an assessment of the potential impacts on the SRN can be considered alongside whether such new infrastructure is essential for the delivery of strategic growth. Where this has not occurred no new connections on those sectors of the network designed for high-speed traffic will be supported (other than in limited exceptions which do not include an SRFI). In consequence the approach taken by the Applicant utilising an existing connection to the SRN is entirely reasonable. Land between Hinckley and Nuneaton to the south of the A5 is mainly Green Belt – situated within Warwickshire

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			<p>where no comparable study to the Warehousing and Logistics Study has been undertaken. The area of land that lies outside of the Green Belt is too small to accommodate a SRFI. A SRFI with the form and scale of development would cause substantial harm to the purposes of the Green Belt.</p>
		<p>Other than a dismissive comment on alternative sites, no enhancement of the original site assessment appears to have been undertaken. The assessment provided is therefore still considered inadequate by the Council.</p>	<p>The Applicant has in the process of discussing Statements of Common Ground sought agreement that acknowledges the adequacy of the Applicant's site selection process, and the choice made by the Applicant to promote the site for HNRFI.</p> <p>The reasons for sites being discounted are very clear and have been expressed as such. Further enhancement of the original site assessment could not change the conclusion reached.</p> <p>Chapter 4 of the Environmental Statement (document reference: 6.1.4, APP-113) explored design options for the main site. Further to this, as reported in Chapter 3 of the Environmental Statement (document reference: 6.1.3, APP-112), a number of environmental mitigation measures</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>are included within the design with the intention of designing out environmental effects.</p>
		<p>The lack of consideration of sites further to the west is considered to be particularly important. Whilst not within Leicestershire, the Solent and Felixstowe lines connect close to Nuneaton, providing the opportunity for a single facility to serve two ports which may represent a more suitable location.</p>	<p>The NPSNN (paragraph 2.56) makes clear that the number of locations suitable for SRFIs will be limited, which will restrict the scope for developers to identify viable alternative sites. A developer is not required to demonstrate that the choice of site is the ‘best site’ in some form of geographic location. Rather the planning test is whether it is suitable when primarily considered against the provisions of the NPS. The decision taking matrix is provided for by S104 of the Planning Act 2008.</p> <p>The NPS NN does not impose a limit on the number of locations that may be suitable for SFRIs.</p> <p>The NPS states that the locational requirements will restrict the scope for developers to identify viable alternative sites. (NPS NN paragraph 2.56). As stated in the R6 letter (Document ref: R ule 6 letter – Notification of the Preliminary meeting and matters to be discussed). The focus [of the examination] will be on the merits or disadvantages of the Proposed Development,</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>tested to the appropriate extent using the tests set out in relevant designated NPSs that in force. In the context of the NPS identifying a compelling need for an expanded network of SFRIs, the NPS does not require an Applicant to demonstrate that the Proposed Development is the 'best site' or 'only site.' The BDC argument is flawed and would raise the issue of how is the 'best site' is determined over what geographic area?</p> <p>The Applicant considered that HNRFI" is 'its preferred choice for promoting the development of a SRFI in meeting the locational requirements and being situated a in a location where there are no substantial environmental constraints.</p> <p>Land further west of the West Coast Main Line (WCML) at Nuneaton has to route rail freight through Birmingham, either to reach Southampton or the Northwest and Scotland. This is restricting. HNRFI by contrast can readily access the West Coast Mainline(WCML) at Nuneaton and can therefore access virtually all major markets and ports, not just Felixstowe. If the Nuneaton Dive Under is developed to a suitable gauge, Southampton would be more readily accessible from HNRFI than sites further west of the WCML.</p>

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			<p>Additional modelling is being carried out in relation to tugmaster and lorry park movements to test the internal junctions and their capacity. This is being issued to the local highway authorities ahead of Deadline 1.</p>
		<p>Appropriate justification for the Scheme needs to be provided. It is a significant greenfield site that if developed will represent a permanent loss of this open countryside.</p> <p>The Council is not satisfied that the Scheme and the currently proposed Requirements adequately ensure the delivery of a rail based scheme, comply with the future direction of the draft NN NPS, and demonstrate a sustainable access to the SRN which are intrinsic to its consideration as a Strategic Rail Freight Interchange.</p>	<p>The matter of the phasing of the construction of the railport is covered comprehensively in the highways position statement attached at Appendix A.</p> <p>The Government has established that there is a critical need in the national interest to improve the national networks (NPS-NN 2.2) and a 'compelling need' for an expanded network of SFRIs in the national interest. (NPS-NN 2.50). The Applicant understands that the Local Authorities have agreed in through the draft SoCG on Planning that there is a need for a SRFI to meet the requirements for rail served logistics in Leicestershire. The LAs further accept that such a site can not be located within the confines of the existing urban areas. As such, and as acknowledged in the NPS-NN paragraph 4.84 'a countryside location' maybe required. The site</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>for HNRFI is well located to the urban edge of Hinckley. It is not a remote location for existing patterns of settlement.</p> <p>The matter of the phasing of the construction of the railport and DCO Requirement 10 is covered comprehensively in the highways position statement attached at Appendix A.</p> <p>The Applicant proposes that 105,000 sq metres of floor space may be occupied, prior to the rail port becoming operational (DCO Requirement 10). The Applicant considers that it is reasonable for construction (and occupation) to take place within construction Phase A as identified on illustrative works and phasing plan 1 (document reference: 2.18.1, APP-050). Details of the phase A works are set out in ES Chapter 3 Table 3.9 (document reference: 6.2.3.1: APP-131). Maritime, the Applicant's preferred operator for the rail port at HNRFI, state (document reference: 16.1, APP-357) Appendix Letters of support: 'From our experience with other SRFIs start-ups, we believe that the opportunity to allow warehouse occupation and operations to take place ahead of rail terminal operations, is instrumental in allowing organic growth and</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>encouragement of occupiers to utilise the SRFI to its full capacity’.</p> <p>The Applicant’s proposed DCO requirement is clear that no additional floorspace would be permitted for occupation until the railport capable of handling four 775m trains per day has been completed. The approach to the phasing for the delivery of the first phase of the railport, is consistent with other approved SRFI DCOs and specifically the approach taken by the Secretary of State for Transport, in the decision on the West Midlands Rail Freight Interchange Order 2020. It is also consistent with the Secretary of State’s acceptance in the recently approved Northampton Gateway Rail Freight Interchange Amendment Order 2023 where the timing for the opening of the rail terminal was varied to allow occupation of 232,260 sq.m of floorspace. The Secretary of State was clear in his Decision Letter, having considered paragraph 4.88 together with paragraphs 4.83 and 4.85 of NPS that the amendment to the trigger for delivering the rail terminal was compliant with the NPS and that it is “entirely reasonable that a commercial undertaking should seek to generate income from the warehousing facilities before the rail</p>

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			<p>connections becomes operational. The Secretary of State is satisfied that the Development as amended would comply with the policies of the NPSNN and its underlying objectives in respect of SRFI projects” (paragraph 24). The upgrade to Junction 2 of the M69 provides a direct linkage to the SRN without the need to use the local highway network. This presents a more sustainable access solution to comparable SRFI sites which are reliant on local roads to connect to the motorway network. In terms of the phasing of the HNRFI development DCO Requirement 10 allows for the construction of the railport to take place at the same time as the highways infrastructure as identified on illustrative works and phasing plan 1 (document reference 2.18.1). Details of the phase A works are set out in ES Chapter 3 at Table 3.9 (document reference: 6.2.3.1, APP-131).</p> <p>The Applicant has been working with Network Rail in detail since March 2019 and in doing so has secured a joint understanding of the deliverability of the mainline connections to a level beyond that previously secured prior to a DCO decision (normally to GRIP2 (now ES2)). This particularly related to signalling and the</p>

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			<p>Applicant is now working towards completing ES3, to assist an early start.</p> <p>Network Rail is satisfied that, on the basis of the development work undertaken to date, there are no rail obstacles to the development and taking into operational use of HNRFI.</p> <p>Network Rail has confirmed to the Applicant that it is confident that early connections can be delivered however the proposed DCO requirement provides flexibility and ensures that the development won't be stalled in the unlikely event of delays outside of the Applicant's control. The requirement also protects against the risk that while Network Rail agree that connections can be delivered early there is an element of risk that the relevant Network Rail teams may have to postpone work for the HNRFI connections if Network Rail teams or rail possessions are needed elsewhere on the line to deal with an emergency.</p> <p>The phasing strategy for the delivery of the rail port is also considered to be the new draft National Networks National Policy Statement (March 2023) para 4.86 and provides an appropriate measure of flexibility in the</p>

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			development of HNRFI. The ability for rail connected buildings is designed in at the outset and will be built to market demand.
		<p>The Council is concerned that due consideration has not been given to the local policy context in which the HNRFI proposal sits.</p>	<p>The Applicant has considered the provision of the development plan as a matter that may be both 'important and relevant'. (S104 of The Planning Act)</p> <p>Individual topic chapters of the ES chapters 7 to 19 have development plan policy relevant to the particular environmental topic under consideration.</p> <p>The development management purpose of these policies are addressed within the generic impacts that are set out in the NPS – National Networks.</p> <p>The Planning Statement (document reference 7.1, APP-347) has focused on policy considerations that are not addressed in the NPS. Section 5 of the Planning Statement is titled Development Plan Considerations. The Planning Statement has considered the effect of HNRFI on Hinckley and Bosworth Core Strategy Policy 6, which relates to a Green Wedge. Blaby District Council has not identified any policy provision from the development plan which it is alleged the application for HNRFI has failed to consider.</p>

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		<p>No reference is made to the Planning Policy for Traveller Sites (PPTS). The PPTS is a national policy document with the same standing as the National Planning Policy Framework (NPPF). The PPTS includes principles relating to environmental quality impacting the health and wellbeing of travellers. There is a traveller community around Aston Firs, immediately adjacent to the Site and thus, this policy is directly relevant and needs to be adequately addressed</p>	<p>All policy statements need to be read in their proper context. The Planning Policy for Traveller Sites (PPTS) is a policy statement for the provision of traveller sites (paragraph 4). The potential environmental effect of HNRFI upon residents of existing traveller sites has been considered within the Environmental Statement. Chapter 10 Noise and Vibration (document reference: 6.1.10, APP-119) included the caravan and mobile homes sites in the Aston Firs area as noise sensitive receptors (NRS). These are listed at Table 10:14 and shown on Figure 10.1 as NSR15; 16 and 17 and NSR28. Paragraph 10.326 identifies the noise mitigation barriers proposed which are shown in Long-term Development Generated Road Traffic Assessment with Mitigation - Noise Contours 'difference between with and without development' (document reference: 6.3.10.14, APP-283)</p> <p>Of the traveller's sites located in proximity to the proposed development, there are two which fall within the study area for the assessment of development generated road traffic. These are:</p> <p>A: Located north of Smithy Lane; and</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>B: Located south of Leicester Road (B4668) in proximity to Hinckley Town Tennis Club.</p> <p>For Sites A and B, there are predicted to be, at worst, Major adverse noise effects (Significant) in the short term and long term assessments.</p> <p>With the inclusion of the proposed mitigation measures, there is predicted to be, at worst, a Negligible effect (Not Significant) at Site A in the short term and long term assessments; and a Minor adverse effect (Not Significant) in the short term and a Negligible effect (Not Significant) in the long term at Site B</p> <p>Chapter 9 Air Quality (document reference: 6.1.9, APP-118) considers the effect of HNRFI on human receptors. At paragraph 9.148 the assessment concludes that the overall effect of HNRI on air quality is considered to be 'negligible' and 'not significant'.</p>
		<p>The flexibility in the layout and building sizes recognises that there is scope to create between 8,400 and 10,400 jobs (low and high development quantum) as part of the Scheme (e.g. paragraphs 7.214, 7.223, 7.224, 7.226 and Table 7.15 and 7.17 of ES</p>	<p>Employment was calculated by applying the standard job density ratios from the Homes and Communities Agency (HCA) Employment Density Guide (2015) to the floorspace of the Proposed Development.</p>

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		<p>The various technical reports have adopted an inconsistent approach to these employment figures.</p>	<p>The HCA advises applying 95 sq.m of Gross External Area (GEA) per worker for the National Distribution Centres (NDCs), and 77 sq.m (GEA) per worker for Regional Distribution Centres (RDCs). This range has been informed by Prologis surveying their own logistics operations. The HNRFI is likely to accommodate a mix of NDCs and RDCs. Therefore, the different employment densities associated with each have been used to produce a range of employment estimates. At the Issue Specific Hearing 1 (ISH1), the Applicant agreed to the submission of a number of documents for deadline 1 to clarify matters in relation to the clarification point.</p> <ul style="list-style-type: none"> • A simple arithmetic summary setting out the derivation of 8,400-10,400 jobs • Basic arithmetic summary of the traffic model volumes • A paper explaining the relationship between the two models to show that the two models are robust and consistent with each other <p>This information has been submitted at Deadline 1 as an annex to the post hearing submission.</p>

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		<p>The Transport Assessment appears to be predicated on the lower employment level. This under estimation of workers on site by 24% could significantly alter the quantum of vehicle movements and potential vehicle routing. A consistent approach should be taken, representing the highest level of development achievable within the parameters plan submitted with the Scheme. This inconsistent approach between the technical consultants results in inaccuracies being created in terms of the benefits and harms.</p> <p>Furthermore, any significant changes to the highway quantum and routing of highway movements will have a knock on effect upon the other environmental areas such as noise / vibration, air quality reports, and sustainable travel. Significant concern is therefore raised by the Council in respect of the accuracy of the assessment undertaken.</p>	<p>Trip generation figures had been agreed through substantial negotiation and technical appendices including detailed review of the onward freight percentages and their derivation pt 4 of 20, (document reference: 6.8.2.1 APP-141). The trip generation has always been based on floor area as per the standard approach to Transport Assessment. The base data was used from other RFI applications and refined/amalgamated with other distribution sites to produce trip rates for both car and HGV movements. The employee numbers sit independent to this derivation as these are often uncertain at the time of submission. Estimates have been stated for the socio-economic purposes. The lower value being 8,400 and the socio -economic report stating and upper ceiling of up to 10,400 employees. This was based on the HCA Employment Density Guide 3rd edition. On review of the absolute projected trip generation figures (Table 7 within the Trip Generation Addendum note) (document reference: 6.2.8.1, APP-141) these equate to approximately 8,200 car trips the site (half the arrivals plus departures). For the lower employment figures, this would be extremely robust with close to 100% of employees driving to site in their own car, which is unrealistic. For</p>

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			<p>the upper employee estimate this value would be around 78% mode share, which remains robust and in line with other distribution sites. The figures used for car trips are high when compared with the floorspace and usage. This was to test the infrastructure provision with a likely worst case. A clarification note as referred to above has been submitted at Deadline 1 following a request from the at ISH1.</p> <p>On the basis that the transport figures are considered a robust basis for assessment, the assessments for traffic related noise and air quality effects are therefore deemed to be robust.</p>
		<p>The socio economic chapter references scope for 8,400 – 10,400 jobs for the Scheme. The Scheme must ensure it does not aim to maximise the proposed benefits while underplaying the harms by adopting a consistent approach.</p> <p>The report also provides no definitive list of receptors. It is assumed the receptor list is those included in Table 7.3 of document 6.1.7, (Chapter 7 of the Environmental Statement – Land Use and Socio Economic Effects and referenced again below), but these do not correlate in terms of the items in</p>	<p>Employment was calculated by applying the standard job density ratios from the Homes and Communities Agency (HCA) Employment Density Guide (2015) to the floorspace of the Proposed Development. The HCA advises applying 95 sq.m of Gross External Area (GEA) per worker for the National Distribution Centres (NDCs), and 77 sq.m (GEA) per worker for Regional Distribution Centres (RDCs). The HNRFI is likely to accommodate a mix of NDCs and RDCs. Therefore, the different employment densities</p>

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		<p>Table 7.2 (sensitivity scale) and Table 7.4 (magnitude) and so some receptors may not have been assessed.</p>	<p>associated with each have been used to produce a range of employment estimates. An arithmetic note has been prepared to set out the calculation steps used to estimate the creation of 8,400 - 10,400 jobs. A separate technical note has been prepared setting out how the socioeconomic model works. This note also sets out how trip generation figures have been calculated and the relationship between job numbers and trip generation for transport modelling. Both notes have This note has been submitted at Deadline 1.</p> <p>A definitive list of receptors are found in Table 7.3 of Environmental Statement Chapter 7: Land Use and Socio-Economic Effects (document reference: 6.1.7, APP-116). As per Paragraph 7.36 of Chapter 7: Land Use and Socio-Economic Effects (document reference 6.1.7, APP-116), the assessment of private property and housing, community land and assets, development land and businesses, agricultural land holdings, and walkers, cyclists and horse-riders is based on DMRB LA 112 and hence the different approach used. This is now clarified and agreed with BDC via the SoCG discussions as initially it was raised as a matter through the SoCG discussions. This will be reflected in the draft SoCG to be submitted</p>

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			at Deadline 2. In Version 2 of SoCG and has now been removed.
		<p>The Council has significant concerns around the wide-ranging impacts of additional barrier down time at the Narborough Level Crossing on Narborough, Littlethorpe and the surrounding area.</p>	<p>There is a history of blocking back over the crossing, which largely relates to the existing road layout and poor driver discipline. However, many of the issues relating to the crossing are pre-existing and the direct impact of the Scheme would be to increase the barrier down time by only another five minutes in the hour. Currently the barriers are down for between 17 and 19 minutes in the hour. This would be increased to a maximum of 24 minutes overall, well within the limits for a town centre level crossing down time of 40 minutes maximum.</p> <p>As such Network Rail is satisfied that the small increase in barrier down time will not impact significantly on the risk profile at the crossing as regards rail traffic and thus it is not considered the Terminal would trigger the need for further works at the crossing.</p> <p>In the peak time analysis undertaken this identified that in the morning peak from 07:00 and 10:00 only one HNRFI suitable path is available between 9:00 and 10:00. In the evening</p>

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			<p>peak between 16:00 and 19:00, only two HNRFI suitable paths are available, one after 16:00, adding 1.75 minutes barrier downtime (as it coincides with the passage of an existing booked service); and one after 17:00, adding 2.5 minutes barrier downtime.</p>
		<p>There are issues with some of the socio-economic baseline information relating to the sources of data and in some cases the data is factually inaccurate or absent. It would be reasonable to expect that specific datasets are referenced so that the source data can be easily identified, for instance, the source states "ONS data" or "Census 2011" with no clarity on which dataset has been applied. The publication year has not been stated in many instances. Confirmation of specific data sources and base years is requested.</p>	<p>Data sources and dates are included under each figure and table. This is now clarified with BDC in SoCG discussions as initially it was raised as a matter through the SoCG discussions. This will be reflected in the draft SoCG to be submitted at Deadline 2. and agreed with BDC via the SoCG with the relevant matter being removed from Version 4 of the SoCG.</p>
		<p>A range of different study areas have been used. While it is recognised that the health assessment is cross referring to a range of ES chapters with differing study areas, a map setting out the extent of the study areas used for the health and wellbeing baseline should be included.</p>	<p>As detailed in Section 1.48 of the Health and Equalities Briefing Note,(document reference: 6.2.7.1, APP-137) the study area follows the geographic scope of influence for each of the technical disciplines. As explained, these vary between the disciplines, where air and noise have a different distribution to socio-economic. While not mapped, the study area is defined by</p>

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			Ward, and an appropriate baseline is provided to set local context and sensitivity.
		It is acknowledged that the ES includes Appendix 7.1 Health and Equality Briefing to summarise how health and equality have been considered, assessed and addressed. However, given the inclusion of this technical assessment, it would be logical that the health of residents, workers and visitors would be included as a receptor within the socio-economic chapter.	<p>This point was further discussed with BDC during the iterative development of the Statement of Common Ground, and is now resolved.</p> <p>In order to have a single interpretation of indicators, a separate Environmental Statement Appendix 7.1 Health and Equality Briefing Note (document reference: 6.2.7.1, APP-137) has been prepared, which conducts a health appraisal for all the technical chapters. This signposts to, and summarises how and where health and equality have been inherently considered, assessed and addressed. Health impacts from changes in socio-economic factors are considered from page 42 of Environmental Statement - Appendix 7.1 - Health and Equality Briefing Note (document reference: 6.2.7.1, APP-137).</p>
		In fact, the approach and methodology section indicates that the potential impact upon social capital and amenities important to community health and wellbeing will be assessed although it is not clear that this has been assessed in the ES	This point was raised and further discussed during the iterative development of the Statement of Common Ground, and has been resolved.

RR Reference	Name/Organisation	Matter	Applicant
		<p>Chapter. The summary of effects includes no clear reference to human health, well-being or equality.</p>	<p>In order to have a single interpretation of indicators, a separate Environmental Statement Appendix 7.1 Health and Equality Briefing Note (document reference: 6.2.7.1, APP-137) has been prepared, which conducts a health appraisal for all the technical chapters. This signposts to, and summarises how and where health and equality have been inherently considered, assessed and addressed. Health impacts from changes in socio-economic factors are considered from page 42 of Environmental Statement - Appendix 7.1 - Health and Equality Briefing Note (document reference: 6.2.7.1, APP-137).</p>
		<p>The Council is also concerned about the Scheme's impact on the health benefits derived from Burbage Common as a destination for leisure and recreational activities. As currently presented, it is not possible to establish the conclusions on the impact of the construction and operational phases on human health, well-being or equality receptors within the ES.</p>	<p>All tangible changes in environmental and socio-economic conditions with the potential to influence public health have been assessed and addressed through the assessment process set to objective thresholds and guidance that are protective of the environment and health and facilitate sustainable development.</p> <p>In order to have a single interpretation of indicators, a separate Environmental Statement Appendix 7.1 Health and Equality Briefing Note (document reference: 6.2.7.1, APP-137) has been prepared, which conducts a health appraisal for</p>

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			<p>all the technical chapters. This signposts to and summarises how and where health and equality have been inherently considered, assessed and addressed. Health impacts from changes in socio-economic factors are considered from page 42 of Environmental Statement - Appendix 7.1 - Health and Equality Briefing Note (document reference: 6.2.7.1, APP-137).</p>
		<p>The Council is not satisfied that the Applicant's reply, namely through the Health and Equality Briefing Note (document reference 6.2.7.1) correctly assesses the impacts of the Scheme in this regard.</p>	<p>All tangible changes in environmental and socio-economic conditions with the potential to influence public health have been assessed and addressed through the assessment process set to objective thresholds and guidance that are protective of the environment and health and facilitate sustainable development.</p> <p>The Environmental Statement Appendix 7.1 Health and Equality Briefing Note (document reference: 6.2.7.1, APP-137) has been provided to aid navigation of the DCO and summarise how and where health has been addressed. No gaps have been found in the assessment scope. It is therefore unclear what Blaby District Council considered to be incorrectly assessed.</p>

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		Other socio-economic concerns include:	
		Use of a 30km radius rather than a 30km drive time as it ignores network accessibility.	In the absence of a construction specific transport model, the Applicant relies on Census statistics for the construction sector (Figure 7.1 of Environmental Statement Chapter 7: Land Use and Socio-Economic Effects (Document reference: 6.1.7, APP-116). The use of radius is in line with the definition of the census. This is now clarified with BDC through SoCG discussions as initially it was raised as a matter. This will be reflected in the draft SoCG to be submitted at Deadline 2 and agreed with BDC via the SoCG with the relevant matter proposed to be removed from Version 5 of the SoCG.
		Limited / lack of analysis of housing market characteristics - undermines conclusions about impact on housing market.	In the absence of the HENA 2022 at the point of assessment, the Applicant used the HEDNA 2017 and also took into account the latest 5 year land supply (Table 7.11 in Environmental Statement Chapter 7: Land Use and Socio-Economic Effects (document reference: 6.1.7, APP-116) to update the study. The Applicant understands the limitations of using 5 year trends for a longer time period and considers this as the best alternative.

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		<p>There is no analysis of the anticipated split between Manufacturing and Transport & Storage (Figure 7.9 of document 6.1.7). Given the nature of the proposal it is expected that a greater / sole weight be on the Transport & Storage element (the receptor in table 7.3 is defined as 'logistics' businesses). This is not taken into consideration and has a bearing on the operational effects.</p>	<p>Whilst the HNRFI is predominantly for logistics only, most shed developments are flexibly used by either industrial or logistics occupiers due to having a flexible use class planning permission. Also, industrial and logistics users require similar premises in similar locations.</p> <p>From a transport perspective the assessment is robust to cover all likely uses. Environmental effects are controlled by the relevant Requirements in accordance with the Rochdale Envelope principles. This means that no future operation could have no more significant effects than those that have already been assessed.</p>
		<p>The 0% leakage of construction employment assumptions is not considered realistic in 'real world' terms. Baseline data identifies that 14% of those in the study area travel outside of the 30km radius. Even if some are recaptured, some leakage should be applied</p>	<p>Justification for all additionality assumptions is provided in Table 7.13 of Environmental Statement Chapter 7: Land Use and Socio-Economic Effects (document reference: 6.1.7, APP-116). According to the APS in March 2022, there were some 52,300 residents in the construction Study Area employed in construction, and approximately 51,700 construction employees that work in the Study Area. This shows that there are more residents employed in the construction sector than there</p>

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			<p>are jobs in the sector, indicating that the Study Area is a net exporter of construction workers. The concept of leakage is not considered to be relevant here as the Study Area takes into account the residential location of the HNRFI construction workers and therefore there is no leakage.</p> <p>Table 7.14 provides all the calculation steps. As part of the SoCGs discussion the Applicant has undertaken sensitivity testing by applying a 5% leakage assumption. This reduces the net additional employment from the construction of the Proposed Development from 737 jobs to 700 jobs, representing a 5% reduction. This does not have an implication on the relevant effect assessment. This will be reflected in the draft SoCG to be submitted at Deadline 2. This is reflected in Version 5 of the SoCG.</p>
		<p>No analysis of temporal construction impacts have been incorporated into the assessment; impacts are just smoothed to a 10 year period. This ignores peaks which may have greater market disruption and effect displacement from a construction employment perspective (including for housing). This also has the potential to under value the harm to local residents from these peaks.</p>	<p>In the absence of a construction employment schedule, the Applicant finds the approach reasonable based on other experience and the stage of the Proposed Development. Other SRFI DCO applications including Northampton Gateway, East Midlands Gateway, West Midland Interchange and Daventry IRFT use the same</p>

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			<p>approach with the one used in Environmental Statement Chapter 7: Land Use and Socio-Economic Effects (document reference: 6.1.7, APP-116).</p>
		<p>No analysis has been undertaken of the anticipated occupational wage profile nor affordability of housing in the local area or housing market area; this may have implications on assessment of housing effects given that 40% of employment is anticipated in lower order occupations.</p>	<p>Table 7.10 in Environmental Statement Chapter 7: Land Use and Socio-Economic Effects (document reference: 6.1.7, APP-116), outlines the figures for the median gross annual pay based on residents and workplace. Paragraph 7.155 of Environmental Statement Chapter 7: Land Use and Socio-Economic Effects (document reference: 6.1.7, APP-116) provides the anticipated wages for I&L activities. The I&L sector is subject to a number of misconceptions about average pay levels. Data from the ONS shows wages above UK average at +£4,600 for Manufacturing, and +£4,900 for Logistics, which equates to £30,358 and £30,700 for Manufacturing and Logistics respectively (UK average £25,780). In addition, entry-level jobs in logistics are relatively well-paid, with median annual pay being 47% higher than across jobs in the same occupational category.</p> <p>Housing deliverability has been reviewed; however no affordability test has been</p>

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			<p>undertaken. Similar approach has been followed in other SRFI DCO applications including Northampton Gateway, East Midlands Gateway, West Midland Interchange and Daventry IRFT.</p>
		<p>Reference is made within the ES to a skills and training officer; the Council consider that the draft Section 106 Agreement as part of the submission is not acceptable; the three year funding of an officer post is incongruent with the Scheme's construction phase, no contribution figure is provided and there is a need to provide far greater detail and enforceability on this mitigation than is currently set out in Requirement 32 (Draft Development Consent Order, document reference 3.1), through a detailed Framework Work, Skills and Training Programme. Specific targets need to be set and an appropriate enforcement mechanism to ensure the deliverability of the benefits. The Programme should include:</p> <ul style="list-style-type: none"> • A purpose-built on-site training facility or contribution to an off-site facility • New jobs, to include ex- offenders • Work Experience Placements • An agreed number of apprenticeships created annually • A number of community projects per year • Meet the Buyer events annually (working with our Business Growth Officer) • 30% on-Site spend with SME's 	<p>The Employment and Skills Strategy is an evolving document.</p> <p>The Applicant has advised Blaby District Council of the test for Requirements and Planning Obligations (as set out at paragraphs 4.9-4.10) of the NPS. The Applicant will not commit to planning obligations which it cannot fulfil. Discussions are continuing with BDC concerning the 'programme' which has been identified. At this stage the programme is considered not to be compliant with the statutory tests for planning requirements and obligations.</p> <p>Following a meeting between the Appellant and the relevant Authorities (BDC/HBBC/LCC) on the 20th September 2023, the authorities have indicated that a response will be provided to the Applicant on the submitted Skills and Training Strategy. The Applicant will continue to engage with the authorities on the provisions of this strategy.</p>

RR Reference	Name/Organisation	Matter	Applicant
		<ul style="list-style-type: none"> • 25% on-Site spend within the local area- 40 miles radius from the site • At least 500 people upskilled annually • A number of curriculum support activities annually <p>After the initial enabling works period, 12 x site visits for school parties annually</p>	
		<p>The Council believe that the above Framework Work and Skills Programme is necessary to ensure a sufficient supply of construction and operational phase workers. Moreover, the framework provides an opportunity for the Scheme to produce additional benefits, beyond these necessary mitigations, which could be used to further outweigh the Scheme's other negative impacts.</p>	<p>The Employment and Skills Strategy is an evolving document.</p> <p>The Applicant accepts that a Framework and Skills Programme is an appropriate requirement (Requirement 32), or alternatively it may be addressed as a Planning Obligation. As above the Applicant continues to engage with the relevant authorities in the context of the strategy and the mechanism for delivery.</p>
		<p>The Council considers that the information provided to be factually inaccurate and incomplete/absent in places. There are overarching issues with the approach to consistently using employment figures across the ES and the absent assessment of Narborough Level Crossing barrier down time. There are also a number of more detailed concerns ranging from the Scheme's impact on housing need to the availability of employees.</p>	<p>Trip generation figures had been agreed through substantial negotiation and technical appendices including detailed review of the onward freight percentages and their derivation pt 4 of 20, (document reference: 6.8.2.1 APP-141). The trip generation has always been based on floor area as per the standard approach to Transport Assessment. The base data was used from other RFI applications and refined/amalgamated with</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>The Scheme's provision of employment is one of its principal potential localised benefits but the Council is underwhelmed by the ambition of the Applicant in this regard and the proposed Requirements and S106 Obligations are inadequate.</p>	<p>other distribution sites to produce trip rates for both car and HGV movements. The employee numbers sit independent to this derivation as these are often uncertain at the time of submission. Estimates have been stated for the socio-economic purposes. The lower value being 8,400 and the socio-economic report stating and upper ceiling of up to 10,400 employees. This was based on the HCA Employment Density Guide 3rd edition. On review of the absolute projected trip generation figures (Table 7 within the Trip Generation Addendum note) (document reference: 6.2.8.1, APP-141) these equate to approximately 8,200 car trips the site (half the arrivals plus departures). For the lower employment figures, this would be extremely robust with close to 100% of employees driving to site in their own car, which is unrealistic. For the upper employee estimate this value would be around 78% mode share, which remains robust and in line with other distribution sites. The figures used for car trips are high when compared with the floorspace and usage. This was to test the infrastructure provision with a likely worst case. A clarification note as referred to above has been submitted at Deadline 1 following a request from the at ISH1.</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>On the basis that the transport figures are considered a robust basis for assessment, the assessments for traffic related noise and air quality effects are therefore deemed to be robust.</p> <p>Employment was calculated by applying the standard job density ratios from the Homes and Communities Agency (HCA) Employment Density Guide (2015) to the floorspace of the Proposed Development. The HCA advises applying 95 sq.m of Gross External Area (GEA) per worker for the National Distribution Centres (NDCs), and 77 sq.m (GEA) per worker for Regional Distribution Centres (RDCs). The HNRFI is likely to accommodate a mix of NDCs and RDCs. Therefore, the different employment densities associated with each have been used to produce a range of employment estimates. An arithmetic note has been prepared to set out the calculation steps used to estimate the creation of 8,400 - 10,400 jobs. A separate technical note has been prepared setting out how the socioeconomic model works. This note also sets out how trip generation figures have been calculated and the relationship between job numbers and trip generation for transport modelling. Both notes This note has have been submitted at Deadline 1.</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>In terms of the Proposed Development's impact on housing, in the absence of the HENA 2022 at the point of assessment, the Applicant used the HEDNA 2017 and also took into account the latest 5 year land supply (Table 7.11 in Environmental Statement Chapter 7: Land Use and Socio-Economic Effects (document reference: 6.1.7, APP-116)) to update the study. The Applicant understands the limitations of using 5-year trends for a longer time period and considers this as the best alternative. Environmental Statement Chapter 7: Land Use and Socio-Economic Effects (document reference 6.1.7, APP-116) states that the impact of additional residents due to the construction of the Proposed Development on housing demand is likely to be negligible in the short term, resulting in a neutral effect. The impact of the operational employment of the Proposed Development is anticipated to be low negative on the high sensitivity demand for housing, resulting in a minor adverse effect in the medium to short term.</p> <p>The Applicant remains in discussion with the local authorities as on the provisions of the Skills and Training Programme. The Applicant is awaiting a</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>response from the Local Authorities on the latest draft document. The Applicant has emphasised to officers at the Local Authorities that Obligations can not be entered into which the Applicant can not fulfill, in short form because the Applicant is not able to prescriptively enforce provisions such as the number of apprenticeships, upon future occupiers. The Applicant is hoping that the Local Authorities response will be more proportionate and display greater understanding of the Applicant's control over future employment provisions such as apprenticeships and training programmes.</p>
		<p>Requirement 32 as proposed in the draft Development Consent Order (document reference 3.1) and obligation 3.1.2 of the Planning Obligation Heads of Terms (document reference 10.1) fail to provide specific targets, enforceability and a satisfactory contribution in respect of its value or longevity. A comprehensive and enforceable Framework Work, Skills and Training Programme is required.</p>	<p>The Employment and Skills Strategy is an evolving document.</p> <p>The Applicant accepts that a Framework and Skills Programme is an appropriate requirement (Requirement 32), or alternatively it may be addressed as a Planning Obligation. The Applicant awaits the response of the local authorities to the proposed content of the strategy. The Applicant will then consider such proposals in the context of the lawful provisions of Requirements/Planning Obligations.[]</p>

RR Reference	Name/Organisation	Matter	Applicant
		It is understood there is no agreement to the following elements of the proposed development between LCC and the Applicant:	N/A
		Trip generation - including discrepancies in employee numbers and addition of a lorry park	LCC signed off the trip generation on 04/10/21. Proposals have not materially changed since this agreement. An additional clarification note is to be submitted at the ExA's request following the Preliminary Hearing and ISH1. Further detail on all key highway items is included within Appendix A of this document; Highways Position Statement.
		Access infrastructure including its design, capacity and deliverability	Access Infrastructure, its design and capacity have been communicated with LCC throughout the engagement.
		Strategic model outputs including furnessing methodology and lack of phased testing	Modelling brief for the Strategic Modelling was signed off by LCC on 17/02/22. Furnessing methodology and outputs have been shared from early in the model process. Points made by LCC and NH at the time related to changes in methodology to account for the fact

RR Reference	Name/Organisation	Matter	Applicant
			<p>that Junction 2 would have wholly new arms. Discussions were held with LCC NDI and their consultants who broadly agreed with the BWB approach- which was ultimately included in the DCO submission.</p> <p>Further comment was provided by LCC Highways Development Management (HDM) in June 2022, this was again incorporated into the final iteration of the Furnessing. NH had provided a technical note from their call off consultant AECOM (unconnected with the LCC NDI modellers) on the subject dated 03/09/21. This summarised that the "Approach described is generally considered to be sound, the process for deriving inputs to the Furness process is reasonable and the proposed process itself is correct" before describing specific observations and making clear recommendations. Outputs from the strategic modelling had been shared in April 2022 with further information shared up to early September 2022, based on requests for information by both NH and LCC. A commentary dated 29/09/22 was provided by NH which contained observations but no red flags. LCC provided a headline review of the information in August 2022 which reiterated their position on 'no agreement' and requested the analysis of</p>

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			<p>several additional junctions within the study area. A review and analysis for these junctions was included in the DCO TA submission.</p> <p>A further clarification on the furnishing was included in a submission to the ExA on 11/09/23. This did not change the outputs for the analysis.</p>
		<p>Impact of the development and role of the access infrastructure in the interpretation of modelling results</p>	<p>Modelling brief for the Strategic Modelling was signed off by LCC on 17/02/22. This included the scenarios for review and infrastructure to be considered.</p>
		<p>Mitigation strategy and package, including local and strategic junction assessments, design, and lack of testing of mitigation strategy in strategic model</p>	<p>Mitigation has been communicated throughout the engagement process and adapted when informed by new strategic modelling outputs in stages where applicable. Mitigation has largely remained unchanged. See Appendix A, Highways Position Statement of this document for further information.</p>
		<p>Impacts on rail including Narborough crossing and future passenger provision</p>	<p>Narborough Level Crossing is an existing issue on the network. Network Rail has indicated that there is capacity for the train paths required and that barrier downtimes are not considered excessive. Adjustment to base and forecast</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>strategic model was carried out at the request of LCC, to account for delay at Narborough. This was signed off by LCC on 01/03/22.</p> <p>Strategic modelling inputs and base models were all agreed with the key highway authorities at the time. The LCC Network Data Intelligence team were commissioned to carry out the modelling on agreement with the Transport Working Group. Further detail is contained within Appendix A, Highways Position Statement. The mitigation approach has been based on the impacts reported from the strategic model forecasts and which address the impacts from the development and its associated access infrastructure. The Narborough Level crossing was subject to scrutiny by the LHA and models were adjusted to suit the existing and forecast delays.</p> <p>Network Rail have undertaken a detailed analysis of Narborough Station and the barrier down time. Based on the pre-pandemic timetable, in the morning peak hours 7 – 10 am, there is only one possible time an additional intermodal freight train could run. In the afternoon, between 4 – 7 pm only two. Each train travelling at 75 miles an hour would cause a maximum barrier</p>

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			<p>downtime of 2.5mins. This is far less than a stopping passenger train coming from Leicester, which is 4-5 minutes. In each hour the total barrier down time would be approximately 20 minutes, with 40 minutes open which is well within Network Rails acceptable barrier down time at a level crossing.</p> <p>Network Rail is satisfied that sufficient capacity has been identified for HNRFI services in the Working Timetable. This allows for known passenger service development aspirations identified by Midlands Connect, to better link Birmingham, Nuneaton, Hinckley and Leicester.</p>
		<p>HGV Management Plan and Route Strategy including method of enforcement</p>	<p>Drafts of documents have been shared throughout the engagement Further information is within Highway Position Statement, in Appendix B. The HGV Strategy (document reference: 17.4, APP-362) is for agreement. The premise is based on precedent from Redditch Gateway, which is operational and is agreed with the relevant authorities. This places the onus on the applicant to enforce transgressions through penalties on operators at the site. The Applicant is happy to explain this position in dialogue with Blaby DC if necessary.</p>

RR Reference	Name/Organisation	Matter	Applicant
		Public Right of Way Strategy including rail crossings	Drafts of documents have been shared throughout the engagement. Specific comments on the Public Right of Way Strategy are invited, noting that this is to be controlled under Requirement 26.
		Construction Traffic Management Plan and construction traffic routeing impacts	<p>A Construction Traffic Management Plan (CTMP) (document reference: 17.6, APP-364) was submitted as part of the DCO Application and seeks, where reasonably possible to do so, to limit temporary closures and diversions. This includes the submission to, and approval by, the local highway authority of a temporary traffic management plan (see paragraphs 1.113 - 1.116 of the CTMP). Requirement 24 (Schedule 2) of the draft Development Consent Order (document Reference: 3.1, APP-085) requires the Applicant to submit a detailed construction traffic management plan which must accord with the principles set out in the CTMP submitted with the Application.</p> <p>Information and advance warning will be available through the highway authorities who will manage the Project's impact on the highway</p>

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			network. The Applicant will liaise with the relevant highway authorities to enact the highway improvement works on a phased basis.
		Framework Site Wide Travel Plan	<p>Drafts of documents have been shared throughout the engagement.</p> <p>With regard to operational traffic, Requirement 8 of the DCO ensure that the development traffic is controlled through the Framework Site Wide Travel Plan (document reference: 6.2.8.2, APP-159).</p>
		Sustainable Transport Strategy)	<p>Drafts of documents have been shared throughout the engagement.</p> <p>With regard to operational traffic, Requirement 9 of the DCO ensures that the development traffic is controlled through the the Sustainable Transport Strategy (document reference: 6.2.8.1, APP-153).</p>
		Walking Cycling and Horse-Riding Assessment	Draft submitted as part of PEIR, limited feedback received. Document submitted as part of the application submission.

RR Reference	Name/Organisation	Matter	Applicant
		<p>It is concerning to note at paragraph 2.26 of the submitted Transport Assessment it states that an addendum Transport Assessment will be prepared at a later date, which will include a final Transport Assessment, further traffic modelling information, and Road Safety Audits. Moreover, no timetable is provided for this submission.</p>	<p>The additional work referred to relates to the Rugby Rural Area Model (RRAM) assessment to be carried out for Warwickshire County Council and NH. A summary note of which was submitted on the 11/09/23 with follow up with the relevant authorities prior to Deadline 1. Road Safety Audit Briefs were initially shared in early 2023, though responses were limited due to no agreement over the mitigation strategy being in place. These have since been shared and ongoing discussions with relevant authorities are in progress.</p> <p>Amendments to paragraph 2.26 have been included in a a revised TA submitted at Deadlines 1.</p>
		<p>The Council understands that the ability of the SRN to accommodate the Scheme's impact without further mitigation, particularly in respect of Junction 21 of the M1, is doubtful.</p>	<p>The applicant has maintained throughout the process that measures to address underlying and existing congestive problems at Junction 21 should not be the responsibility of the HNRFI mitigation package. This is based on overall impact of HNRFI and the lack of a proportionate intervention option. Current constraints at Junction 21 are driven by underbridges of the M1 on the circulatory carriageway. Widening to</p>

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			address such constraints would be of a significant magnitude and require RIS levels of Government investment. Impacts of the HNRFI site have been quantified and the impacts reported to the TWG core team on 10 October 2022- these are proportionately small. Mitigation addresses any impact on the A47 itself as a result of re-routing.
		Issues with congestion on the SRN have been highlighted but no mitigation has been proposed	See above
		By-pass options around the southern villages of Blaby District have been prematurely discounted.	The mitigation scheme is designed to address the impacts of the development and its access infrastructure. Underlying existing issues have been analysed, but mitigation of these elements are not the responsibility of the DCO application. Bypasses proposed within the Fosse Way villages were subject to a public consultation in 2019. There was a large-scale opposition to them. Closer analysis of the technical data suggested that a link between Junction 2 and the A47 better served the area overall. This was incorporated into the next phase of the modelling. New bypasses would draw further traffic to the link which would place further pressure on the B4114. A select link analysis was carried out for the Fosse Villages to understand the origin and

RR Reference	Name/Organisation	Matter	Applicant
			<p>destination of traffic through the area this is included within APP 148 PRTM 2.2 Forecast Modelling. Much of which is from the local and surrounding area.</p>
		<p>The Scheme's mitigation has not been agreed with the appropriate highway and planning authorities prior to submission of the application for the Scheme. This is a failing of the Applicant to follow the front-loaded approach envisaged in the Planning Act 2008.</p>	<p>Overall mitigation has been communicated throughout the process including the PEIR. Delays through repeated additional information or remodelling being requested by the TWG group has meant that the strategic model was agreed late in the process. Further detail is contained in Appendix A, Highways Position Statement.</p>
		<p>There are technical shortcomings with the existing modelling including limited sensitivity tests and appropriate detailed modelling of Junction 21 of the M1.</p>	<p>Modelling of J21 has been carried out to understand the impacts of the development.</p> <p>The Environmental Statement - Appendix 8.1 - Transport Assessment [Part 8 of 20] - PRTM 2.2 Forecast Modelling Brief for the strategic model was signed off by LCC on 17/02/22 (document reference: 6.2.8.1, APP 145), this included future year scenarios and access infrastructure proposals. No sensitivity testing was requested at the time of agreement. Further detail is</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>contained within Appendix A, Highway Position Statement.</p>
		<p>An overarching concern is the expected level of employment used to underpin highway movements. The Highway chapter refers to the generation of 8,400 jobs (e.g. paragraph 6.37) whereas elsewhere (e.g. the socio-economic chapter) references scope for 8,400 – 10,400 jobs.</p> <p>This is a fundamental issue in terms of traffic volumes, junction and highway improvements, the justification for bypasses, and as a result the impact to other reports undertaken including air quality and noise. The Applicant has failed to provide clarity and consistency in this regard.</p>	<p>Chapter 4 of the Environmental Statement (document reference: 6.1.4, APP-314) explored design options for the main site. Further to this, as reported in Chapter 3 of the Environmental Statement (document reference: 6.1.3, APP-112), a number of environmental mitigation measures are included within the design with the intention of designing out environmental effects.</p> <p>Employment was calculated by applying the standard job density ratios from the Homes and Communities Agency (HCA) Employment Density Guide (2015) to the floorspace of the Proposed Development. The HCA advises applying 95 sq.m of Gross External Area (GEA) per worker for National Distribution Centres (NDCs), and 77 sq.m (GEA) per worker for Regional Distribution Centres (RDCs). This range has been informed by research conducted by Prologis surveying their own logistics operations. The HNRFI is likely to accommodate a mix of NDCs and RDCs. Therefore, the different employment densities associated with each have been used to produce a range of employment estimates.</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>Trip generation for the highway models has been calculated based on Gross Floor Area and rates derived from similar SRFI applications</p> <p>A clarification note has been submitted at Deadline 1 at the request of the ExA following the Preliminary Hearing and ISH 1.</p> <p>On the basis that the transport figures are considered a robust basis for assessment, the assessments for traffic related noise and air quality effects are therefore deemed to be robust.</p>
		<p>The Council also requires to see the Applicant set out how they are maximising the use of rail during the long construction phase to reduce road based HGV movements.</p>	<p>Once the terminal is connected and operating then construction materials can be delivered by rail via the terminal, where they can be suitably conveyed.</p>
		<p>The existing provisions to facilitate sustainable transport are inadequate. Much greater measures in respect of public and active transport need to be proposed and secured. Some specific examples are listed below.</p>	<p>For consideration in detailed design.</p> <p>Noted see below</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>Limited information has been provided on bus route upgrades. It is disappointing that the intended connection of the Site by a bus service to Hinckley Railway Station appears to have been replaced by an 'on-demand service' only, as shown in the Framework Site Wide Travel Plan ref. 6.2.8.2.</p>	<p>Demand Responsive Transport (DRT) services best serve the needs of the site and provides the degree of flexibility needed to operate around shift patterns and rural areas. The current Leicestershire trial operator, Vectare has provided detailed proposals on the operation of the route and its ability to connect to interchanges within Hinckley.</p> <p>The X6 will also connect to Coventry and Leicester and associated termini</p>
		<p>The relatively stable shift patterns of the Scheme's end use combined with the high number of proposed employees means that an element of fixed bus services should be effective.</p>	<p>X6 will be a fixed service from the start of occupation, public transport provision to local rural areas is better provided through 'many to one' style DRT service.</p>
		<p>The failure to extend the 1 and 2 Hinckley to Earl Shilton or Barwell services into the Site is a significant missed opportunity.</p>	<p>Arriva were consulted and opposed diverting key existing bus services due to current demand and delay the diversion introduces. Existing services are popular and additional journey times introduced by diversion would damage the existing market for the 1 and 2 services.</p>

RR Reference	Name/Organisation	Matter	Applicant
		Improved cycle storage at Hinckley Railway Station will aid those choosing to travel by rail and bike. It is suggested that a secure hub undercover and overlooked by CCTV, accessed by a fob is provided. Similar secure cycle parking hubs on the Site should also be provided to encourage movements by bicycle.	Cycle hub facilities will enhance the attractiveness and are to be considered within the S106
		Secure cycle storage should be provided at Narborough Railway Station, together with a contribution towards future maintenance.	For consideration through S106 and roll out through the Travel Plan. (document reference: 6.2.8.2, APP-159)
		Consideration should also be given to the implementation of an E – Bike hire scheme for staff to access.	For consideration and roll out through the Travel Plan. (document reference: 6.2.8.2, APP-159)
		It needs to be noted that new cycle infrastructure should be separated from motorised vehicles and where possible pedestrian facilities should be separated to reduce conflict and increase desirability. They should be designed in accordance with the Department for Transport’s Cycle Infrastructure Design (LTN1/20) and in particular Chapter 6 Space for cycling within highways. This includes ensuring that they are well lit and visible for personal safety considerations.	WCHAR pt 16 of 20 (document reference: 6.2.8.1, APP-154) carried out for the site, cycle and pedestrian provision is enhanced throughout the site.

RR Reference	Name/Organisation	Matter	Applicant
		<p>It is requested that current cycle provision is audited with Department for Transport's Cycle Level of Service and Junction Assessment Tools to ensure all aspects of user experience and safety have been assessed and scored. The Department for Transport's Walking Route Audit Tool will ensure that facilities such as dropped kerbs are assessed for tactile paving. These assessments are important to understand accessibility for all.</p>	<p>Noted, this would be developed at the detailed design phased of the application.</p>
		<p>It should also be noted that the Council are producing a Local Cycling and Walking Infrastructure Plan ("Blaby LCWIP") which is in the very early stages of production. There will be an expectation that the Scheme delivers the required cycling and walking infrastructure to contribute and connect to the Blaby LCWIP.</p>	<p>For consideration and roll out through the Travel Plan (document reference: 6.2.8.2, APP-159).</p>
		<p>It is crucial that cycle and pedestrian movements are catered for through the Site in north-south / east-west directions that link to each other, these newly created routes need to connect on with existing routes and corridors. A cohesive pedestrian and cycle signage scheme should assist with movements through the Site, highlighting links to villages and towns accessible onwards through the Site.</p>	<p>For consideration in detailed design.</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>The Council has significant concerns around the wide-ranging impacts of additional barrier down time at the Narborough Level Crossing on Narborough, Littlethorpe and the surrounding area. For example, highways congestion and the consequential impacts of that congestion, such as harms to the businesses in Narborough, is an economic factor afforded no consideration. The Applicant has failed to assess the impacts and then propose any mitigation measures to account for these impacts – such as improvements to Narborough Station to encourage its use and alleviate congestion</p>	<p>Narborough Level Crossing is an existing issue on the network. Network Rail has indicated that there is capacity for the train paths required and that barrier downtimes are not considered excessive. Adjustment to base and forecast strategic model was carried out at the request of LCC, to account for delay at Narborough. This was signed off by LCC on 01/03/22.</p> <p>Strategic modelling inputs and base models were all agreed with the key highway authorities at the time. The LCC Network Data Intelligence team were commissioned to carry out the modelling on agreement with the Transport Working Group. Further detail is contained within Appendix A, Highways Position Statement. The mitigation approach has been based on the impacts reported from the strategic model forecasts and which address the impacts from the development and its associated access infrastructure. The Narborough Level crossing was subject to scrutiny by the LHA and models were adjusted to suit the existing and forecast delays.</p> <p>Network Rail have undertaken a detailed analysis of Narborough Station and the barrier down</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>time. Based on the pre-pandemic timetable, in the morning peak hours 7 – 10 am, there is only one possible time an additional intermodal freight train could run. In the afternoon, between 4 – 7 pm only two. Each train travelling at 75 miles per hour would cause a maximum barrier downtime of 2.5mins. This is far less than a stopping passenger train coming from Leicester, which is 4-5 minutes. In each hour the total barrier down time would be approximately 20 minutes, with 40 minutes open which is well within Network Rails acceptable barrier down time at a level crossing.</p>
		<p>The provision of up to 10,400 jobs in an unsustainable location substantially served by unsustainable private vehicular employee movements seriously undermines the Scheme’s ability to deliver the climate change benefits envisaged in the National Networks National Policy Statement (NN NPS).</p>	<p>Climate change impacts associated with the operational traffic and employee movements feature within the ES (document reference: 6.1.18 and 6.2.18.3, APP-127 and APP-219). This assessment has determined the mitigated effect of the scheme to be “non-significant” (para 18.288). Suggested mitigation measures within the chapter include the adoption of green technologies, future proofing the site and incentivising green technologies, green procurement, training and skill development, local hiring, travel plans, sustainable transport plans and carbon offsetting. By integrating</p>

RR Reference	Name/Organisation	Matter	Applicant
			environmental stewardship into the project's core objectives, it will create jobs while still aligning with national climate policies and objectives.
		<p>Requirements and S106 Obligations should appropriately secure off-site transport improvements and maintenance, as agreed with the Council, National Highways, LCC and HBBC. This needs to adequately provide for sustainable transport options including bus service enhancements, a bus transport hub at the Site, transport links from Hinckley railway station, secure cycle parking at Hinckley railway station and the Site, improved infrastructure links between Hinckley railway station and the Site.</p> <p>The Requirements and S106 Obligations need to ensure that they deliver a clear vision that enables walking, wheeling, and cycling facilities to be created prior to first occupation of the Scheme and at the same time as the road network.</p>	The Applicant is willing to consider appropriate and reasonable obligations that can be lawfully requested. Objectives are intended to address travel to work measures. Delivery of the obligations will be focused on first occupation to embed travel choices from the earliest opportunity.
		Air Quality	

RR Reference	Name/Organisation	Matter	Applicant
		<p>The approach and extent of the assessment overall is considered appropriate, but there are a number of more specific concerns in respect of the assessment, which are outlined below.</p>	<p>Responses outlined below</p>
		<p>An overarching concern is whether the information included in the assessment is correct, given the inaccuracies considered to be included within the transport modelling and mitigation and the geographical origin and mode of transportation of the employees. This may have a significant impact upon the air quality assessments and any expected mitigation as a result.</p>	<p>On the basis that the transport figures are considered a robust basis for assessment, the assessments for traffic related air quality effects are therefore deemed to be robust.</p>
		<p>The assessment could be improved if:</p>	<p>N/A</p>
		<p>It can be confirmed that it is the 2022 version of the DEFRA Technical and Policy Guidance that has been used</p>	<p>The latest version (2022) of the Defra Technical and Policy guidance has been used in the assessment as detailed in paragraph 9.98 in of Chapter 9 of the ES (document reference: 6.1.9, APP-118).</p>
			<p>The latest version (2022) of the Defra Technical and Policy guidance has been used in the air</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>It can be confirmed that when the revised Air Quality Objectives are published by the Government later this year, the assessments will be revised to take account of them</p>	<p>quality assessment (document reference: 6.1.9, APP-118). Modelled concentrations have been compared against the current relevant air quality objectives for England.</p> <p>An air quality addendum (document reference: 6.4.1, AS-023) has been prepared and submitted which takes consideration of the quality assessment results in accordance with the revised PM2.5 air quality objectives published in early 2023.</p> <p>Overall, the impact of the HNRFI is predicted to be not significant in relation to the future PM2.5 objectives.</p>
		<p>No assessment appears to have been undertaken for the impact of the additional 'barrier down' time at Narborough and the implications of idling vehicles</p>	<p>The railway line crossing at Narborough is located on Station Road. Station Road is not part of the modelled air quality road network as the trip generation for the scheme along Station Road does not exceed the Institute of Air Quality Management and Environmental Protection UK screening criteria for when significant impacts may be predicted. It is, therefore, considered that any changes in traffic flow at the railway crossing at Narborough will not cause any significant air quality impacts at the receptors identified.</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>Our transport consultants have provided the following response with relation to the additional barrier down time at Narborough “Network Rail have undertaken a detailed analysis of Narborough Station and the barrier down time. Network Rail is satisfied that sufficient capacity has been identified for HNRFI services in the Working Timetable. This allows for known passenger service development aspirations identified by Midlands Connect, to better link Birmingham, Nuneaton, Hinckley and Leicester. The Narborough Level crossing was subject to scrutiny by the LHA and models were adjusted to suit the existing and forecast delays. Network Rail have agreed that there is adequate capacity at the cross roads”</p> <p>The latest version (2022) of the Defra Technical and Policy guidance has been used in the air quality assessment (document reference: 6.1.9, APP-118). Modelled concentrations have been compared against the current relevant air quality objectives for England.</p> <p>No significant changes in pollutant concentrations were predicted at the modelled individual receptor locations across the whole</p>

RR Reference	Name/Organisation	Matter	Applicant
			study area, for both the construction year and operational year, as detailed in the air quality assessment (document reference: 6.1.9, APP-118). The HNRFI is not predicted to cause any significant impacts with regards to air quality.
		The Council expect the Applicant to cover the expense of any monitoring of the off-site impacts of the construction and operational phase, including equipment, ongoing monitoring and staffing. This may be relevant both immediately adjacent to the Site and some wider areas.	The air quality assessment (document reference: 6.1.9, APP-118) did not conclude in any requirements for monitoring during construction or operations, therefore no monitoring is required, therefore no monitoring has been advanced.
		Noise and Vibration	
		The approach and extent of the assessment overall is considered appropriate, but there are a number of more specific concerns in respect of the assessment, which are outlined below and are similar to the comments this Representation makes in respect of air quality in section 6	Noted.

RR Reference	Name/Organisation	Matter	Applicant
		<p>An overarching concern is whether the information included in the assessment is correct, given the inaccuracies considered to be included within the transport modelling and mitigation. This may have a significant impact upon the Noise Assessment and any subsequent mitigation.</p>	<p>On the basis that the transport figures are considered a robust basis for assessment, the assessments for traffic related noise effects are therefore deemed to be robust.</p>
		<p>It is noted that the machinery proposed for the gantry crane has not been determined. This will represent an elevated piece of equipment with the potential to produce noise issues. The machinery to be installed should be confirmed and integrated appropriately into all noise and vibration assessment work or details should be provided prior to its installation.</p>	<p>The scheme is at the outline stage and the exact cranes to be installed are not known at this time. Details of this machinery can be provided at the appropriate time once further detail is known.</p> <p>The details will be the subject of a reserved matters application at the appropriate time. Parameters have been defined in the DCO Application. The noise assessment has included consideration of the following as a worst case scenario;</p> <ul style="list-style-type: none"> • the use of diesel operated vehicles which will produce higher noise levels than their electric counterparts. • maximum noise levels associated with the gantry cranes and reach stackers have been included within the noise model at points where they could operate, and the worst-case levels for each receptor have been reported. (Chapter 10 Noise and Vibration paragraph

RR Reference	Name/Organisation	Matter	Applicant
			<p>10.189) (Document Reference 6.1.10, APP-119).</p> <ul style="list-style-type: none"> • the rail freight interchange to the south of the existing rail line facing receptors to the north. It has been assumed that there would be no screening provided by the buildings themselves and receptors to the north would have direct line of sight to the rail freight terminal. • HGV movements for a worst-case hour during the daytime and night-time periods. This ensures that the maximum parameters in relation to HGV movements have been assessed and impacts and mitigation are considered robust. (Chapter 10 Noise and Vibration paragraph 10.148) (document reference: 6.1.10, APP-119). • The impact of offsite road movements has included receptors up to 600m from the new road links or road links physically changed or by-passed by the project and the area within 50m of other roads links with the potential to experience a short term Basic Noise Level change of more than 1.0dB(A) as a result of the project. This is in line with Design Manual for Roads and Bridges LA111 . (Chapter 10 Noise and Vibration paragraph 10.13) (document reference: 6.1.10, APP-119).

RR Reference	Name/Organisation	Matter	Applicant
			<ul style="list-style-type: none"> The noise levels predicted by the noise model for operational road traffic which is based on traffic data provided by the project transport consultants, are above those measured in the vicinity of Junction 2 of the M69 and Leicester Road. As the noise model is over predicting, it is considered that this represents a robust assessment case. (Chapter 10 Noise and Vibration paragraphs 10.226 to 10.10.228) (document reference: 6.1.10, APP-119). <p>The A47 link road has been included within the noise model at the location shown on the parameters plan and passes in close proximity to Aston Firs and Burbage Common.</p>
		<p>The Council have concerns over the extent and proximity of acoustic fencing required to protect nearby residential properties and the impact this has upon their visual amenity. The inclusion of 4 and 6 metre high acoustic fencing around the Aston Firs Caravan Site is of particular concern and considered inappropriate</p>	<p>A major adverse effect is predicted at one receptor and a moderate adverse effect is predicted at two receptors at Aston Firs Caravan Site without mitigation in place. In line with the Noise Policy Statement for England (NPSE), the noise levels have been mitigated and minimised as far as reasonably practicable, through the recommendation of acoustic barriers.</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>The acoustic fencing is being provided along the eastern and northern boundary of the Caravan Site. The eastern and northern boundaries currently have hedgerow vegetation at a height of 6- 8m (see Hedgerows H368, H369, H372 and H394 on Sheet 33 and 38 of the Tree Constraints Plan and in the Schedules in Annex 2 of the Arboricultural Impact Assessment (document reference: 6.2.11.4, APP-194) which prevent an outlook and would be retained for amenity purposes. It should also be noted that internal hedgerows and amenity buildings and the internal layout of the site also limits views out from the site. There would therefore be limited change from a visual perspective.</p>
		<p>No assessment appears to have been undertaken for the impact of the additional 'barrier down' time at Narborough Level Crossing, including the implications of idling vehicles.</p>	<p>The additional trains using the line are not dependant on the HNRFI being brought forward and the capacity and running of trains will be managed by third parties. Therefore, the noise and vibration impacts from additional trains and stationary traffic as a result of the barrier downtime at Narborough is not a consideration of this assessment.</p> <p>Notwithstanding this, the Applicants transport consultants have provided the following</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>response with relation to the additional barrier down time at Narborough “The Narborough Level crossing was subject to scrutiny by the LHA and models were adjusted to suit the existing and forecast delays. Network Rail have agreed that there is adequate capacity at the cross roads. Impacts at peak hours are minimal.”</p>
		<p>The working hours proposed in the Construction Environmental Management Plan and Construction Traffic Management Plan are not acceptable. Whilst 0700 to 1900 hours Monday to Saturday may be acceptable for certain phases, construction works or construction areas, some elements will have an unacceptable impact on sensitive receptors and thus shorter, targeted working hours are likely to be required.</p>	<p>The extended construction hours will mainly be utilised for groundworks which will need to make the most of daylight hours, particularly in the summer months. By contrast, working hours in the winter months are likely to be shorter due to reduced daylight hours. It is expected that by utilising the daylight hours in the summer, the overall time on site for these activities will be reduced, therefore shortening the construction period over the longer term.</p> <p>The CEMP (document reference: 17.1, APP-359) specifies the overarching principles and measures to manage and mitigate the effects of the activities associated with the construction of the Proposed Development, and will be further developed once the appointment of the Principal Contractor for the project has been confirmed and a detailed construction programme has been</p>

RR Reference	Name/Organisation	Matter	Applicant
			developed, should the need for shorter targeted working hours be required for certain work packages or locations on the site, this can be addressed through the detailed CEMP which will be secured by requirement 7 of the DCO.
		The Council expect the Applicant to cover the expense of any monitoring of the off-site impacts of the construction and operational phase, including equipment, ongoing monitoring and staffing. This may be relevant both immediately adjacent to the Site and some wider areas.	Noted.
		Lighting	
		It is surprising a quantitative lighting assessment has not been undertaken to give greater confidence and assurance that the measures set out in the strategy are going to work.	<p>The Lighting Strategy (document reference: 6.2.3.2, APP-132 to APP-134) defines the parameters and standards that any proposed lighting installation will have to be designed in accordance with to meet the specific criteria in terms of obtrusive light to meet the applicable standards and guidance.</p> <p>The Applicant will also provide a Technical Note for Lighting which will contain further guidance, information, and quantitative assessment to</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>demonstrate that the Proposed Development can be provided with an external lighting installation that complies with the criteria as set out in the Lighting Strategy, while not exceeding the obtrusive light limitations for E2 post-curfew conditions. This Technical Note will be appended to the BDC SoCG and submitted at Deadline 2 (24/10/2023)</p>
		<p>The Lighting Strategy fails to reference the “Institute of Lighting Professionals (ILP) PLG04 – Guidance on Undertaking Environmental Lighting Impact Assessments”. This document sets out the parameters that competent lighting professionals should follow in order to undertake an environmental lighting impact assessment. The Council consider that this document should be referenced and form a key part of the assessment process</p>	<p>The Applicant will also provide a Technical Note for Lighting which will contain further guidance, information, and quantitative assessment to demonstrate that the Proposed Development can be provided with an external lighting installation that complies with the criteria as set out in the Lighting Strategy (document reference: 6.2.3.2, APP-132 to APP-134), while not exceeding the obtrusive light limitations for E2 post-curfew conditions. This Technical Note is intended to provide additional information to supplement the original Lighting as part of the Statement of Common Ground (SoCG) process with the relevant consultees. This Technical Note shall be appended to the BDC SoCG and submitted at Deadline 2 (24/10/2023).</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>DCO Requirement 31, ensures that each phase of the authorised development shall not be occupied until a scheme for all permanent lighting in that phase has been submitted to and approved by the relevant planning authority. The schemes submitted and approved must be in accordance with the lighting strategy.</p>
		<p>A key concern is that there is no evidence that the Applicant's lighting consultant has visited the Site during night-time conditions to undertake a lux survey of the existing lighting levels at the surrounding light-sensitive receptors. This is important so as to understand the lighting environment of the surrounding highlighted residential properties. Some nearby properties might not have any surrounding lighting so a minor increase in light would be noticeable.</p>	<p>A baseline survey has not been deemed necessary due to the fact the proposed development site has no existing artificial lighting. The results of a lighting survey would therefore not provide any more information than the current lighting strategy desktop assessment which aligns with the stipulated Environmental Zone 2 'Low district brightness' e.g., sparsely inhabited rural area.</p> <p>Any additional assessment could only reach the same conclusion or potentially a less onerous Environmental Zone classification if lighting is present on site, the Applicant has therefore assessed on the worst-case basis currently.</p> <p>The Lighting Strategy (document reference: 6.2.3.2, APP-132 to APP-134) has defined the</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>parameters of any lighting design and its effect on residential receptors based on the applicable guidance and standards. The additional Technical Note for Lighting will demonstrate those parameters can be easily achieved through quantitative assessment. This Technical Note will be formally submitted as an appendix to the BDC SoCG at Deadline 2 (24/10/2023).</p>
		<p>Lack of any inclusion of non-designated ecological habitats within the baseline information</p>	<p>A baseline survey has not been deemed necessary due to the fact the proposed development site has no existing artificial lighting. The results of a lighting survey would therefore not provide any more information than the current lighting strategy desktop assessment which aligns with the stipulated Environmental Zone 2 'Low district brightness' e.g., sparsely inhabited rural area.</p> <p>Large areas of habitat will be lost to facilitate the proposals. Where habitat is retained/enhanced, this will be at the site boundaries which will typically be buffered and subject to a sensitive lighting strategy (as per paragraph 12.209 of the Ecology Chapter – (document reference: 6.1.12, APP-121).</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>The car parks appear to be over-lit compared to the 10 lux specific in the Lighting Strategy.</p>	<p>The technical note appended to the BDC SoCG will include clarification on relevant standards for car parks. BS 12462-2 stipulates a range of 10 lux to 20 lux within table 5.9 – Parking Areas, the indicative lighting design achieves those levels. This is also replicated in BS 5489-1 table 4 – maintained levels for outdoor car parks.</p>
		<p>A key concern is that there is no evidence that the Applicant's lighting consultant has visited the Site during night-time conditions to undertake a lux survey of the existing lighting levels at the surrounding light-sensitive receptors. This is important so as to understand the lighting environment of the surrounding highlighted residential properties. Some nearby properties might not have any surrounding lighting so a minor increase in light would be noticeable.</p>	<p>A baseline survey has not been deemed necessary due to the fact the proposed development site has no existing artificial lighting. The results of a lighting survey would therefore not provide any more information than the current lighting strategy desktop assessment which aligns with the stipulated Environmental Zone 2 'Low district brightness' e.g., sparsely inhabited rural area.</p> <p>Any additional assessment could only reach the same conclusion or potentially a less onerous Environmental Zone classification if lighting is present on site, the Applicant has therefore assessed on the worst-case basis currently.</p> <p>The Lighting Strategy (document reference: 6.2.3.2, APP-132 to APP-134) has defined the</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>parameters of any lighting design and its effect on residential receptors based on the applicable guidance and standards. The additional Technical Note for Lighting will demonstrate those parameters can be easily achieved through quantitative assessment. This Technical Note will be formally submitted as an appendix to the BDC SoCG at Deadline 2 (24/10/2023).</p>
		<p>Clarification is required in respect of whether the lighting designs have been produced using the vertical lux level contour line, in accordance with the guidance. A quantitative assessment of vertical lux levels in nearby residential windows should be undertaken to provide greater assurance of the protection of future amenity. There is also light spill into Burbage Common which should be avoided.</p>	<p>The Lighting Strategy (document reference: 6.2.3.2, APP-132 to APP-134) defines the parameters and standards that any proposed lighting installation will have to be designed in accordance with to meet the specific criteria in terms of obtrusive light to meet the applicable standards and guidance</p> <p>The Applicant will also provide a Technical Note for Lighting which will contain further guidance, information, and quantitative assessment to demonstrate that the Proposed Development can be provided with an external lighting installation that complies with the criteria as set out in the Lighting Strategy (document reference: 6.2.3.2, APP-132 to APP-134), while not exceeding the obtrusive light limitations for E2</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>post-curfew conditions. This Technical Note is intended to provide additional information to supplement the original Lighting as part of the Statement of Common Ground (SoCG) process with the relevant consultees. This Technical Note will be formally submitted as an appendix to the BDC SoCG at Deadline 2 (24/10/2023).</p> <p>In accordance with dDCO Requirement 31, each phase of the authorised development shall not be occupied until a scheme for all permanent lighting in that phase has been submitted to and approved by the relevant planning authority. The schemes submitted and approved must be in accordance with the lighting strategy.</p> <p>The current level of assessment is considered appropriate at this stage in the design process. Ecological receptors (including bats) have been considered, with lux radii plans demonstrating that the vast majority of open space will be free of lightspill, thereby maintaining opportunities for local bat species. The ILP Guidance Note 08 is referenced within the submitted AIP, plus the EMMP (document reference: 17.5, APP-363). As per the ILP guidance, vertical calculation planes should be used wherever appropriate (i.e. when</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>considering particularly sensitive features or species). The proposed lighting will be unlikely to affect any roosts, as all known roosts will be removed under licence and the majority of potential roost features will likely be removed (under licence where appropriate). In addition, any artificial roosts will be located away from intense light sources. For any retained potential roost features, these will be buffered by open space. The existing site is typically utilised by common species which are known to be fairly light tolerant. On that basis, it is considered vertical calculations are not currently necessary. Update ecological surveys in 2024/2025 will confirm if the sites trees support bat roosts. The results of these survey will be used to inform detailed LIA / lighting plans, with vertical calculations undertaken where appropriate.</p> <p>There will be no lightspill upon Burbage Common, as demonstrated within the submitted lux plan at Appendix 3.2: Lighting Strategy [part 2 of 3] (Document reference: 6.2.3.2, APP-132) and on the latest Obtrusive Light Layout plan (submitted as part of the latest Technical Note for Lighting).</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>Particular concern is raised in respect of Langton Farm, Bridge Farm and Aston Firs caravan site and whether the glare would fail to accord with the Institute of Lighting Professionals guidance note 01/21, Table 4.</p>	<p>The Applicant will also provide a Technical Note for Lighting which will contain further guidance, information, and quantitative assessment to demonstrate that the Proposed Development can be provided with an external lighting installation that complies with the criteria as set out in the Lighting Strategy (document reference: 6.2.3.2, APP-132 to APP-134), while not exceeding the obtrusive light limitations for E2 post-curfew conditions. This Technical Note is intended to provide additional information to supplement the original Lighting as part of the Statement of Common Ground (SoCG) discussions with the relevant consultees. This Technical Note will be appended to the BDC SoCG and submitted at Deadline 2 (24/10/2023).</p>
		<p>An assessment of glare on the adjacent railway and highways is required</p>	<p>The Applicant will provide a Technical Note for Lighting which will contain further guidance, information, and quantitative assessment of glare on the highway and railway receptors to demonstrate that the Proposed Development can be provided with an external lighting installation that complies with the criteria as set out in the Lighting Strategy (document reference: 6.2.3.2, APP-132 TO APP-134), while not</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>exceeding the applicable limits as defined in CIE 112 - Glare Evaluation System. This Technical Note is intended to provide additional information to supplement the original Lighting as part of the Statement of Common Ground (SoCG) process with the relevant consultees. This Technical Note will be appended to the BDC SoCG and submitted at Deadline 2 (24/10/2023).</p>
		<p>Additional construction phase lighting details including avoiding impacts on sensitive receptors, avoidance of diesel generated lights, permanent column mounted lights if needed for more than one year, and the use of timers and monitoring to avoid unnecessary lighting.</p>	<p>The CEMP (document reference: 17.1, APP-359) specifies the overarching principles and measures to manage and mitigate the effects of the activities associated with the construction of the Proposed Development, and will be further developed once the appointment of the Principal Contractor for the project has been confirmed and a detailed construction programme has been developed, additional light measures that are required can be addressed through the detailed CEMP which will be secured by requirement 7 of the DCO.</p> <p>The Applicant will provide a Technical Note for Lighting which will contain further guidance, on items to be covered by the CEMP (document reference: 17.1, APP-359) in relation to lighting. These and the items from the original Lighting</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>Strategy will be incorporated into the detailed CEMP. This Technical Note is intended to provide additional information to supplement the original Lighting as part of the Statement of Common Ground (SoCG) process with the relevant consultees. This Technical Note will be appended to the BDC SOCG and submitted at Deadline 2 (24/10/2023).</p>
		<p>The Lighting Strategy has not considered the cumulative impact of all the proposed lights and the colour to be used; this cumulative impact needs to be assessed as it can impact upon sleep to nearby residents and local wildlife activity.</p>	<p>The Lighting Strategy (document reference: APP-132 to APP-134) defines the parameters and standards that any proposed lighting installation will have to be designed in accordance with to meet the specific criteria in terms of obtrusive light to meet the applicable standards and guidance.</p> <p>The Lighting Strategy (document reference: 6.2.3.2, APP-132 to APP-134) is based on the illustrative masterplan.</p> <p>The Applicant will provide a Technical Note for Lighting which will contain further guidance, information, and quantitative assessment of obtrusive light at the identified residential receptors to demonstrate that the Proposed Development can be provided with an external</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>lighting installation that complies with the criteria as set out in the Lighting Strategy, while not exceeding the obtrusive light limitations for Environmental Zone E2 post-curfew conditions. This Technical Note is intended to provide additional information to supplement the original Lighting as part of the Statement of Common Ground (SoCG) process with the relevant consultees. This Technical Note shall be appended to the BDC SoCG and submitted at Deadline 2 (24/10/2023).</p> <p>The final colour temperature will be defined following input from the various stakeholders including adoptable street lighting standards and the ecologist input. This will be determined at the detailed stage but will be done so in line with the Lighting Strategy (document reference: 6.2.3.2, APP-132 TO APP-134) and the Technical Note for Lighting.</p>
		<p>As the HBBC – with the support of neighbouring authorities – continues to assess the air quality impacts of the Scheme it will seek to identify any required air quality monitoring. HBBC expect TSL to support the cost of monitoring of the off-site impacts of the construction and operational phase, including equipment, ongoing monitoring and staffing. This may be</p>	<p>The air quality assessment (document reference: 6.1.9, APP-118) did not conclude in any requirements for monitoring during construction or operations, therefore no monitoring is</p>

RR Reference	Name/Organisation	Matter	Applicant
		relevant to both immediately adjacent to the Site and some wider areas.	required, therefore no monitoring has been advanced.
		Impact upon bat commuting and foraging needs to be clarified, particularly around the bat hotspot of the bridge over the railway line which is proposed to be illuminated.	<p>The indicative lighting design followed an iterative process in collaboration with the appointed Ecologist. The design illustrates the anticipated extent of light spill beyond the site including where spill falls to 1 lux. 1 lux has been adopted as the precautionary maximum amount of light spillage on to a bat foraging corridor needed to avoid impacts on bat foraging within the Leicestershire and Rutland 'Bats and Lighting' guidance document (Leicestershire County Council Planning Ecology Service, November 2014, updated August 2022).</p> <p>The Lighting Strategy (document reference: 6.2.3.2, APP-132 to APP-134) states "5.54. The final detailed design may deviate from the indicative external lighting design presented but must meet all parameters and criteria as set out in this report and demonstrate equal to or less than the quantity of light spill achieved. An adequate and safe level of lighting must be provided for site tasks, amenity, and security, whilst maintaining acceptable impact on the site</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>surroundings, environment, railway and neighbouring properties.”</p> <p>As shown on the latest Obtrusive Light Layout plan (submitted as part of the latest Technical Note for Lighting), the lighting strategy maintains a dark corridor along the railway line, including the bridge, minimising impacts on bats and their prey species. Commuting and foraging opportunities will be maintained for bats, with the dark corridors and the site boundaries connecting to the large areas of open space to the west. The open space will offer new foraging opportunities for the local bat population, including species-rich grassland, scrub, ponds, woodland and hedgerows (as listed at para. 12.230 of the Ecology Chapter [Document Reference: 6.1.12] and within the LEMP (document Reference 17.2, APP-360). All of which will contribute to increased prey abundance and diversity.</p>
		<p>More night-time photomontages for the areas northwest of the development are required as these areas are in direct line of sight of 20-30m high lighting masts and gantry for the rail terminal. This is due to the potential glare caused by being able</p>	<p>The Lighting Strategy (document reference: 6.2.3.2, APP-132 to APP-134) states that the installation shall comply with the recommendations of the ILP guidance notes which includes limitations for glare. The night-</p>

RR Reference	Name/Organisation	Matter	Applicant
		to see the light fitting in these masts and how these masts will light up the gantries.	<p>time photomontages are for illustrative purposes. In accordance with dDCO Requirement 31, each phase of the authorised development shall not be occupied until a scheme for all permanent lighting in that phase has been submitted to and approved by the relevant planning authority. The schemes submitted and approved must be in accordance with the lighting strategy.</p> <p>It is not practical to include every viewpoint where views of the development may instigate a change. The viewpoints included are representative of the varied receptors, their locations and activities. Photoviewpoint 36 in Figure 11.12 (document reference: 6.3.11.12, APP-296) illustrates views from the northwest where lighting masts are visible at year 15, representing a significant effect.</p>
		A quantitative lighting assessment is required for a development of this size given the proximity of sensitive lighting receptors, including a source intensity assessment	An indication of light spill is shown within Appendix 1 of the Lighting Strategy (document reference: 6.2.3.2, APP-133). In accordance with dDCO Requirement 31, each phase of the authorised development shall not be occupied until a scheme for all permanent lighting in that phase has been submitted to and approved by

RR Reference	Name/Organisation	Matter	Applicant
			<p>the relevant planning authority. The schemes submitted and approved must be in accordance with the lighting strategy.</p> <p>The Lighting Strategy (document reference: 6.2.3.2, APP-132 to APP-134) is based on the illustrative masterplan. The Lighting Strategy states that the installation shall comply with the recommendations of the ILP guidance notes for obtrusive light which includes obtrusive light limitations for residential properties.</p> <p>The Applicant will provide a Technical Note for Lighting which will contain further guidance, information, and quantitative assessment of source intensity. This Technical Note is intended to provide additional information to supplement the original Lighting Strategy as part of the Statement of Common Ground (SoCG) process with the relevant consultees. This Technical Note shall be appended to the BDC SoCG and submitted at Deadline 2 (24/10/2023).</p>
		<p>An assessment of glare on the adjacent railway and highways is required</p>	<p>The Applicant will provide a Technical Note for Lighting which will contain further guidance, information, and quantitative assessment of glare on the highway and railway receptors to demonstrate that the Proposed Development</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>can be provided with an external lighting installation that complies with the criteria as set out in the Lighting Strategy (document reference: 6.2.3.2, APP-132 to APP-134), while not exceeding the applicable limits as defined in CIE 112 - Glare Evaluation System. This Technical Note is intended to provide additional information to supplement the original Lighting Strategy as part of the Statement of Common Ground (SoCG) process with the relevant consultees. This Technical Note shall be appended to the BDC SoCG and submitted at Deadline 2 (24/10/2023).</p>
		<p>Further mitigation of the cumulative skyglow potential is required to protect the rural night sky</p>	<p>The Lighting Strategy (document reference: 6.2.3.2, APP-132 to APP-134) calls for all luminaires to be installed at 0 tilt to meet the ILP guidance notes limitations for sky glow.</p> <p>The Lighting Strategy (document reference: 6.2.3.2, APP-132 to APP-134) that all illumination levels will be set as low as practicable while complying with safety and security recommendations and the design levels set out in BS EN 12464 'Light and lighting – Lighting of work places – Part 2: Outdoor work places' and</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>BS 5489-1 'Design of road lighting- Lighting of roads and public amenity areas''</p> <p>The indicative lighting design demonstrates the resultant upward light ratio of the installation is less than the stipulated maximum allowable in ILP Guidance Note 01/21 therefore additional mitigation is not deemed necessary.</p>
		<p>A baseline lux survey is required to quantify the existing lighting environment at surrounding residential and ecological receptors.</p>	<p>A baseline survey has not been deemed necessary due to the fact the proposed development site has no existing artificial lighting. The results of a lighting survey would therefore not provide any more information than the current lighting strategy desktop assessment which aligns with the stipulated Environmental Zone 2 'Low district brightness' e.g. sparsely inhabited rural area. Any additional assessment could only reach the same conclusion or potentially a less onerous Environmental Zone classification if lighting is present on site, the Applicant has therefore assessed on the worst case basis currently.</p>

RR Reference	Name/Organisation	Matter	Applicant
		Amendments to the construction phase lighting are required	<p>The additional construction phase measures requested shall be incorporated into the CEMP (document reference: 17.1, APP-359).</p> <p>The Applicant will provide a Technical Note for Lighting which will contain further guidance, on items to be covered by the CEMP in relation to lighting. These and the items from the original Lighting Strategy (document reference: 6.2.3.2, APP-132 to APP-134) will be incorporated into the CEMP (document reference: 17.1, APP-359). This Technical Note is intended to provide additional information to supplement the original Lighting Strategy as part of the Statement of Common Ground (SoCG) process with the relevant consultees. This Technical Note shall be appended to the BDC SoCG and submitted at Deadline 2 (24/10/2023).</p>
		Where possible lighting colour of 3000k should be used to avoid blue lighting impacts on surrounding sensitive receptors and the night sky.	The final colour temperature will be defined following input from the various stakeholders including adoptable street lighting standards and the ecologist input. This will be determined at the detailed stage but will be done so in line with the Lighting Strategy (document reference: 6.2.3.2,

RR Reference	Name/Organisation	Matter	Applicant
			APP-132 to APP-134) and the Technical Note for Lighting.
		Clarification on the lux level contour lines in the drawing and 1.0 maintenance factor to be used.	The Applicant will provide a Technical Note for Lighting which will contain a lux contour plan specifically for obtrusive light utilising a Maintenance Factor of 1.0. This differs from the maintenance factor used for the indicative design as this has to allow for degradation of the output over the life of the installation as defined in Annex C of BS 5489-1 'Design of road lighting-Lighting of roads and public amenity areas'. This Technical Note is intended to provide additional information to supplement the original Lighting Strategy as part of the Statement of Common Ground (SoCG) process with the relevant consultees. This Technical Note shall be appended to the BDC SoCG and submitted at Deadline 2 (24/10/2023
	Landscape and Visual		
		The approach undertaken to the Landscape and Visual Impact Assessment (LVIA) is generally considered to accord with best practice.	It is noted that the approach to the LVIA is acceptable and considered to be in accordance with best practice guidance.

RR Reference	Name/Organisation	Matter	Applicant
		The inclusion of a night-time assessment as requested is welcomed	Noted
		The changes to the proposed development since the Preliminary Environmental Impact Report (PEIR) dated January 2022 appear to be negligible. There is no noticeable reduction in development footprint, and the landscape strips/areas around the Site remain narrow. Therefore, the changes presented are unlikely to mitigate/change the majority of landscape and visual effects reported and the residual harms indicate that the Scheme has overdeveloped the Site. This is expected to be a topic in which the Council and the Applicant significantly disagree.	<p>The illustrative Landscape Strategy (document reference: 6.3.11.20, APP-304) and illustrative Landscape Sections (document reference: 6.3.11.17, APP-301 and 6.3.11.18, APP-301) show the proposed landscape mitigation.</p> <p>The mitigation and enhancement principles in ES Chapter 11 (document reference.: 6.1.11. APP-120) can be summarised as:</p> <ul style="list-style-type: none"> - Overall green and blue open space accounts for 28% of the Main HNRFI Site; - The Western Amenity Area extends to approximately 22ha; and - Maximum built height parameters have been reduced by 2-5m, which represents a 7-18% reduction in maximum building height parameter. <p>As identified in paragraph 11.123 of ES Chapter 11 (document reference: 6.1.11, APP-120),</p>

RR Reference	Name/Organisation	Matter	Applicant
			corridors up to 70m in places would provide broad natural green ways on the site's boundaries.
		The effects to various receptors and viewpoints have been amended from the PEIR, but the important overarching conclusion is that there are still a large number of residual significant effects remaining at Year 15.	It is acknowledged that there would be significant adverse residual effects on identified representative landscape and visual receptors, as noted at paragraphs 11.189, 11.190 and 11.191 in the Summary and Conclusion of Chapter 11: Landscape and Visual Effects of the ES (document reference: 6.1.11, APP-120). These will be considered by the ExA in the decision making process alongside the benefits of the scheme.
		Not all of the details provided and the methods employed within the LVIA are agreed with and the residual effects identified do not fully illustrate the scale of landscape change.	The LVIA has been undertaken in accordance with best practice guidance and follows the methodology outlined in Annex 1 of the Landscape and Visual Baseline, provided in Appendix 11.1 (document reference: 6.2.11.1, APP-191) of ES Chapter 11 (document Reference: 6.1.11, APP-120). The methodology has been agreed with Blaby District Council, Leicestershire County Council and Hinckley and Bosworth Borough Council as set out in the consultation summary in paragraph 11.33 of ES Chapter 11 (document reference: 6.1.11, APP-121). The

RR Reference	Name/Organisation	Matter	Applicant
			<p>extent to which there is disagreement with regard to the assessment of effects is set out within the Statements of Common Ground.</p>
		<p>It is considered that a number of these receptors have been under assessed, but even against the Applicant's submission, the scope of landscape harm at Year 15 illustrates that the Scheme essentially is not/cannot be effectively mitigated. It would cause significant harm to the surrounding landscape and visual setting, including the public rights of way and settlements. The landscaping proposed is simply insufficient to enable appropriate assimilation into the wider countryside setting.</p>	<p>All identified representative landscape and visual receptors have been assessed using professional judgement in accordance with best practice guidance GLVIA3. The methodology is set out within Annex 1 of the Landscape and Visual Baseline Assessment (document reference: 6.2.11.1, APP-191).</p> <p>It is acknowledged that there would be significant adverse residual effects on identified representative landscape and visual receptors, as noted at paragraphs 11.189, 11.190 and 11.191 in the Summary and Conclusion of Chapter 11: Landscape and Visual Effects of the ES (document reference: 6.1.11, APP-120). These will be considered by the ExA in the decision making process alongside the benefits of the scheme.</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>Clarify how judgements on susceptibility and value have been derived for all landscape and visual receptors, and applied in practice: for landscape refer to sensitivity and values set out in the relevant Landscape Character Area (LCA) and provide clear links back to evidence to underpin professional judgements, and provide a narrative to show how the judgements have been reached in accordance with the Guidelines for Landscape and Visual Impact Assessment 3.</p>	<p>The applied methodology is outlined in Annex 1 of the Landscape and Visual Baseline, provided in Appendix 11.1 (document reference: 6.2.11.1, APP-191) of ES Chapter 11 (document reference: 6.1.11, APP-120). The assessment criteria at Tables A1.1, A1.2, A1.4 describes the judgements that have been made to arrive at the values shown in the assessment.</p>
		<p>Provide justification as to why an additional viewpoint representing the users of rights of way that cross the Site is not included in the LVIA</p>	<p>Representative viewpoint locations were agreed via email correspondence with Leicestershire County Council's Landscape Architect who was acting on behalf of Blaby District Council between January and March 2019. This is set out at paragraph 11.33 of ES Chapter 11 (document reference: 6.11.1). They include views from the majority of footpaths that cross the site at Photoviewpoint (PVP) 3 (PRoW U52/6) PVP 4 (PRoW U52/8), PVP 5 (PRoW V23/1), PVP 6 (PRoW U50/3), PVP 8 (PRoW V29/6) and PVP 37 (PRoW V29/7). These are assessed in Technical Appendices 11.5 and 11.6 (document references: 6.2.11.5, APP-195 and 6.2.11.6, APP-196) with significant impacts identified.</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>Clarify that the maximum/optimum measures have been put in place to mitigate significant adverse landscape and visual effects of the Scheme</p>	<p>The illustrative Landscape Strategy (document ref 6.3.11.20), illustrative Landscape Sections (document ref 6.3.11.17, APP-301 and 6.3.11.18, APP-302) show the proposed landscape mitigation and Proposed Photomontages (document reference: 6.3.11.16, APP-300) illustrate the effectiveness of the mitigation from selected representative viewpoints.</p> <p>The mitigation and enhancement principles in ES Chapter 11 (document reference: 6.1.11, APP-120) can be summarised as:</p> <ul style="list-style-type: none"> - Overall green and blue open space accounts for 28% of the Main HNRFI Site; - The Western Amenity Area extends to approximately 22ha; and - Maximum built height parameters have been reduced following visual assessment. <p>These measures have been put in place to allow the best possible mitigation, particularly from the most sensitive receptors within Burbage Common and Woods Country Park where significant residual effects have been eliminated.</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>The LVIA is also considered to not sufficiently clarify a number of elements, including: - The effects on the Elmesthorpe Settlement Character Area (SCA) and Barwell Urban Character Area (UCA) at Construction, Year 1 and Year 15; The photo viewpoints indicate significant visual impacts from the villages at Construction and Year 1 and 15 of operation.</p>	<p>The visual assessment has identified a limited number of elevated locations within Elmesthorpe and Barwell where views of the development would be visible. These views only occur at specific settlement edge locations and do not represent effects on the settlements as a whole. Overall effects on the character of these settlements is considered to be accurately represented by the assessment of effects on Elmesthorpe SCA and Barwell UCA as described in ES Chapter 11 Appendices 11.5 (document reference: 6.2.11.5, APP-195) and Appendix 11.6 (document Reference: 6.2.11.6, APP-196).</p>
		<p>Provision of further information to justify the magnitude of change ratings for all landscape and visual receptors, in particular to confirm/clarify judgements on 'scale of the change', 'geographical extent' and 'duration and reversibility/proportion', in line with the methodology</p>	<p>Likely effects on landscape and visual receptors – including the justification of the magnitude of change – are identified in ES Chapter 11 Appendices 11.5 (Document Reference: 6.2.11.5, APP-195) and Appendix 11.6 (document Reference: 6.2.11.6, APP-196).</p> <p>This is in accordance with the applied methodology as outlined in Annex 1 of the Landscape and Visual Baseline, provided in Appendix 11.1 (document ref.: 6.2.11.1) of ES</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>Chapter 11 (document Reference: 6.1.11, APP-120).</p> <p>The Chapter has been updated to include additional narrative as requested by HBBC and BDC and ES Chapter 11 and Appendices 11.1, 11.5 and 11.6 resubmitted on 22nd September.</p>
		<p>Provision of further justification/clarification for the planting growth rates assumed within the Year 15 photomontages.</p>	<p>A methodology for the Photomontages produced is contained within Annex 5 of the Landscape and Visual Baseline (Document Reference: 6.3.11.1, APP-285). A description of the vegetation growth rates used in the Year 15 Views is provided at paragraph 1.201 of the Landscape and Visual Baseline with examples of selected species given in Table 1.10. It should be noted that the growth rates described are conservative in their assumptions as the majority of the structural planting would be provided during the enabling works and will have been in place for up to 10 years at year 1 following completion of the whole development and for up to 25 years by Year 15 following completion of the whole development.</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>The quantum of justification for the nighttime effect on landscape and visual receptors generally, including:</p> <p>Provision of baseline descriptions of lighting in relation to individual landscape and visual receptors. The impact of the lighting cannot be fully assessed without this baseline information;</p> <p>Clarify what the night-time construction effects are for Landscape Character Area (LCA) 1: Aston Flamville Wooded Farmland, LCA 6: Elmesthorpe Floodplain, and LCA 15: Stoney Stanton Rolling Farmland.</p> <p>Provide further information for the night-time visual assessment at construction for photo viewpoints (9, 12, 19, 20, 22, 24, 25 and 32, in particular judgements and accompanying narrative on overall sensitivity (value and susceptibility), magnitude of change (scale of the change, geographical extent and duration and reversibility/proportion) and overall effects. Additional concerns in respect of the lighting/night time impact is set out within section 8 above.</p>	<p>The baseline description of night-time conditions is described in the Baseline Conditions: Night-time Visual Amenity section of the Landscape and Visual Baseline (document reference: 6.3.11.1, APP-285). And refers to the CPRE's Interactive Map of England's Light Pollution and Dark Skies as well as on site night-time assessment at 10 representative viewpoint locations.</p> <p>The applied methodology for the night-time assessment is provided in paragraphs A1.33 to A1.37 of Annex 1 of the Landscape and Visual Baseline.</p> <p>The Lighting Strategy (document reference: 6.2.3.2, APP-132 to APP-134) details the various measures that are proposed to limit the light spill and effects associated with lighting at night.</p> <p>The night-time photomontages are for illustrative purposes. The final calculated levels shall be confirmed at the detailed stage by specific lighting impact assessments where required.</p> <p>The night-time construction effects have been Described more fully in the updated Landscape</p>

RR Reference	Name/Organisation	Matter	Applicant
			and Visual ES Chapter and accompanying appendices 11.1, 11.5 and 11.6 (document references: 6.11.1, 6.2.11.1, 6.2.11.5 and 6.2.11.6, APP-191, APP-195, APP-196) submitted 22 September 2023.
		Further detail and discussion is required in respect of the long-term management of the proposed wood abutting Burbage Common woods. For example, has the naming of the wood come through public engagement and is there scope for it to be managed in a joined up approach to Burbage Common?	Management principles are outlined in the Landscape Ecological Management Plan (document reference: 17.2, APP-360), which focusses on the establishment and ongoing management and maintenance of the ecological and landscape areas throughout the proposed development. Discussions have been held with the Open Spaces Officer with regard to habitat management and these will continue throughout the development of the detailed design.. The naming of the wood acknowledges historic name of the bridge on Burbage Common Road 'Ingles Bridge'.
		The approach undertaken to the Landscape and Visual Impact Assessment (LVIA) is generally considered to accord with best practice	It is noted that the approach to the LVIA is acceptable and considered to be in accordance with best practice guidance.

RR Reference	Name/Organisation	Matter	Applicant
		<p>In terms of the contents of the Landscape and Visual Impact Assessment, concern is raised in respect of the extent of residual significant effects at Year 15 even with mitigation planting included. The landscaping proposed is not considered sufficient to enable assimilation into the countryside setting.</p>	<p>The applied design principles have been outlined in the mitigation and enhancement section at paragraph 11.134 – 11.137 of the ES Chapter 11 (document reference: 6.1.11, APP-120). These can be summarised as:</p> <ul style="list-style-type: none"> - Overall green and blue open space accounts for 28% of the Main HNRFI Site and A47 Link Road Corridor combined; - The Western Amenity Area extends to approximately 22ha, which is approximately 25% of the Burbage Common and Woods Country Park; and - Maximum built height parameters have been reduced by 2-5m, which represents a 7-18% reduction in maximum building height parameter. <p>As identified in paragraph 11.123 of ES Chapter 11 (document reference: 6.1.11, APP-120), corridors up to 70m in places would provide broad natural green ways on the site's boundaries.</p> <p>It is acknowledged that there would be significant adverse residual effects on identified representative views and landscape receptors, as noted in the Summary and Conclusion of Chapter</p>

RR Reference	Name/Organisation	Matter	Applicant
			11: Landscape and Visual Effects of the ES (document reference: 6.1.11, APP-120). These will be considered by the ExA in the decision making process, alongside the benefits of the scheme.
		The scale of residual impacts indicate that the Scheme has overdeveloped the Site. In response to these identified impacts, the Applicant should propose a comprehensive package of wider landscape enhancement within the Scheme's zone of theoretical visibility.	It is acknowledged that there would be significant adverse residual effects on identified representative landscape and visual receptors, as noted at paragraphs 11.189, 11.190 and 11.191 in the Summary and Conclusion of Chapter 11: Landscape and Visual Effects of the ES (document reference: 6.1.11, APP-120).
		Detailed concerns to the assessment include:	N/A
		How judgements on susceptibility and value have been derived.	<p>The methodology for the LVIA is provided in Annex 1 of the Landscape and Visual Baseline, provided in Appendix 11.1 (Document Reference: 6.2.11.1, APP-191) of ES Chapter 11 (document reference: 6.1.11, APP-120).</p> <p>The susceptibility to development and value of identified receptors is outlined in the Landscape</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>and Visual Baseline (document reference: 6.2.11.1, APP191).</p> <p>This has been updated to include additional narrative as requested by HBBC and BDC and ES Chapter 11 and Appendices 11.1, 11.5 and 11.6 resubmitted on 22nd September.</p>
		<p>Additional information necessary for the night time assessment.</p>	<p>The baseline description of night-time conditions is described in the Baseline Conditions: Night-time Visual Amenity section of the Landscape and Visual Baseline (document reference: 6.3.11.1, APP-285).</p> <p>The applied methodology for the night-time assessment is provided in paragraphs A1.33 to A1.37 of Annex 1 of the Landscape and Visual Baseline.</p> <p>The Lighting Strategy (document reference: 6.2.3.2, APP-132 to APP-134) details the various measures that are proposed to limit the light spill and effects associated with lighting at night.</p> <p>The Applicant will also provide a Technical Note for Lighting which will contain further guidance, information, and quantitative assessment to</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>demonstrate that the Proposed Development can be provided with an external lighting installation that complies with the criteria as set out in the Lighting Strategy, while not exceeding the obtrusive light limitations for Environmental Zone E2 post-curfew conditions. This Technical Note is intended to provide additional information to supplement the original Lighting Strategy as part of the Statement of Common Ground (SoCG) process with the relevant consultees. This Technical Note shall be appended to the BDC SoCG and submitted at Deadline 2 (24/10/2023).</p>
		<p>Omission of a viewpoint to represent users of the rights of way that cross the Site</p>	<p>Representative viewpoint locations were agreed via email correspondence in January 2021. They include views from the majority of footpaths that cross the site at Photoviewpoint (PVP) 3 (PRoW U52/6) PVP 4 (PRoW U52/8), PVP 5 (PRoW V23/1), PVP 6 (PRoW U50/3), PVP 8 (PRoW V29/6) and PVP 37 (PRoW V29/7). These are assessed in Technical Appendices 11.5 and 11.6 (Document references 6.2.11.5, APP-195 and 6.2.11.6, APP-196) with significant impacts identified.</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>The Applicant has failed to adequately mitigate the Scheme and should propose a comprehensive package of wider landscape enhancement within the Scheme's zone of theoretical visibility.</p> <p>Obligations may be required in respect of the long-term management of the landscaped areas, particularly to ensure that the areas adjacent to Burbage Common are managed in coordination with the Common.</p>	<p>The level of mitigation proposed is considered proportionate given that around 25% of the Main HNRFI Site and A47 Link Road Corridor is green infrastructure with additional amenity areas and street trees within the logistics park. Approximately 20,000 trees will be planted as part of the proposals.</p> <p>Management of the landscape will be through a Landscape and Ecological Management Plans for each phase as set out in DCO requirement 22.</p>
	Ecology		
		<p>The quantum of ecological work undertaken is recognised and that sufficient Phase 1 and 2 species surveys are considered to have been completed and in general accordance with standard guidance. In terms of the content of the assessment, the Council have a number of comments and concerns.</p>	Noted
		<p>The level of importance afforded to various protected species is not agreed, with them generally being undervalued. This includes: - Bats should not only be afforded 'Local' importance. – Breeding birds, such as lapwing and skylark, are considered to be higher than 'District' importance. – Otters are considered to be higher than 'District' importance.</p>	<p>As per CIEEM EIA guidelines, "Deciding the importance of species populations should make use of existing criteria where available. For example, there are established criteria for defining nationally and internationally important populations of waterfowl. The scale within which importance is determined could also relate to a</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>particular population, e.g. the breeding population of common toads within a suite of ponds or an otter population within a catchment. When determining the importance of a species population, contextual information about distribution and abundance is fundamental, including trends based on historical records. For example, a species could be considered particularly important if it is rare and its population is in decline.”</p> <p>This guidance is referred to at paragraph 1.55 of the Ecology Baseline (document reference: 6.2.12.1, APP-197).</p> <p>When a particular species is a national priority species or declining at a national level, it does not automatically make the population recorded of that level of importance, unless it makes up a significant proportion of the local/county/national/ international wintering/ breeding/ migratory population. In other words, the level of protection or conservation status of a particular species is not necessarily synonymous with its importance in EIA terms.</p> <p>In the context of Lapwing (for example), the Leicestershire and Rutland Bird Report 2020</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>classifies Lapwing as an 'Abundant winter visitor / uncommon migrant breeder'.</p> <p>Breeding Bird Surveys estimated 2 - 5 pairs of breeding lapwing utilising the site. This is not considered to be of any greater significance than district level, as these are not regionally or nationally significant numbers when considered in the context of wider population data.</p> <p>Similarly, the bat assemblage recorded within the Main Order Limits is typical of an urban edge farmland site in central England, with common and widespread generalist species accounting for the vast majority of foraging and commuting activity. Survey data to date suggests the buildings on site support day roosts supporting low number of common species. The assemblage is therefore only of local value.</p>
		<p>It appears that Phase 2 surveys were only conducted within the main order limits and not the full DCO order limits, LUC, on behalf of the Council, queries the ability to assume 'negligible importance' without undertaking surveys.</p>	<p>As stated within the Ecology Baseline (document reference: 6.2.12.1, APP-197), the Main Order Limits includes the Main HNRFI Site, contiguous areas to the north-west, south and east, respectively to contain the corridor of a proposed link road that would cross the Leicester to Hinckley railway and connect to the B4668/A47</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>Leicester Road (the 'A47 Link Road'), the proposed works to M69 Junction 2 and a section of the B4669 Hinckley Road towards the village of Sapcote. The DCO Site does include additional non-contiguous areas of land which will be subject to highway enhancements, traffic management measures, and pedestrian level crossings. An extended Phase 1 survey was undertaken on the 14 April 2022 of the additional areas included for the highways works, A review of the proposals for these non-contiguous areas found them to be ecologically insignificant, given that they typically involve development of already developed areas.</p> <p>Where impacts on semi-natural habitats are required (i.e. the construction of the pedestrian footbridge across the railway), impacts to habitat will be temporary in nature, and will not significantly impact protected species (e.g. no impacts to trees with bat roost potential, commuting bats, badger setts etc).As such, no Phase 2 surveys are proposed in these areas. Update habitat walkover surveys are scheduled for 2024/2025 and will include all areas where the proposals will impact semi-natural habitats. Management Plans (i.e. CEMP (document reference: 17.1, APP-359) secured by</p>

RR Reference	Name/Organisation	Matter	Applicant
			Requirement 7 will ensure appropriate working methodologies for any removal of habitat to ensure no adverse impacts on protected species.
		The Council disagrees with the grading of importance to habitats and species, which appears to be based on their abundance within the order limits as opposed to their status or level of protection	<p>As per CIEEM EIA guidelines, "Deciding the importance of species populations should make use of existing criteria where available. For example, there are established criteria for defining nationally and internationally important populations of waterfowl. The scale within which importance is determined could also relate to a particular population, e.g. the breeding population of common toads within a suite of ponds or an otter population within a catchment. When determining the importance of a species population, contextual information about distribution and abundance is fundamental, including trends based on historical records. For example, a species could be considered particularly important if it is rare and its population is in decline."</p> <p>This guidance is referred to at paragraph 1.55 of the Ecology Baseline (document reference: 6.2.12.1, APP-197).</p> <p>When a particular species is a national priority</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>species or declining at a national level, it does not automatically make the population recorded of that level of importance, unless it makes up a significant proportion of the local/county/national/international wintering/breeding/migratory population. In other words, the level of protection or conservation status of a particular species is not necessarily synonymous with its importance in EIA terms.</p> <p>In the context of Lapwing (for example), the Leicestershire and Rutland Bird Report 2020 classifies Lapwing as an 'Abundant winter visitor / uncommon migrant breeder'.</p> <p>Breeding Bird Surveys estimated 2 - 5 pairs of breeding lapwing utilising the site. This is not considered to be of any greater significance than district level, as these are not regionally or nationally significant numbers when considered in the context of wider population data.</p> <p>Similarly, the bat assemblage recorded within the Main Order Limits is typical of an urban edge farmland site in central England, with common and widespread generalist species accounting for the vast majority of foraging and commuting activity. Survey data to date suggests the</p>

RR Reference	Name/Organisation	Matter	Applicant
			buildings on site support day roosts supporting low number of common species. The assemblage is therefore only of local value.
		There is a general disagreement with the assigning of value to ecological receptors – this is heavily based on presence within order limits rather than based on national decline/legal protection.	As outlined within the Ecology Baseline (document reference: 6.2.12.1, APP-197), the majority of the Main Order Limits is of only limited (Negligible or Site-level) intrinsic nature conservation importance, comprising mainly arable grassland, arable land, improved grassland, species-poor semi-improved grassland and built areas. Other habitats, including the network of ponds, a stream, mature standard trees, boundary hedgerows and woodland have been assigned Local or higher-level intrinsic nature conservation value.
		There is a lack of consideration to habitat fragmentation during the operational phase, including the provision of only one relatively narrow corridor in a north-east/south-west direction.	The assessment of the likely impacts includes fragmentation. As per paragraph 12.151 of the Ecology and Biodiversity chapter (document reference: 6.2.12, APP-121), the Proposed Development has been designed to incorporate the hedgerow network and minimise its fragmentation where possible, particularly around the perimeters. It is acknowledged in the assessment that the direct loss and

RR Reference	Name/Organisation	Matter	Applicant
			<p>fragmentation of the existing hedgerow network is considered to be of high magnitude and extent, with appropriate mitigation proposed on that basis. Currently the net gain calculations show a 7.12% net linear gain, before any local or off-site solutions have been implemented. Future iterations of the Net Gain metric will ensure 10% net gain in hedgerow units will be achieved - a significant factor in terms of alleviating fragmentation impacts.</p>
		<p>There is also a lack of consideration to the retention of existing hedgerows/features of note within the Site area to minimise need to displace fauna</p>	<p>As outlined in Table 12.7 of the Ecology and Biodiversity Chapter (document reference: 6.2.12, APP-197 and APP-198), the development proposals will result in the unavoidable loss of approximately 13,990m of hedgerow. However, in line with local and national policy, and in line with the forthcoming Environment Act 2021, the proposals will deliver at least 7% net gain in hedgerows on site, with additional gains sought elsewhere where necessary. Where possible, features of value have been retained or losses minimised.</p>

RR Reference	Name/Organisation	Matter	Applicant
		There is a general lack of detail provided for long term ecological management plans.	The existing LEMP (document reference: 17.2, APP-360 is only outline in nature, with a detailed LEMP(s) secured via Requirement 22. Sufficient detail will therefore be provided at the detailed design stage.
		The mechanism securing the implementation of Biodiversity Net Gain (BNG) are unclear and may necessitate S106 Obligations	<p>Requirement 30 is written in a 'Grampian style' – and accords in the planning guidance for the use of planning conditions (PPG – paragraph 09 Reference ID: 21a-009-2014306) in the context that the full 100% BNG commitment may not be achieved on land that is presently within the control of the Applicant.</p> <p>Discussions are ongoing to secure off site BNG credits locally and discussions have also taken place with the Environment Bank in relation to their BNG credit system.</p>
		Moreover, little consideration appears to have been provided to the ecological impacts of lighting.	Lighting within the central/operational parts of the development will necessarily be well-lit. A sensitive lighting strategy (document reference: 6.2.3.2, APP-132 to APP-134) has been designed to ensure that light spill to surrounding habitats has been kept to a minimum and dark corridors

RR Reference	Name/Organisation	Matter	Applicant
			surrounding the proposals will ensure continued opportunities for faunal species.
		In terms of the BNG, it is difficult to provide any meaningful comment as the mapping associated with the BNG has not been provided. Mapping should be included within the metric 3.1 and associated reporting. This also links the Biodiversity Improvement Area and Landscape Enhancement Management Plan that also need to be provided for full review	<p>Figure 12.3 (document reference: 6.3.12.4, APP-309) shows the pre-development site. The Post-development BIA Plan is provided at Annex 2 of the Biodiversity Impact Assessment Calculations (document reference: 6.2.12.2, APP-198).</p> <p>The illustrative Landscape Strategy (document ref.: 6.3.11.20, APP-304) and illustrative Landscape Sections (document reference: 6.3.11.17, APP-301 and 6.3.11.18, APP-302) show the proposed landscape mitigation.</p>
		Additionally, completed DEFRA BNG metric and supporting condition sheets, including assessor comments and supporting rationales for decision making (such as strategic significance and 'fairly' condition selection) needs to be provided for review.	<p>It has been agreed discussed through the SoCG process that a full BIA report, inclusive of condition assessments and assessor comments will be provided at detailed design stage (Requirement 32). This will include a detailed Defra BNG metric with additional supporting rationales for decision making.</p> <p>As outlined in the BIA report Appendix 12.2 (document reference: 6.2.12.2, APP-198), the 'fairly good' condition was selected within the</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>Defra metric for created grassland on precautionary basis, which in line with the Rochdale Envelope approach, is considered appropriate.</p> <p>The existing BIA report states that 'other neutral grassland' of 'fairly good' condition will be created (paragraph 1.20). As it is considered grassland of 'Moderate' condition can be readily achieved, and as there is no defined condition assessment for 'Fairly good' condition, 'Good' condition grassland will be targeted in any event.</p> <p>The detailed BIA (Requirement 32) will state that 'Good' condition will be targeted for certain grassland habitat creation The LEMP (or indeed, the series of LEMPs) secured via Requirement 22 will also outline the necessary management and monitoring measures required to achieve 'good' condition grassland.</p>
		<p>The Council understands that the Applicant has committed to delivering 10% BNG in relation to the Scheme and that the Scheme may have to comply with the BNG requirements of the Environment Act 2021. The Scheme as proposed fails to clearly demonstrate and secure 10% BNG, including its long-term management, and further mitigation is required in this respect.</p>	<p>Requirement 30 will ensure the development delivers a 10%. Whilst BNG assessments are ongoing, current calculations show there is sufficient scope to deliver net gains on site, with options to deliver additional through off-site solutions.</p>

RR Reference	Name/Organisation	Matter	Applicant
	Heritage	<p>In terms of the assessment undertaken, the Council considers that the potential impacts upon the settings of certain designated heritage assets have been undervalued, being reduced to a level that suggests that the effects on their significance is either negligible or neutral. This includes the Elmesthorpe Church, Ruined Nave and West Tower Scheduled Monument.</p>	<p>The Applicant and BDC have agreed discussed in their SoCG discussions that the submitted Cultural Heritage ES Chapter 13 (document reference: 6.1.13, APP-122) includes a comprehensive assessment of the impact upon the historic environment, including the setting of nearby designated heritage assets. This includes the Elmesthorpe Church, Ruined Nave and West Tower Scheduled Monument The impacts identified in respect of relevant heritage assets are reported individually in detail in paragraphs 13.172 to 13.197 of ES Chapter 13 (document reference 6.1.13, APP-122).</p> <p>ES Chapter 13 (document reference 6.1.13, APP-122) has been resubmitted 11 September 2023, with Table 13.8 revised to set out the identified impacts on individual designated heritage assets more explicitly and thereby address BDC's concern that the impacts as previously presented were undervalued.</p>
		<p>Concern is raised in respect of the amalgamation of all heritage assets into a single entity in Table 13.8 (ES Chapter 13 Cultural Heritage document reference 6.1.13), given the varying</p>	<p>The Applicant and BDC have agreed discussed in their SoCG discussions that an appropriate methodology has been employed to assess</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>magnitude of change expected to occur to the various assets. A single conclusion value is considered to mask the range of impact that will occur.</p>	<p>relevant heritage assets and the impacts of the Proposed Development. Given the different level of significance of these assets along with the varying magnitude of change they are to experience, BDC considers that all of the affected assets should be identified separately within Table 13.8 of the ES to give a more explicit representation of the likely effects. The impacts identified in respect of relevant heritage assets are reported individually in detail in paragraphs 13.172 to 13.197 of ES Chapter 13 (document reference: 6.1.13, APP-122).</p> <p>ES Chapter 13 (document reference 6.1.13, APP-122) has been resubmitted 11 September 2023, with Table 13.8 revised to set out the identified impacts on individual designated heritage assets more explicitly and thereby address BDC's concern that the impacts as previously presented were unclear.</p>
		<p>The photomontages are not considered to present a full picture against which to assess the relationship of the heritage assets to the Scheme. For example, the railport and associated light and gantry cranes would be visible in viewpoint 19; photomontages of Wentworth Arms and Stables are</p>	<p>The Applicant and BDC have discussed/agreed in their SoCG discussions that the submitted Cultural Heritage ES Chapter 13 (document reference: 6.1.13, APP-122) includes a comprehensive assessment of the impact upon the historic environment, including the setting of</p>

RR Reference	Name/Organisation	Matter	Applicant
		insufficient to establish the level of impact.	nearby designated heritage assets. The SoCG discussions between the Applicant and BDC also has sets out that the agreement that, in each case, the impact of HNRFI on the significance of relevant designated heritage assets falls within the category of 'less than substantial harm'. The absence of details of light and gantry cranes in viewpoints is not considered to materially affect the conclusions of Cultural Heritage ES Chapter 13 (document Reference: 6.1.13, APP-122) in respect of the impact of the Proposed Development on the Wentworth Arms and Stables Grade II listed building, or any other heritage asset under consideration. The impact on Wentworth Arms and Stables Grade II listed building is identified at paragraph 13.178 as resulting in a permanent minor adverse significance of effect.
	Flood and Drainage		
		30 homes, as well as a commercial property and a school in Stoney Stanton flooded in 2019 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.	The applicant's consultant has liaised with the Environment Agency and Lead Local Flood Authority on matters of flood risk and surface water through the NSIP process to ensure that their requirements are met, and best practise is followed. The Environment Agency and Lead Local Flood Authority have both confirmed that they are comfortable with the Proposed Scheme.

RR Reference	Name/Organisation	Matter	Applicant
			To confirm, the Main HNRFI Site does not discharge surface water towards Stoney Stanton.
	Geology and Contamination		
		The Council have no concerns in respect of the work undertaken or proposed additional investigative work programmed in respect of the geology and contamination.	Noted
	Waste		
		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.	Comments noted
		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	ES Chapter 16: Geology, soils and contamination (document reference: 6.1.16, APP-125) references asbestos quite extensively, both in existing buildings in the farm buildings and as a potential ground contaminant (Section 16.91 and Table 16.13). The Remediation Strategy and Earthworks specifications will detail procedures for dealing with unforeseen contamination.

RR Reference	Name/Organisation	Matter	Applicant
			<p>Paragraphs 16. 123 and 16.124 discuss mitigation measures in relation to asbestos in building and within the soil.</p> <p>“Demolition of existing buildings must be completed in accordance with Control of Asbestos Regulations 2012. Prior to demolition a full asbestos survey must be completed to identify all asbestos and enable a plan of work to be prepared to safely remove any asbestos.</p> <p>Any asbestos contaminated soils may be retained on site beneath hardstanding subject to a risk assessment and preparation or a safe system of work under the Control of Asbestos Regulations 2012.”</p> <p>These measures for dealing with unforeseen contamination will be set out in the remediation strategy to be developed as part of detailed design. The SWMMP will be developed as further ground investigation is completed and material types and waste streams are defined. As stated in Paragraph 16.133 and 16.157 a Material Management Plan (MMP) will be prepared to manage the re-use of excavated soils.</p>

<u>RR Reference</u>	<u>Name/Organisation</u>	<u>Matter</u>	<u>Applicant</u>
			<p>In general terms the procedure would comprise a watching brief during the demolition and earthworks to identify and assess any areas of potential contaminated soil. Where unforeseen contamination is identified, the earthworks in that areas will be suspended and a specialist will inspect the ground and determine a suitable remediation approach to deal with the contamination, to be agreed with the LPA. Where asbestos is encountered works will be stopped and the area made safe. Depending on the future cover requirements of the cut and fill, the contaminated soils</p> <p>If the soils need to be excavated as part of the bulk cut and fill earthworks, then an asbestos risk assessment and plan of work will be prepared by the contractor to comply with the requirements of Control of Asbestos Regulations (2012). If the risk from asbestos is significant the works would be completed as Licensed asbestos works.</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>However, with recognition that national and local planning policy seeks to minimise climate change and maximise renewable energy use, the lack of a commitment to Net Zero energy Requirements for operation is disappointing. By only designing to BREEAM: Very Good, the HNRFI is unlikely to be future proofed – an aim stated in the Opportunities and Constraints section of the Design and Access Statement (document reference 8.1).</p>	<p>As agreed in item 5 of the SoCG, HNRFI supports the Draft National Policy Statement for Renewable Energy Infrastructure 2021 (NPS EN-1 – draft). 100% of the available roof space is proposed for the provision of photovoltaic panels with an overall generation potential of 42.4 megawatts peak (MWp). This provision has been maximised based on the size of the scheme. With further incorporation of power efficiency measures which will be considered as the scheme is designed, such as battery storage, this level of generation allows the site to be largely self-sufficient in normal operation.</p> <p>The Applicant as part of their wider business has moved to BREEAM Excellent. This will be updated in the Design Code (document reference 13.1 APP-354) and Design and Access Statement (document reference 8.1 APP-349) to be submitted at Deadline 2.</p>
		<p>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 Scheme. The timescale for construction means that construction and energy targets will continue to be increased, leaving the Scheme potentially lagging behind other proposals.</p>	<p>As agreed in item 6 of the SoCG. the HNRFI will contribute to “achieving national targets to reduce greenhouse gas emissions focussing new development in the most sustainable locations and seeking site layout and sustainable design</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>principles which reduce energy demand and increase efficiency.”</p> <p>The assessment of effects on climate changes and resilience to its impacts is proportionate to the information known at the time of writing and reflective of an application made where the proposals are in outline development.</p> <p>As the project progresses through detailed design and construction phases, a more refined and comprehensive understanding of the project's specifics allows for more achievable and strategic net-zero plans and a greater ability to respond to emerging technologies and sustainability opportunities. The Applicant are committed to maintaining a rigorous approach to environmental impact assessment. The commitment to staying up-to-date with the latest data and research ensures that informed decisions that prioritise sustainability and minimise adverse effects on the climate are made.</p>
		<p>The necessary building specification to ensure net zero operation should be secured in the Scheme’s Requirements</p>	<p>The design proposals are reflective of and consistent with legislative and policy requirements at the time of writing.</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>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. It would be disappointing to learn during the latter part of the construction phase that more solar capacity could have been generated were the applicant to have submitted a separate DCO for more than 49.9 Mw of electricity generation.</p>	<p>The Energy Strategy [document reference 6.2.18.1, APP-217] determines that peak consumption for the entire HNRFI site, inclusive of 100% EV charging, would not exceed 50Mw. The Energy Strategy has therefore been devised to meet 100% of HNRFI's needs. As agreed in the SoCG HNRFI This supports the Draft National Policy Statement for Renewable Energy Infrastructure 2021 (NPS EN-1 – draft).</p> <p>The Planning Act 2008 defines a Generating Station at Section 15. Should an occupier wish to use solar power to generate additional renewable energy, then depending upon statutory provisions at that time, a further DCO may be required. Alternatively, such provision may be otherwise authorised through the TCP Act 1990 or by means of 'permitted development rights' at that time.</p>
		<p>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 CHP and an uncertain and unproven technology is being considered ahead of already widely used heat pump technology. Both Ground Source Heat</p>	<p>The proposed infrastructure allows the future deployment of current and emerging technologies in an economic manner for occupiers, strongly encouraging their adoption and the progressive improvement in energy performance through the operating life of the</p>

RR Reference	Name/Organisation	Matter	Applicant
		Pumps and Air Source Heat Pumps should be used and if either are to be excluded this should be justified.	<p>site.</p> <p>The Infrastructure already maximises onsite renewable solar generation, includes substantial electricity storage and pooling through the microgrid. Further, it is adaptable and allows for further development at unit and central areas. The initial expectations will not prejudice or constrain future technological developments.</p> <p>The Energy Strategy Appendix 18.1 (document reference: 6.2.18.1, APP-217) details the potential for renewable energy provision during the operational phase, which will greatly reduce GHG emissions compared to procuring this energy from the National Grid. This strategy has been developed to optimise potential onsite to its greatest means, therefore minimising energy consumption from on-grid and non-renewable services as much as feasible.</p> <p>Where surplus energy is generated, it is proposed that this energy is captured and stored onsite for future use.</p> <p>For heating, the Energy Strategy provides a summary assessment of current technologies relevant for the office spaces, where air source</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>heat pumps are typically preferred due to the low loading and seasonal usage. For warehouse spaces the use of gas has been excluded, and if any occupier does require some heating to the warehouse, ground source will be included in their assessment.</p> <p>Continuity and certainty of supply have been considered for the operational site (inclusive of rail operations and other safety-critical aspects). To ensure smooth operations, safety compliance, and overall project success, it is crucial to provide reliable electricity supply to the site throughout the construction process. It should be noted that a Combined Heat and Power (CHP) energy centre is to be used as emergency redundancy in the event of a grid failure and/or the on-site PV been non-operational (e.g. snow cover). The infrequent use of such a facility means that it does not compromise the sustainability of the wider energy strategy..</p>
		<p>Currently Ground Source Heat Pumps are not proposed as part of the Scheme, but they should be because they make the on site generated renewable energy (from solar) go further which takes the pressure off of finite energy resources.</p>	<p>Heat pumps coupled with heat storage are indeed well matched to renewable generation. Ground source heat pumps are not being excluded from consideration for the site.</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>For heating, the Energy Strategy (document reference: 6.2.18.1, APP-217) provides a summary assessment of current technologies relevant for the office spaces, where air source heat pumps are typically preferred due to the low loading and seasonal usage.</p> <p>For warehouse spaces, heating is increasingly not required, or required to a low temperature and only seasonally. The use of gas has been excluded in the design, and if any occupier does require some heating to the warehouse, ground source will be included in their assessment.</p> <p>The Energy Strategy Appendix 18.1, (document reference 6.2.18.1, APP-217) details the potential for renewable energy provision during the operational phase, which will greatly reduce GHG emissions compared to procuring this energy from the National Grid. This strategy has been developed to optimise potential onsite to its greatest means, therefore minimising energy consumption from on-grid and non-renewable services as much as feasible. Where supplementary energy is generated, it is proposed that this energy is captured and stored onsite for use during peak hours and when</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>generation maybe limited due to seasonal effects. The Energy Strategy provides a summary of the assessment relates to seasonal small heating loads expected to be required for office spaces, and in those use cases, air source heat pumps are typically preferred. It does not explicitly rule out the of GSHP but it is ordinarily not a requirement of warehouse spaces. Wherever warehouse or process heating is required by an occupier, all available technologies will be considered on a case by case taking into account factors such as heat demand, available space, cost analysis, and specific project requirements to determine the most suitable heating and cooling solution. The assessment will consider the grade, quantum and pattern of heat required.</p>
		<p>There ought to be an assumption that the HNRFI 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.</p>	<p>The Energy Strategy (document reference: 6.2.18.1, APP-217) sets out the objective of the site to be self-generating for its power and the feasibility of the different technologies currently available, which could further add to the sustainable credentials of the scheme. Para 11.1.8 sets out that these technologies are in line with national and local planning policy. Para 11.1.10 sets out a commitment where possible to</p>

RR Reference	Name/Organisation	Matter	Applicant
			exceed minimum requirements during detailed design.
		It is disappointing that reliance is being placed on fossil fuels for a main energy source to the facility.	<p>Fossil fuels are certainly not a main source of energy provision (document reference: 6.2.18.1, APP-217). The energy infrastructure design expressly optimises the path to net zero operations and minimises reliance on fossil fuels.</p> <p>Onsite renewables used directly when generated or after storage in batteries are the first supply. Grid electricity is the second. The use of battery storage will enhance the ability of occupiers to use only renewable grid energy. Any CHP or standby generation would only be used in exceptional circumstances during a failure of supply.</p> <p>The Energy Strategy Appendix 18.1, (document reference 6.2.18.1, APP-217) concludes that 83% of the peak operational energy requirements would be produced by solar photovoltaics (PV) with 100% of the total available roof space (excluding areas required for rooflights, drainage and safe access) to be covered by PV cells.</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>It doesn't appear that decarbonisation of heat via heat networks and the utilisation of ground, water or air source 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.</p>	<p>As described in the energy strategy (document reference: 6.2.18.1, APP-217) the site infrastructure has been conceived to be future proof and enable net zero operations to be achieved as soon as feasible. The initial PV deployment is maximised in order to drive that accomplishment.</p> <p>Distribution from an energy centre is designed to store, pool and distribute electricity between units; provision is included for heat distribution should any occupier generate surplus.</p> <p>The electricity supply hierarchy begins with onsite renewables used when generated or after storage in batteries as the first supply. Grid electricity is the second. The use of battery storage will enhance the ability of occupiers to use only renewable grid energy. Any CHP or standby generation would only be used in exceptional circumstances when the other supplies are not sufficiently available.</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>In terms of energy use, it is far more efficient to use renewable energy power directly via the grid or to store this close to where it's produced for later use. This may well be via battery or conversion to hydrogen. To assume that hydrogen will be widely available for use in CHP plants at some unknown point in the future is a risk and does not make sense from a climate resilience or sustainability perspective.</p>	<p>As set out in the Energy Strategy (document reference: 6.2.18.1, APP-217), onsite renewable generation and battery storage are already central to the site design.</p> <p>Whilst Government policy is to decarbonise the gas grid, it is not assumed that this will be achieved. Surplus electricity generated on site and after battery storage is filled, could be used for local electrolysis for use as a transport fuel or instead of grid gas, whether or not fully decarbonised.</p>
		<p>The Council 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).</p>	<p>The design already includes for heat pumps to the office areas, which would meet that objective. Gas has been excluded in the design from use for heating.</p> <p>Should any occupier require any heat or cooling for warehouse areas, this will also be provided using heat pumps. It is anticipated that electricity for any such heat pumps would be locally generated renewably, and that heat storage would also be included</p>

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		<p>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 GHG 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.</p>	<p>As described in the energy strategy (document reference: 6.1.18, APP-127), heat pumps are essential to the design. Gas heating has been excluded from consideration.</p>
		<p>The Scheme is adopting a 'fabric first' approach to development which prioritises the energy efficiency of a property right from conception, at the start of the design and development process. This approach is supported to minimise the energy Requirements of the buildings for operation. It is not however clear what innovative approaches, if any, are being considered and allowed for in this development beyond that typically included in such new warehouse units.</p>	<p>The Applicant has developed a 'Blueprint Design' document for the design and specification of its buildings and sites to ensure that its buildings are consistently of the highest quality and meet / exceed all current legislation.</p> <p>In addition, and as a Gold Member of UKGBC (United Kingdom Green Building Council), the Applicant is not only striving to ensure that all their new developments reduce the quantity of embedded carbon within their buildings and the built environment within which they reside, but also, by working in conjunction with the Contractors that will ultimately deliver their buildings, tap into their supply chains to push this aspiration further.</p> <p>The Applicant is also committed to ensuring that their schemes are future proofed for inclusion of</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>emerging technologies and energy provisions such as Battery Storage and Hydrogen.</p> <p>The Applicant commits to providing a minimum of 20% of the car parking bays with electric vehicle charging systems and the balance of 80% is future proofed by installing the necessary infrastructure in readiness for upgrading to electric vehicle charging in the future.</p> <p>The Applicant has committed to ensuring that all their developments achieve a Net Zero Carbon in Construction rating.</p>
		<p>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.</p> <p>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.</p>	<p>The Applicant are unsure what this comment is made in reference to, but confirm their commitment to Sustainable Drainage Systems and rainwater harvesting, consistent with Chapter 14: ‘Surface Water and Flood Risk’ (document reference: 6.1.14, APP-123), the Site Concept Surface Water Drainage Strategy Risk’ (document reference: 6.3.14.4, APP-339) and paragraphs 18.268 and 18.298 and Table 18.21 of Chapter 18: Energy and Climate Change Risk’ (document reference 6.1.18, APP-127).</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>Water harvesting systems require significant amounts of infrastructure which significantly increases the embodied carbon of the building, they are power hungry, making the carbon in operation increase for the life of the building, they require considerable additional maintenance, which has negative impacts on both cost and carbon and they can only be relied on for a proportion of the year, so you have to have a mains connection which feeds all of the water fittings anyway.</p>
		<p>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.</p>	<p>We confirm our commitment to Sustainable Drainage Systems and rainwater harvesting, consistent with Chapter 14: 'Surface Water and Flood Risk' (document reference 6.1.14), the Site Concept Surface Water Drainage Strategy Risk' (Document Reference: 6.3.14.4, APP-339) and paragraphs 18.268 and 18.298 and Table 18.21 of Chapter 18: Energy and Climate Change Risk' (document reference: 6.1.18, APP-127). In summary, the proposals include Sustainable Drainage Systems designed to account for predicted climatic trends and rainwater harvesting.</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>The Scheme'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.</p>	<p>Sustainable Transport Strategy and Plan (document reference: 6.2.8.1 pt 15 of 20, APP-153) Contains detail of DRT services and further sustainable transport provision this is to be read in tandem with The Framework Travel Plan (document reference: 6.2.8.2, APP-159)</p>
		<p>The Scheme's 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. 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 Scheme's proposed S106 Planning</p>	<p>Sustainable Transport Strategy and Plan (document reference: 8.2.8.1 pt 15 of 20, APP-153) Contains detail of DRT services and further sustainable transport provision this is to be read in tandem with The Framework travel Plan (document reference: 6.2.8.2, APP-159)</p> <p>The Applicants approach responds appropriately to the provision of the NPS-NN impacts on transport networks. An LPA may ask for more provisions to be made towards alternative choice of transport. The issue for consideration is whether the measures put forward by the Applicant are satisfactory in the context of the guidance in the NPS – and the approach in national planning policy that developments should not be refused on transport has grounds unless the cumulative residual impacts are 'severe' (Framework 111).</p>

RR Reference	Name/Organisation	Matter	Applicant
		Obligation Heads of Terms (document reference 10.1), should be provided by the Applicant.	The Sustainable Transport Strategy and Plan as well as the mechanisms for securing sustainable transport measures are still under discussion with the local authorities.
		Further Requirements or S106 Obligations are needed in respect of water conservation and ensuring the Scheme has the capability to operate at net zero in the future.	Water harvesting systems require significant amounts of infrastructure which significantly increases the embodied carbon of the building, they are power hungry, making the carbon in operation increase for the life of the building, they require considerable additional maintenance, which has negative impacts on both cost and carbon and they can only be relied on for a proportion of the year, so you have to have a mains connection which feeds all of the water fittings anyway. Noted.

RR Reference	Name/Organisation	Matter	Applicant
	Cumulative and in Combination Effects		
		<p>Despite all of the information tabled in respect of the Scheme, no clear conclusions are actually provided within the Cumulative and In-Combination Effects paragraph.</p>	<p>Table 20.2 of ES Chapter 20 (document reference: 6.1.20, APP-129) summarises the outcome of the cumulative assessments, the detailed cumulative assessment is provided within each technical chapter of the ES and also set out in ES Appendix 20.1 (document reference: 6.2.20.1, APP-226).As described in para 18.296 of the ES chapter 6.1.18, with respect to cumulative and in combination effects, as the receptor is the global climate and not limited to a regional receptor or the specific cumulative sites, it is reasonable to treat all other development as having to mitigate their own effects in relation their respective impact on climate change in accordance with national policies, in the same way as evidenced in this application.</p>
		<p>The design of the scheme as proposed in its current form warrants further consideration, discussion and assessment.</p>	<p>Chapter 4 of the ES (document reference 6.1.4, APP-113) sets out the masterplanning approach that has been taken for the site and the evolution of this in response to site constraints, survey work and consultation. This is set out in</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>paragraphs 4.132 to 4.183. The location of different elements of the Proposed Development within the site itself has been driven by a number of different factors including rail connectivity, highways, location to residential receptors and to ecological and other environmental sites and receptors. All these factors have been balanced against the market drivers to result in the layout proposed. BDC have provided a document commenting on design matters 13 September 2023 which they intend to submit as an appendix to their Deadline 1 response. In response to this document comment the Applicant has attached a detailed response to this relevant representations response report at Appendix Will respond at Deadline 2.</p>
RR-0731	Leicestershire County Council	Highways and Transport	Matters pertaining to the comments below are addressed in the Highways Position Statement attached at Appendix A.
		<p>There is no agreement to the following elements of the proposed development:</p> <ul style="list-style-type: none"> • Trip generation - including discrepancies in employee numbers and addition of a lorry park 	LCC signed off the trip generation on 04/10/2021. Proposals have not materially changed since this agreement. Trip generation figures part 4 of 20 (document reference: 6.2.8.1, APP-142) have been agreed through substantial negotiation

RR Reference	Name/Organisation	Matter	Applicant
			<p>with the TWG, of which LCC is a member. The basis of trip generation is set out unambiguously in the Transport Assessment. and technical appendices including detailed review of the onward freight percentages and their derivation. The trip generation has always been based on floor area as per the standard approach to Transport Assessment. This was also discussed during the preliminary hearing/ISH 1 and a short supplementary note is to be provided at Deadline 1 detailing this.</p> <p>The base data was used from other RFI applications and refined/amalgamated with other distribution sites to produce trip rates for both car and HGV movements. The employee numbers sit independent to this derivation as these are often uncertain at the time of submission and have an indirect link to trip rates, rather than a direct relationship, owing to matters such as shift patterns.</p> <p>The estimates of employment have been derived by the socio-economic assessment which states a range, the lower value being 8,400 and an upper ceiling of up to 10,400 employees. This was based on the HCA Employment Density Guide 3rd edition. In practice the employment figure is</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>expected to be between the lower and upper estimates.</p> <p>On review of the absolute projected trip generation figures (Table 7 within the Trip Generation Addendum note) these equate to approximately 8,200 car trips for the site (half the arrivals plus departures). For the lower employment figures, these would be extremely robust with close to 100% of employees driving to site in their own car, which is unrealistic. For the upper employee estimate this value would be around 78% mode share, which remains robust and in line with other distribution sites. The figures used for car trips are high when compared with the floorspace and usage. This was to test the infrastructure provision with a likely worst case.</p>
		<p>In addition, it is concerning to note at paragraph 2.26 of the submitted Transport Assessment it states that an addendum Transport Assessment will be prepared at a later date, which will include a final Transport Assessment, further traffic modelling information, and Road Safety Audits. Moreover, no timetable is provided for this submission.</p>	<p>The additional work referred to relates to the Rugby Rural Area Model (RRAM) assessment to be carried out for Warwickshire County Council and NH. A summary of the technical findings of the model has been submitted on 11/09/23 and demonstrate J1 M69 to be the key area of impact for review. The junction was subject to a detailed</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>1. As a consequence of the above there is also no agreement to:</p> <ul style="list-style-type: none"> • Red line order limits • Draft Development Consent Order • s106 Heads of Terms 	<p>micro-simulation model as part of the submission.</p> <p>The Applicant welcomes LCC's constructive engagement with the Application in order to ensure the efficient examination of the Application. To this end the Applicant invites LCC to engage on any remaining matters of disagreement pursuant to the Highways Position Statement in order that these can be recorded in a SOCG.</p>
		<ul style="list-style-type: none"> • Strategic model outputs including furnessing methodology and lack of phased testing 	<p>The furnessing methodology and its outputs have been shared from early in the model process. Points made by LCC and NH at the time related to changes in methodology to account for the fact that Junction 2 would have wholly new arms. Discussions were held with LCC Network Data Intelligence (NDI)and their consultants who broadly agreed with the BWB approach – which was ultimately included in the DCO submission. An updated methodology technical note was submitted to the ExA on 11/09/23. This was for clarification purposes and did not change the data outputs.</p>

RR Reference	Name/Organisation	Matter	Applicant
		<ul style="list-style-type: none"> • Access infrastructure including its design, capacity and deliverability • Impact of the development and role of the access infrastructure in the interpretation of modelling results 	<p>Access infrastructure is described in the Project Description, Chapter 3 of the ES (APP-12, Application document Reference 6.1.3, APP-12) and shown on the Highways Plans (APP-021 to APP-035, document reference Application Reference 2.4 to 2.5, APP-021 to APP-035). This is assessed in the Transport Assessment (document reference: 6.2.8.1 APP-138 to APP-158) Environmental Statement - Appendix 8.1 - Transport Assessment.</p>
		<ul style="list-style-type: none"> • Mitigation strategy and package, including local and strategic junction assessments, design, and lack of testing of mitigation strategy in strategic model 	<p>A list of junctions for review was provided by LCC following the strategic model outputs in August 2022. These were fully reviewed and addressed within the TA submission as part of the DCO (document reference: 6.2.8.1, APP-155).</p>
		<ul style="list-style-type: none"> • Impacts on rail including Narborough crossing and future passenger provision 	<p>The Narborough Level crossing was subject to scrutiny by the LHA and models were adjusted to suit the existing and forecast delays.</p> <p>Network Rail have undertaken a detailed analysis of Narborough Station and the barrier down time. Based on the pre-pandemic timetable, in the morning peak hours 7 – 10 am,</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>there is only one possible time an additional intermodal freight train could run. In the afternoon, between 4 – 7 pm only two could run. Each train travelling at 75 miles per hour would cause a maximum barrier downtime of 2.5mins. This is far less than a stopping passenger train coming from Leicester, which is 4-5 minutes.</p> <p>Network Rail is satisfied that sufficient capacity has been identified for HNRFI services in the Working Timetable. This allows for known passenger service development aspirations identified by Midlands Connect, to better link Birmingham, Nuneaton, Hinckley and Leicester.</p>
		<ul style="list-style-type: none"> HGV Management Plan and Route Strategy including method of enforcement 	<p>The HGV Strategy (document reference: 17.4, APP-362) is for agreement. The premise is based on precedent from Redditch Gateway, which is operational and is agreed with the relevant authorities. This places the onus on the applicant to enforce transgressions through penalties on operators at the site. The Applicant is happy to explain this position in dialogue with LCC if necessary.</p>

RR Reference	Name/Organisation	Matter	Applicant
		<ul style="list-style-type: none"> Public Right of Way Strategy including rail crossings Strategic Planning Policy 	<p>The Public Right of Way Strategy is currently under discussion as part of the LCC SoCG discussions, the LCC SoCG will be submitted at Deadline 2. The Public Right of Way Strategy is to be controlled under Requirement 26.</p>
		<ul style="list-style-type: none"> Construction Traffic Management Plan and construction traffic routeing impacts 	<p>The Construction Traffic Management Plan sets out the strategy for managing traffic through the phasing of the site and routing of vehicles. This will be a live document and subject to further discussions and agreement as construction comes forward. This will be controlled under Requirement 24 (separate from the CEMP for ease of consultation with the Highway Authority).</p>
		<ul style="list-style-type: none"> Framework Site Wide Travel Plan 	<p>With regard to operational traffic, Requirements 8 and 9 of the DCO ensure that the development traffic is controlled through the Framework Site Wide Travel Plan (FSWTP) (document reference: 6.2.8.2, APP-159) and the Sustainable Transport Strategy (STS) (document reference: 6.2.8.1, APP-153).</p> <p>The Applicant also notes that there is no such requirement included in other rail freight DCOs.</p>

RR Reference	Name/Organisation	Matter	Applicant
			Any specific comments on the FSWTP or the STS are invited 9.
		<ul style="list-style-type: none"> <li data-bbox="571 560 1010 592">Sustainable Transport Strategy 	See above
		<ul style="list-style-type: none"> <li data-bbox="571 679 1211 711">Walking Cycling and Horse-Riding Assessment 	The Walking Cycling and Horse Riding Assessment has been carried out and submitted with the DCO, it is not required to be agreed with Highway Authorities (GG142)
		<ul style="list-style-type: none"> <li data-bbox="571 919 1211 951">Walking Cycling and Horse-Riding Assessment 	The Walking Cycling and Horse Riding Assessment has been carried out and submitted with the DCO, it is not required to be agreed with Highway Authorities (GG142)
		<ul style="list-style-type: none"> <li data-bbox="571 1158 1379 1302">The impact on the demand for housing is underestimated and the employees beyond the construction phase would be drawn from a wider area than considered by the Applicant. <li data-bbox="571 1318 1379 1385">Greater weight must be given to the policies and proposals in the relevant development plan documents. 	The impact of the development on socio-economic impact issues have been addressed in the ES Chapter 7 Socio-Economic (document reference: 6.1.7, APP-116). The planning authorities accept the need for an SRFI from the Leicester and Leicestershire Warehouse and

RR Reference	Name/Organisation	Matter	Applicant
		<p>The impact of the proposed development on the operation of Croft Quarry, its committed extension to mineral workings and consequential impact on rail capacity.</p>	<p>Logistics Study. This is to form an evidence base for the preparation of the review of development plans. As such, the LPAs will need to make provision for other development needs such as housing within the local plan reviews.</p> <p>The primary basis for decisions taking is the NPS-NN. The provisions of a development plan may be 'important and relevant' to the decision taking (S104 Planning Act 2008) but cannot be given greater weight than the NPS. The Planning Statement (Document Reference 7.1, APP-347) has given weight to these policy provisions in the development plan that are not addressed within the NPS.</p> <p>The availability of rail freight paths has taken account of committed extensions to Croft Quarry.</p>
		<p>Public Health</p>	
		<ul style="list-style-type: none"> • Vulnerable groups not adequately considered such as in relation to active travel, severance, road safety and air quality • Proposed development potentially exacerbating existing health inequalities including for Gypsy and Travellers 	<p>All tangible changes in environmental and socio-economic conditions with the potential to influence public health have been assessed and addressed through the assessment process set to objective thresholds and guidance that are protective of the environment and health and</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>community and children and young people in Earl Shilton and Barwell</p> <p>Impacts of Noise, Lighting and Air Quality during construction and development not fully considered in relation to human health.</p>	<p>facilitate sustainable development. This includes impacts of noise, lighting and air quality during construction.</p> <p>A Health and Equality Briefing Note Appendix 7.1 (document reference: 6.2.7.1, APP-137) has been further provided to aid navigation of the DCO and summarise how and where health has been addressed.</p> <p>Protected Characteristics, including the travelling community are further considered in Appendix 7.2 Equalities Impact Assessment (document reference: 6.2.7.2 AS-001), at the request of PINS on behalf of the SoS.</p>
		<p>Public Health</p>	
		<ul style="list-style-type: none"> Stress mitigation not covered for Construction or Operational phases (diversions, interruptions to utilities, dust, noise).] 	<p>The effect on the community during construction, including possible stress, will be managed under the Construction Environmental Management Plan (CEMP) (document reference: 17.1 APP-359,).</p>

RR Reference	Name/Organisation	Matter	Applicant
		<ul style="list-style-type: none"> Concern some of the datasets used in relation to public health are incorrect. 	<p>While the Applicant acknowledges that other datasets exist, it does not accept that any of the datasets used in relation to public health are incorrect.</p>
		<p>Public Health</p>	
		<ul style="list-style-type: none"> Insufficient consideration is given to the siting and space of indicative wellbeing zones and potential health risks. 	<p>The Applicant has prepared a SOCG on public health matters, which sets out the areas of principal matters of agreement and disagreement and its view on matters of limited consequence. This draft SoCG will be submitted at Deadline 2.</p> <p>The wellbeing zones, as shown on the illustrative masterplan, are indicatively located at this stage, with their final location being determined as part of the detailed design process.</p> <p>Notwithstanding this however, the 4no. locations that have currently been illustrated, are located adjacent to the new publicly accessible pathways and bridleways and set within the landscaped, green corridor that runs around the perimeter of the main development areas in the north and west, and the new extension to Burbage</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>Common to the south of the main development area and A47 Link Road.</p> <p>These locations are set away from the main highways and operational areas of the main development area, and will only be utilised by pedestrians, cyclists and equestrians, with the sole exception being the occasional vehicles required for the maintenance of these areas.</p> <p>As mentioned, these locations have been sited specifically within the green corridors and new Public Open Space, and in the case of two of the locations, adjacent to new water bodies, to enhance the feeling of tranquillity in these locations.</p> <p>All of the locations will include activity equipment as well as areas of social seating and are for use by the general public and employees alike. It is also important, that these locations are visible along the prescribed routes for personal safety and security and not set apart.</p> <p>It is therefore considered that the locations, as illustratively shown, are both considered and appropriate to their use and purpose.'</p>

RR Reference	Name/Organisation	Matter	Applicant
		Net Zero and Sustainability	
		<ul style="list-style-type: none"> The Net Zero Leicestershire Strategy and Action Plan and associated Roadmap Research evidence base, and Leicestershire Climate and Nature Pact have not been considered. 	<p>Chapter 18 (document reference: 6.1.18, APP-127) acknowledges established commitments at the time of writing. The chapter makes reference to LCC's declaration of a Climate Emergency, the subsequent 'Environment Strategy' (2018-2030) and acknowledges commitments to "minimising its environmental impacts, protecting and enhancing the Leicestershire environment and helping to deliver sustainable development by recognising and fostering the links between the environment, people and our economy"</p> <p>Consultation on LCCs 'Net Zero Leicestershire' campaign and subsequent publication of the Strategy were undertaken during periods of submission to the Planning Inspectorate. Though not explicitly referenced in Chapter 18, TSL support the principle commitments of the 'Net Zero Strategy', namely; 'deliver low-carbon, affordable transport choices', 'to reduce demand for energy, support the switch to low carbon energy and heat, and increase renewable energy generation' and 'grow the County's low carbon economy'. TSL are committed to the principles of</p>

RR Reference	Name/Organisation	Matter	Applicant
			the 'Leicestershire climate and nature pact'. Failure
		<ul style="list-style-type: none"> Scoping of GHG emissions excludes key emissions sources from waste, land use, land use change and forestry and energy 	<p>The methodology is consistent with that agreed with the planning inspectorate prior to assessment (paragraphs 18.37 and 18.39) during which LCC were consulted. Paragraph 18.61 explains: "As set out in the EIA Scoping Report (dated November 2020) (document reference: 6.2.6.1, APP-135) the GHG emissions sources set out in Table 18.4 have been excluded from the assessment. Whilst it is recognised that the infrastructure provided can lock-in positive or negative user behaviour in operation, the GHG emissions are influenced by a number of factors beyond design decisions." Furthermore, "in accordance with IEMA guidance (2022) (see paragraph 18.53), where information is limited it is deemed suitable to provide a qualitative assessment of these GHG emissions rather than a quantitative assessment. Quantitative assessments of emissions sources not assessed in this chapter are set out in Table 18.4." (paragraph 18.62).</p>

RR Reference	Name/Organisation	Matter	Applicant
		<ul style="list-style-type: none"> 20% of Total number of Parking Spaces being for Electric Vehicles is insufficient and mitigation does not facilitate transition to ultra low emission vehicles or decarbonised road freight. 	<p>Under the proposals, the HNRFI development site will deliver a minimum of 20% EV charging spaces for both LDV and HGV with capacity to provide 100% dependent on phasing and demand. This is confirmed by the Design and Access Statement (Document Reference 8.1, APP-349). The Sustainable Transport Strategy and Plan (document reference: 6.2.8.1, APP-153) provides further information.</p>
		<ul style="list-style-type: none"> Insufficient consideration to minimisation of fossil fuel usage from gas CHP infrastructure 	<p>The Energy Strategy (Appendix 18.1, (document reference: 6.2.18.1, APP-217) details the potential for renewable energy provision during the operational phase, which will greatly reduce GHG emissions compared to procuring this energy from the National Grid. This strategy has been developed to optimise potential onsite to its greatest means, therefore minimising energy consumption from on-grid and non-renewable services as much as feasible. Where supplementary energy is generated, it is proposed that this energy is captured and stored onsite for use during peak hours and when generation maybe limited due to seasonal effects. It should be noted that a Combined Heat and Power (CHP) energy centre is to be used “as</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>a last resort such as during a grid” and that “even ahead of general decarbonisation of the gas grid, when it is used in combination with fossil fuels such as gas and diesel or even refuse-derived fuels, it is still more energy efficient than obtaining energy from the National Electricity Grid” (Appendix 18.1). The provision of CHP is therefore a more reliable and sustainable means of energy generation under emergency circumstances.</p>
		<ul style="list-style-type: none"> • GHG emissions post mitigation 	<p>Table 18.22 of Chapter 18 (document reference: 6.1.18, APP-127), provides a useful summary of the total calculated GHG emissions pre and post-mitigation for the construction and operation of the scheme. This table presents a conservative estimate of residual emissions, which excludes the GHG reductions that would come from the modal shift of freight from road to rail and the potential reductions that would come over time from a decarbonisation of the energy grid and the emergence of low carbon vehicles and trains.</p>
		<p>Socioeconomics</p>	

RR Reference	Name/Organisation	Matter	Applicant
		<ul style="list-style-type: none"> Potential impacts in relation greater demand for shared accommodation in existing settlements. 	<p>Shared accommodation is often related to the construction phase of development. According to the APS in March 2022, there were some 52,300 residents in the construction Study Area employed in construction, and approximately 51,700 construction employees that work in the Study Area. This shows that there are more residents employed in the construction sector than there are jobs in the sector, indicating that the Study Area is a net exporter of construction workers. Therefore, the addition of 737 net additional construction jobs (on and off site) will likely be met by the existing local workforce. Consequently, this will have a negligible impact on demand for housing resulting in a neutral effect.</p>
		<ul style="list-style-type: none"> Concerns around the benefits of construction for local population and suppliers will not be appropriately secured. Concerns regarding impact on health service provision. 	<p>The evolving Employment and Skills Plan will ensure that the effects of construction and operational employment are captured locally as anticipated.</p> <p>As this is not a residential development it is considered that health services will not be impacted as people ordinarily access health</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>services where they live rather than where they are employed.</p>
		<ul style="list-style-type: none"> Concerns regarding the availability of local workforce to match required skills and how an effective training strategy will be secured. 	<p>The availability of labour supply will be detailed in the evolving Employment and Skills Plan.</p> <p>Although unemployment levels are low in the area, there are still approximately 46,100 unemployed people in the Study Area. The Study Area performs worse in youth unemployment in 16–24-year-olds at 13.5% compared to 12.9% at the England level, which the Proposed Development could help to address.</p> <p>In terms of construction employment, according to the Jobseekers' Allowance data (June 2022) (ONS), there are 1,250 individuals claiming JSA in the Study Area who usually work as labourers in the building and woodworking trades, and in other construction trades. The data also shows that overall, 2,535 individuals claim JSA. This means that 49% of individuals claiming JSA within the Study Area are looking for work in the construction sector. In England, the data indicates that 29,225 out of 84,680 individuals claiming JSA are within the construction sector, which is 35% in percentage terms. Therefore, the</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>Study Area has a higher proportion of JSA Claimants in construction and building and woodworking trades than England.</p> <p>As detailed in Environmental Statement Chapter 7: Land Use and Socio-Economic Effects (document reference: 6.1.7, APP-116), the area is a net exporter of construction staff, so the construction workforce is likely to be locally sourced, with no material impact on local health care capacity or demand.</p>
		<p>Ecology</p>	
		<ul style="list-style-type: none"> Lack of lighting plan showing maximum luminaires limit for lighting used in proximity to sensitive ecological receptors in accordance with ILP Guidance Note 08. 	<p>The Lighting Strategy (part 2 of 3) (document reference: 6.2.3.2, APP-133) includes a Proposed External Lighting layout which itself includes lux contours for the main development footprint and lumens per lamp type. The plan shows that the open space in the south and west of the site will typically be subject to 1lux or less.</p>

RR Reference	Name/Organisation	Matter	Applicant
		<ul style="list-style-type: none"> The proposals show an intent to deliver BNG but it is currently unclear as to how both on and off site BNG will be provided, secured and delivered. 	<p>Requirement 30 is written in a 'Grampian style' – and accords in the planning guidance for the use of planning conditions (PPG – paragraph 09 Reference ID: 21a-009-2014306) in the context that the full 100% BNG commitment may not be achieved on land that is presently within the control of the Applicant.</p> <p>Discussions are ongoing to secure off site BNG credits locally and discussions have also taken place with the Environment Bank in relation to their BNG credit system</p>
		<p>Flood Risk and Drainage</p>	
		<ul style="list-style-type: none"> It is considered that Flood Risk and Drainage will be a key issue for consideration of the proposed development. However, the Examining Authority should note that statutory responsibility falls with the Environment Agency (EA) for this type of development. Albeit the Lead Local Flood Authority (LLFA) are directly liaising with the EA and with the Applicant in particular in relation to the surface water proposals 	<p>The applicant's consultant has liaised with the Environment Agency and Lead Local Flood Authority on matters of flood risk and surface water through the NSIP process to ensure that their requirements are met, and best practise is followed. The Environment Agency and Lead Local Flood Authority have both confirmed that they are comfortable with the Proposed Scheme</p>

RR Reference	Name/Organisation	Matter	Applicant
RR-1019	North Warwickshire Borough Council	The Borough Council is concerned about the impact on the A5 especially between the M69 and M42	Impacts on the A5 have been modelled and reviewed within the mitigation strategy.
		Concerned about the ability to ensure occupiers on site use the rail facilities	<p>The matter of the phasing of the construction of the railport is covered comprehensively in the highways position statement attached at Appendix A.</p> <p>The Applicant proposes that 105,000 sq metres of floor space may be occupied, prior to the rail port becoming operational (DCO Requirement 10). The Applicant considers that it is reasonable for construction (and occupation) to take place within construction Phase A as identified on illustrative works and phasing plan 1 (document reference: 2.18.1, APP-050). Details of the phase A works are set out in ES Chapter 3 Table 3.9 (document reference 6.2.3.1: APP-131). Maritime, the Applicant's preferred operator for the rail port at HNRFI, state (Document Ref: 16.1 Appendix Letters of support): 'From our experience with other SRFIs start-ups, we believe that the opportunity to allow warehouse occupation and operations to take place ahead of</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>rail terminal operations, is instrumental in allowing organic growth and encouragement of occupiers to utilise the SRFI to its full capacity’.</p> <p>The Applicant’s proposed DCO requirement is clear that no additional floorspace would be permitted for occupation until the railport capable of handling four 775m trains per day has been completed. The approach to the phasing for the delivery of the first phase of the railport, is consistent with other approved SRFI DCOs and specifically the approach taken by the Secretary of State for Transport, in the decision on the West Midlands Rail Freight Interchange Order 2020. It is also consistent with the Secretary of State’s acceptance in the recently approved Northampton Gateway Rail Freight Interchange Amendment Order 2023 where the timing for the opening of the rail terminal was varied to allow occupation of 232,260 sq.m of floorspace. The Secretary of State was clear in his Decision Letter, having considered paragraph 4.88 together with paragraphs 4.83 and 4.85 of NPS that the amendment to the trigger for delivering the rail terminal was compliant with the NPS and that it is “entirely reasonable that a commercial</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>undertaking should seek to generate income from the warehousing facilities before the rail connections becomes operational. The Secretary of State is satisfied that the Development as amended would comply with the policies of the NPSNN and its underlying objectives in respect of SRFI projects” (paragraph 24).</p> <p>In terms of the phasing of the HNRFI development DCO Requirement 10 allows for the construction of the railport to take place at the same time as the highways infrastructure as identified on illustrative works and phasing plan 1 (document reference 2.18.1). Details of the phase A works are set out in ES Chapter 3 at Table 3.9 (document reference: 6.2.3.1, APP-131).</p> <p>The Applicant has been working with Network Rail in detail since March 2019 and in doing so has secured a joint understanding of the deliverability of the mainline connections to a level beyond that previously secured prior to a DCO decision (normally to GRIP2 (now ES2)). This particularly related to signalling and the Applicant is now working towards completing ES3, to assist an early start.</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>Network Rail is satisfied that, on the basis of the development work undertaken to date, there are no rail obstacles to the development and taking into operational use of HNRFI.</p> <p>Network Rail has confirmed to the Applicant that it is confident that early connections can be delivered however the proposed DCO requirement provides flexibility and ensures that the development won't be stalled in the unlikely event of delays outside of the Applicant's control. The requirement also protects against the risk that while Network Rail agree that connections can be delivered early there is an element of risk that the relevant Network Rail teams may have to postpone work for the HNRFI connections if Network Rail teams or rail possessions are needed elsewhere on the line to deal with an emergency.</p> <p>The phasing strategy for the delivery of the rail port is also considered to be the new draft National Networks National Policy Statement (March 2023) para 4.86 and provides an appropriate measure of flexibility in the development of HNRFI. The ability for rail connected buildings is designed in at the outset and will be built to market demand.</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>Rail freight is a private sector owned and operated industry and neither the industry or its customers can contract for a lifetime operation.</p>
		<p>Concerned that this site provides for wider than the immediate areas and can deliver employment for the West Midlands.</p>	<p>The evolving Employment and Skills Plan will ensure that the effects of the construction and operational employment are captured locally as anticipated.</p> <p>The construction of the HNRFI would help support construction firms operating in the West Midlands region and provide jobs in the industry. The construction phase is estimated to support 737 net additional on and off site construction jobs per annum over the 10-year construction period, including 461 on site jobs per annum. Businesses in the local and regional economy would benefit from the trade linkages that would be established to construct the development, meaning that further indirect jobs would be supported locally in suppliers of construction materials and equipment. Local businesses would generally also benefit to some extent from temporary increases in expenditure as a result of the direct and indirect employment effects of the</p>

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			<p>construction phase, for example, as construction workers spend their wages in local shops, accommodation and other facilities. Accounting for the positive multiplier effects and discounting for potential adverse displacement effects, results in an estimate of an additional 275 jobs created off-site per annum over the 10-year construction period. The majority of these would be in businesses linked to the construction sector but would also be in local businesses such as cafes and accommodation that would benefit from the new expenditure associated with the on-site workers. It should be noted that 5 out of the 12 local authorities within the construction Study Area are located within the West Midlands region, with the rest located within the East Midlands.</p> <p>Operational phase jobs would also be generated once the construction has been completed and the Proposed Development is occupied. Employment on-site is estimated to be between 8,400-10,400 workers once fully occupied depending on the employment density applied. Once displacement and multiplier effects have been considered, the Proposed Development is expected to generate some 10,400 to 12,900 on and off-site jobs. However, it will also safeguard</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>between 2,100 to 2,600 jobs in the LLEP area by relocating logistics activities to a more sustainable location and built environment. It should be noted that 6 out of 16 local authorities within the Study Area are located within the West Midlands region.</p>
<p>RR-1189</p>	<p>Rugby Borough Council</p>	<p>The impact on the highway within Rugby Borough must be Must assessed the highway in conjunction with WCC and NH</p>	<p>NH and WCC have formed part of the TWG and have been kept informed throughout the applicant's involvement. Further detail on the TWG is contained within Appendix A, Highway Position Statement.</p>
		<p>Chapter 8 of the Environmental Statement, table 8.28 incorrectly refers to works to the B4027 and Coal Pit Lane falling within Harborough District, parts of these works are within Rugby Borough</p>	<p>Noted</p>

RR Reference	Name/Organisation	Matter	Applicant
RR-0474	Hinckley and Bosworth Borough Council	Site selection	
		<p>The principal concern of the Council is that without careful consideration of the Zone of Influence that any Cumulate Environmental Assessment will sewer the overall assessment of impacts</p>	<p>The CEA for the Proposed Development has been undertaken in line with the structure and approach set out in the Planning Inspectorate's Advice Note Seventeen: Cumulative effects assessment relevant to nationally significant infrastructure projects.</p> <p>As set out in paragraph 20.19 of ES chapter 20 (document reference: 6.1.20, APP-129), during the Section 42 and 47 consultations, relevant planning authorities were invited to provide comment on the approach and the projects to be considered, this included the proposed zones of influence for the technical disciplines. The initial zones of influence were set out within the EIA Scoping Report submitted to the Planning Inspectorate in 2020 and have been subject to discussions with consultees throughout the EIA process. Where comments have been received, these have been incorporated into the CEA and the findings presented in the ES.</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>Site selection</p>	
		<p>HBBC is concerned that the Promoter has not demonstrated the specific market need for this Scheme in this specific open countryside location.</p> <p>Limited commentary or analysis has been offered on the logic or assessment of alternative sites across the County with no enhancement of the original site assessment undertaken. Appropriate justification for the Scheme needs to be provided.</p>	<p>The Market Needs Assessment (document reference 16.1, APP-357) has explained the 'Market for Hinckley NRFI' (paragraphs 6.6-6.16).</p> <p>Both the Leicester and Leicestershire Strategic Distribution Study 2021 and HNRFI Logistics Demand and Supply Assessment (document reference: 16.2, APP-358) clearly establish the needs case for the HNRFI. This matter is being covered in the SoCG and the Applicant understands the parties position as agreeing that this need is identified in the Leicester and Leicestershire Strategic Distribution Study 2021 which was commissioned and agreed by the relevant Local Authorities. The level of disagreement is on the level of future need.</p> <p>The level of disagreement is on the level of future need. This is now agreed via the SoCG with BDC, HBBC and LCC as initially it was raised as a matter in Version 2 of SoCGs and has now been removed.</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>Paragraphs 4.83 – 4.89 of the NPS provide specific policy guidance on the assessment principles for SRFI, including their function, locational requirements and scale and design. This policy advice was taken into account in the Applicant's assessment of locations and design options. The Applicant then considered seven potential locations within the area of Leicester and Leicestershire Enterprise Partnership's Strategic Economic Plan 2014-20.</p> <p>Chapter 4 of the Environmental Statement (document reference: 6.1.4, APP-113) sets out the process that was followed in terms of considering alternative sites and the reasons for selection, this chapter also explored design options for the main site. Further to this, as reported in Chapter 3 of the Environmental Statement (document reference: 6.1.3, APP-113), a number of environmental mitigation measures are included within the design with the intention of designing out environmental effects.</p> <p>The reasons for sites being discounted are very clear and have been expressed as such. Further enhancement of the original site assessment would not change the conclusion reached.</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>Loss of Countryside</p>	
		<p>It is a significant greenfield site that if developed will represent a permanent loss of this open countryside.</p>	<p>It is acknowledged, that the site is a greenfield site which would be removed from the open countryside as a result of the proposed development. As indicated on the Illustrative Landscape Strategy (document reference: 6.3.11.20, APP-304), there would be areas of strategic landscape planting within the site to soften views of the proposals and integrate the scheme into the local landscape. An area of around 22ha of publicly accessible green space is proposed adjacent to Burbage Common to enhance biodiversity and recreational access opportunities in the area.</p> <p>The LPAs have accepted in the Statement of Common Ground on Planning that:</p> <p>i) There is a need for a SRFI within Leicestershire That the scale and locational requirements for an SRFI could not be accommodated within the limits of a built-up area within the limits of Blaby District or Hinckley and Bosworth Borough.</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>The NPS (paragraph 4.84) states ‘because the vast majority of freight in the UK is moved by road, proposed new rail freight interchanges should have good access as this will allow rail to efficiently compete with and work alongside road freight, to achieve modal shift to rail. Due to these requirements, it may be that countryside locations are required for SRFIs’.</p>
		<p>Requirements</p> <p>Not satisfied that the currently proposed Requirements adequately ensure the delivery of a rail-based scheme</p>	<p>The phasing of the construction of the railport and dDCO Requirement 10 is covered comprehensively in the highways position statement attached at Appendix A.</p> <p>The Applicant proposes that 105,000 sq metres of floor space may be occupied, prior to the rail port becoming operational (DCO Requirement 10). The Applicant considers that it is reasonable for construction (and occupation) to take place within construction Phase A as identified on illustrative works and phasing plan 1 (document reference 2.18.1). Details of the phase A works are set out in ES Chapter 3 Table 3.9 (document reference 6.2.3.1). Maritime, the Applicant’s</p>

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			<p>preferred operator for the rail port at HNRFI, state (Document Ref: 16.1 Appendix Letters of support): 'From our experience with other SRFIs start-ups, we believe that the opportunity to allow warehouse occupation and operations to take place ahead of rail terminal operations, is instrumental in allowing organic growth and encouragement of occupiers to utilise the SRFI to its full capacity'.</p> <p>The Applicant's proposed DCO requirement is clear that no additional floorspace would be permitted for occupation until the railport capable of handling four 775m trains per day has been completed. The approach to the phasing for the delivery of the first phase of the railport, is consistent with other approved SRFI DCOs and specifically the approach taken by the Secretary of State for Transport, in the decision on the West Midlands Rail Freight Interchange Order 2020. It is also consistent with the Secretary of State's acceptance in the recently approved Northampton Gateway Rail Freight Interchange Amendment Order 2023 where the timing for the opening of the rail terminal was varied to allow occupation of 232,260 sq.m of floorspace. The Secretary of State was clear in his Decision Letter,</p>

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			<p>having considered paragraph 4.88 together with paragraphs 4.83 and 4.85 of NPS that the amendment to the trigger for delivering the rail terminal was compliant with the NPS and that it is “entirely reasonable that a commercial undertaking should seek to generate income from the warehousing facilities before the rail connections becomes operational. The Secretary of State is satisfied that the Development as amended would comply with the policies of the NPSNN and its underlying objectives in respect of SRFI projects” (paragraph 24).</p> <p>In terms of the phasing of the HNRFI development DCO Requirement 10 allows for the construction of the railport to take place at the same time as the highways infrastructure as identified on illustrative works and phasing plan 1 (document reference 2.18.1). Details of the phase A works are set out in ES Chapter 3 at Table 3.9 (document reference: 6.2.3.1, APP-131).</p> <p>The Applicant has been working with Network Rail in detail since March 2019 and in doing so has secured a joint understanding of the deliverability of the mainline connections to a level beyond that previously secured prior to a DCO decision (normally to GRIP2 (now ES2)). This</p>

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			<p>particularly related to signalling and the Applicant is now working towards completing ES3, to assist an early start.</p> <p>Network Rail is satisfied that, on the basis of the development work undertaken to date, there are no rail obstacles to the development and taking into operational use of HNRFI.</p> <p>Network Rail has confirmed to the Applicant that it is confident that early connections can be delivered however the proposed DCO requirement provides flexibility and ensures that the development won't be stalled in the unlikely event of delays outside of the Applicant's control. The requirement also protects against the risk that while Network Rail agree that connections can be delivered early there is an element of risk that the relevant Network Rail teams may have to postpone work for the HNRFI connections if Network Rail teams or rail possessions are needed elsewhere on the line to deal with an emergency.</p> <p>The phasing strategy for the delivery of the rail port is also considered to be the new draft National Networks National Policy Statement (March 2023) para 4.86 and provides an appropriate measure of flexibility in the</p>

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			<p>development of HNRFI. The ability for rail connected buildings is designed in at the outset and will be built to market demand.</p> <p>Rail freight is a private sector owned and operated industry and neither the industry or its customers can contract for a lifetime operation.</p>
		<p>Policy</p> <p>The Scheme conflicts with the required delivery of rail infrastructure and connected buildings at the outset of the Scheme stated in paragraph 4.84 of the Draft NN NPS.</p>	<p>The transitional provisions set out in the draft NPS (paragraph 1.16) make clear that The Secretary of State has decided that for any application accepted for examination before designation of the 2023 amendments, the 2015 NPS should have effect in accordance with the terms of the NPS. In so far as the draft NPS represents the current thinking of the Government paragraph 4.84 should be read together with paragraphs 4.85-4.86. This is the approach that has been taken by the Secretary of State in the determination of the DCO for West Midlands Gateway.</p>

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		<p>Need</p> <p>The Leicester and Leicestershire Strategic Distribution Study (updated March 2022) recognises that the Hinckley NRFI site being promoted would meet the anticipated demand to 2041 for rail-served warehousing in Leicestershire.</p>	<p>Acknowledged and agreed within The Statement of Common Ground on Planning.</p>
		<p>Transport Assessment</p> <p>The Transport Assessment (document reference 6.2.8.1) appears to be predicated on the lower employment level (e.g. paragraph 5.1). This under estimation of workers on site by 24% could significantly alter the quantum of vehicle movements and potential vehicle routing."</p> <p>A consistent approach should be taken, representing the highest level of development achievable within the parameters plan submitted with the Scheme. This inconsistent approach between the technical consultants' results in inaccuracies being created in terms of the benefits and harms.</p> <p>Any changes to the highway quantum and routing of highway movements will have a knock-on effect upon the other environmental areas such as noise / vibration, air quality reports, and sustainable travel.</p>	<p>Trip generation figures had been agreed through substantial negotiation and technical appendices including detailed review of the onward freight percentages and their derivation pt 4 of 20, (document reference: 6.8.2.1 APP-141). The trip generation has always been based on floor area as per the standard approach to Transport Assessment. The base data was used from other RFI applications and refined/amalgamated with other distribution sites to produce trip rates for both car and HGV movements. The employee numbers sit independent to this derivation as these are often uncertain at the time of submission. Estimates have been stated for the socio-economic purposes. The lower value being 8,400 and the socio-economic report stating and upper ceiling of up to 10,400 employees. This was</p>

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		<p>Concern is therefore raised by HBBC in respect of the accuracy of the assessment undertaken.</p> <p>Wide-ranging impacts of highways congestion and the consequential impacts of that congestion on the long-term sustainability of Hinckley as part of the regional network of economies in the County. The economic implications of congestion have not been adequately considered with TSL having in HBBC's view, failed to adequately mitigate impact.</p>	<p>based on the HCA Employment Density Guide 3rd edition. On review of the absolute projected trip generation figures (Table 7 within the Trip Generation Addendum note) (document reference: 6.2.8.1, APP-141) these equate to approximately 8,200 car trips the site (half the arrivals plus departures). For the lower employment figures, this would be extremely robust with close to 100% of employees driving to site in their own car, which is unrealistic. For the upper employee estimate this value would be around 78% mode share, which remains robust and in line with other distribution sites. The figures used for car trips are high when compared with the floorspace and usage. This was to test the infrastructure provision with a likely worst case. A clarification note as referred to above has been submitted at Deadline 1 following a request from the ExA at ISH1.</p>
		<p>Transport Modelling</p> <p>The Scheme's transport and traffic related impacts are of significant concern; its impacts, mitigation, and modelling in terms of both the strategic and local road networks and its approach to vehicular movements and sustainable travel is inadequate; moreover, it has failed to appropriately assess the</p>	<p>Strategic modelling inputs and base models were all agreed with the key highway authorities at the time. See Appendix A to this report for the Highways Position Statement. The mitigation approach has been based on the impacts</p>

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		<p>impacts of increased barrier down time on Narborough Level Crossing.</p> <p>The inadequacy of these mitigation measures and assessments is likely to result in significant and wide-ranging impacts including, but not limited to, congestion, noise, air quality and carbon emissions.</p> <p>A significant body of objection continues to be raised by HBBC highways consultant (Markides) in which strong concerns in respect of the highway impacts of the Scheme and the accuracy of the information provided. An overarching concern is the expected level of employment used to underpin highway movements.</p>	<p>reported from the strategic model forecasts and which address the impacts from the development and its associated access infrastructure. Mitigation is discussed within Section 9 of the Transport Assessment (document reference 6.2.8.1, APP-138)</p> <p>The Narborough Level crossing was subject to scrutiny by the LHA and models were adjusted to suit the existing and forecast delays Network Rail have undertaken a detailed analysis of Narborough Station and the barrier down time. Based on the pre-pandemic timetable, in the morning peak hours 7 – 10 am, there is only one possible time an additional intermodal freight train could run. In the afternoon, between 4 – 7 pm only two. Each train travelling at 75 miles per hour would cause a maximum barrier downtime of 2.5mins. This is far less than a stopping passenger train coming from Leicester, which is 4-5 minutes. In each hour the total barrier down time would be approximately 20 minutes, with 40 minutes open which is well within Network Rails acceptable barrier down time at a level crossing.</p>

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		<p>The Promoter has failed to appropriately mitigate the Scheme's impacts on both the SRN and the local road network. Issues with congestion on the SRN have been highlighted but no mitigation has been proposed while by-pass options around the southern villages of Blaby District have been prematurely discounted.</p>	<p>The mitigation scheme is designed to address the impacts of the development and its access infrastructure. Underlying existing issues have been analysed, but mitigation of these elements are not the responsibility of the DCO application. Bypasses proposed within the Fosse Way villages were subject to a public consultation in 2019. There was a large-scale opposition to them. Closer analysis of the technical data suggested that a link between Junction 2 and the A47 better served the area overall. This was incorporated into the next phase of the modelling.</p>
		<p>Moreover, the Scheme's mitigation has not been agreed with the appropriate highway and planning authorities prior to submission of the application for the Scheme. This is a failing of the Promoter to follow the front-loaded approach envisaged in the Planning Act 2008.</p>	<p>Overall mitigation has been communicated throughout the process including the PEIR. Delays through repeated additional information or remodelling being requested by the TWG group has meant that the strategic model was agreed late in the process. Further detail is included in Appendix A, Highways Position Statement</p>

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		<p>To reach common ground on the impacts of the Scheme, HBBC would recommend that technical shortcomings with the existing modelling including limited sensitivity tests and appropriate detailed modelling of Junction 21 of the M1. The consequences of significant changes to the Scheme's quantum and routing of highway movements are wide ranging across multiple chapters of the ES.</p>	<p>It is contended that the approach to modelling has been robust and based upon outputs from the agreed strategic modelling inputs, these are robust and have provided a sound basis for the ES assessments. Interpretation of the highway impacts is based on professional judgement with suitable solutions identified where proportionate and appropriate.</p>
		<p>Need</p> <p>Assuming that the basis of the currently adopted National Policy of Transport is material to the proposed NSIP, the drivers of need for strategic rail freight interchanges are set out in the Summary of Need in paragraphs 2.1 to 2.11 of the NPS.</p> <p>While there is recognition that existing operational SRFIs and other intermodal RFIs are situated predominantly in the Midlands and the North the objective of the policy is to ensure an optimisation of the network across several critical parameters.</p> <p>In considering the proposed development, and, when weighing its adverse impacts against its benefits, the Examining Authority and the Secretary of State will consider:</p>	<p>This comment is noted.</p> <p>The Government expects developers to bring forward new sites for SFRIs, and because of the locational requirements, including rail requirements; good road access and being appropriately located to the markets they will serve, recognise that the opportunities to identify viable alternative sites will be limited. (NPS NN 2.56-4.84)</p> <p>The EIA Directive requires projects with significant environmental effects to include an outline of the main alternatives studied by the</p>

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		<ul style="list-style-type: none"> • Its potential benefits, including the facilitation of economic development, including job creation, housing, and environmental improvement, and any long-term or wider benefits. • Its potential adverse impacts, including any longer-term and cumulative adverse impacts, as well as any measures to avoid, reduce or compensate for any adverse impacts. <p>In this context, environmental, safety, social and economic benefits, and adverse impacts, should be considered at national, regional, and local levels. Given the lack of clarity in the site selection process – described earlier in the previous section - HBBC would want to understand more fully what weighting was given to these principles against the drivers of need. The main point of concern is these needs case therefore is whether a site selection and master planning process is sufficient robust.</p>	<p>Applicant, and an indication of the main reasons for the Applicant’s choice, taking into account the environmental effects. (NPS NN 4.26)</p> <p>The Government requires an expanded network of SFRIs and has not imposed any limit on the number of SFRIs or the geographical spread of SFRIs. As such the Applicant is not burdened with demonstrating that the site is the ‘best site’, or ‘most appropriate’ site. The merits or disadvantages of HNRFI are to be tested to the appropriate extent using the tests set out in the relevant NPSs. Rather the Applicant should demonstrate in the submission how the proposal meets the guidance within the NPS NN, as the primary basis for decision taking.</p> <p>As explained in the Market Needs Assessment, (Document 16.1 paragraph 2.10) a feature of the railway network, built largely in the Victorian era, is for routes to follow river valleys, so as to minimise significant changes to the topography (gradients). Much of the network therefore routes through the floodplain. The sites of a SRFI within a floodplain would not be viable to a developer. A decision not to proceed with sites lying within the flood plain has been taken by the</p>

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			<p>Applicant, without the need for extensive and costly environmental assessments for the alternative sites that were considered during the early stages of the site for an SRFI. The site for HNRFI is the only location in Leicestershire which the Applicant had significant confidence in making the substantial investment in bringing forward a DCO application order for a SRFI.</p>
		<p>The environmental advantages of rail freight have already been noted at paragraph 2.40 and 2.41 Nevertheless, for developments such as SRFIs, it is likely that there will be local impacts in terms of land use and increased road and rail movements, and it is important for the environmental impacts at these locations to be minimised.</p> <p>While National Policy recognises that development of the national road and rail networks is expected to be sustainable against its objectives of need, these are expected to be designed to minimise social and environmental impacts and improve quality of life. In delivering new schemes, the policy is explicit in instructing promoters to avoid and mitigate environmental and social impacts in line with the principles set out in the NPPF and the Government’s planning guidance.</p> <p>It is not entirely clear that there is sufficient robust evidence base that considered reasonable opportunities have been</p>	<p>It is acknowledged that good design for national networks should the principal objective of the scheme by eliminating or substantially mitigating the identified problems by improving operational conditions and simultaneously minimising adverse impacts. (NPS-NN 4.31)</p> <p>The principal objective of the scheme is the delivery of an SFRI. The NPS-NN properly acknowledges that <i>‘given the nature of much of national network infrastructure particularly SFRIs’</i> there may be a limit on the extent to which it can contribute to the enhancement of the quality of the area. A SFRI is a <i>‘large multi-purpose rail freight interchange and distribution centre linked into both rail and trunk road systems. It has rail served warehousing and container handling facilities...’</i> (NPS-NN footnote 42) Necessarily the functionality of a SRFI will</p>

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		<p>completed in the site sifting exercise to deliver environmental and social benefits as part of schemes. Specifically, the Environmental Assessment is dependent on the reliance of an agreed model without which arguably creates doubt that the adverse local impacts on noise, emissions, landscape/visual amenity, biodiversity, cultural heritage, and water resources are fully understood or likely to be comprehensively considered. The significance of these effects in Hinckley and Bosworth and the effectiveness of mitigation is uncertain at the strategic and non-locationally specific level. Therefore, whilst The Promoter has taken sufficient consideration, is it in accordance with National Policy and in an environmentally sensitive way, including considering opportunities to deliver environmental benefits, some adverse local effects of development may remain.</p>	<p>comprise large scale warehouses to to suit occupier demand to operate as national and regional distribution centres. The form and scale of a SRFI will inevitably have a substantial impact upon the location in which the SFRI is located – especially a location in the countryside. The LAS accept that the need can not be met from land within an existing urban area. The Applicants consider that the landscape and visual impact has been sufficiently mitigated. Furthermore the identification of the development zones on the Parameters Plan are not intended to depict ‘wall to wall’ hardstanding/footplates of buildings. Detailed landscaping proposals will be included within each phase of development in accordance with Requirement 04.</p> <p>Chapter 4 of the Environmental Impact Assessment (Site Selection and Evolution) explains the main alternatives considered by the Applicant and provides the main reason for the Applicant’s choice in selecting HNRFI as the site for a SRFI. The genesis of the site search for a SRFI dreivesderives from the conclusions of the <i>‘Leicester and Leicestershire Strategic Distribution Sector Share Fund Report’</i> November 2014. This report, commissioned by all the Planning Authorities intended to form an</p>

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			<p>evidence base for Local Plan reviews. The LAs accept the need for a SRFI within Leicestershire in the draft SoCG.</p> <p>The Relevant Representation refers to the Applicant's <i>'reliance of an agreed model.'</i> Thereafter the commentary is not clear as to its meaning other than if HBBC meant to say, 'is dependent on the reliance of [traffic] model [which is not] agreed.</p> <p>'The Applicant's transport engineers have endeavoured to reach agreement with the relevant highway authorities on the output of the transport modelling. The impacts have been agreed with the relevant highway authorities. The Applicant considers the environmental impact analysis arising from the transportation impacts of HNRFI, and the mitigation content need for the DCO are robust. In the context of national planning policy, the residual cumulative impacts on the road network would not be 'severe.' (Framework M).</p>

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		<p>Need</p> <p>The “judgement of viability” made within the market framework must be a factor in defining the needs case for the project. It is not clear whether there has been any engagement with the Government on how it expects to account any interventions. HBBC has concerns that no consideration or examination of the likely social value of the project or indeed the mechanisms through which these interventions are included as part of the business case aligns</p> <p>HBBC is mindful in the context of needs case, that where terms and commitments are expected to be made or are imposed. Given the importance of social value for all projects of nationally significance, we would expect a good deal more detail to be provided as part of the requirements of development consent. The structure of such commitments will be important where with agreement of the relevant authority and interested parties, that are seen as necessary, relevant to the planning policy commitments, relevant to the development to be consented, enforceable, precise, and reasonable in all other respects.</p>	<p>NPS-NN paragraph 4.8 refers to a ‘judgment of viability’. An illustration of a Government intervention is investment in the Strategic Rail Freight network. The Market Needs Assessment for (Rail Freight Market Demand and supply (document reference: 16.1, APP-357) refers to the interventions by Government to ‘grow rail freight’ (section 3) and the intervention by the Network Rail to clear gauge the strategic rail freight network – including Nuneaton to Felixstowe railway to W10. The socio-economic impacts of the development are addressed in the ES Chapter 7 (document reference: 6.1.7, APP-116)</p> <p>There is no specific Government investment intervention required to deliver this Scheme, which is entirely privately funded. Without privately funded investment in SRFI's, Government's wider intervention in the Strategic Rail Freight Network would create no benefits.</p>

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		<p>Policy</p> <p>Given the importance of the NPS as the primary source of national policy guidance for the Proposed Development HBBC is not convinced that the planning provisions in the NPS are consistent with the underlying commitment to the principles of securing sustainable patterns of development in NPPF.</p>	<p>The NPS-NN specifically addresses the consistency of the NPS with the National Planning Policy Framework (paragraphs 117-119). The basis of this representation is misconceived.</p> <p>SRFI's make a critical contribution to the decarbonising of logistics supply chains, designed and as such are designed to be a sustainable by their very construct.</p>
		<p>Site selection and scheme evolution</p>	
		<p>The Requirements should ensure that the rail freight interchange is built prior to first occupation of the first warehouse, that it remains operational for the lifetime of the operation of the warehousing, and that the first warehouses are rail connected.</p>	<p>The matter of the phasing of the construction of the railport and dDCO Requirement 10 is covered comprehensively in the highways position statement attached at Appendix A.</p> <p>The Applicant proposes that 105,000 sq metres of floor space may be occupied, prior to the rail port becoming operational (DCO Requirement 10). The Applicant considers that it is reasonable for construction (and occupation) to take place within construction Phase A as identified on illustrative works and phasing plan 1 (document</p>

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			<p>reference: 2.18.1, APP-050). Details of the phase A works are set out in ES Chapter 3 Table 3.9 (document reference 6.2.3.1, APP-131). Maritime, the Applicant's preferred operator for the rail port at HNRFI, state (document reference: 16.1, APP-357) Appendix Letters of support: 'From our experience with other SRFIs start-ups, we believe that the opportunity to allow warehouse occupation and operations to take place ahead of rail terminal operations, is instrumental in allowing organic growth and encouragement of occupiers to utilise the SRFI to its full capacity'.</p> <p>The Applicant's proposed DCO requirement is clear that no additional floorspace would be permitted for occupation until the railport capable of handling four 775m trains per day has been completed. The approach to the phasing for the delivery of the first phase of the railport, is consistent with other approved SRFI DCOs and specifically the approach taken by the Secretary of State for Transport, in the decision on the West Midlands Rail Freight Interchange Order 2020. It is also consistent with the Secretary of State's acceptance in the recently approved Northampton Gateway Rail Freight Interchange</p>

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			<p>Amendment Order 2023 where the timing for the opening of the rail terminal was varied to allow occupation of 232,260 sq.m of floorspace. The Secretary of State was clear in his Decision Letter, having considered paragraph 4.88 together with paragraphs 4.83 and 4.85 of NPS that the amendment to the trigger for delivering the rail terminal was compliant with the NPS and that it is “entirely reasonable that a commercial undertaking should seek to generate income from the warehousing facilities before the rail connections becomes operational. The Secretary of State is satisfied that the Development as amended would comply with the policies of the NPSNN and its underlying objectives in respect of SRFI projects” (paragraph 24).</p> <p>In terms of the phasing of the HNRFI development DCO Requirement 10 allows for the construction of the railport to take place at the same time as the highways infrastructure as identified on illustrative works and phasing plan 1 (document reference 2.18.1, APP-050). Details of the phase A works are set out in ES Chapter 3 at Table 3.9 (document reference: 6.2.3.1, APP-131).</p>

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			<p>The Applicant has been working with Network Rail in detail since March 2019 and in doing so has secured a joint understanding of the deliverability of the mainline connections to a level beyond that previously secured prior to a DCO decision (normally to GRIP2 (now ES2)). This particularly related to signalling and the Applicant is now working towards completing ES3, to assist an early start.</p> <p>Network Rail is satisfied that, on the basis of the development work undertaken to date, there are no rail obstacles to the development and taking into operational use of HNRFI.</p> <p>Network Rail has confirmed to the Applicant that it is confident that early connections can be delivered however the proposed DCO requirement provides flexibility and ensures that the development won't be stalled in the unlikely event of delays outside of the Applicant's control. The requirement also protects against the risk that while Network Rail agree that connections can be delivered early there is an element of risk that the relevant Network Rail teams may have to postpone work for the HNRFI connections if Network Rail teams or rail possessions are</p>

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			<p>needed elsewhere on the line to deal with an emergency.</p> <p>The phasing strategy for the delivery of the rail port is also considered to be the new draft National Networks National Policy Statement (March 2023) para 4.86 and provides an appropriate measure of flexibility in the development of HNRFI. The ability for rail connected buildings is designed in at the outset and will be built to market demand.</p> <p>Rail freight is a private sector owned and operated industry and neither the industry or its customers can contract for a lifetime operation.</p>
		<p>The Council are concerned that the Applicant has not sufficiently demonstrated the specific market need for this Scheme in this specific open countryside location. At present, the Scheme fails to achieve this and does not accord with the amendments made to the Strategic Rail Freight Interchange's Scale and Design section within the Draft National Policy Statement for National Networks dated March 2023 ("Draft NN NPS"). In particular, the Scheme conflicts with the required delivery of rail infrastructure and connected buildings at the outset of the Scheme stated in paragraph 4.84 of the Draft NN NPS.</p>	<p>Blaby District and Hinckley and Bosworth Borough have acknowledged the need for a SRFI within Leicestershire and accept that the scale and locational requirements for an SRFI cannot be accommodated within an existing urban area. On this basis, land beyond existing settlements is identified as open countryside in development plans, an open countryside location is required to meet the agreed need for the provision of a SRFI.</p> <p>Both the Leicester and Leicestershire Strategic Distribution Study 2021 and HNRFI Logistics</p>

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			<p>Demand and Supply Assessment (document reference: 16.2, APP-358) clearly establish the needs case for the HNRFI. This matter is being covered in the SoCG and the Applicant understands the parties position as agreeing that this need is identified in the Leicester and Leicestershire Strategic Distribution Study 2021 which was commissioned and agreed by the relevant Local Authorities. The level of disagreement is on the level of future need.</p> <p>The level of disagreement is on the level of future need. This is now agreed via the SoCG with BDC, HBBC and LCC as initially it was raised as a matter in Version 2 of SoCGs and has now been removed.</p> <p>Estimated future demand is 2.5 times higher than current and known supply. The Applicant considers this a matter of fact based on the evidence detailed in Document reference APP-358. This level of shortfall between demand and supply clearly evidences a large scale and strategic site such as the HNRFI is needed.</p> <p>The transitional provisions set out in the draft NPS (paragraph 1.16) make clear that The Secretary of State has decided that for any application accepted for examination before</p>

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			<p>designation of the 2023 amendments, the 2015 NPS should have effect in accordance with the terms of the NPS. In so far as the draft NPS represents the current thinking of the Government paragraph 4.84 should be read together with paragraphs 4.85-4.86. This is the approach that has been taken by the Secretary of State in the determination of the DCO for West Midlands Gateway.</p>
		<p>A Strategic Rail Freight Interchange must have adequate links to the road network, in particular the Strategic Road Network (SRN). HBBC and its neighbouring authorities are not currently satisfied that the Scheme's sustainable access to the SRN is proven suitable, given the issues with the M1 J21 noted in this review.</p>	<p>The mitigation scheme is designed to address the impacts of the development and its access infrastructure. Underlying existing issues have been analysed, but mitigation of these elements are not the responsibility of the DCO application. Further detail is provided within the ES Appendix (document reference: 6.2.8.1, AP-138-APP- 158) (AS-016) Section 9 which outlines modelling and the mitigation response. Access infrastructure tested through the PRTM was also subject to agreement with the Transport Working Group</p>

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		<p>If the project is to be promoted as a compliant development, commitments will require to be made in developing and enhancing the road network as defined in existing policy structures around the SRN.</p>	<p>There are several enhancements to the SRN and Local Highway network as outlined within the Transport Assessment and its appendices (document Reference: 6.2.8.1, APP-138-APP-158, APP). These have followed relevant policy structures.</p>
		<p>Given the already dense array of existing and recently approved rail freight interchanges and distribution centres in the Midlands, the promoter [TSL] will require to focus on outcomes of policy with an already well developed and settled position within Leicester and Leicestershire Enterprise Partnership's Strategic Economic Plan 2014-20 (March 2014).</p>	<p>The Leicester and Leicestershire Strategic Distribution Study (updated March 2022) recognises that the Hinckley NRFI site being promoted would meet the anticipated demand to 2041 for rail-served warehousing in Leicestershire.</p> <p>HBBC agrees the need for the development in light of the Leicester and Leicestershire Strategic Distribution Study (updated March 2022)</p>
		<p>HBBC has already flagged a number of concerns around the site selection including options 1 – 3 (Brooksby, Syston Fosse Way Junction and Syston Barkby Lane). The options are all to the north of Leicester and do not accord locationally with the Leicester and Leicestershire Enterprise Partnership's Strategic Economic Plan 2014-20 (March 2014) or the options also do not correlate with the more recent Leicester and Leicestershire</p>	<p>Paragraph 2.57 of the NPS acknowledges, most intermodal freight interchanges are located in the Midlands and North of England. These are hub regions both for the strategic road and rail networks and the UK economy that these networks serve. These regions also enjoy direct</p>

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		<p>Authorities Warehousing and Logistics in Leicester and Leicestershire: Managing growth and change (amended March 2022).</p> <p>Moreover, additional comment was provided in respect of the potential ability to locate facilities on land to the north of Stoney Stanton or between Hinckley and Nuneaton to the south of the A5. The lack of consideration of sites further to the west is particularly important. Whilst not within Leicestershire, the Solent and Felixstowe lines connect close to Nuneaton, providing the opportunity for a single facility to serve two ports which may represent a more suitable location.</p>	<p>rail access to a range of large ports through which containerised goods pass.</p> <p>Paragraphs 4.83 – 4.89 of the NPS provide specific policy guidance on the assessment principles for SRFI, including their function, locational requirements and scale and design. This policy advice was taken into account in the Applicant’s assessment of locations and design options.</p> <p>At the outset, the Applicant’s strategic rail adviser Baker Rose Consulting examined in engineering terms the potential locations on the rail network in Leicestershire that might present opportunities for a SRFI in locations on or readily connectable to the F2N strategic rail freight route, using a combination of professional knowledge of the network, local knowledge, surveys, rail network maps and aerial photographs.</p> <p>Site options 1 to 3 were initially considered viable following this review. However, following full review options 1 to 3 were discounted for the following key reasons:</p>

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			<ul style="list-style-type: none"> • Option 1 at Brooksby was discounted due its propensity to flood, its relatively poor access to the strategic highway network and its location outside of the identified LLEP Growth Areas. The site is also in conflict with the purpose of a countryside protection policy in the Charnwood Local Plan. Such a remote location would not meet occupier requirements for direct strategic road access, adding to road haulage operating costs and the associated environmental impacts. • Option 2 Syston Junction was discounted in view of the site's relative remoteness from the motorway network, its location outside a LLEP Growth Area and the adverse flood risk. • Option 3 at Barkby Lane was discounted in view of its poor road access, which would not suit occupier requirements, its proximity to housing and the restricted access to the existing railway. <p>The Environmental Assessment requires an outline of the main reasonable alternatives studies by the applicant and an indication of the main reasons for the applicant's choice, taking into account the environmental effect (NPS paragraph 4.26). This requirement has been met</p>

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			<p>in ES Chapter 4 Site Selection and Evolution (document reference 6.1.4, APP-113).</p> <p>Potential sites within Leicestershire were considered and Brooksby, Syston Fosse Way and Syston Barkby Lane were indeed discounted.</p> <p>It is a fundamental requirement for locating a SRFI that it has 'effective connections for both rail and road' (NPS-NN 2.56). A location north of Stoney Stanton was considered by the Applicant (Option B: Croft) in ES Chapter 4 (document reference: 6.1.4, APP-113) Site Selection and Evolution. Such a location does not have good road access to the SRN. DfT Circular 1/22 National Highways and the Strategic Road Network makes clear that the principle of creating new junctions on the SRN should be identified at the plan making stage, in circumstances where an assessment of the potential impacts on the SRN can be considered alongside whether such new infrastructure is essential for the delivery of strategic growth. Where this has not occurred no new connections on those sectors of the network designed for high-speed traffic will be supported (other than in limited exceptions which do not include an SRFI). In consequence the approach taken by the</p>

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			<p>Applicant utilising an existing connection to the SRN is entirely reasonable. Land between Hinckley and Nuneaton to the south of the A5 is mainly Green Belt – situated within Warwickshire where no comparable study to the Warehousing and Logistics Study has been undertaken. The area of land that lies outside of the Green Belt is too small to accommodate a SRFI. A SRFI with the form and scale of development would cause substantial harm to the purposes of the Green Belt.</p> <p>The land to the west of the A5 (south of the railway) between Hinckley and Nuneaton is in the green belt. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. An SRFI in this location would fundamentally breach this purpose and effectively merge the communities of Hinckley and Nuneaton.</p> <p>Land further west of the West Coast Main Line (WCML) at Nuneaton has to route rail freight through Birmingham, either to reach Southampton or the Northwest and Scotland. This is restricting. HNRFI by contrast readily access the WCML at Nuneaton and can therefore access virtually all major markets and ports, not</p>

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			<p>just Felixstowe. If the Nuneaton Dive Under is developed to a suitable gauge, Southampton would be more readily accessible from HNRFI than sites further west of the WCML.</p> <p>The NPSNN (paragraph 2.56) makes clear that the number of locations suitable for SRFIs will be limited, which will restrict the scope for developers to identify viable alternative sites. A developer is not required to demonstrate that the choice of site is the 'best site' in some form of geographic location. The merits or disadvantages of HNRFI are to be tested to the appropriate extent using the tests set out in the relevant designated NPSs. Rather the planning test is whether it is suitable when primarily considered against the provisions of the NPS. The decision taking matrix is provided for by S104 of the Planning Act 2008.</p> <p>ES Chapter 4 sets out the site selection process and outlines the reasons for selection (document reference 6.1.4, APP-113).</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>Limited commentary or analysis has been offered on the logic or assessment of alternative sites across the County with no enhancement of the original site assessment undertaken.</p> <p>Appropriate justification for the Scheme needs to be provided. It is a significant greenfield site that if developed will represent a permanent loss of this open countryside.</p>	<p>The Applicant has in the process of discussing Statements of Common Ground sought agreement that acknowledges the adequacy of the Applicant's site selection process, and the choice made by the Applicant to promote the site for HNRFI.</p> <p>The reasons for sites being discounted are very clear and have been expressed as such. Further enhancement of the original site assessment could not change the conclusion reached.</p> <p>Chapter 4 of the Environmental Statement (document reference: 6.1.4, APP-113) explored design options for the main site. Further to this, as reported in Chapter 3 of the Environmental Statement (document reference: 6.1.3, APP-112), a number of environmental mitigation measures are included within the design with the intention of designing out environmental effects.</p> <p>Paragraphs 4.83 – 4.89 of the NPS provide specific policy guidance on the assessment principles for SRFI, including their function, locational requirements and scale and design. This policy advice was taken into account in the Applicant's assessment of locations and design</p>

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			<p>options. The Applicant then considered seven potential locations within the area of Leicester and Leicestershire Enterprise Partnership's Strategic Economic Plan 2014-20.</p> <p>The reasons for sites being discounted are very clear and have been expressed as such. Further enhancement of the original site assessment would not change the conclusion reached.</p>
		<p>We are also flagging concerns around the apparent conflict with HBBC Local Plan policies regarding the proposed scheme impacts directly on the Green Wedge and Wildlife Site allocations. In addition, related to this flagged conflict are the impacts of the scheme as a result of its proximity to a SSSI/. We are not convinced that the proposed mitigation measures to address impacts are fully quantified against the obvious significance of impacts in the Environmental Assessment as defined in site selection</p>	<p>The Hinckley and Bosworth Green Infrastructure Strategy (May 2020) has been considered in the preparation of the Illustrative Landscape Strategy (document reference: 6.3.11.20, APP-304) particularly in the creation of 22ha of new publicly accessible green space adjacent to Burbage Common and Woods Country Park which accords with Spatial Priorities 6 and 10 – to enhance the Southern Green Wedge and provide a more resilient Burbage Common and Woods.</p> <p>It should be noted that the enhancements actually fall within Blaby District although this does not diminish the role that these areas would play in the enhancement of the Country Park and the Green Wedge.</p>

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			<p>Policy 6: Hinckley/Barwell/Earl Shilton/Burbage Green Wedge of the HBBC Core Strategy (adopted 2009) provides principles for development within the Green Wedge allocation. The site does not lie within the allocated area. It lies to the east of the identified Green Wedge and provides a proposed extension to Burbage Common where it abuts the Green Wedge.</p> <p>The Applicant has acknowledged a tension with Policy 6 of the adopted 2009 Core Strategy for Hinckley and Bosworth Borough. Policy 6 encourages recreational uses within the Green Wedge. Some 22.62 hectares of open land will be provided by HNRFI as an extended recreational area to Burbage Common. It is acknowledged that the construction of the A47 link and its use will have some effect upon the underlying purpose of Policy 6 in respect of retaining the 'visual appearance of the area'. This impact should be weighed against the benefits to the recreational function of the Green Wedge which will be enhanced by the provision of new public open space. Overall, the impact upon Policy 6 will have to be weighed with the national benefits arising from HNRFI.</p>

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		<p>The Council is not satisfied that the Scheme and the currently proposed Requirements adequately ensure the delivery of a rail based scheme, comply with the future direction of the draft NN NPS, and demonstrate a sustainable access to the SRN which are intrinsic to its consideration as a Strategic Rail Freight Interchange.</p>	<p>The matter of the phasing of the construction of the railport and dDCO Requirement 10 is covered comprehensively in the highways position statement attached at Appendix A.</p> <p>The Applicant proposes that 105,000 sq metres of floor space may be occupied, prior to the rail port becoming operational (DCO Requirement 10). The Applicant considers that it is reasonable for construction (and occupation) to take place within construction Phase A as identified on illustrative works and phasing plan 1 (document reference 2.18.1). Details of the phase A works are set out in ES Chapter 3 Table 3.9 (document reference 6.2.3.1, APP-131). Maritime, the Applicant's preferred operator for the rail port at HNRFI, state (document reference: 16.1, APP-357) Appendix Letters of support: 'From our experience with other SRFIs start-ups, we believe that the opportunity to allow warehouse occupation and operations to take place ahead of rail terminal operations, is instrumental in allowing organic growth and encouragement of occupiers to utilise the SRFI to its full capacity'.</p>

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			<p>The Applicant's proposed DCO requirement is clear that no additional floorspace would be permitted for occupation until the railport capable of handling four 775m trains per day has been completed. The approach to the phasing for the delivery of the first phase of the railport, is consistent with other approved SRFI DCOs and specifically the approach taken by the Secretary of State for Transport, in the decision on the West Midlands Rail Freight Interchange Order 2020. It is also consistent with the Secretary of State's acceptance in the recently approved Northampton Gateway Rail Freight Interchange Amendment Order 2023 where the timing for the opening of the rail terminal was varied to allow occupation of 232,260 sq.m of floorspace. The Secretary of State was clear in his Decision Letter, having considered paragraph 4.88 together with paragraphs 4.83 and 4.85 of NPS that the amendment to the trigger for delivering the rail terminal was compliant with the NPS and that it is "entirely reasonable that a commercial undertaking should seek to generate income from the warehousing facilities before the rail connections becomes operational. The Secretary of State is satisfied that the Development as</p>

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			<p>amended would comply with the policies of the NPSNN and its underlying objectives in respect of SRFI projects” (paragraph 24).</p> <p>In terms of the phasing of the HNRFI development DCO Requirement 10 allows for the construction of the railport to take place at the same time as the highways infrastructure as identified on illustrative works and phasing plan 1 (document reference 2.18.1). Details of the phase A works are set out in ES Chapter 3 at Table 3.9 (document reference: 6.2.3.1, APP-131).</p> <p>The Applicant has been working with Network Rail in detail since March 2019 and in doing so has secured a joint understanding of the deliverability of the mainline connections to a level beyond that previously secured prior to a DCO decision (normally to GRIP2 (now ES2)). This particularly related to signalling and the Applicant is now working towards completing ES3, to assist an early start.</p> <p>Network Rail is satisfied that, on the basis of the development work undertaken to date, there are no rail obstacles to the development and taking into operational use of HNRFI.</p>

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			<p>Network Rail has confirmed to the Applicant that it is confident that early connections can be delivered however the proposed DCO requirement provides flexibility and ensures that the development won't be stalled in the unlikely event of delays outside of the Applicant's control. The requirement also protects against the risk that while Network Rail agree that connections can be delivered early there is an element of risk that the relevant Network Rail teams may have to postpone work for the HNRFI connections if Network Rail teams or rail possessions are needed elsewhere on the line to deal with an emergency.</p> <p>The phasing strategy for the delivery of the rail port is also considered to be the new draft National Networks National Policy Statement (March 2023) para 4.86 and provides an appropriate measure of flexibility in the development of HNRFI. The ability for rail connected buildings is designed in at the outset and will be built to market demand.</p> <p>Rail freight is a private sector owned and operated industry and neither the industry or its customers can contract for a lifetime operation.</p>

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			<p>The applicant has maintained throughout the process that measures to address underlying and existing congestive problems at Junction 21 should not be the responsibility of the HNRFI mitigation package. This is based on overall impact of HNRFI and the lack of a proportionate intervention option. Current constraints at Junction 21 are driven by underbridges of the M1 on the circulatory carriageway. Widening to address such constraints would be of a significant magnitude. Impacts of the HNRFI site have been quantified and the impacts reported to the TWG core team on 10 October 2022- these are proportionately small. Mitigation addresses any impact on the A47 itself as a result of re-routing.</p>
		<p>A more detailed option appraisal offering detailed insights into the strengths of the site in terms of scale and location in comparison to neighbouring facilities and sites</p>	<p>A SRFI is a multi-purpose freight interchange and distribution centre linked to both the national rail and road networks.</p> <p>Strengths of the site and needs for the development are explored in detail in the Market Needs Assessment; Rail Freight Market Demand & Supply Document reference: 16.1 and the HNRFI Logistics Demand & Supply Assessment (document reference: 16.2, APP-358).</p>

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		<p>Detailed commentary and analysis needed on site enhancements required to fully appreciate and support project site development against alternatives in the County. Is this the best site and why?</p>	<p>Paragraphs 4.83 – 4.89 of the NPS provide specific policy guidance on the assessment principles for SRFI, including their function, locational requirements and scale and design. This policy advice was taken into account in the Applicant’s assessment of locations and design options. The Applicant then considered seven potential locations within the area of Leicester and Leicestershire Enterprise Partnership’s Strategic Economic Plan 2014-20.</p> <p>Chapter 4 of the Environmental Statement (document reference: 6.1.4, APP-113) explored design options for the main site. Further to this, as reported in Chapter 3 of the Environmental Statement (document reference: 6.1.3, APP-112), a large number of environmental mitigation measures are included within the design with the intention of designing out environmental effects.</p>
		<p>A detailed review of national policy and primary legislation as it applies to the project has been provided in the supporting environmental volumes of the Order. In broad terms we are satisfied that the spectrum of relevant policy and legislation has been adequately identified.</p>	<p>Noted</p>

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		<p>The Requirements should ensure that the rail freight interchange is built prior to first occupation of the first warehouse, that it remains operational for the lifetime of the operation of the warehousing, and that the first warehouses are rail connected. At present, the More detailed summary necessary for the Consenting Strategy and Planning Policy fails to achieve this and does not accord with the amendments made to the Strategic Rail Freight Interchange’s Scale and Design section within the Draft National Policy Statement for National Networks dated March 2023 (“Draft NN NPS”).In particular, the Scheme conflicts with the required delivery of rail infrastructure and connected buildings at the outset of the Scheme stated in paragraph 4.84 of the Draft NN NPS</p>	<p>The matter of the phasing of the construction of the railport and dDCO Requirement 10 is covered comprehensively in the highways position statement attached at Appendix A.</p> <p>The Applicant proposes that 105,000 sq metres of floor space may be occupied, prior to the rail port becoming operational (DCO Requirement 10). The Applicant considers that it is reasonable for construction (and occupation) to take place within construction Phase A as identified on illustrative works and phasing plan 1 (document reference 2.18.1, APP-050). Details of the phase A works are set out in ES Chapter 3 Table 3.9 (document reference: 6.2.3.1, APP-131). Maritime, the Applicant’s preferred operator for the rail port at HNRFI, state (document reference: 16.1, APP-357) Appendix Letters of support): ‘From our experience with other SRFIs start-ups, we believe that the opportunity to allow warehouse occupation and operations to take place ahead of rail terminal operations, is instrumental in allowing organic growth and encouragement of occupiers to utilise the SRFI to its full capacity’.</p>

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			<p>The Applicant's proposed DCO requirement is clear that no additional floorspace would be permitted for occupation until the railport capable of handling four 775m trains per day has been completed. The approach to the phasing for the delivery of the first phase of the railport, is consistent with other approved SRFI DCOs and specifically the approach taken by the Secretary of State for Transport, in the decision on the West Midlands Rail Freight Interchange Order 2020. It is also consistent with the Secretary of State's acceptance in the recently approved Northampton Gateway Rail Freight Interchange Amendment Order 2023 where the timing for the opening of the rail terminal was varied to allow occupation of 232,260 sq.m of floorspace. The Secretary of State was clear in his Decision Letter, having considered paragraph 4.88 together with paragraphs 4.83 and 4.85 of NPS that the amendment to the trigger for delivering the rail terminal was compliant with the NPS and that it is "entirely reasonable that a commercial undertaking should seek to generate income from the warehousing facilities before the rail connections becomes operational. The Secretary of State is satisfied that the Development as</p>

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			<p>amended would comply with the policies of the NPSNN and its underlying objectives in respect of SRFI projects” (paragraph 24).</p> <p>In terms of the phasing of the HNRFI development DCO Requirement 10 allows for the construction of the railport to take place at the same time as the highways infrastructure as identified on illustrative works and phasing plan 1 (document reference 2.18.1). Details of the phase A works are set out in ES Chapter 3 at Table 3.9 (document reference: 6.2.3.1, APP-131).</p> <p>The Applicant has been working with Network Rail in detail since March 2019 and in doing so has secured a joint understanding of the deliverability of the mainline connections to a level beyond that previously secured prior to a DCO decision (normally to GRIP2 (now ES2)). This particularly related to signalling and the Applicant is now working towards completing ES3, to assist an early start.</p> <p>Network Rail is satisfied that, on the basis of the development work undertaken to date, there are no rail obstacles to the development and taking into operational use of HNRFI.</p>

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			<p>Network Rail has confirmed to the Applicant that it is confident that early connections can be delivered however the proposed DCO requirement provides flexibility and ensures that the development won't be stalled in the unlikely event of delays outside of the Applicant's control. The requirement also protects against the risk that while Network Rail agree that connections can be delivered early there is an element of risk that the relevant Network Rail teams may have to postpone work for the HNRFI connections if Network Rail teams or rail possessions are needed elsewhere on the line to deal with an emergency.</p> <p>The phasing strategy for the delivery of the rail port is also considered to be the new draft National Networks National Policy Statement (March 2023) para 4.86 and provides an appropriate measure of flexibility in the development of HNRFI. The ability for rail connected buildings is designed in at the outset and will be built to market demand.</p> <p>The terminal operator does not operate the connecting mainline railway, nor does it control the train operating companies. There therefore cannot be a commitment for the terminal to</p>

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			<p>remain operational. It could not be used for anything else though, without a new planning consent.</p>
		<p>Land use and socio-economic effects</p>	
		<p>The core technical reports found in the Environmental Information Volumes as well as the supporting and aligned sections under the needs case appear to adopt or apply inaccuracies and inconsistencies in the levels of employment generated by or because of the development. HBBC considers that the information provided to be factually inaccurate and incomplete/absent in several sections of the assessment. There are overarching issues with the approach to consistently using employment figures across the ES</p>	<p>The HNRFI is estimated to support 737 net additional on and off site construction jobs per annum over a 10-year construction period, including 461 on site jobs per annum.</p> <p>In terms of operational employment, the HNRFI is likely to accommodate a mix of National Distribution Centres (NDCs) and Regional Distribution Centres (RDCs). It is estimated that the proposal would generate between 8,400-10,400 gross on-site jobs. Once leakage, displacement and multiplier effects have been considered, the Proposed Development is expected to generate some 10,400 to 12,900 on and off-site jobs. The effect of operational jobs from the Proposed Development is predicted to be moderate beneficial over the long term.</p> <p>Operational Employment for the proposed development was calculated by applying the</p>

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			<p>standard job density ratios from the Homes and Communities Agency (HCA) Employment Density Guide (2015) to the floorspace of the Proposed Development. The HCA advises applying 95 sq.m of Gross External Area (GEA) per worker for National Distribution Centres (NDCs), and 77 sq.m (GEA) per worker for Regional Distribution Centres (RDCs). This range has been informed by research conducted by Prologis surveying their own logistics operations. The HNRFI is likely to accommodate a mix of NDCs and RDCs. Therefore, the different employment densities associated with each have been used to produce a range of employment estimates.</p> <p>Trip generation figures had been agreed through substantial negotiation and technical appendices including detailed review of the onward freight percentages and their derivation. Additional clarification on the trip generation and the employee numbers is included within Appendix B; Highway Position Statement. The trip generation has always been based on floor area as per the standard approach to Transport Assessment. On review of the absolute projected trip generation figures (Table 7 within the Trip Generation Addendum note) (document reference: 6.2.8.1, APP-141) these equate to</p>

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			<p>approximately 8,200 car trips the site (half the arrivals plus departures). Which, for the lower employment figures, would be extremely robust with close to 100% of employees driving to site in their own car. For the upper employee estimate this value would be around 78% mode share, which remains robust and in line with other distribution sites. The figures used for car trips are high when compared with the floorspace and usage. This was to test the infrastructure provision with a likely worst case.</p> <p>The trip generation figures have been used for the traffic related assessments for air quality and noise and therefore this represents a correct and robust assessment of the traffic related effects within the Rochdale envelope parameters.</p> <p>A clarification note on the approach to the employment numbers and trip generation and how they relate to each other was requested by the ExA at ISH1. This note has been submitted at Deadline 1.</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>Concerns ranging from the Scheme's impact on housing need to the availability of employees.</p>	<p>The availability of labour supply will be detailed in the evolving Employment and Skills Plan. Although unemployment levels are low in the area, there are still approximately 46,100 unemployed people in the Study Area. The Study Area performs worse in youth unemployment in 16-24 year olds at 13.5% compared to 12.9% at the England level, which the Proposed Development could help to address.</p> <p>In terms of construction employment, according to the Jobseekers' Allowance data (June 2022) (ONS) there are 1,250 individuals claiming JSA in the Study Area who usually work as labourers in the building and woodworking trades, and in other construction trades. The data also shows that overall 2,535 individuals claim JSA. This means that 49% of individuals claiming JSA within the Study Area are looking for work in the construction sector. In England, the data indicates that 29,225 out of 84,680 individuals claiming JSA are within the construction sector, which is 35% in percentage terms. Therefore, the Study Area has a higher proportion of JSA Claimants in construction and building and woodworking trades than England.</p>

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			<p>In terms of the Proposed Development's impact on housing, in the absence of the HENA 2022 at the point of assessment, the Applicant used the HEDNA 2017 and also took into account the latest 5 year land supply (Table 7.11 in Environmental Statement Chapter 7: Land Use and Socio-Economic Effects (document reference: 6.1.7, APP-116)) to update the study. The Applicant understands the limitations of using 5-year trends for a longer time period and considers this as the best alternative. Environmental Statement Chapter 7: Land Use and Socio-Economic Effects (document reference 6.1.7, APP-116) states that the impact of additional residents due to the construction of the Proposed Development on housing demand is likely to be negligible in the short term, resulting in a neutral effect. The impact of the operational employment of the Proposed Development is anticipated to be low negative on the high sensitivity demand for housing, resulting in a minor adverse effect in the medium to short term.</p>

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		<p>The Transport Assessment (document reference 6.2.8.1) appears to be predicated on the lower employment level (e.g. paragraph 5.1). This under estimation of workers on site by 24% could significantly alter the quantum of vehicle movements and potential vehicle routing. A consistent approach should be taken, representing the highest level of development achievable within the parameters plan submitted with the Scheme. This inconsistent approach between the technical consultants results in inaccuracies being created in terms of the benefits and harms.</p>	<p>Trip generation figures had been agreed through substantial negotiation and technical appendices including detailed review of the onward freight percentages and their derivation pt 4 of 20, (document reference: 6.8.2.1 APP-141). The trip generation has always been based on floor area as per the standard approach to Transport Assessment. The base data was used from other RFI applications and refined/amalgamated with other distribution sites to produce trip rates for both car and HGV movements. The employee numbers sit independent to this derivation as these are often uncertain at the time of submission. Estimates have been stated for the socio-economic purposes. The lower value being 8,400 and the socio-economic report stating and upper ceiling of up to 10,400 employees. This was based on the HCA Employment Density Guide 3rd edition. On review of the absolute projected trip generation figures (Table 7 within the Trip Generation Addendum note) (document reference: 6.2.8.1, APP-141) these equate to approximately 8,200 car trips the site (half the arrivals plus departures). For the lower employment figures, this would be extremely robust with close to 100% of employees driving to site in their own car, which is unrealistic. For</p>

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			<p>the upper employee estimate this value would be around 78% mode share, which remains robust and in line with other distribution sites. The figures used for car trips are high when compared with the floorspace and usage. This was to test the infrastructure provision with a likely worst case. A clarification note as referred to above has been submitted at Deadline 1 following a request from the ExA at ISH1.</p>
		<p>Furthermore, any significant changes to the highway quantum and routing of highway movements will have a knock-on effect upon the other environmental areas such as noise/vibration, air quality reports, and sustainable travel. Significant concern is therefore raised by the Council in respect of the accuracy of the assessment undertaken.</p>	<p>See above, noise and air quality reporting used data from the PRTM which the applicant maintains is a robust and agreed data source.</p>
		<p>The economic implications of congestion have not been adequately considered with TSL having in our view, failed to adequately mitigate impact.</p>	<p>The measures we have put forward as part of the transport and highway works effectively mitigates the traffic impacts of both the new infrastructure and the development itself. The slip roads and the new A47 link alleviate existing congestion in the middle of Hinckley by drawing southbound M69 traffic away.</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>By using the Strategic Road Network directly, this also prevents excessive development traffic from using local roads. All junctions identified as experiencing congestion, for which a cost effective solution is achievable, have mitigation proposals on them. The strategic modelling has allowed a view of where existing and future forecast congestion will be and capacity models have been developed to understand the impacts in further detail.</p> <p>Environmental Statement Chapter 7: Land Use and Socio-Economic Effects (document reference: 6.1.7, APP-11) also assesses how businesses and houses in the surrounding area will be affected. This takes into consideration the conclusions of Transport and Traffic, Air Quality and Noise Chapter alongside the proposed mitigation resulting in a discernible change in the attributes and quality of the local businesses and housing.</p>

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		<p>The report also provides no definitive list of receptors. It is assumed the receptor list is those included in Table 7.3 of document 6.1.7 in Volume X.X of the Order are not correlated in terms of the items in Table 7.2 (sensitivity scale) and Table 7.4 (magnitude) and so some receptors may not have been assessed.</p>	<p>A definitive list of receptors are found in Table 7.3 of Environmental Statement Chapter 7: Land Use and Socio-Economic Effects (document reference: 6.1.7, APP-116), November 2022. As per Paragraph 7.36 of Environmental Statement - Chapter 7 - Land Use and Socio-Economic Effects (Document Reference 6.1.7, APP-116), the assessment of private property and housing, community land and assets, development land and businesses, agricultural land holdings, and walkers, cyclists and horse-riders is based on DMRB LA 112 and hence the different approach used.</p>
		<p>In the interests of achieving Common Ground , we would recommend that the requirement 32 as proposed in the draft Development Consent Order (document reference 3.1) and obligation 3.1.2 of the Planning Obligation Heads of Terms (document reference 10.1) should identify specific targets, enforceability and a satisfactory contribution in respect of its value or longevity. A comprehensive and enforceable Framework Work, Skills and Training Programme is required.</p>	<p>The Employment and Skills Strategy is an evolving document.</p> <p>The Applicant has advised Blaby District Council of the test for Requirements and Planning Obligations (as set out at paragraphs 4.9-4.10) of the NPS. The Applicant will not commit to planning obligations which it cannot fulfil. Discussions are continuing with BDC concerning the 'programme' which has been identified. At this stage the programme is considered not to be</p>

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			<p>compliant with the statutory tests for planning requirements and obligations.</p> <p>Following a meeting between the Appellant Applicant and the relevant Authorities (BDC/HBBC/LCC) on the 20th September 2023, the authorities have indicated that a response will be provided to the Applicant on the submitted Skills and Training Strategy. The Applicant will continue to engage with the authorities on the provisions of this strategy.</p>
		<p>Transport and Traffic</p>	
		<p>Access appears severely constrained by existing congestion at J21 of the M1, for which no mitigation has been agreed or proposed. It appears that this issue leads to rerouting of traffic onto local roads such as the A47.</p>	<p>The applicant has maintained throughout the process that measures to address underlying and existing congestive problems at Junction 21 should not be the responsibility of the HNRFI mitigation package. This is based on overall impact of HNRFI and the lack of a proportionate intervention option. Current constraints at Junction 21 are driven by underbridges of the M1 on the circulatory carriageway. Widening to address such constraints would be of a significant magnitude and require RIS levels of Government investment. Impacts of the HNRFI site have been</p>

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			<p>quantified and the impacts reported to the TWG core team on 10 October 2022-Further information is included in Appendix A, Highways Position Statement these are proportionately small. Mitigation addresses any impact on the A47 itself as a result of re-routing.</p>
		<p>In addition, the modelling appears to indicate that some routeing of HGV and other traffic to the site does not use the local strategic national road network (M69/A5) but routes via HBBC other roads, due in part to the introduction of a new link road.</p>	<p>Strategic modelling has been carried out to understand distribution of traffic throughout the highway network. Some traffic will link to the local road network. APP-148 PRTM 2.2 Forecast Modelling provides an overview of the traffic flow changes, which indicates that The link road provides a significant improvement to infrastructure around Hinckley and Burbage- this leads to less through traffic in the town centre and a more direct link to the M69. The link also provides a diversion route should closures on the A5 limit access. This keeps all traffic to the A47 and the new link road.</p>
		<p>The rationale for the link road requires further consideration, and testing of the development without the link road will help provide this insight and enable the impacts on HBBC to be determined.</p>	<p>The link road was agreed for assessment with the Transport Working Group through the PRTM 2.2 Modelling Brief (document reference: 6.2. 8.1, APP-145). This is regarded as access infrastructure.</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>The strategic modelling for the site indicated severe issues with J21 of the M1, and consequent knock-on effects on other traffic. It is regarded as vital that full detailed modelling of this junction (and any other relevant junctions) be undertaken to understand the issues, and test mitigation.</p>	<p>The Strategic Modelling (document reference: 6.2.8.1, APP 148) indicates displacement of traffic from Junction 21 to Local Roads, the approach to mitigation has ensured that local roads impacted are modelled and mitigated where needed. Impacts at Junction 21 have been discussed with NH and LCC, see Appendix B for further detail. Mitigation through new bus services have been put forward, which align with NH's Circular 01/2022</p>
		<p>Significant Infrastructure Project. The Council understands that the ability of the SRN to accommodate the Scheme's impact without further mitigation, particularly in respect of Junction 21 of the M1, is doubtful.</p>	<p>Further commentary on the J21 discussion is included within Appendix A, Highways Position Statement.</p> <p>The applicant has maintained throughout the process that measures to address underlying and existing congestive problems at Junction 21 should not be the responsibility of the HNRFI mitigation package. This is based on overall impact of HNRFI and the lack of a proportionate intervention option. Current constraints at Junction 21 are driven by underbridges of the M1 on the circulatory carriageway. Widening to address such constraints would be of a significant magnitude and require RIS levels of Government</p>

RR Reference	Name/Organisation	Matter	Applicant
			investment. Impacts of the HNRFI site have been quantified and the impacts reported to the TWG core team on 10 October 2022-Further information is included in Appendix B, Highways Position Statement these are proportionately small. Mitigation addresses any impact on the A47 itself as a result of re-routing.
		<p>The Scheme's transport and traffic related impacts are of significant concern; its impacts, mitigation, and modelling in terms of both the strategic and local road networks and its approach to vehicular movements and sustainable travel is inadequate; moreover, it has failed to appropriately assess the impacts of increased barrier down time on Narborough Level Crossing.</p> <p>The inadequacy of these mitigation measures and assessments is likely to result in significant and wide ranging impacts including, but not limited to, congestion, noise, air quality and carbon emissions.</p>	See comments under transport modelling

RR Reference	Name/Organisation	Matter	Applicant
		<p>A significant body of objection continues to be raised by HBBC highways consultant in which strong concerns in respect of the highway impacts of the Scheme and the accuracy of the information provided.</p> <p>An overarching concern is the expected level of employment used to underpin highway movements.</p> <p>The applicant has failed to provide clarity and consistency in this regard.</p> <p>The Council would also like to see the Applicant set out how they are maximising the use of rail during the long construction phase to reduce road based HGV movements.</p>	
		<p>At present the proposal is to place an 'on-demand service' only which we believe should be extended in recognition of the relatively stable shift patterns of the Scheme's end use combined with the high number of proposed employees means that an element of fixed bus services should be effective. Extending service across each of the main centres of development and on which the shift working patterns are expected to depend is a significant opportunity.</p>	<p>The Demand Responsive Transport (DRT) provides a degree of flexibility of bus services accessing surrounding villages which allows for 'many to one' service to access the site. As occupancy builds, fixed routes could be reviewed. The X6 currently is proposed to be significantly enhanced as a fixed route between Leicester and Coventry is to be delivered on first occupation.</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>Issues with congestion on the SRN have been highlighted but no mitigation has been proposed while by-pass options around the southern villages of Blaby District have been prematurely discounted.</p> <p>Moreover, the Scheme's mitigation has not been agreed with the appropriate highway and planning authorities prior to submission of the application for the Scheme. This is a failing of the Applicant to follow the front-loaded approach envisaged in the Planning Act 2008.</p>	<p>The impact of the development and of the new access infrastructure has been run through Leicestershire's PRTM model for which all inputs to the forecast model were agreed with the Transport Working Group. This has allowed the applicant to understand and mitigate the development's impact on both the local road and strategic road network in accordance with the guidance set out in NPPF.</p>
		<p>Air Quality</p>	
		<p>The approach and extent of the assessment overall is considered appropriate, but there are a number of more specific concerns in respect of the assessment, which are outlined below. An overarching concern is whether the information included in the assessment is correct, given the inaccuracies considered to be included within the transport modelling and mitigation and the geographical origin and mode of transportation of the employees. This may have a significant impact upon the air quality assessments and any expected mitigation as a result.</p>	<p>Trip rates and generation used in the submission were agreed with the members of the Transport Working Group and are appended to the Transport Assessment (Environmental Statement - Appendix 8.1 – Transport Assessment [Part 4 of 20] Trip Generation Addendum and PINS document reference: 6.2.8.1, APP 141). The average of the rates derived from each of the SRFI studies were utilised for the calculations.</p> <p>Traffic flows have been extracted from the Leicestershire County Council Pan Regional</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>Transport Model (PRTM). Inputs to the modelling were agreed by key members of the Transport Working Group convened for this project.</p> <p>Annual Average Daily Traffic (AADT) flows and Annual Average Weekday Traffic (AAWT) flows were provided for air quality and noise assessment purposes from the Leicestershire Regional Strategic model (PRTM) team. A range of factors were used specific to each road type and link assessed. The development traffic included in the PRTM model used the trip generation within the agreed Trip Generation Addendum document.</p>
		<p>We will require the assessment to be updated to reflect two common drivers / guideline requirements at: 1: The 2022 version of the DEFRA Technical and Policy Guidance that has been used. 2: The revised Air Quality Objectives are published by the Government in the later part of 2023, the assessments will be revised to take account of them.</p>	<p>The latest version (2022) of the Defra Technical and Policy guidance has been used in the air quality assessment (document reference: 6.1.9, APP-118). Modelled concentrations have been compared against the current relevant air quality objectives for England.</p> <p>An air quality addendum (document reference: 6.4.1, AS-023) has been prepared and submitted which takes consideration of the quality assessment results in accordance with the</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>revised PM_{2.5} air quality objectives published in early 2023.</p> <p>Overall, the impact of the HNRFI is predicted to be not significant in relation to the future PM_{2.5} objectives.</p>
		<p>No assessment appears to have been undertaken for the impact of the additional 'barrier downtime at Narborough and the implications of idling vehicles. With residential receptors and pedestrian traffic, including school children, adjacent to these affected highways, the implication to air quality needs to be addressed.</p>	<p>The railway line crossing at Narborough is located on Station Road. Station Road is not part of the modelled air quality road network as the trip generation for the scheme along Station Road does not exceed the Institute of Air Quality Management and Environmental Protection UK screening criteria for when significant impacts may be predicted. It is, therefore, considered that any changes in traffic flow at the railway crossing at Narborough will not cause any significant air quality impacts at the receptors identified.</p> <p>Our transport consultants have provided the following response with relation to the additional barrier down time at Narborough "Network Rail have undertaken a detailed analysis of Narborough Station and the barrier down time. Network Rail is satisfied that sufficient capacity has been identified for HNRFI services in the Working Timetable. This allows for known</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>passenger service development aspirations identified by Midlands Connect, to better link Birmingham, Nuneaton, Hinckley and Leicester. The Narborough Level crossing was subject to scrutiny by the LHA and models were adjusted to suit the existing and forecast delays. Network Rail have agreed that there is adequate capacity at the cross roads.”</p> <p>The latest version (2022) of the Defra Technical and Policy guidance has been used in the air quality assessment (document reference: 6.1.9, APP-118). Modelled concentrations have been compared against the current relevant air quality objectives for England.</p> <p>No significant changes in pollutant concentrations were predicted at the modelled individual receptor locations across the whole study area, for both the construction year and operational year, as detailed in the air quality assessment (document reference: 6.1.9, APP-118). The HNRFI is not predicted to cause any significant impacts with regards to air quality.</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>As the Council continues to assess the air quality impacts of the Scheme it will seek to identify any required air quality monitoring. The Council expect the Applicant to cover the expense of any monitoring the off-site impacts of the construction and operational phase, including equipment, ongoing monitoring and staffing. This may be relevant to both immediately adjacent to the site and some wider areas.</p>	<p>The air quality assessment (document reference: 6.1.9, APP-118) did not conclude in any requirements for monitoring during construction or operations, therefore no monitoring is required, therefore no monitoring has been advanced.</p>
		<p>The general methodology of the air quality assessments appears acceptable with the crucial exception of the transport and traffic issues identified in section 5 of this Representation. Those issues have the potential to create substantially different air quality impacts</p>	<p>Trip rates and generation used in the submission were agreed with the members of the Transport Working Group and are appended to the Transport Assessment (6.2.8.1 Environmental Statement - Appendix 8.1 – Transport Assessment [Part 4 of 20] - Trip Generation Addendum and PINS (document reference: 6.2.8.1, APP-141). The average of the rates derived from each of the SRFI studies were utilised for the calculations.</p> <p>Traffic flows have been extracted from the Leicestershire County Council Pan Regional Transport Model (PRTM). Inputs to the modelling were agreed by key members of the Transport Working Group convened for this project.</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>Annual Average Daily Traffic (AADT) flows and Annual Average Weekday Traffic (AAWT) flows were provided for air quality and noise assessment purposes from the Leicestershire Regional</p> <p>Strategic model (PRTM) team. A range of factors were used specific to each road type and link assessed. The development traffic included in the PRTM model used the trip generation within the agreed Trip Generation Addendum document.</p>
		<p>In reaching common ground we recommend that the transport and traffic issues identified in section 5 of this Representation be addressed in order to achieve a common and clear understanding of the issues around air quality impact.</p>	<p>Trip rates and generation used in the submission were agreed with the members of the Transport Working Group and are appended to the Transport Assessment (6.2.8.1 Environmental Statement - Appendix 8.1 – Transport Assessment [Part 4 of 20] - Trip Generation Addendum and PINS (document reference: 6.2.8.1, APP-141) The average of the rates derived from each of the SRFI studies were utilised for the calculations.</p> <p>Traffic flows have been extracted from the Leicestershire County Council Pan Regional Transport Model (PRTM). Inputs to the modelling</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>were agreed by key members of the Transport Working Group convened for this project.</p> <p>Annual Average Daily Traffic (AADT) flows and Annual Average Weekday Traffic (AAWT) flows were provided for air quality and noise assessment purposes from the Leicestershire Regional Strategic model (PRTM) team. A range of factors were used specific to each road type and link assessed. The development traffic included in the PRTM model used the trip generation within the agreed Trip Generation Addendum document.</p>
		Noise and Vibration	
		<p>The approach and extent of the assessment overall is considered appropriate, but there are a number of more specific concerns in respect of the assessment, which are outlined below and are similar to the comments this Representation makes in respect of air quality in section 6.</p>	Noted

RR Reference	Name/Organisation	Matter	Applicant
		<p>An overarching concern is whether the information included in the assessment is correct, given the inaccuracies considered to be included within the transport modelling and mitigation. This may have a significant impact upon the Noise Assessment and any subsequent mitigation. It is noted that the machinery proposed for the gantry crane has not been determined. This will represent an elevated piece of equipment with the potential to produce noise issues. The machinery to be installed should be confirmed and integrated appropriately into all noise and vibration assessment work or details should be provided prior to its installation. Paragraphs 10.311 – 10.313 of document 6.1.10 illustrate that the specific gantry crane installed and any associated fixings can influence the noise generation by up to 10 dB.</p>	<p>The noise and vibration assessment has assumed worst-case plant selection for the gantry cranes i.e. rubber tyre gantry (RTG) cranes which are diesel powered. This presents a robust assessment methodology. However, in reality the noise levels associated with modern RTGs are lower due to engine enclosures and silencers on exhausts.</p> <p>Parameters have been defined in the DCO Application. The noise assessment has included consideration of the following as a worst-case scenario;</p> <ul style="list-style-type: none"> • The use of diesel operated vehicles which will produce higher noise levels than their electric counterparts. • Maximum noise levels associated with the gantry cranes and reach stackers have been included within the noise model at points where they could operate and the worst-case levels for each receptor reported (Chapter 10 Noise and Vibration (Document Reference 6.1.10, paragraph 10.189)) • The rail freight interchange to the south of the existing rail line facing receptors to the north.

RR Reference	Name/Organisation	Matter	Applicant
			<p>It has been assumed that there would be no screening provided by the buildings themselves and receptors to the north would have direct line of sight to the rail freight terminal.</p> <ul style="list-style-type: none"> • HGV movements for a worst-case hour during the daytime and night-time periods. This ensures that the maximum parameters in relation to HGV movements have been assessed and impacts and mitigation are considered robust. (Chapter 10 Noise and Vibration (Document Reference 6.1.10, paragraph 10.148)). • The impact of offsite road movements has included receptors up to 600m from the new road links or road links physically changed or by-passed by the project and the area within 50m of other roads links with the potential to experience a short term Basic Noise Level change of more than 1.0dB(A) as a result of the project. This is in line with Design Manual for Roads and Bridges LA111 . (Chapter 10 Noise and Vibration (Document Reference 6.1.10, paragraph 10.13)). • The noise levels predicted by the noise model for operational road traffic which is based on traffic data provided by the project transport consultants, are above those measured in the

RR Reference	Name/Organisation	Matter	Applicant
			<p>vicinity of Junction 2 of the M69 and Leicester Road. As the noise model is over predicting, it is considered that this represents a robust assessment case. (Chapter 10 Noise and Vibration (Document Reference 6.1.10, paragraphs 10.226 to 10.10.228, APP-119).</p> <p>The A47 link road has been included within the noise model at the location shown on the parameters plan, and passes in close proximity to Aston Firs and Burbage Common.</p>
		<p>The Council have concerns over the extent and proximity of acoustic fencing required to protect nearby residential properties and the impact this has upon their visual amenity. The inclusion of 4 and 6 metre high acoustic fencing around the Aston Firs Caravan Site is of particular concern and considered inappropriate (see figure 10.10 for the plan identifying the acoustic fencing locations</p>	<p>The acoustic fencing is being provided along the eastern and northern boundary of the Aston Firs Caravan Site. The eastern and northern boundaries currently have hedgerow vegetation at a height of 6- 8m (see Hedgerows H368, H369, H372 and H394 on Sheet 33 and 38 of the Tree Constraints Plan and in the Schedules in Annex 2 of the Arboricultural Impact Assessment (document reference 6.2.11.4, APP-194) which prevent an outlook and would be retained for amenity purposes. It should also be noted that internal hedgerows and amenity buildings and the internal layout of the site also prevents views from the caravans themselves, particularly given the single storey nature of them limits views out</p>

RR Reference	Name/Organisation	Matter	Applicant
			from the site. There would therefore be limited change from a visual perspective.
		<p>No assessment appears to have been undertaken for the impact of the additional 'barrier down' time at Narborough Level Crossing, including the implications of idling vehicles. With residential receptors and pedestrian traffic, including school children, adjacent to these affected highways, the implication to noise and vibration needs to be addressed.</p>	<p>The additional trains using the line are not dependant on the HRFI being brought forward and the capacity and running of trains will be managed by third parties. Therefore, the noise and vibration impacts from additional trains and stationary traffic as a result of the barrier downtime at Narborough is not a consideration of this assessment.</p>
		<p>The approach and extent of the assessment overall is considered appropriate, but there are a number of more specific concerns in respect of the assessment. An overarching concern is whether the information included in the assessment is correct, given the inaccuracies considered to be included within the transport modelling and mitigation. This may have a significant impact upon the Noise Assessment and any expected mitigation as a result.</p>	<p>The trip generation for the development is based on the proposed floor area which is the standard approach, and is unlikely to change. The noise impact assessment has utilised the trip generation to determine HGV movements and loading/unloading activities around the site. The approach and the conclusions of the assessment are robust.</p> <p>Traffic flows have been extracted from the Leicestershire County Council Pan Regional Transport Model (PRTM). Inputs to the modelling were agreed by key members of the Transport Working Group convened for this project.</p>

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			<p>Twenty-four hour AADT and AAWT flows were included in outputs received from LCC Network Data Intelligence (NDI) team as part of the modelling output.</p>
		<p>The working hours proposed in the Construction Environmental Management Plan and Construction Traffic Management Plan are not acceptable. Whilst 0700 to 1900 hours Monday to Saturday may be acceptable for certain phases, construction works or construction areas, some elements will have an unacceptable impact on sensitive receptors and thus shorter, targeted working hours are likely to be required.</p>	<p>The extended construction hours will mainly be utilised for groundworks which will need to make the most of daylight hours, particularly in the summer months. By contrast, working hours in the winter months are likely to be shorter due to reduced daylight hours. It is hoped by utilising the daylight hours in the summer, the overall time on site for these activities will be reduced, therefore shortening the construction period over the longer term.</p> <p>Any impacts at sensitive receptors as a result of noise and vibration during the construction phase can be controlled through the Construction Environmental Management Plan (CEMP) (document reference: 17.1, APP-359) secured through requirement 7, and industry best practice measures.</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>As the HBBC - with the support of neighbouring authorities - continues to assess the air quality impacts of the Scheme it will seek to identify any required air quality monitoring. HBBC expect TSL to support the cost of monitoring of the off-site impacts of the construction and operational phase, including equipment, ongoing monitoring and staffing. This may be relevant to both immediately adjacent to the Site and some wider areas</p>	<p>The air quality assessment, in Chapter 10 of the Environmental Statement (document reference 6.1.9, APP-118) did not conclude in any requirements for monitoring during construction or operations, therefore no monitoring is required, therefore no monitoring has been advanced.</p>
		<p>Landscape and Visual Effects</p>	
		<p>The approach undertaken to the Landscape and Visual Impact Assessment (LVIA) is generally considered to accord with best practice. Our opinion remains that the proposed HNRFI is a major development (height and scale) with significant landscape and visual effects that are far reaching. This would result in permanent significant residual adverse effects being experienced for a large number of landscape and visual receptors during both the day and night (as summarised in Table 1.2 above). The LVIA shows that for the majority of receptors these cannot be mitigated.</p>	<p>It is noted that the approach to the LVIA is acceptable and considered to be in accordance with best practice guidance.</p> <p>It is acknowledged that there would be significant adverse residual effects on identified representative views and landscape receptors, as noted in the Summary and Conclusion of Chapter 11: Landscape and Visual Effects of the ES (document reference: 6.1.11, APP-120). These will be considered by the Inspector in the decision-making process, alongside the benefits of the scheme.</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>Notwithstanding the queries and clarifications stated above, the LVIA identifies significant landscape and visual effects, that will need to be weighed in the overall planning balance.</p>	<p>It is acknowledged that there would be significant adverse residual effects on identified representative landscape and visual receptors, as noted at paragraphs 11.189, 11.190 and 11.191 in the Summary and Conclusion of Chapter 11: Landscape and Visual Effects of the ES (document reference: 6.1.11, APP-120). These will be considered by the ExA in the decision making process, alongside the benefits of the scheme.</p>
		<p>The inclusion of a night-time assessment as requested is welcomed. Notwithstanding this, there are a number of significant issues and impacts and issues associated with this topic area, including the detail included within the night-time assessment that has been provided.</p>	<p>The night-time assessment provided in Chapter 11 of the ES (document reference: 6.1.11, APP-120) is based on the proposed Lighting Strategy (document reference: 6.2.3.2, APP-132-134.) which has been modelled in the Night-time Photomontages at Figure 11.12 (Document Reference: 6.3.11.12, APP-296). It is acknowledged that there will be significant residual night-time effects as noted within Table 11.23 in Chapter 11 (document reference: 6.1.11, APP-120). These will be considered by the ExA in the decision making process alongside the benefits of the scheme.</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>In terms of the contents of the Landscape and Visual Impact Assessment, concern is raised in respect of the extent of residual significant effects at Year 15 even with mitigation planting included. The landscaping proposed is not considered sufficient to enable assimilation into the countryside setting. The scale of residual impacts indicate that the Scheme has overdeveloped the Site. In response to these identified impacts, the Applicant should propose a comprehensive package of wider landscape enhancement within the Scheme's zone of theoretical visibility. Detailed concerns to the assessment include: 1: How judgements on susceptibility and value have been derived. 2: Additional information necessary for the night-time assessment. 3: Omission of a viewpoint to represent users of the site</p>	<p>It is acknowledged that there would be significant adverse residual effects on identified representative landscape and visual receptors, as noted at paragraphs 11.189, 11.190 and 11.191 in the Summary and Conclusion of Chapter 11: Landscape and Visual Effects of the ES (document reference: 6.1.11, APP-120).</p> <p>The methodology for the LVIA is provided in Annex 1 of the Landscape and Visual Baseline, provided in Appendix 11.1 (document reference: 6.2.11.1, APP-191) of ES Chapter 11 (document reference: 6.1.11, APP-120).</p> <p>The susceptibility to development and value of identified receptors is outlined in the Landscape and Visual Baseline (document reference: 6.2.11.1, APP-191).</p> <p>Representative viewpoint locations were agreed via email correspondence in January 2021. This is set out at paragraph 11.33 of ES Chapter 11 Landscape and Visual Effects (document reference: 6.1.11, APP-120).</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>The Applicant appears to have excluded measures that would adequately mitigate the Scheme</p>	<p>The applied design principles have been outlined in the mitigation and enhancement section at paragraph 11.134 – 11.137 of the ES Chapter 11 Landscape and Visual Effects (document reference: 6.1.11, APP-120). These can be summarised as:</p> <ul style="list-style-type: none"> - Overall green and blue open space accounts for 28% of the Main HNRFI Site and A47 Link Road Corridor combined; - The Western Amenity Area extends to approximately 22ha, which is approximately 25% of the Burbage Common and Woods Country Park; and - Maximum built height parameters have been reduced by 2-5m, which represents a 7-18% reduction in maximum building height parameter. <p>As identified in paragraph 11.123 of ES Chapter 11- Landscape and Visual Effects (document reference: 6.1.11, APP-120), corridors up to 70m in places would provide broad natural green ways on the site's boundaries.</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>It is acknowledged that there would be significant adverse residual effects on identified representative views and landscape receptors, as noted in the Summary and Conclusion of Chapter 11: Landscape and Visual Effects of the ES (document reference: 6.1.11, APP-120). These will be considered by the Inspector in the decision-making process, alongside the benefits of the scheme.</p>
		<p>We would support a comprehensive package of wider landscape enhancement within the Scheme's zone of theoretical visibility. Obligations may be required in respect of the long-term management of the landscaped areas, particularly to ensure that the areas adjacent to Burbage Common are managed in coordination with the Common.</p>	<p>As indicated on the Illustrative Landscape Strategy (document reference: 6.3.11.20, APP-304), there are extensive areas of strategic landscape planting proposed. An area of approximately 22ha is proposed as publicly accessible green space adjacent to Burbage Common and Woods Country Park (roughly 25% of the existing country park area) with approximately 28% of the Main HNRFI Site proposed as green and blue land.</p> <p>Management principles are outlined in the Landscape Ecological Management Plan (document reference: 17.2, APP-360), which focusses on the establishment and ongoing management and maintenance of the ecological</p>

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			and landscape areas throughout the proposed development. The Applicant is currently consulting with the Country Park Manager to ensure management aspirations are aligned.
		Ecology and Biodiversity	
		The quantum of ecological work undertaken is recognised and that sufficient Phase 1 and 2 species surveys are considered to have been completed and in general accordance with standard guidance. In terms of the content of the assessment See LUC comments	Noted
		HBBC and its neighbouring Authorities have a number of comments and concerns. In general, the Council agree with the position stated in respect of important ecological features within the order limits. However, the level of importance afforded to various protected species is not agreed, with them generally being undervalued. This includes: 1: Bats should not only be afforded 'Local' importance. 2: Breeding birds, such as lapwing and skylark, are considered to be higher than 'District' importance. 3: Otters are considered to be higher than 'District' importance. All former European Protected Species should be of 'National' level importance irrespective of their presence within the main order limits.	As per CIEEM EIA guidelines, " <i>Deciding the importance of species populations should make use of existing criteria where available. For example, there are established criteria for defining nationally and internationally important populations of waterfowl. The scale within which importance is determined could also relate to a particular population, e.g. the breeding population of common toads within a suite of ponds or an otter population within a catchment. When determining the importance of a species population, contextual information about</i>

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			<p><i>distribution and abundance is fundamental, including trends based on historical records. For example, a species could be considered particularly important if it is rare and its population is in decline."</i></p> <p>This guidance is referred to at paragraph 1.55 of the Ecology Baseline (document reference: 6.2.12.1, APP-197).</p> <p>When a particular species is a national priority species or declining at a national level, it does not automatically make the population recorded of that level of importance, unless it makes up a significant proportion of the local/county /national/International wintering/ breeding/ migratory population. In other words, the level of protection or conservation status of a particular species is not necessarily synonymous with its importance in EIA terms.</p> <p>In the context of Lapwing (for example), the Leicestershire and Rutland Bird Report 2020 classifies Lapwing as an 'Abundant winter visitor / uncommon migrant breeder'.</p> <p>Breeding Bird Surveys estimated 2 - 5 pairs of breeding lapwing utilising the site. This is not considered to be of any greater significance than</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>district level, as these are not regionally or nationally significant numbers when considered in the context of wider population data.</p> <p>Similarly, the bat assemblage recorded within the Main Order Limits is typical of an urban edge farmland site in central England, with common and widespread generalist species accounting for the vast majority of foraging and commuting activity. Survey data to date suggests the buildings on site support day roosts supporting low number of common species. The assemblage is therefore only of local value.</p> <p>The same approach has been used to assess otter.</p>
		<p>The Applicant's Ecological Report (document 6.2.12.1) states that baseline information is presented for the main order limits and that other areas within the Development Consent Order (DCO) limits are 'typically of negligible ecological importance'. However no data is presented to support this assumption. It appears that phase 2 surveys were only conducted within the main order limits and not the full DCO order limits, LUC queries the ability to assume 'negligible importance' without undertaking surveys</p>	<p>As stated within the Ecology Baseline, the Main Order Limits includes the Main HNRFI Site, contiguous areas to the north-west, south and east, respectively to contain the corridor of a proposed link road that would cross the Leicester to Hinckley railway and connect to the B4668/A47 Leicester Road (the 'A47 Link Road'), the proposed works to M69 Junction 2 and a section of the B4669 Hinckley Road towards the village of Sapcote. The DCO Site does include additional non-contiguous areas of land which</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>will be subject to highway enhancements, traffic management measures, and pedestrian level crossings. An extended Phase 1 survey was undertaken on the 14 April 2022 of the additional areas included for the highways works. A review of the proposals for these non-contiguous areas found them to be ecologically insignificant, given that they typically involve development of already developed areas.</p> <p>Where impacts on semi-natural habitats are required (i.e. the construction of the pedestrian footbridge across the railway), impacts to habitat will be temporary in nature, and will not significantly impact protected species (e.g. trees with bat roost potential, commuting bats, badger setts etc.).</p> <p>As such, no Phase 2 surveys are proposed in these areas. Update habitat walkover surveys are scheduled for 2024/2025 and will include all areas where the proposals will impact semi-natural habitats. Management Plans (i.e. the detailed CEMP secured by Requirement 7) will ensure appropriate working methodologies for any removal of habitat to ensure no adverse impacts on protected species.</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>The Council disagrees with the grading of importance to habitats and species, which appears to be based on their abundance within the order limits as opposed to their status or level of protection.</p> <p>There is a general disagreement with the assigning of value to ecological receptors – this is heavily based on presence within order limits rather than based on national decline/legal protection.</p> <p>There is a lack of consideration to habitat fragmentation during the operational phase, including the provision of only one relatively narrow corridor in a northeast/south-west direction. There is also a lack of consideration to the retention of existing hedgerows/features of note within the Site area to minimise need to displace fauna (including protected species).</p> <p>There is a general lack of detail provided for long term ecological management plans. The overall enhancements proposed are therefore difficult to quantify. The mechanism securing the implementation of Biodiversity Net Gain (BNG) are unclear and may necessitate S106 Obligations.</p> <p>Moreover, little consideration appears to have been provided to the ecological impacts of lighting.</p>	<p>As per CIEEM EIA guidelines, <i>“deciding the importance of species populations should make use of existing criteria where available. For example, there are established criteria for defining nationally and internationally important populations of waterfowl. The scale within which importance is determined could also relate to a particular population, e.g. the breeding population of common toads within a suite of ponds or an otter population within a catchment. When determining the importance of a species population, contextual information about distribution and abundance is fundamental, including trends based on historical records. For example, a species could be considered particularly important if it is rare and its population is in decline.”</i></p> <p>This guidance is referred to at paragraph 1.55 of the Ecology Baseline (document ref: 6.2.12.1).</p> <p>It has been assumed that ‘Biodiversity Improvement Area’ is an error, and in fact refers to the Biodiversity Impact Assessment Calculations (Appendix 12.2, Document reference: 6.2.12.2)</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>In terms of the BNG, it is difficult to provide any meaningful comment as the mapping associated with the BNG. This also links the Biodiversity Improvement Area and Landscape Enhancement Management Plan that also need to be provided for full review.</p> <p>Additionally, completed DEFRA BNG metric and supporting condition sheets, including assessor comments and supporting rationales for decision making (such as strategic significance and 'fairly' condition selection) needs to be provided for review.</p> <p>.</p>	<p>When a particular species is a national priority species or declining at a national level, it does not automatically make the population recorded of that level of importance, unless it makes up a significant proportion of the local/county/national/international wintering/breeding/migratory population. In other words, the level of protection or conservation status of a particular species is not necessarily synonymous with its importance in EIA terms.</p> <p>In the context of Lapwing (for example), the Leicestershire and Rutland Bird Report 2020 classifies Lapwing as an 'Abundant winter visitor / uncommon migrant breeder'.</p> <p>Breeding Bird Surveys estimated 2 - 5 pairs of breeding lapwing utilising the site. This is not considered to be of any greater significance than district level, as these are not regionally or nationally significant numbers when considered in the context of wider population data.</p> <p>Similarly, the bat assemblage recorded within the Main Order Limits is typical of an urban edge farmland site in central England, with common and widespread generalist species accounting for the vast majority of foraging and commuting</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>activity. Survey data to date suggests the buildings on site support day roosts supporting low number of common species. The assemblage is therefore only of local value.</p> <p>The Ecology Baseline (document reference: 6.2.12.1, APP-197), the majority of the Main Order Limits is of only limited (Negligible or Site-level) intrinsic nature conservation importance, comprising mainly arable grassland, arable land, improved grassland, species-poor semi-improved grassland and built areas. Other habitats, including the network of ponds, a stream, mature standard trees, boundary hedgerows and woodland have been assigned Local or higher-level intrinsic nature conservation value.</p> <p>The assessment of the likely impacts includes fragmentation. As per paragraph 12.151 of the Ecology and Biodiversity chapter (document reference: 6.2.12, APP-121), the Proposed Development has been designed to incorporate the hedgerow network and minimise its fragmentation where possible, particularly around the perimeters. It is acknowledged in the assessment that the direct loss and fragmentation of the existing hedgerow network is considered to be of high magnitude and extent,</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>with appropriate mitigation proposed on that basis. Currently the net gain calculations show a 7.12% net linear gain, before any local or off-site solutions have been implemented. Future iterations of the Net Gain metric will ensure 10% net gain in hedgerow units will be achieved - a significant factor in terms of alleviating fragmentation impacts.</p> <p>The existing LEMP (document reference: 17.2, APP-360 is only outline in nature, with a detailed LEMP(s) secured via Requirement 22. Sufficient detail will therefore be provided at the detailed design stage. Requirement 30 is written in a 'Grampian style' – and accords in the planning guidance for the use of planning conditions (PPG – paragraph 09 Reference ID: 21a-009-2014306) in the context that the full BNG may not be achieved on land that is presently within the control of the Applicant. Discussions are ongoing to secure off site BNG credits locally and discussions have also taken place with the Environment Bank in relation to their BNG credit system.</p> <p>Lighting within the central/operational parts of the development will necessarily be well-lit. A sensitive lighting strategy (document reference:</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>6.2.3.2, APP-132 to APP-134) has been designed to ensure that light spill to surrounding habitats has been kept to a minimum and dark corridors surrounding the proposals will ensure continued opportunities for faunal species. EDP to provide further input</p> <p>Figure 12.3 (document reference: 6.3.12.4, APP-309) shows the pre-development site. The Post-development BIA Plan is provided at Annex 2 of the Biodiversity Impact Assessment Calculations (Document Reference: 6.2.12.2, APP-198).</p> <p>The illustrative Landscape Strategy (document ref.: 6.3.11.20, APP-304) and illustrative Landscape Sections (Document Reference:6.3.11.17, APP-301 and 6.3.11.18, APP-302) show the proposed landscape mitigation.</p> <p>It has been agreed through the SoCG process that a full BIA report, inclusive of condition assessments and assessor comments will be provided at detailed design stage (Requirement 32). This will include a detailed Defra BNG metric with additional supporting rationales for decision making.</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>As outlined in the BIA report Appendix 12.2 (document reference: 6.2.12.2, APP-198), the 'fairly good' condition was selected within the Defra metric for created grassland on precautionary basis, which in line with the Rochdale Envelope approach, is considered appropriate.</p> <p>The existing BIA report states that 'other neutral grassland' of 'fairly good' condition will be created (paragraph 1.20). As it is considered grassland of 'Moderate' condition can be readily achieved, and as there is no defined condition assessment for 'Fairly good' condition, 'Good' condition grassland will be targeted in any event.</p> <p>The LEMP (or indeed, the series of LEMPs) secured via Requirement 22 will also outline the necessary management and monitoring measures required to achieve 'good' condition grassland.</p>
		<p>There is an opportunity to secure strong Biodiversity Net Gain (BNG) through commitments within the Order. Blaby District Council have identified the use of a suitable S106 Obligations. However there is concern that meaningful comment is needed in setting out how a strategy might support links with</p>	<p>Work is still underway to maximise on site gains and secure off site solutions. It has been agreed through the SoCG process that a full BIA report, inclusive of condition assessments and assessor comments will be provided at detailed design</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>Biodiversity Improvement Area and Landscape Enhancement Management Plan . Additionally, completed DEFRA BNG metric and supporting condition sheets, including assessor comments and supporting rationales for decision making (such as strategic significance and ‘fairly’ condition selection) needs to be provided for review</p>	<p>stage (Requirement 32). This will include a detailed Defra BNG metric with additional supporting rationales for decision making.</p> <p>As outlined in the BIA report Appendix 12.2, (document reference: 6.2.12.2, APP-198), the ‘fairly good’ condition was selected within the Defra metric for created grassland on precautionary basis, which in line with the Rochdale Envelope approach, is considered appropriate.</p> <p>The existing BIA report states that ‘other neutral grassland’ of ‘fairly good’ condition will be created (paragraph 1.20). As it is considered grassland of ‘Moderate’ condition can be readily achieved, and as there is no defined condition assessment for ‘Fairly good’ condition, ‘Good’ condition grassland will be targeted in any event.</p> <p>The detailed BIA (Requirement 32) will state that ‘Good’ condition will be targeted for certain grassland habitat creation. The LEMP (document reference: 17.2, APP-360) (or indeed, the series of LEMPs) secured via Requirement 22 will also outline the necessary management and monitoring measures required to achieve ‘good’ condition where appropriate.</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>The detailed LEMP(s) will provide detail on the long-term management of new and retained habitats, ensuring biodiversity benefits are secured in the long-term.</p>
		<p>The Council understands that the Applicant has committed to delivering 10% BNG in relation to the Scheme and that the Scheme may have to comply with the BNG requirements of the Environment Act 2021.</p> <p>The Scheme as proposed fails to clearly demonstrate and secure 10% BNG, including its long-term management, and further mitigation is required in this respect.</p>	<p>Work is still underway to maximise on site gains and secure off-site solutions. It has been agreed discussed through the SoCG process that a full BIA report (Requirement 32) will be provided at detailed design stage. This will include a detailed Defra BNG metric with assessor comments and supporting rationales for decision making. The detailed LEMP will provide detail on the long-term management of new and retained habitats, ensuring biodiversity benefits are secured in the long-term. The Requirements (as drafted) include detailed BIA (32) (document reference: 6.2.12.2, APP-198) and LEMP (22) (document reference: 17.2, APP-360).</p>
		<p>In support of the national requirements expected for major infrastructure we would recommend the quantum of ecological work undertaken requires to clearly demonstrate and secure 10% BNG including its long-term management. We would suggest that these include:</p>	<p>TSL have committed to securing a 10% net gain which will be delivered through a mix of on site, off-site and credit provisions, and managed in the long-term through a detailed LEMP, or indeed series of LEMPs on phase-by-phase basis</p>

RR Reference	Name/Organisation	Matter	Applicant
		<ol style="list-style-type: none"> 1: Proper evaluation of the importance of a number of protected species; 2: Full baseline information to confirm the statement that the main order limits are 'typically of negligible ecological importance'; 3: Detailed long term mitigation plans provided to underpin any enhancements; and 4: Meaningful commentary on the Biodiversity net Gain with clear associated mapping 	<p>(Requirement 22) which will be subject to regular review.</p> <p>The importance of protected species has been properly evaluated and assigned appropriate importance.</p> <p>Full baseline information has been provided - the vast majority of the site is arable land or intensively grazed improved grassland - both of negligible intrinsic ecological importance.</p> <p>As above, non-contiguous areas are ecologically insignificant, given that they typically involve development of already developed areas. Updated BIA (Requirement 32) and LEMP (Requirement 22) documents will provide further detail regarding proposed habitats and suitable long-term management.</p>

RR Reference	<u>Name/Organisation</u>	Matter	Applicant
		Surface Water and Flood Risk	
		Flood Risk and Drainage will be a key issue for consideration of the proposed development. However, the statutory responsibility falls with the Environment Agency 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	Comments noted. The applicant's consultant has liaised with the Environment Agency and Lead Local Flood Authority on matters of flood risk and surface water through the NSIP process to ensure that their requirements are met, and best practise is followed. The Environment Agency and Lead Local Flood Authority have both confirmed that they are comfortable with the Proposed Scheme.
		Energy and Climate Change	
		We are in a Climate Emergency. Following publication of the recent key 2021 IPCC report on the science of climate change, the head of the UN has described the world as on 'Code Red for humanity'.	These statements are agreed and reflective of the Applicant's methodology and the SoCG.

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		<p>We are in a Climate Emergency. Following publication of the recent key 2021 IPCC report on the science of climate change, the head of the UN has described the world as on 'Code Red for humanity'</p> <p>.</p> <p>Scientists across the globe agree that it is human activity that is disrupting our climate and people across the world are suffering the impacts of global heating now. This summer alone there have been recording high temperatures and devastating fires in Greece, North America, Siberia and Australia, and flooding in China, Germany and even in this country. While unprecedented droughts, fires and floods are leading to broken food supplies and migration of populations in the global south.</p> <p>This is happening at a current 1.2- degree Celsius increase over pre[1]industrial temperatures. Current and planned activity so far will take the temperature to well over 3-4 degrees this century and condemn most of the planet to become uninhabitable.</p> <p>It is against this background, that TSH is asking us to consider the environmental impact of the SRFI on carbon and climate change.</p> <p>The Promoter acknowledges that the amended Section 1 of the Climate Change Act 2008 sets a GHG emissions reduction</p>	<p>These statements are agreed and reflective of the Applicant's methodology and the SoCG.</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>target for the UK of 100 per cent by 2050, compared to a 1990 baseline (the 'Net Zero' target). Similarly, the NPS outlines the Government's policy framework for rail freight expansion. With respect to climate change, UK Government's objective is to: 'ensure that the transport and rail freight make a significant and cost-effective contribution towards reducing global emissions.</p>	
		<p>Zero energy Requirements for operation is disappointing. By only designing to BREEAM: Very Good, the HNRFI is unlikely to be future proofed – an aim stated in the Opportunities and Constraints section of the Design and Access Statement (document reference: 8.1). 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 Scheme. The timescale for construction means that construction and energy targets will continue to be increased, leaving the Scheme 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 Scheme's Requirements. A potential constraint to the ability to generate on-site renewable energy and be net zero in operation is the</p>	<p>It is understood that development which mitigates and adapts to Climate Change will be supported. Chapter 18 (document reference: 6.1.18, APP-127) sets out mitigation to ensure that all proposed development minimises vulnerability and provides resilience to climate change and will contribute to achieving national targets to reduce greenhouse gas emissions by encouraging the use of sustainable materials and construction methods and supporting the Government's zero carbon buildings policy which will be increased progressively over the plan period, where feasible, to support the Government's longer-term aspirations for sustainable design. It further meets policy by introducing the use of renewable, low carbon and decentralised energy at the commercial scale.</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>49.9 Mw limitation for the generation of on-site electricity. It would be disappointing to learn during the latter part of the construction phase that more solar capacity could have been generated were the applicant to have submitted a separate DCO for more than 49.9 Mw of electricity generation. A missed opportunity like this undermines the green credentials of the Scheme. 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 CHP and an uncertain and unproven technology is being considered ahead of already widely used heat pump technology. There ought to be an assumption that the HNRFI 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 main energy source to the facility. It doesn't appear that decarbonisation of heat via heat networks and the utilisation of ground, water or air source 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. In terms of energy use, it is far more efficient to use renewable energy power directly via the grid or to store this close to where it's produced for later use. This may well be via battery</p>	<p>The Applicant as part of their wider business has moved to BREEAM Excellent. This will be updated in the Design Code (document reference 13.1 APP-354) and Design and Access Statement (document reference 8.1 APP-349) to be submitted at Deadline 2.</p> <p>The Energy Strategy Appendix 18.1, (document reference: 6.2.18.1, APP-217) details the potential for renewable energy provision during the operational phase, which will greatly reduce GHG emissions compared to procuring this energy from the National Grid. This strategy has been developed to optimise potential onsite generation to its greatest means, therefore minimising energy consumption from on-grid and non-renewable services as much as feasible. Where supplementary energy is generated, it is proposed that this energy is captured and stored onsite for use during peak hours and when generation maybe limited due to seasonal effects.</p> <p>The scale of PV installation proposed is exceptionally high. It is limited only by the available roof areas, with areas also being provided for rooflights to minimise artificial</p>

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		<p>or conversion to hydrogen. To assume that hydrogen will be widely available for use in CHP plants at some unknown point in the future is a risk and does not make sense from a climate resilience or sustainability perspective.</p>	<p>lighting requirements. The PV provision exceeds the areas required by BREEAM Excellent by a factor of several times.</p> <p>The energy infrastructure design approach is inherently future-proofed, being adaptable to facilitate energy sharing across the site using a site-wide microgrid and provision for a heat main and the deployment of technologies that are currently unproven or uneconomic, such as large-scale electricity storage.</p> <p>Leaving the operational site (inclusive of rail operations and other safety-critical aspects) without electricity could lead to various inefficiencies, increased risks, and compromised safety. To ensure smooth operations, safety compliance, and overall project success, it is crucial to provide reliable electricity supply to the site throughout the construction process. It should be noted that a Combined Heat and Power (CHP) energy centre is itself to be hydrogen ready and to be used <i>“as a last resort such as during a grid interruption”</i> and that <i>“even ahead of general decarbonisation of the gas grid, when it is used in combination with fossil fuels such as gas and diesel or even refuse-derived fuels, it is still more energy efficient than</i></p>

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			<p><i>obtaining energy from the National Electricity Grid” (Appendix 18.1). The provision of CHP is therefore a more reliable and sustainable means of energy generation under exceptional circumstances.</i></p>
		<p>The provision of up to 10,400 jobs in an unsustainable location substantially served by unsustainable private vehicular employee movements seriously undermines the Scheme’s ability to deliver the climate change benefits envisaged in the National Networks National Policy Statement (NN NPS). The Scheme’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. The Scheme’s 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. 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</p>	<p>Climate change impacts associated with the operational traffic and employee movements feature within the ES (6.1.18 and 6.2.18.3). This assessment has determined the mitigated effect of the scheme to be “non-significant” (para 18.288). Suggested mitigation measures within the chapter include the adoption of green technologies, future proofing the site and incentivising green technologies, green procurement, training and skill development, local hiring, travel plans, sustainable transport plans and carbon offsetting. By integrating environmental stewardship into the project's core objectives, it will create jobs while still aligning with national climate policies and objectives.</p> <p>The Sustainable Transport Plan (document reference: 6.2.8.1, APP-153) and Strategy outlines the proposals to enhance access to the site for sustainable modes. The applicant is</p>

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		<p>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 Scheme's proposed S106 Planning Obligation Heads of Terms (document reference 10.1), should be provided. 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.</p>	<p>committed to making sustainable travel to the site attractive. The new infrastructure provides 2.5km of new cycle and footway on the link road which tie into the current Hinckley Cycle Routes into the town centre and the PRoW routes around the site. Measures to enhance the connectivity to the town centre, inclusive of the measures suggested here are mentioned within our reporting. The travel plan itself will be managed by on-site facilities management cover the whole site and is to be updated regularly. EV charging facilities are provided within each of the plots as per the LCC standards.</p> <p>The X6 service is to be significantly enhanced as part of a public bus service and open from the earliest phases of occupation. The Demand Responsive Transport operated by Vectare is to be a privately funded service for the locality. This will encompass connections to Hinckley and the surrounding towns and villages. The service will be subject to change as the operational specifics of the service are likely to be amended following occupation.</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>Currently the expected offer of offsite 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.</p>	<p>A package of transport and access improvements which will help reduce GHG emissions associated with the transport of employees to and from the Main HNRFI Site during the operational phase. This includes provision of high quality, safe and convenient walking and cycling routes permeating through the Main HNRFI Site and a Framework Site Wide Travel Plan (document reference 6.2.8.2, APP-159) minimises and mitigates GHG emissions associated with staff vehicle movements. HNFRI Encourages the phasing out of fossil fuels by providing capacity to meet 100% low-carbon energy vehicles and championing the use of sustainable transport types.</p>
		<p>The Scheme in its current form results in unnecessary energy, water, and climate impacts. The proposed buildings will not be capable of net-zero operation in 2050, the Scheme fails to justify the proposed energy technologies and has potentially failed to capitalise on its full solar potential. The sustainable travel strategy is inadequate and compounds the Site's unsustainable locational issues.</p>	<p>The scheme has been designed with a primary focus on limiting its effects on climate change, meaning that careful consideration has been given to mitigating greenhouse gas emissions and promoting sustainable practices throughout its development and operation. An Energy Strategy (document reference: 6.2.18.1, APP-217) is provided that clarifies the omission of some technologies and explains limitations. Headline</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>commitments to limiting the effects of HNRFI on climate change include:</p> <ul style="list-style-type: none"> • A commitment to Net-Zero construction. • Onsite renewable solar generation on a scale that is likely to achieve net zero operation from first occupation, well ahead of 2050. • Maximising all available space for solar PV providing energy to an on-site microgrid and battery storage network. Where there is a shortfall in terms PV energy output, additional energy will be made up via an on-site battery storage system once building load profiles are known before import from the Grid supply • Air Source Heat Pumps. • Sustainable Drainage Systems designed to account for predicted climatic trends and rainwater harvesting. • There may be an opportunity to distribute excess heat around the site generated by the CHP subject to suitable demand. • Improving energy performance of buildings and reducing energy consumption through efficiency measures. This includes increasing the efficiency of plant by procuring cleaner equipment. • A package of transport and access improvements which will help reduce GHG emissions associated with the transport of

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			<p>employees to and from the Main HNRFI Site during the operational phase. This includes provision of high quality, safe and convenient walking and cycling routes permeating through the Main HNRFI Site and a Framework Site Wide Travel Plan (document reference: 6.2.8.2, APP-159) minimises and mitigates GHG emissions associated with staff vehicle movements.</p> <ul style="list-style-type: none"> • Encouraging the phasing out fossil fuels by providing capacity to meet 100% low-carbon energy vehicles and plant and championing the use of sustainable transport types. <p>In summary, Chapter 18 of the Environmental Statement (document reference: 6.1.18, APP-127) assesses HNRFI's predicted effects on climate change: in summary HNFRI aims to minimise its contribution to climate change, making it a more environmentally responsible and resilient development in the face of climate challenges. Such initiatives align with global and national efforts (including legislative and policy requirements) to combat climate change and create a more sustainable future: the NPS outlines the Government's policy framework for rail freight expansion. With respect to climate change, UK Government's objective is to: 'ensure</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>that the transport and rail freight make a significant and cost-effective contribution towards reducing global emissions’.</p> <p>We are committed to maintaining a rigorous approach to environmental impact assessment. As the Applicant progresses through each detailed design phase, the Applicant will continually reassess and refine their evaluations as more information becomes available. The Applicant’s commitment to staying up-to-date with the latest data and research ensures that informed decisions that prioritise sustainability and minimise adverse effects on the climate can be made.</p>
		<p>We would recommend a detailed strategy providing an explanation of the enhanced Requirements and obligations proposed and necessary to achieve net zero commitments.</p>	<p>Through the Energy Strategy (document reference: 6.2.18.1, APP-217) and Chapter 18 of the Environmental Statement (document reference: 6.1.18, APP-127), the Applicant has set a clear target to achieve net-zero carbon emissions during construction in para 2.4 of Environmental Statement - Appendix 18.2 - RIBA Stage 1 - Embodied Carbon Report (document reference: 6.2.18.2, APP-218). To achieve the net-zero commitment, the Applicant understands that reducing their direct emissions and</p>

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			<p>implementing sustainable practices are of utmost importance. However, it is acknowledged that certain residual emissions may be challenging to eliminate entirely in the short term. In those cases, the Applicant is committed to offsetting remaining emissions through accredited schemes in the UK.</p> <p>In selecting offsetting schemes, the Applicant prioritised those that align with internationally recognised standards, such as the UK Green Building Councils of which the Applicant is a member. These schemes offer rigorous methodologies for calculating emissions reductions and have robust mechanisms to ensure the integrity and permanence of offset projects. Furthermore, the Applicant are committed to supporting projects within the UK to maximise local benefits and contribute to the country's sustainable development. By investing in UK-based offset projects, the Applicant aims to support initiatives that deliver broader environmental, social, and economic co-benefits to local communities.</p> <p>Regular monitoring, reporting, and transparent communication will be integral to the Applicant's</p>

RR Reference	Name/Organisation	Matter	Applicant
			commitment. The Applicant will provide stakeholders with updates on our progress towards achieving net-zero, including details of our offset projects and their verified emissions reductions.
		Cumulative and in combination effects	
		Despite all of the information tabled in respect of the Scheme, no clear conclusions are actually provided within the Cumulative and In Combination Effects paragraph.	Table 20.2 of ES Chapter 20 (document reference: 6.1.20, APP-129) summarises the outcome of the cumulative assessments, the detailed cumulative assessment is provided within each technical chapter of the ES and also set out in ES Appendix 20.1 (document reference: 6.2.20.1, APP-226).
		There is considerable concern raised across several technical reviews of the lack of clarity as to the how and to what extent cumulative impacts are going to be considered. The guidance from the Planning Inspectorate strongly advises applicants “to take advantage of pre-application consultation with the consultation bodies including the relevant authorities and other relevant organisations, to ensure that the shortlist of ‘other existing development and/or approved development’ identified for CEA is comprehensive and accurate.” While some information is provided in Environmental Assessment,	The CEA for the Proposed Development has been undertaken in line with the structure and approach set out in the Planning Inspectorate's Advice Note Seventeen: Cumulative effects assessment relevant to nationally significant infrastructure projects. The methodology that has been adopted to determine zones of influence for the technical disciplines and the long list of developments is

RR Reference	Name/Organisation	Matter	Applicant
		<p>concerns raised by the authorities on the lack of robustness in the structure of a CEA and moreover no engagement with the Planning Authority which assist with identifying a comprehensive suite of mitigation measures submitted with the application for development consent that might otherwise remain unresolved and require exploration during the examination. We are clear that relevant data is available from a variety of sources including directly from the HBBC own web resource, the Planning Inspectorate's and potentially through direct liaison with other stakeholders including Blaby District and the County, other statutory bodies, and relevant applicants/developers.</p>	<p>set out in paragraphs 20.5 to 20.16 of ES Chapter 20 (document reference 6.1.20, APP-129).</p> <p>As set out in paragraph 20.19 of ES Chapter 20 Cumulative and In-Combination Effects (document reference: 6.1.20, APP-129) during the section 42 and section 47 consultations on the PEIR, relevant planning authorities and stakeholders were invited to advise on which projects should be considered in the assessment of cumulative effects. Where responses were received, these were incorporated into the CEA process.</p> <p>Where required, mitigation measures are set out in each technical topic chapter of the ES, in addition the Register of Environmental Actions and Commitments (REAC) contains all mitigation measures specified through the EIA process including their securing mechanism, this is contained in chapter 21 Conclusion of the ES (document reference: 6.1.21, APP-130).</p>
		<p>Additionally, no summary of the actual impact of the development upon receptors is provided within the document – e.g. impact to amenity to residential properties (noise, air quality, visual etc). This should form a critical element of the</p>	<p>Table 20.2 of ES Chapter 20 (document reference: 6.1.20, APP-129) summarises the outcome of the cumulative assessments, the detailed cumulative assessment is provided within each technical</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>conclusions of a development in order to allow a fully balanced decision to be made on a proposal. The NPS acknowledges that SRFIs will necessarily give rise to ‘increased road and rail movements’ (paragraph 2.51). The planning issue is whether the increase in traffic movement can be accommodated on the surrounding highway network, with the provision of improvements to the network (M69 J2; A47 Link; off-site highway works) without resulting in a ‘residual cumulative impact which would be ‘severe’’ (Framework 111). The conclusions reached in the Environmental Assessment are that the proposals are satisfactory in the context of the provisions of the NPS (NPS 5.213).</p>	<p>chapter of the ES and also set out in ES Appendix 20.1 (document reference: 6.2.20.1, APP-226).</p> <p>Table 20.3 and paragraphs 20.22 – 20.34 of ES Chapter 20 (document reference: 6.1.20, APP-129) set out the conclusions of the assessment of in-combination effects (where a single receptor is affected by more than one residual effect from the proposed development). This section particularly focuses on the effects to local residents, ecological receptors, road users and heritage assets.</p> <p>The Transport Assessment undertaken for the Proposed Development factors in future committed development, general population growth and job growth, therefore cumulative effects in relation to transport are inherent within the modelling work that has been undertaken. As a result, any effects arising from the assessments based on the model values are also cumulative effects, this in turn applies to air quality and noise traffic related effects. The outcomes of the transport assessment are set out in ES chapter 8 (document reference: 6.1.8, APP-117) and ES Appendix 8.1 (document reference: 6.2.8.1, APP-138).</p>

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		<p>We agree that to underpin any assessment of impacts and to ensure that the shortlist of 'other existing development and/or approved development' identified for the CEA is comprehensive and accurate, a dedicated working group is convened to address the data requirements and boundaries of the Zol.</p>	<p>The CEA for the Proposed Development has been undertaken in line with the structure and approach set out in the Planning Inspectorate's Advice Note Seventeen: Cumulative effects assessment relevant to nationally significant infrastructure projects.</p> <p>As set out in paragraph 20.19 of ES chapter 20 (document reference: 6.1.20, APP-129), during the Section 42 and 47 consultations, relevant planning authorities were invited to provide comment on the approach and the projects to be considered, this included the proposed zones of influence for the technical disciplines. The initial zones of influence were set out within the EIA Scoping Report submitted to the Planning Inspectorate in 2020 and have been subject to discussions with consultees throughout the EIA process. Where comments were have been received, these were have been incorporated into the CEA and the findings presented in the ES.</p>
		<p>We would expect to have proactive engagement with the Promoter on the parameters of the Zol as well as supporting the assessment of in-combination and cumulative impact in accordance with Table 2 in Advice Note 17.</p>	<p>The CEA for the Proposed Development has been undertaken in line with the structure and approach set out in the Planning Inspectorate's Advice Note Seventeen: Cumulative effects</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>assessment relevant to nationally significant infrastructure projects.</p> <p>As set out in paragraph 20.19 of ES chapter 20 (document reference: 6.1.20, APP-129), during the Section 42 and 47 consultations, relevant planning authorities were invited to provide comment on the approach and the projects to be considered, this included the proposed zones of influence for the technical disciplines. The initial zones of influence were set out within the EIA Scoping Report submitted to the Planning Inspectorate in 2020 and have been subject to discussions with consultees throughout the EIA process. Where comments have been received, these have been incorporated into the CEA and the findings presented in the ES.</p> <p>As set out in paragraph 20.19 of ES chapter 20 (document reference: 6.1.20, APP-129), during the Section 42 and 47 consultations, relevant planning authorities were invited to provide comment on the approach and the projects to be considered, this included the proposed zones of influence for the technical disciplines. Where comments were received these were incorporated into the CEA and the findings presented in the ES.</p>

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		<p>We would recommend that a detailed summary of the actual impact of the development upon receptors is provided within the document – e.g. impact to amenity to residential properties (noise, air quality, visual etc) to inform the DCO Requirements and underpin the Commitments. As yet the information within the Environmental Construction Management Plan is limited and needs substantive work to build consensus and agreement.</p>	<p>ES chapter 20 (document reference: 6.1.20, APP-129) identifies those receptor groups where 'in-combination' effects would be experienced, i.e., effects from multiple elements of the Proposed Development (air, noise etc). Paragraphs 20.22 to 20.34 summarise the findings of these assessments. The effects on local residents are set out in paragraphs 20.26 to 20.34.</p> <p>The effects upon local residents and any appropriate mitigation to address them are set out in the relevant technical chapters of the ES and contained within the REAC in ES Chapter 21 (document reference 6.1.21, APP-130). The CEMP (document reference: 17.1, APP-359) specifies the overarching principles and measures to manage and mitigate the effects of the activities associated with the construction of the Proposed Development and will be further developed once the appointment of the Principal Contractor for the project has been confirmed and a detailed construction programme has been developed. The detailed phase specific CEMPs will be secured by requirement 7 of the DCO.</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>National Policy and Drivers of Need</p>	
		<p>The Act as the principal instrument on which any NSIP should be defined. Also, we agree that the primary policy statement for the determination of this proposal is specifically provided by the NPS. Additionally, under the provisions of Section 104 of The Act, the correct starting point for the determination of any NSIP application is the NPS. However, it does not exclude the material value of a Development Plan. National Policy also makes it clear that where there are specific environmental and technical considerations for the Proposed Development, weight will be given to additional policy relevant to needs case. In terms of the Scale and Design, in the review of the ES for the Proposed Development we are not wholly clear as to the logic or the strength of the case on “rail connected or rail accessible” facilities. The initial stages of the development must provide an operational rail network connection and areas for intermodal handling and container storage Where TSH have sought to use ‘rail accessible’ definition through its review of the Examining Authority’s Report of Findings and Conclusions and Recommendations to the Secretary of State for Transport on the West Midlands Rail Freight Interchange (Planning Inspectorate ref. TR050005), we are unclear as to whether the interpretation is in fact accurate. At the very least we would expect a more detailed analysis to be offered on the</p>	<p>As the Examining Authority acknowledges in reporting on West Midlands Rail Freight Interchange there is no universally accepted definition as to what each of these terms convey. In order to avoid confusion, the Examining Authority adopted an approach to the terms which has been followed for HNRFI. The parameters plan demonstrates that Development Zones D1, D2, E1, E2 can be ‘rail connected’. All other development zones can be ‘rail served’. The Applicant considers that the DCO provides certainty as to which development zones will be ‘rail connected’ with the remainder being ‘rail served’. All zones will be ‘rail accessible’.</p>

RR Reference	Name/Organisation	Matter	Applicant
		concept of connectivity and accessibility beyond standard Design and Access Statements.	
		<p>Drivers of need for strategic rail freight interchanges are set out in the Summary of Need in paragraphs 2.1 to 2.11 of the NPS. While there is recognition that existing operational SRFIs and other intermodal RFIs are situated predominantly in the Midlands and the North the objective of the policy is to ensure an optimisation of the network across several critical parameters. In considering the proposed development, and, when weighing its adverse impacts against its benefits, the Examining Authority and the Secretary of State will consider:</p> <ul style="list-style-type: none"> • Its potential benefits, including the facilitation of economic development, including job creation, housing, and environmental improvement, and any long-term or wider benefits. • Its potential adverse impacts, including any longer-term and cumulative adverse impacts, as well as any measures to avoid, reduce or compensate for any adverse impacts. In this context, environmental, safety, social and economic benefits, and adverse impacts, should be considered at national, regional, and local levels. Given the lack of clarity in the site selection process – described earlier in the previous section - we would want to understand more fully what weighting was given to these principles against the 	<p>The Leicester and Leicestershire Strategic Distribution Study (updated March 2022) recognises that the Hinckley NRFI site being promoted would meet the anticipated demand to 2041 for rail-served warehousing in Leicestershire. This is acknowledged and agreed within The Statement of Common Ground on Planning.</p> <p>HNRFI is on the Leicester to Nuneaton section of the Felixstowe to the Midlands and the North Strategic Freight Network, connecting to the East Coast Main Line at Peterborough, the Midland Main Line at Leicester and the West Coast Main Line at Nuneaton. It is therefore perfectly placed to serve a wide variety of origins and destinations nationally, which will benefit the local market with a potentially wider, earlier opportunity to use rail than other terminals can, acting as a hub as well as a highly efficiently located terminal. Since the HNRFI consultation and as part of Great British Railways Transition Team (GBRTT) freight review, GBRTT is considering how more regional rail terminals can be developed, in order to help</p>

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		<p>drivers of need. The main point of concern is these needs case therefore is whether a site selection and masterplanning process is sufficient robust. Given the importance of the NPS as the primary source of national policy guidance for the Proposed Development we are not convinced that the planning provisions in the NPS are consistent with the underlying commitment to the principles of securing sustainable patterns of development in NPPF. Are the drivers of need are adequately addressed in the site selection and sifting exercises?</p>	<p>with 'levelling up' and growing rail freight share of the logistics transport market, to help reduce carbon emissions. A hub operation at HNRFI in the early years of such terminals in particular, could be of considerable benefit in achieving this aim, by consolidating flows as set out in the Market Needs Assessment (document reference: 16.1, APP-357) para 4.28 – 2.32.</p> <p>The Market Needs Assessment (document reference: 16.1, APP-357) has explained at paragraph 6.12, the different markets served by existing SRFIs and HNRFI. The contention that there is capacity at existing SRFIs is misconceived. Each serves a distinct market and HNRFI is exceptional in its rail connectivity as explained above.</p> <p>The Government considers there is a 'compelling need' for an 'expanded network of SRFIs (NPS 2.56). As set out in the Market Needs Assessment (document reference: 16.1, APP-357) para 1.10, Midland Connect in its August 2022 publication – Our Freight Routemap for the Midlands refers to the importance of supporting SRFI's and the effective access to associated warehousing and clearly sets out the benefits of so doing.</p>

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			<p>The Midlands is the largest economy outside of London and the South-East and a major exporter as well as importer. It has no coast, so virtually all movements have to go via road or rail. In terms of imports and exports that constituted £112bn per annum of goods moved at Q1 2022, (The Market Needs Assessment (document reference: 16.1, APP-357) para 5.13).</p> <p>To put this in context the UK's road freight sector has an annual revenue of c£33.3bn, comprising 58,874 business, of which the Midlands has the far highest proportion, at 27.7% This compared to rail currently at £1.2bn comprising 102 businesses with only 4 major train operating companies. (The Market Needs Assessment (document reference: 16.1, APP-357) para 4.13 - 4.14.)</p> <p>There is clearly considerable potential for more freight to be moved by rail within these volumes. It is therefore inevitable that in order to have a greater volume of freight moved by rail, certain regions with high density of logistics businesses and manufacturing, such as the Midlands, will require a higher density of SRFI's.</p>

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			<p>As demonstrated above, HNRFI provides a critically important development for the local market, the region and beyond.</p> <p>The NPS-NN specifically addresses the consistency of the NPS with the National Planning Policy Framework (paragraphs 117-119). The basis of this representation is misconceived.</p> <p>SRFI's make a critical contribution to the decarbonising of logistics supply chains, designed and as such are designed to be a sustainable by their very construct.</p> <p>The site selection properly identified issues with possible alternatives which clearly prevented then being taken further. In the c8 years since this site had first been proposed and long been in the public domain, no alternatives have been proposed, which in a commercial development market, they would have if they were considered viable.</p>

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		<p>The “judgement of viability” made within the market framework must be a factor in defining the needs case for the project. It is not clear whether there has been any engagement with the Government on how it expects to account any interventions. We have concerns that no consideration or examination of the likely social value of the project or indeed the mechanisms through which these interventions are included as part of the business case aligns. It is correct to flag that in the policy review of the development plans for Hinckley and Bosworth that large[1]scale transport facilities of the form of a SRFI are not defined. That however does not preclude relevant policy about the establishment of large-scale developments at the proposed site. More specifically we would be mindful of the material relevance of local development plan policy on the status and relevant weight given to the protection and commitment to environment. In addition, we are not convinced that sufficient weight has been given the expressed concerns on Core Strategy Policy 5: Transport Infrastructure in the Sub-regional Centre in which the draft Plan refers to the HNRFI (paragraphs 8.38 – 8.39). We are not convinced that sufficient consideration has been given to wider implications on the borough, on “the natural environment and transport infrastructure”. Specifically, without clarity on the Zone of Influence (“Zol”) and the detail of a Cumulative Environmental Assessment (“CEA”) it is difficult to judge whether significance of impact has been correctly defined as major or severe.</p>	<p>The Government is not required to make any investment interventions in order for this scheme to be developed. There is no public sector funding involved. The Government will not need to account for any public sector interventions.</p> <p>The Applicant has engaged comprehensively with Network Rail who fully support the scheme, having independently assessed its impact on its network; and its benefits to its national freight policy. The social values are imbedded in Government policy, not least to move more freight by rail; and to develop more rail freight terminals in order to achieve this.</p> <p>The CEA for the Proposed Development has been undertaken in line with the structure and approach set out in the Planning Inspectorate's Advice Note Seventeen: Cumulative effects assessment relevant to nationally significant infrastructure projects.</p> <p>As set out in paragraph 20.19 of ES chapter 20 (document reference: 6.1.20, APP-129), during the Scoping Report, Section 42 and 47 consultations, relevant planning authorities were invited to provide comment on the approach and the projects to be considered, this included the</p>

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			<p>proposed zones of influence for the technical disciplines. Where comments were received these were incorporated into the CEA and the findings presented in the ES.</p> <p>Table 20.2 of ES Chapter 20 (document reference: 6.1.20, APP-129) summarises the outcome of the cumulative assessments, the detailed cumulative assessment is provided within each technical chapter of the ES and also set out in ES Appendix 20.1 (document reference: 6.2.20.1, APP-226).</p>
		<p>We are mindful in the context of needs case, that where terms and commitments are expected to be made or are imposed. Given the importance of social value for all projects of nationally significance, we would expect a good deal more detail to be provided as part of the requirements of development consent.</p>	<p>The Applicant considers that the requirements are comprehensive and proportionate and indeed they are in line with, and in some cases more detailed than, other similar DCOs for rail freight schemes. The Applicant is in continuing discussions with the Council to understand any required alterations to Requirements.</p>
		<p>The environmental advantages of rail freight have already been noted at paragraph 2.40 and 2.41 Nevertheless, for developments such as SRFIs, it is likely that there will be local impacts in terms of land use and increased road and rail movements, and it is important for the environmental impacts at these locations to be minimised. While National Policy recognises that development of the national road and rail</p>	<p>The genesis of the site search by TSH for a SRFI was the findings of the Leicester and Leicestershire Warehouse and Logistics Study (Final Draft 2014). The fundamental operational requirements for a SRFI limit site selection – as explained at paragraphs 2.6-2.11 of The Market Needs Assessment (document reference: 16.1,</p>

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		<p>networks is expected to be sustainable against its objectives of need, these are expected to be designed to minimise social and environmental impacts and improve quality of life. In delivering new schemes, the policy is explicit in instructing promoters to avoid and mitigate environmental and social impacts in line with the principles set out in the NPPF and the Government's planning guidance. It is not entirely clear that there is sufficient robust evidence base that considered reasonable opportunities have been completed in the site sifting exercise to deliver environmental and social benefits as part of schemes. Specifically, the PIER is dependent on the reliance of an agreed model without which arguably creates doubt that the adverse local impacts on noise, emissions, landscape/visual amenity, biodiversity, cultural heritage, and water resources are fully understood or likely to be comprehensively considered. The significance of these effects in Hinckley and Bosworth and the effectiveness of mitigation is uncertain at the strategic and non[1]locally specific level. Therefore, whilst TSH have taken sufficient consideration, is it in accordance with National Policy and in an environmentally sensitive way, including considering opportunities to deliver environmental benefits, some adverse local effects of development may remain.</p>	<p>APP-357). The NPS (paragraph 2.56) states that it is for developers to identify viable alternative sites. The ES Chapter 4 Site Selection and evaluation (document reference: 6.1.4, APP-113) has explained the analysis undertaken by the Applicant in selecting the site as a location which provided greatest confidence to the Applicant for a SRFI. All development brings about some degree of change. The scale and form of an SRFI necessarily will result in some residual impacts. The NPS specifically acknowledges this reality at paragraphs 2.51 and 4.30. The Applicant consider these impacts have been minimised in the design of HNRFI.</p>

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		<p>The structure of such commitments will be important where with agreement of the relevant authority and interested parties, that are seen as necessary, relevant to the planning policy commitments, relevant to the development to be consented, enforceable, precise, and reasonable in all other respects.</p>	<p>The Applicant continues to discuss with the local authorities the Requirements which have been submitted.</p>
	<p>Warwickshire County Council</p>	<p>Trip Generation</p>	
		<p>i. Trip rates agreed by WCC, based on surveys carried out 2011 and 2016 for similar rail freight interchanges;</p>	<p>Agree</p>
		<p>ii. Sites had no operational lorry parks at time of surveys. HNRFI lorry park should only be used by HGVs serving HNRFI (no new/diverted trips);</p>	<p>The HNRFI lorry park has always been planned as a private lorry park and will only be used by HNRFI HGV's.</p>
		<p>iii. No capacity assessment results provided for proposed site access/spine road junctions. Movements associated with lorry park may impact, these junctions should be modelled;</p>	<p>Additional capacity assessments have been carried out and have been issued to the TWG</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>iv. Discrepancy in documents submitted in respect of numbers of employees (circa 2000). If number of employees does not cross reference to trip generation sites surveyed, then modelling carried out will not provide an acceptable position to assess transport impacts.</p>	<p>Trip generation figures had been agreed through substantial negotiation and technical appendices including detailed review of the onward freight percentages and their derivation. The trip generation has always been based on floor area as per the standard approach to Transport Assessment. The base data was used from other RFI applications and refined/amalgamated with other distribution sites to produce trip rates for both car and HGV movements. The employee numbers sit independent to this derivation as these are often uncertain at the time of submission. Estimates have been stated for the socio-economic purposes. The lower value being 8,500 and the socio-economic report stating and upper ceiling of up to 10,400 employees. This was based on the HCA Employment Density Guide 3rd edition. On review of the absolute projected trip generation figures (Table 7 within the Trip Generation Addendum note) these equate to approximately 8,200 car trips the site (half the arrivals plus departures). Which, for the lower employment figures, would be extremely robust with close to 100% of employees driving to site in their own car. For the upper employee estimate this value would be around 78% mode share, which remains robust and in line with other</p>

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			distribution sites. The figures used for car trips are high when compared with the floorspace and usage. This was to test the infrastructure provision with a likely worst case.
		Modelling	
		i. Transport Assessment (TA) sets out three modelling scenarios, the with infrastructure but without development	Noted
		(ii) is not considered relevant – without rail freight interchange transport infrastructure will not be delivered. Adverse impacts of both infrastructure and HNRFI traffic should be mitigated by applicant;	See Highways Position Statement appended to this document
		ii. Impact on viability of Nuneaton Parkway in WCC Rail Strategy not considered. If HNRFI use all rail capacity for freight, no capacity for passenger growth and/or new stations to be accommodated eg. Nuneaton Parkway;	
		iii. Modelling of HNRFI assessed for ‘with rail operations’ only, for 2026 & 2036. Mitigation will be triggered by differing scales of development at differing locations. Modelling	See Highways Position Statement

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		required to identify triggers for mitigation to ensure safe and efficient network operation;	
		<p>iv. Furnessing process used to derive base and future year turning counts not agreed by TWG. Comparison required for turning counts derived and those in WCC Rugby Rural Area Model (RRAM) and National Highways (NH) VISSIM models for junctions within WCC network;</p>	<p>Furnessing methodology and outputs have been shared from early in the model process. Points made by LCC and NH at the time related to changes in methodology to account for the fact that Junction 2 would have wholly new arms. Discussions were held with LCC NDI and their consultants who broadly agreed with the BWB approach- which was ultimately included in the DCO submission.</p> <p>Further comment was provided by LCC Highways Development Management (HDM) in June 2022, this was again incorporated into the final iteration of the Furnessing. NH had provided a technical note from their call off consultant AECOM (unconnected with the LCC NDI modellers) on the subject dated 03/09/21. This summarised that the “Approach described is generally considered to be sound, the process for deriving inputs to the Furness process is reasonable and the proposed process itself is correct” before describing specific observations and making clear recommendations. Outputs from the strategic modelling had been shared in April 2022 with further information shared up to</p>

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			<p>early September 2022, based on requests for information by both NH and LCC. A commentary dated 29/09/22 was provided by NH which contained observations but no red flags. LCC provided a headline review of the information in August 2022 which reiterated their position on 'no agreement' and requested the analysis of several additional junctions within the study area. A review and analysis for these junctions was included in the DCO TA submission.</p> <p>A further clarification on the furnishing was included in a submission to the ExA on 11/09/23. This did not change the outputs for the analysis</p>
		<p>v. A5/Gibbet Hill junction should be assessed in the VISSIM model (WCC response dated 17/08/2022). Modelled queues in LinSig submitted don't reflect those in NH VISSIM model, nor is scheme assessed currently proposed;</p>	<p>See Highways Position Statement, NH VISSIM covered a much wider network which required a separate validation process. This wasn't appropriate for the purposes of this assessment given the scale of the impact involved.</p>
		<p>vi. Padge Hall Farm (consented development site south of A5 near Dodwells) not been considered. Whilst more recently consented, package of highway improvements will influence HNRFI traffic routings – impacts should be assessed; vii. Impacts at A5 Longshoot-Dodwells should be assessed in the VISSIM model; viii. RRAM modelling</p>	<p>The model brief pt 8 of 20 (document reference 6.2.8.1, APP-145) was signed off by both LCC and NH prior to the completion of the modelling runs. The (ii) scenario is important as part of the technical case as it demonstrates the impact the</p>

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		<p>outputs (TA Report paragraphs 2.26 and 7.31) not submitted. Unable to comment on impact to WCC network. Mitigation works require RSA's.</p>	<p>access infrastructure has on background traffic movement. It is this shift in movement which is more substantial than the development traffic impacts. To isolate these flows and compare against the 'with development with infrastructure' scenario is a useful comparator for the assessment. Mitigation has been developed against the full 'with development with infrastructure' scenario.</p> <p>Network Rail has confirmed that there is capacity within the rail line. The freight paths allocated fall outside of the AM peak hours and there is one available within the PM peak.</p> <p>Mitigation on the highway network is primarily triggered around the delivery of the new slip roads, therefore highway works are to be delivered early in the construction process. Furnessing was largely agreed with NH and subject to additional comment by LCC in Spring 2022, this was included within the DCO submission- for more detail refer to NH commentary.</p> <p>Mitigation on the highway network is primarily triggered around the delivery of the new slip</p>

RR Reference	Name/Organisation	Matter	Applicant
			<p>roads, therefore highway works are to be delivered early in the construction process.</p> <p>The VISSIM for Gibbett Hill was shared with the HNRFI team by NH. However, this formed part of a much larger area network for which the team didn't have all flows for validation. The key impact forecast for HNRFI was the roundabout itself and therefore a LinSig was deemed more appropriate for capacity analysis.</p> <p>Padge Hall Farm consent was not granted until after the DCO submission. An assessment was made on what was agreed through the TWG in terms of the Uncertainty Log as is standard for such models. This was not committed nor were the works foreseen by any of the highway authorities. A 'line in the sand' was agreed for the model to proceed.</p>
		<p>4. HGV Routing</p> <p>i. Proposed HGV routing strategy & ANPR measures don't include all routes advised by WCC (29/09/2022 - receipt acknowledged but no further engagement). Local concerns that existing major distribution centres HGV movements often 'rat-run' through local Warwickshire villages.</p>	<p>All routes advised by WCC were included in the RRAM modelling for restricted routes as advised by WCC's modellers. The implementation of ANPR as part of the HGV routing strategy is proposed on those routes impacted by the HNRFI</p>

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		<p>ii. Proposed establishing a Community Liaison Group and Transport Review Group to address unforeseen transport impacts associated with HNRFI (EIA Scoping Opinion response 10/12/2020), no engagement on this matter.</p>	<p>site only. There were extensive lengths of the WCC network within the RRAM which were not predicted to have a significant number of HGVs from HNRFI routing along them.</p> <p>Detailed information is contained within the HGV routing Strategy. It is too early in the process to set up a Community Liaison Group. However, this will be considered should the need arise. This has been discussed with WCC officers.</p>
		<p>5. Sustainable Travel i. Warwickshire settlements and environs within reasonable commuting distance of HNRFI. Reliance placed on improving X6 bus service between Coventry/Leicester via M69. Given proposed employee numbers, long-term travel provision must be made for employees from the larger towns ie. Hinckley, Rugby, Nuneaton, Bedworth, Bulkington, Atherstone, Tamworth.</p>	<p>The sustainable transport strategy (Document Ref 6.2.8.1 pt 15 of 20, APP-153) identified key areas of likely employees through the distribution catchment produced from the PRTM. This highlighted Coventry and Leicester as the likely sources of the bulk of employees to the site. This has meant that concentration of the bus enhancement has been on the X6 and DRT services around Leicestershire.</p> <p>However, connections to Hinckley Rail station via bus and bike are proposed to enable combined journeys to and from Hinckley, Nuneaton and its environs.</p>

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	Harborough District Council	<p>1. The proposed development will generate significant additional traffic (HGV's and cars) on the highway network. Appropriate and adequate highway mitigation must be provided to address the impact of the scheme, both in general and particularly in advance of rail facilities & infrastructure being delivered and reaching optimal operating capacity.</p>	<p>Significant amounts of strategic modelling has been carried out throughout the preparation of the DCO. This has led to the planning of access infrastructure and highway upgrades which mitigate the impact of the HNRFI development. Please refer to the the Highway Position Statement included within Appendix B</p>
		<p>2. Issues and concerns that the Transport assessment work is undertaken to the full satisfaction of the relevant Highway Authorities, including the testing of alternative scenarios for HGV and car-based traffic growth (on the basis that utilization of rail-services by future occupiers is optional), and is robustly scrutinised to inform proposed on and off-site highway interventions.</p>	<p>Agreements on inputs to the Strategic Modelling were in place ahead of the production of the TA. Drafts of the TA and supplementary reports have been communicated with the TWG throughout the engagement process, including during PEIR. Please refer to the the Highway Position Statement included within Appendix B</p>
		<p>3. Highway mitigation works, with greatest potential implications for residents / businesses of Harborough district, at the Cross in Hand roundabout (A5/ A426) are proposed 'subject to further capacity assessment' and are therefore currently uncertain in terms of nature, extent, and timing.</p>	<p>Mitigation is proposed based on outputs from the PRTM further checks run through the RRAM. The assumed upgrades to the Cross-in -Hand to be delivered by third parties have been reviewed. Should these not come forward the applicant is committed to delivering all the modelled changes at the junction.</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>4. Highway mitigation measures in the vicinity of Broughton Astley are limited to the B4114/B581 junction, when compared to indicative proposals in the applicants earlier public consultation stages.</p>	<p>Measures proposed are to mitigate the impacts of the development and its infrastructure as forecast by the strategic traffic models. Underlying issues are beyond the remit of the DCO.</p>
		<p>5. Allocated sites and planned development set out in the Harborough Local Plan 2012-2031 (adopted April 2019) has potentially not been factored into cumulative assessments of transport impact, due to the Environmental Statement referring only to the superseded Harborough Core Strategy (2011).</p>	<p>The Uncertainty Log required for input to the strategic model included all anticipated development and was signed off by LCC and NH ahead of the forecast modelling run. Please refer to the the Highway Position Statement included within Appendix B</p>
		<p>6. The applicant's consideration of the potential for upwards pressure on the need for housing, arising from the proposed development, is based on the Leicester & Leicestershire HEDNA (2017), which has since been superseded by the Leicester & Leicestershire Housing & Economic Needs Assessment (HENA, 2022)</p> <p>https://www.nwleics.gov.uk/files/documents/housing_and_economic_needs_assessment_june_2022/1 - Final-HENA-Report-June-22.pdf. Additional housing need is not apparently quantified, and its implications for Harborough district or other adjoining authorities within the HMA (reflecting forecast</p>	<p>In terms of the Proposed Development's impact on housing, in the absence of the HENA 2022 at the point of assessment, the Applicant used the HEDNA 2017 and also took into account the latest 5 year land supply (Table 7.11 in Environmental Statement Chapter 7: Land Use and Socio-Economic Effects (Document reference: 6.1.7, APP-116) to update the study. The Applicant understands the limitations of using 5 year trends for a longer time period and considers this as the best alternative.</p>

RR Reference	Name/Organisation	Matter	Applicant
		<p>commuting patterns) is not clear. Notably, Magna Park located in Harborough district has undergone significant expansion since 2019, with its implications for housing considered in the Magna Park Employment Growth Sensitivity Study (2017)</p> <p>https://www.harborough.gov.uk/directory_record/2984/magna_park_employment_growth_sensitivity_study and agreed via the Duty to Cooperate as part of the LP preparation process.</p>	
		<p>7. The proposed development should not exacerbate the documented shortage of on-site and off-site lorry parking provision in the East Midlands and surrounding local area.</p>	<p>On-site HGV parking is to be limited to those vehicles accessing the site. Parking provision aligns with Leicestershire's guidance for further information see this is set out in document reference 6.8.2.1, APPS-016, and therefore will not exacerbate the existing situation.</p>