

Tritax Symmetry (Hinckley) Limited

HINCKLEY NATIONAL RAIL FREIGHT INTERCHANGE

The Hinckley National Rail Freight Interchange Development Consent Order

Project reference TR050007

Applicant's Comments on Local Impact Reports [Part 2 of 4 HBBC]

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The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009
Regulation 5(2)(q)

Hinckley and Bosworth Borough Council (HBBC)

This document provides the Applicant’s response to the points raised in the Local Impact Report prepared and submitted by Hinckley and Bosworth Borough Council (HBBC) at Deadline 1 and subsequently published by PINS. The matter raised is summarised and the Applicant’s response is then provided in the following table. In the interests of assisting the ExA undertake the Examination of the Application efficiently, where the same or similar points are raised in multiple instances, the Applicant does not repeat the same response. Where the same point has been made in previous submissions, e.g. Relevant Representations, the Applicant refers back to its previous responses, rather than repeating these again here (document reference 18.2).

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	Need and Site Selection	
1	HBBC refer to the published joint authority evidence base document ‘ <i>Warehousing and Logistics at Leicester and Leicestershire: managing growth and change</i> ’ (April 2021) provides the basis for the applicant to demonstrate that there is an unmet quantum of need for a SRFI facility as the study identifies a shortfall of rail served sites in Leicestershire up to 2041. The applicant has undertaken a ‘Market Needs Assessment’ (APP-357) which indicates that the location of the site is near to the business market it will serve and is well connected to key supply chain routes. The applicant has also submitted a Logistics Demand & Supply Assessment (APP-358) which concludes that there is a robust market need case for the development proposed.	Noted and agreed
2	HBBC refer to the applicant’s statement that there are the six main development zones proposed within the parameters plan and the rate of construction of the new	East Midlands Gateway is a 700-acre logistics park, which is located adjacent to East Midlands airport and close to Junction 24 of the M1. Construction started in 2017 with an initial anticipated 10-year

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	<p>floorspace will be dictated by occupier demand and for this reason the programme and phasing is indicative. The reasoning is that the project is subject to the demands of the property market and the detailed design stage being finalised will influence the pace of completion spread over a total period of ten years.</p>	<p>programme to deliver 4,500,000 sq ft of logistics space. However strong market uptake for rail served units led to an average take up of 1.5 million sq ft since serviced plots became available. It was fully let within 6 years and all occupiers are using the rail terminal. This is notably faster than the initial expectations demonstrating the demand for space alongside a rail terminal.</p> <p>Similarly, Magna Park (North & South) is a 550-acre logistics park situated alongside the M1, M6 and M69 motorways. Since 2018, there has been an average annual take up of 1,243,000 sq. ft of space at Magna Park North and South, which significantly rose to an average of 2,637,000 sq ft per annum in 2020 and 2021.</p> <p>The phasing plan is structured around the premise that the market demands 1,000,000 sq ft of development annually. However, based on the evident demand as highlighted above and the discussions already engaged in with prospective occupiers, this assumption is considered to be conservative.</p>
3	<p>HBBC acknowledge that very good access to the strategic road network is an integral part of the operation of a SRFI, but are concerned that the HRNFI site is particularly dependant on the M69 for this strategic access, particularly to the core market of Leicester, and that J21 of the M1 (J3 of the M69) is already over capacity, with no proposals for mitigation.</p>	<p><i>The Applicant has responded to this point though Appendix A Highway Position Statement (document reference: 18.2.1, REP1-033)</i></p>

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4	<p>HBBC question the robustness and depth of analysis undertaken to arrive at the Hinckley site and the disregard of others. They believe that the option appraisal lacks much in the way of depth, or at least the information and data analysis on key criteria [rail, road, environmental and commercial] does not appear to be extensive.</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> <p>Further information on the rail criteria is as follows:</p> <p>Most of the railways in the UK were built in the 1800's with low powered steam engines, so wherever possible, they were built in level river valleys, raised just above the flood plains. Flood plains cannot be developed for an SRFI. The number of locations that can also take at least 1km of track between the points on and off the scheme are also very limited (to meet Network Rail's standards and serve 775m trains. The difficulty in finding suitable SRFI sites is recognised in the NPS.</p>

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		<p>These sites have to be delivered by the market and if there is an obvious reason why a site will not work, it has to be discounted. There is no merit in wasting public or private money and time on clearly pointless padding of arguments. It won't right a fundamental flaw.</p> <p>The reasons shown in the analysis make it very clear why the discounted sites had to be discounted.</p>
	Planning	
5	<p>HBBC identify that the administrative boundary between Blaby District and Hinckley and Bosworth Borough runs to the immediate west of the application site and part of the proposed highway works to join the proposed link road from J2 of the M69 to the B4668 lies within the boundary of Hinckley & Bosworth Borough Council and is therefore covered by the Council's adopted Development Plan.</p>	<p>Yes as addressed in the Planning Statement (document reference: 7.1, APP-347).</p>
6	<p>HBBC refer to a currently undetermined retrospective application for <i>Change of use of land to 4 no. Gypsy and Traveller pitches, each pitch containing one mobile home, one touring caravan and one amenity block, together with laying of hardstanding, construction of driveway and associated landscaping (Retrospective)</i> (21/00560/FUL) at Land South-East of Leicester Road Hinckley Leicestershire LE10 3DR where</p>	<p>The Applicant is fully aware of this undetermined application and the proposed access from the B4668 Leicester Road. We have allowed for the construction of a new access point to the land at the South Western Corner of the plot. This is shown on Works Plans Sheet 1 of 8 (document reference: 2.2AA, AS-003). Where appropriate this site has been considered as a receptor in the relevant assessment chapter eg as shown in Figure 10.1 Noise Sensitive Receptor Locations (document reference: 6.3.10.1, APP-270).</p>

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	the access arrangements overlap with the proposed development.	
7	<p>HBBC refer to two nearby sustainable urban extensions (SUE) awaiting determination at Barwell and Earl Shilton and which are covered by the adopted Barwell and Earl Shilton Area Action Plan 2014 due to their size and proximity to the north of the application site.</p> <p>The AAP proposed sustainable urban extensions to the south east of Earl Shilton for up to 1600 homes and 4.5Ha of employment land (the site adjoins the A47 and relies on vehicular access from it to serve the majority of the development) and to the west of Barwell for up to 2500 homes and 6.2Ha of employment land.</p>	<p>These applications are at an early stage in their respective application processes. It is assumed they will adopt a similar approach to design, assessment and mitigation of effects as the HNRFI Application. They have been accounted for in the agreed planning and Infrastructure log for traffic modelling and both sites have been included in ES Chapter 20 Cumulative Effects (document reference:6.1.20, APP-129), and where relevant are assessed in the respective topic chapters, as set out in Appendix 20.1, (document reference: 2.2AA, APP-226).</p>
8	<p>HBBC states that the adopted Development Plan for the Hinckley & Bosworth Borough area is the Local Plan 2006 – 2026 comprises the Core Strategy which was adopted in December 2009 and the Site Allocations and Development Management Policies DPD which was adopted in 2016. Also relevant is the Good Design Guide Supplementary Planning Document (SPD) which was adopted in 2020.</p>	<p>The primary basis for decision making is the National Policy Statement for National Networks. The policies in the development plan for Hinckley and Bosworth Borough have been addressed in the individual chapters of the Environmental Statement, where relevant. In so far as there are policies in the development plan which are not addressed in the NPS (relating to Burbage Common and the Green Wedge) these have been considered in the Planning Statement Rev 03 (document reference: 7.1, APP-347).</p> <p>The Design Guide SPD does not form part of the development plan. The relevance of the SPD, or lack thereof, which does not contemplate</p>

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		design with form and scale of a SRFI has been addressed within the response to the Written Representations made by HBBC.
9	HBBC refer to the following relevant policies of the Core Strategy: Policy 1 – Development in Hinckley; Policy 2 – Development in Earl Shilton; Policy 3 – Development in Barwell; Policy 4 – Development in Burbage; Policy 5 – Transport Infrastructure in the Sub Regional Centre; Policy 6 – Hinckley/Barwell/Earl Shilton/Burbage Green Wedge; Policy 20 – Green Infrastructure.	<p>Policy 1 is not relevant and refers to measures to support the role of Hinckley as a sub-regional centre – including allocation of land to meet development needs.</p> <p>Policy 2-4 applies a similar approach to Policy 1 in supporting the role of Hinckley as the sub-regional centre. However HNRFI is not located in Earl Shilton, in Barwell or in Burbage.</p> <p>Policy 5 identifies a range of transport interventions to support additional development in and around Hinckley. The policy has no direct relevance to HNRFI.</p> <p>Policy 6 Green Wedge – the impact of HNRFI on Policy 6 has been addressed in the Planning Statement 3.188-3.189 (document reference: 7.1, APP-347) paragraphs)</p> <p>Policy 20 Green Infrastructure makes reference to the Green Wedge where strategic interventions are to be supported.</p> <p>Policy 24 Sustainable Design and Technology – this responds to residential development, schools, hospitals and office developments.</p>

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		<p>From 2016 the policy seeks development to achieve BREEAM Excellent, where appropriate, as is proposed for HNRFI.</p> <p>It is considered that other than Policy, which 6 relates to Green Wedge, none of the policies in the Core Strategy raise distinct matters to those set out in the NPS-NN</p>
10	<p>HBBC refer to the following relevant policies of the Site Allocations and Development Management Policies DPD: DM3: Infrastructure and Delivery; DM4: Safeguarding the Countryside and Settlement Separation; DM6: Enhancement of Biodiversity and Geological Interest.</p>	<p>Policy DM3: This policy simply requires developers to make provision for additional or improved infrastructure, amenities, facilities where a need arises. The application of Policy 6 would need to satisfy Regulation 122 of the CIL Regulations.</p> <p>Policy DM4: It is accepted that HNRFI lies within an area of countryside beyond the confines of existing settlements.</p> <p>Policy DM6: HNRFI goes beyond the requirement of this policy in the provision for at least 10% BNG.</p> <p>Policy DM7: The matters covered by this policy are addressed in the NPS-NN and have been taken into account in the application for HNRFI.</p> <p>Policy DM10: TSH has addressed the design criteria for good design as set out in the NPS-NN. Some of the provisions of Policy DM10 clearly do not align with the functionality and fit for purpose requirements of a SRFI.</p>

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		<p>Policy DM17: the underlying purpose of this policy is addressed in the NPS-NN under the heading Impacts on Transport Networks,</p> <p>None of the policies this DPD raise matters of substance that are not addressed within the NPS-NN</p>
11	<p>The Good Design SPD is divided into two parts, part two focusses on specific village identity and features and is not relevant to the determination of this application. Part one, however, deals with the approach and objectives to achieving good design and is relevant to the determination of this application and should be considered alongside the guidance in the NPS and other national design guidance. In particular chapters 1 (Planning and Design Process), 2 (Design Objectives) and 7 (Commercial Development) are relevant.</p>	<p>The SPD properly referenced design as a process rather than an end product. The design of HNRFI has evolved as an iterative process with advice from a specialist team of consultants and through engagement with stakeholders, informal and formal consultations with the local community.</p> <p>Chapter 2 identifies a range of design objectives including:</p> <ol style="list-style-type: none"> 1. Be functional: HNRFI is designed to function to the specific requirements of a SRFI as a component of national infrastructure. 2. Support mixed uses and tenures: This objective is not well related to a SRFI. 3. Include successful public spaces: the thrust of this objective is directed at neighbourhoods in a living environment rather than a SRFI which will not function to attract social activities and avid life. 4. Have distinctive character. HNRFI will have a distinctive character as a SRFI – the design details will be approved by the relevant Local Authority.

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		<p>5. Be attractive: the details of HNRFI will be attractive representing an efficient business environment.</p> <p>6. Encourage ease of movement: the layout of HNRFI will enable efficient movement within the park.</p> <p>Chapter 7 refers to the success of commercial developments that take a 'campus' approach developing a holistic and integrated environment of integrated streets, spaces and buildings. That is the purpose of the Design Code (document reference: 13.1, APP-354).</p> <p>It is submitted that care needs to be applied to the provisions of a Design Guide where the principles are clearly not focused upon the form and character of a SRFI – which necessarily will comprise very large scale buildings primarily functioning for logistics. That is not to say the development will not be of high quality with good design, and extensive areas of landscaping. The scale of development will create its own identify on the edge of Hinckley urban area.</p>
	Characteristics of the Local Area	
12	<p>HBBC highlighted the character of the local landscape including the highlighting specific landscape character areas for consideration such as Charnwood Forest.</p> <p>HBBC outlined the heritage assets of the Borough and their historic context.</p>	<p>The Applicant notes all points raised. The National Landscape Character Area of Charnwood and the National Forest designation area lie over 10km from the site and will be unaffected by the Proposed Development.</p>

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		Impacts on designated and non-designated heritage assets are addressed in ES Chapter 13 (document reference: 6.1.13, AS-015) and agreed in the SoCG.
	Impacts	
	Landscape and Visual Impact	
13	HBBC highlighted the landscape character of the site in the context of the landscape in the Borough. It is indicated that whilst low-lying, the site is open and visible from long views from surrounding higher land. Views from Barwell and Earl Shilton highlighted as being impacted in the middle ground views. Views from Elmeſthorpe highlighted as dominating the backdrop to the village.	<p>The Applicant notes comments on landscape character. Visual Impacts from higher ground are agreed as set out in ES Chapter 11 (document reference: 6.1.11, APP-120) and the SoCG. There are only two public locations in Barwell where views can be obtained across the Vale. As illustrated in Proposed Photomontages PVP 25 and PVP26, (document reference: 6.3.11.16, APP-300) whilst the development will be visible, there remain longer views beyond the development, maintaining a sense of perspective. These are assessed as part of ES Chapter 11 (document reference 6.1.11, APP-120) and agreed in the SoCG.</p> <p>Views from Elmeſthorpe are largely well contained by built form and vegetation. Photomontages PVP19, 53, 48, 49 and 50 illustrate the locations where the development will be visible and these are assessed as part of ES Chapter 11 (document reference: 6.1.11, AS-025) and agreed in the SoCG.</p>
14	HBBC highlights to loss of open farmed rural landscape and its associated landscape features. HBBC notes that landscape impacts of the scheme will be much wider than the site itself and the rural character of the surrounding landscape and villages of the vale will	The Applicant has agreed impacts on the landscape, as set out in ES Chapter 11 (document reference: 6.1.11, AS-025) and the SoCG.

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	change as a result of the bulk and scale of the development. Highlighting its prominence from the landscape west of the M69 with associated effect on the overall sense of rural tranquillity of the vale	
15	<p>HBBC states impacts on the landscape will be present at day and nighttime, despite the lighting strategy.</p> <p>HBBC raised concerns in relation to stack, building and crane heights.</p> <p>HBBC notes that the scale of the development means that the Landscape Strategy (ES Figure 11:20, document reference APP - 304) does not mitigate the effects but does seek to reduce them, but the areas required to sufficiently screen the scale of the development are currently inadequate.</p>	There are significant residual long terms effects as set out in ES Chapter 11 (document reference: 6.1.11, AS-025) and the SoCG, which are not fully mitigated by the Landscape Strategy.
16	HBBC is concerned about separation between the main site and Burbage Common and Woods Country Park and the lighting impacts.	The Landscape Strategy includes woodland and tree planting which maintains good visual separation with Burbage Common and Woods Country Park as demonstrated in the Photomontages, Figure 11.16 (document reference: 6.3.11.16, APP-300). Lighting columns will likely be visible from some locations as illustrated by Photomontage PVP3.
17	HBBC raised concerns about the proposed Western Amenity Area.	The new amenity area is designed to extend the public access area, allow for a greater level of biodiversity and an alternative habitat experience to the existing Country Park. It will enhance the

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		recreational offering in the area with opportunity for educational/activity trails.
18	The raised concerns with regards to the landscape strategy	The Applicant has responded to these points raised in the response to LUC's Design Review
19	HBBC states that the height (28m) and scale of the development means that planting along boundaries is not effective in screening or filtering views of the development.	Not agreed, the boundary planting will be very effective at screening views of much of the development over the longer term, particularly the lower active zone where movement of trains, HGV's and containers would otherwise be a distracting feature in views from the surrounding area.
20	HBBC believes that these visual effects will be experienced at a greater number of viewpoints than identified in the LVIA. The overall impact of the development on the landscape and visual amenity is negative.	The viewpoints are representative of what will be seen in the local area and are not intended to cover every possible view of the development. However, in this instance, many more views than would normally be selected have been included such that there is no general location where a public view might be experienced that isn't represented by a viewpoint.
	Ecology & Nature Conservation	
		As outlined within the Relevant and Written Representations, the applicant is continuously working to minimise on site losses and maximise gains. BNG assessment of watercourse is ongoing to minimise losses/maximise gains (as per the draft SoCG submitted at Deadline 2).The Applicant notes the comments and an assessment of watercourse is underway to minimise losses/maximise gains (as per the SoCG).
26	HBBC acknowledge the following proposed measures to mitigate adverse effects: buffer between the built	Agreed.

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	development and the designated woodlands; retention of onsite broadleaved semi-natural woodland; retention and provision of buffers to hedgerows around the site boundaries; provision of a large wildlife area; provision of habitat to the south of the A47 Link Road; and provision of new structural and hedgerow planting.	
27	HBBC requests further detail regarding hedgerow creation/enhancement that is expected to be achieved through partnering with the Environment Bank.	There is a commitment to 10% net gain in hedgerow habitat, 7% of which will be delivered within the Main Order Limits. It is anticipated that any shortfall will be delivered through off-site land in the locality. Where this cannot be achieved, credits will be sought through the Environment Bank.
28	HBBC is unclear on the dimensions of proposed buffers which are to be provided as mitigation around the proposed retained/enhanced habitats.	Specific dimensions for buffers have not been provided, as they range across the site. However, as is demonstrated within the Landscape Strategy ES Figure 11:20 (document reference 6.3.11.20, APP-304), open space is provided at the site boundaries (most notably to the west). Given retained features are almost exclusively at the site perimeter, this shows the extent of buffering to be delivered.
29	HBBC considers that retaining connectivity of habitats is under explored within the application; the lighting strategy is brief and unsupported by appropriate surveys to determine effects on the surrounding/retained habitats; and the fragmentation of habitats and the time take to reach the target condition of these habitats is a negative impact.	Noted. Potential impacts on bats has been discussed further within the Written Representations.

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30	HBBC acknowledges that the loss of the crop fields will have a low to neutral impact on the majority of species, with the exception of breeding and wintering birds.	Noted.
31	Long term operational impacts on designated sites, such as pollution and potential water inundation on adjacent ancient woodland and broadleaved woodland habitats, including the potential for nutrient enrichment impacts on ground-level flora requires further and more detailed analysis due to the potential negative impacts.	<p>The operational environmental impacts on off-site woodland have been assessed in detail as set out below.</p> <p>The Air Quality ES Chapter (document reference: 6.1.9, APP-118) provided the changes in nitrogen deposition at the Free Holt Ancient Woodland and the significance of these impacts were considered in Ecology ES Chapter 12 (document reference: 6.2.12, APP-121).</p> <p>The Ecology and Biodiversity Chapter states that although there will be some increase at ecological receptors (including Freeholt Wood) above 1% of the critical load, these do not exceed an increase of more than 1% of the current baseline deposition without the HNRFI. Therefore, these increases would not be considered significant in EIA terms.</p> <p>It is considered that the removal of arable land (and therefore, a large source of nitrogen) from the northern boundary of Freeholt Woodland would be of great benefit. It is also noted that the Air Quality ES Chapter (document reference: 6.1.9, APP-118) modelling shows that the overall levels of nitrogen deposition at Freeholt Wood (and indeed all ecological receptors) all decrease from the opening year to the full operational year (accounting for improved technology).</p>

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		In addition, the ancient woodland will be buffered by new woodland and scrub planting and so any initial exposure to increased nitrogen is considered temporary/reversible as new planting matures and screens the woodland.
32	HBBC considers displacement of walkers and dog walkers to be likely, resulting in increases in recreational pressure at Burbage Common & Woods.	As agreed with Natural England through the SoCG, significant increases in recreational pressure on the SSSI are considered unlikely. In any event, talks with relevant management bodies are underway, and seek to ensure appropriate management of on-site habitat provision to help effectively manage access. Such management measures will be secured in the detailed WMP (Requirement 33) and subject to local authority sign off. The southern section the SSSI is not publicly accessible, and so it is considered that no access issues will likely arise.
33	<p>HBBC considers that buffer planting or vegetated swales would be beneficial to reduce the likelihood of pollutants entering the watercourse and further hindering the enhancement of the rerouted stream.</p> <p>Furthermore, HBBC refers to increased air pollution during construction and operation, and the impact of this on woodland ground flora due to the effects of excess nitrogen deposition.</p>	<p>Agreed re vegetated swales.</p> <p>The Ecology and Biodiversity Chapter states that although there will be some increase at ecological receptors (including Freeholt Wood) above 1% of the critical load, these do not exceed an increase of more than 1% of the current baseline deposition without the HNRFI. Therefore, these increases would not be considered significant in EIA terms.</p> <p>Ancient woodland will be buffered by new woodland and scrub planting and so any impacts as a result of nitrogen deposition are considered temporary/reversible.</p>

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34	HBBC does not consider that the BNG calculations are compliant with planning policy requirements or the aims of the Environment Act 2021 on the basis that the proposed partnership with the Environment Bank has not yet been established and is it not clear how BNG proposals will be achieved. HBBC state that a full and complete Biodiversity Impact Assessment (BIA) report should provide an assessment of the proposed offsite BNG provision.	The BNG strategy is compliant with national planning policy in that the application identifies and pursues opportunities for securing measurable net gains for biodiversity. Until 2025, the 10% net gain for NSIPs will not be in force. Talks with the environment bank are ongoing but until the detailed BNG has been completed, the precise credit requirement will not be known. The BNG strategy, secured via Requirement 30 is sufficient to ensure a 10% net gain is met.
35	HBBC is unclear as to how offsite BNG and the provision of a green amenity area as an extension to Burbage Common will offset the loss of habitat while maintaining habitat connectivity.	Requirement 30 will ensure the development delivers a 10% net gain. 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. Green corridors at the site boundary will maintain connectivity across the site.
36	HBBC state that the need for a phased assessment approach needs to be further explored as the phased construction phase may result in habitat being created/enhanced in advance of loss, improving the overall BNG score.	This is agreed and will be explored further through the SoCG process and in the BNG strategy secured via Requirement 30. The key open space provision will be delivered within the initial phases of the project, effectively meaning that over the proposed 10-year construction period, planting may be delivered up to 9 years in advance.
37	HBBC state that a full lighting assessment has not been undertaken by the applicant to determine construction/operational impacts on existing, retained and enhanced habitats.	The bat assemblage recorded is considered to be relatively typical for an urban edge farmland site in central England with common and widespread generalist species accounting for the vast majority of foraging and commuting activity. The most commonly recorded bats

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		<p>(<i>Pipistellus pipistrellus</i>, <i>Nyctalus noctula</i>), are not considered to be particularly sensitive to lighting impacts when foraging or commuting. The latest obtrusive light technical note lighting plans (Document reference: 6.2.3.2.1)) demonstrate that light spill has been kept to a minimum. The vast majority of open space will be maintained as dark, allowing continued commuting opportunities post development. Whilst some light spillage occurs at the railway and railway bridge (considered unavoidable given the nature of a SRFI), lux levels are generally low, and still allow commuting opportunities for bats (with the northern edge of the railway corridor at 1lux or below), with new bund planting on the northern edge of the railway providing new commuting habitat. No significant impacts are therefore considered likely.</p> <p>Given the limited light spill on retained and newly created habitat, there is considered to be no significant impacts on birds, otters or badgers.</p>
38	HBBC consider the overall impact to be negative, where the most significant impacts are loss of woodland, mature trees, hedgerows and watercourse and the fragmentation of habitats, particularly in relation to species such as bats, birds and GCN.	The proposed mitigation leaves no residual significant negative impacts. Negative effects have been avoided or reduced through inherent mitigation incorporated into the parameters plan (document reference: 6.3.3.2, APP-231) and Illustrative Landscape Strategy (document reference: 6.3.11.20, APP-304).

	Highways and Transport	
39	HBBC believe that the introduction of new slip roads at the M69 junction 2 and the proposed new link road will significantly alter travel in the Hinckley area, and the proximity to the main urban settlements offers opportunities for sustainable transport access.	The changes in traffic profile have been reviewed through LCC's PRTM2.2 model which provides analysis of impact across the County. This has been used to develop mitigation and access infrastructure proposals as discussed in detail within the Transport Assessment (document reference: 6.2.8.1, APP 138)
40	HBBC refer to issues with the width and quality of some footways; increased difficulties crossing some roads due to changes associated with the development and link road; and lack of cycling facilities/links.	Further detail is to be developed ahead of Deadline 4 as agreed with LCC 12/10/23
41	HBBC state that there are no bus routes serving the site at present and no suitable bus or cycling access to the railway station.	See Sustainable Transport Strategy (document reference: 6.2.8.1, APP-153) for details on bus and sustainable access. This includes details on the X6 and the DRT services.
42	HBBC refer to the extensive network of PRoW's and bridleways across the site which will require diversion or replacement, stating that the various proposals made by the applicant require more information and consideration.	Additional information has been submitted to LCC in relations to PRoWs to advance discussions on the SoCG, this additional information is appended to the LCC SoCG. LCC have requested additional information beyond this in their Written Representation and the nature of this information is in discussion with LCC, notwithstanding this the Applicant considers the information submitted to date provides suitable clarifications to LCCs concerns regarding the deliverability of the PRoW strategy.
43	HBBC state that there is concern that HGVs will park on local roads due to the increase in HGVs using the area and/or to avoid lorry park charges and that the applicant should set out proposals to reduce or eliminate this.	Discussed on 12/10/23 with LCC HDM HGV Management Strategy to be updated with agreement as far as possible ahead of the decision notice.

44	<p>HBBC consider access to the proposed development to be severely constrained by a capacity issue at the SRN junction immediately to the north of the site, J21 of the M1 (J23 of the M69) and is concerned that traffic will be forced off onto local roads.</p> <p>HBBC note that mitigation measures considered by the applicant were concluded to be unfeasible or too expensive, suggesting that the scale of the proposed development should be reduced either permanently or until this issue has been resolved. HBBC request further detailed information to be provided on this issue and that appropriate mitigation for this junction be included in the DCO order and associated S106.</p>	<p>This is addressed within Transport Assessment (document reference: 6.2.8.1A) and previous meetings with NH and LCC. It remains an area of disagreement.</p> <p>This has been an existing problem on the network for a number of years. There have been no planned upgrades at the junction to address underlying capacity issues on the J21 roundabout itself.</p> <p>The impact on the LRN and the subsequent mitigation is based on diverted traffic and is a worst case. What is not noted is that traffic congestion is significantly relieved around Hinckley and new infrastructure does pull traffic away from the LRN to SRN. This is most evident south of M69 Junction 2.</p>
45	<p>HBBC is concerned about the impact on local roads and pressure on J21 of M69 (north) associated with the development taking up capacity on the M69 (north), noting requests for the applicant to model this junction in detail.</p>	<p>This is addressed within Transport Assessment (document reference: 6.2.8.1A) and previous meetings with NH and LCC. It remains an area of disagreement.</p> <p>This has been an existing problem on the network for a number of years. There have been no planned upgrades at the junction to address underlying capacity issues on the M69 J21 roundabout itself despite capacity being exceeded.</p>
46	<p>HBBC are concerned about the effectiveness and enforcement of the applicant's HGV Route Management Strategy, specifically: the application of this during the construction phase to ensure vehicles use designated routes; how height checking will be undertaken and that this will also apply to vehicles using the lorry park and</p>	<p>Discussed on 12/10/23 with LCC HDM HGV Management Strategy to be updated with agreement as far as possible ahead of the decision notice</p>

	rail freight terminal; clarification on the use of the link road to the A47 by HGV's.	
47	HBBC refer to the applicant's Sustainable Transport Strategy. Specifically, HBBC is doubtful that mode share targets for walking, cycling and use of public transport will not be met.	Further detail is to be developed ahead of Deadline 4 as agreed with LCC 12/10/23
48	HBBC state that it is not clear from the plans if the pedestrian and cycle access proposals are adequate.	In order to demonstrate the pedestrian and cycle provision more clearly, the applicant proposes to produce a series of larger scale plans for consultation with the Local Highway Authority's design team.
49	HBBC is concerned with the applicant's Construction Traffic Methodology, specifically how traffic impacts can be reduced and enforced.	The CTMP is a framework which will be developed by the Principal Contractor when appointed. The plan sets out proposals and routes to mitigate construction traffic to and from the site.
50	HBBC considers that the impact of the proposal on the local and strategic highway network will be negative.	It is the Applicant's view that the development proportionately mitigates its impact on the local and strategic road network.
	Socio – Economics	
51	HBBC consider that it would have been more appropriate for the study area to be based on a drive distance of 30km rather than a radius of 30km as the latter fails to consider the connectivity of key routes of the M69, A5 and M1. HBBC consider the associated estimated leakage of 0% to be unrealistic and local employment benefits overstated.	Response to this matter is provided under Matters not Agreed V5 HBBC SoCG Land Use and Socio-Economic Effects (document reference: 19.2).
52	HBBC estimate that 53% (3,339 to 4,134) of workers would be residents based in Leicester and Leicestershire. Some of the additional multiplier jobs will also be taken by residents in Leicester and Leicestershire.	HBBC provides an estimate of workers anticipated to be residents based in Leicester and Leicestershire. This should be treated with caution as it is a proxy based on current information from ONS

		Business Register and Employment Survey and the Annual Population Survey.
53	HBBC compares the wages referenced for logistics nationally (£30,700 per annum) to that of warehousing and support activities for transportation in the East Midlands (£26,884 per annum) and wholesale trade in the East Midlands (£27,092 per annum), stating that given the comparatively low sector pay for the future operational wages at the proposed development it is likely that fewer employees will reside in the borough and Leicestershire, which will reduce positive impacts reposted, increase negative impacts reported in the ES (including on traffic/transport).	The earning comparison includes inconsistencies as it compares earnings from HENA based on 2020 data and Annual Survey of Hours and Earnings (ASHE) 2021 data. Based on 2021 ASHE annual earnings of full time employee jobs the two sectors (Wholesale and retail trade and repair of motor vehicles and motorcycles and Warehousing and support activities for transportation) in East Midland have slightly higher £26,341-£27,666 earnings and a lower gap with Blaby resident-based (£29,137) and workplace-based earnings (£30,592) shown in Table 7.10 of Environmental Statement Chapter 7: Land Use and Socio-Economic Effects (document reference: 6.1.7, APP-116). Using the 2021 earnings as a proxy for future wages at the Proposed Development should be treated with caution given the higher earning growth rate (32%) that the transportation and storage sector has in comparison with the all sectors growth rate (27%) in United Kingdom between 2010 and 2022 (ASHE Time Series of Selected estimates, 2022). This does not affect the applicant’s conclusions on positive employment effects stated in the ES.
54	HBBC consider that the likely employment requirements of the proposed development could have significant negative impacts for resourcing staff or particular skills and is compounded by housing impacts.	Response to this matter is provided under Matters not Agreed V5 HBBC SoCG Land Use and Socio-Economic Effects (document reference: 19.2).
55	HBBC are uncertain of the type of construction workers or skills required for the proposed development, suggesting this hinders the development of a training	Response to this matter is provided under Matters not Agreed Ref.2 V5 HBBC SoCG Land Use and Socio-Economic Effects (document reference: 19.2).

	and skills programme by preventing the programme being able to target identified skills shortages.	
56	HBBC estimate that the construction GVA benefits for Leicester and Leicestershire are estimated as £17,839,140m per annum for the ten-year construction period, based on an average GVA per worker of £49,830 (HENA 2022).	HBBC provides an estimate of construction GVA. This should be treated with caution as it is based on 2018 information for all sectors and not for the construction sector. It is therefore not comparable with the GVA estimates of Environmental Statement Chapter 7: Land Use and Socio-Economic Effects (document reference: 6.1.7, APP-116).
	Health	
57	HBBC refers to the potential for direct and indirect impacts on health, well-being and quality of life associated with a range of environmental and socio-economic changes which can be adverse or beneficial.	<p>All credible changes in environmental and social-economic conditions with the potential to influence health have been assessed and addressed within their respective chapter headings, and further communicated in the Health and Equality Briefing Note.</p> <p>No alternative evidence has been provided by any party to question that submitted, or indicate any gap in the assessment provided.</p>
58	HBBC state that the Leicestershire 2022-2032 Joint Health and Wellbeing Strategy (JHWS) is a key document that has not been referenced.	<p>A health and wellbeing baseline has been included in the Health and Equalities Briefing note to profile the local population and health circumstance. The data provided in the health and wellbeing baseline has been taken directly from the sources which will have informed the JHWS and present a consistent message on local health circumstance.</p> <p>It should be noted that the health and wellbeing baseline acknowledges that there will be some individuals or groups of people who do not conform to the overall profile.</p>

59	The IP state that it is unclear on what wards have been selected to form the study area.	<p>It is important to firstly recognise that each technical discipline within the DCO has a topic specific baseline, including topic specific sensitive receptors. This is necessary, as the hazard characteristics, environmental circumstance, distribution and exposure characteristics vary between the individual technical disciplines.</p> <p>The Health and Equality Briefing Note draws from all of the pertinent technical disciplines and their associated baselines to inform the both the geographic scope of the study area, but also the data selected (appropriate to the health hazards and exposure pathways). The health baseline provided in the Health and Equality Briefing Note does not replace that provided in the overlapping technical disciplines, but compliments it, to provide additional context.</p> <p>As explained in the Health and Equality Briefing Note, the study area has been selected based on the DCO Order Limits, the composition of which is referenced in multiple places throughout the Health and Equalities Briefing note. For clarity, the ward study area comprises the wards of: Croft Hill; Hinckley de Montford; Burbage St Catherine's & Lash Hill; Stanton & Flamville; Barwell; Broughton Astley-Primethorpe & Sutton; Cosby with South Whetstone; Lutterworth West; Ullesthorpe; and Revel and Binley Woods.</p>
60	HBBC state that the health appraisal fails to identify and discuss the impact the proposed development will have on Burbage Common.	The Health and Equality Briefing Note draws from technical assessments within the DCO pertinent to health, on this basis it focusses on human receptors. Wider technical disciplines focus on Burbage Common itself, and the users of it, most notable Chapters 7 Land Use and Socio-economics, 11 Landscape and Visual Effects, and 12 Ecology and biodiversity.
61	HBBC are not clear what the quality of the new publicly accessible green space provided will be and whether it will be attractive. HBBC note that good quality open	The applicant acknowledges that good quality open space is beneficial to health and wellbeing and notes the importance of delivering this within the new publicly accessible green space.

	space enhances community wellbeing by offering areas for recreation, relaxation and social interaction which contribute to physical and mental health.	
62	HBBC considers an absence of any appraisal relating to the provision of a replacement bridleway where the user experience is changed from encountering a natural aesthetic to an urban one. The perceived health impact of such could include reducing physical activity, harming mental well-being, disconnecting from nature, and hindering community interaction, impacting overall user experience negatively.	<p>The reprovision of a bridleway that will now pass through an urban setting will not materially impact access to physical activity or mental wellbeing on the basis that several nearby alternative routes which also pass through natural settings exist and can be used if that is the preference.</p> <p>Risk perception can only be addressed through the factual investigation and dissemination of robust information, as provided in the DCO.</p>
63	HBBC consider it unclear how active travel will be incorporated into the Proposed Development and state that the rural surroundings primarily make the site an unsustainable location for commuting, which has the potential to cause congestion in the surrounding area, with consequential negative impacts for human health.	The use of active modes of transport for commuting is promoted by the applicant through design as much as practicable, and the impact on congestion has also been assessed.
64	HBBC consider that the impacts of the proposal on health are negative and a full Health Impact Assessment should be submitted in order to fully understand these negative impacts.	<p>The reporting preference is noted, but does not establish any assessment gap in the agreed scope of potential impacts to be assessed.</p> <p>Please note that the Health and Equalities Briefing Note includes all the stages of HIA, and was produced by a leading internationally recognised HIA team, acknowledged in much of the UK HIA Guidance, sits on the IEMA Health in Impact Assessment working group and provides regional HIA Training to Local Authorities and the Combined Authorities for the Office for Health Improvement and Disparities (OHID).</p>

		<p>The reporting structure was agreed as part of scoping, and the Health and Equality Briefing Note was voluntarily included to aid transparency, test the iterative development of the application, and respond to health concerns during the PIER, Written Representation and Local Impact Report and the formation of the Statement of Common Ground.</p> <p>Please note, no party has provided a Health Impact Assessment, and no party has presented any health evidence that would contradict that provided, or establish any gap in what has been assessed.</p>
	Air Quality, Noise and Vibration	
65	<p>The IP seeks confirmation that 1) the 2022 version of the DEFRA Technical and Policy Guidance has been used, and 2) when the revised Air Quality Objectives are published by the Government this year, that the air quality assessments will be revised to take account of them and confirmation should be given that. With those provisions the overall impact of the proposal on air quality is considered to be neutral in terms of receptors within Hinckley borough.</p>	<p>The 2022 version of the Defra Technical Guidance was utilised in the air quality assessment.</p> <p>An air quality addendum (document reference: 6.4.1, AS-023) has been prepared and submitted which takes into consideration 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>
66	<p>HBBC consider that cumulatively, there will be irreversible, major, adverse, negative impacts on the majority of the assessed Noise Sensitive Receptors (NSR) and on the local areas of recreation, such as Burbage Common woods. The operational sound levels of the proposed development throughout the daytime and</p>	<p>We do not agree with this statement. The results of the noise assessment indicate that at, worst there will be minor adverse impacts at NSRs with mitigation in place as a result of the proposed SRFI. Minor adverse impacts are also predicted as a result of the proposed A47 link road, with mitigation in place. The exception is NSR1, Bridge Farm, where a major adverse impact is predicted as a</p>

	<p>night-time, are predicted to exceed the prevailing background sound levels by up to 12dB even with mitigation.</p>	<p>result of road traffic on the A47 link road in the short-term. Although noise levels fall between the Lowest Observed Adverse Effect Level and Significant Observed Adverse Effect Level, and noise levels have been mitigated and minimised as far as practicable in line with the Noise Policy Statement for England.</p> <p>Notwithstanding this, BS4142 states that, “where the initial estimate of the impact needs to be modified due to the context, take all pertinent factors into consideration”. Once mitigation is provided and context is accounted for, the residual impacts are predicted to be low.</p>
67	<p>HBBC consider that mitigation measures do not follow a good acoustic design process and rely upon visually intrusive barriers, which should be a last resort. Furthermore, the acoustic character corrections applied to the assessment are lenient and do not reflect the irreversible change in acoustic environment that the proposed development will have.</p>	<p>Chapter 4 of the ES (document reference: 6.1.4, APP-113) covers alternatives and design evolution. Orientation and alternative layouts were considered through the masterplanning process and noise sources were considered in arriving at the illustrative masterplan.</p> <p>There are constraints from the perspective of the site needing to be functionally connected to the existing rail line, which limits the potential location of the rail loading area. The stacking yards need to be adjacent to this and cannot be the other side of buildings.</p> <p>The Applicant has reconsidered the viability of further design interventions and where feasible, these have been incorporated into the updated illustrative masterplan. Notwithstanding the masterplanning approach that has been undertaken, the noise and vibration ES chapter has considered the parameters of the proposed development, as required at this stage of the proposals.</p>
68	<p>HBBC refer to the railway noise assessment where the resultant calculations show a calculated noise level of 62 dB for daytime and night-time. However, measured sound level data from receptor NMP3, which is adjacent</p>	<p>The existing and proposed noise from the rail line has been predicted using the methodology found within the Calculation of Rail Noise (CRN 1995). This states that only noise from the moving railway vehicles is considered, and no account is taken from any</p>

	<p>to the railway line in question, shows much quieter sound levels of 52 – 58 dB.</p>	<p>non-railway source. Therefore, the calculation deals purely with noise from the existing and proposed trains, and allows a direct comparison to be made.</p> <p>The measured ambient noise level takes into account the whole measurement period which includes periods where there are no trains, which results in a lower noise level overall. Therefore, it is not appropriate to compare the predicted level to the measured ambient level. As the measured noise level is lower, it is reasonable to assume that the future noise level will also be lower than is predicted. Therefore, the future noise level should not exceed the criteria of the Noise Insulation Regulations at any properties.</p> <p>Furthermore, a significant increase in the noise level implies that there will be a significant increase in the number of trains, which is not the case. For context, a doubling of the number of trains would result in an increase of 3dB. As there is predicted to be an additional 32 2-way movements, and the existing line carries 105 2-way movements, an increase of around 2dB is more realistic.</p>
69	<p>HBBC consider that with the inclusion of more robust corrections and modelling exercises, the 11 NSRs experiencing 'Adverse' or 'Significant Adverse' impact based upon the BS 4142 assessment would increase.</p>	<p>This statement relates to the predicted impact prior to a context assessment being undertaken. BS4142 states that, "where the initial estimate of the impact needs to be modified due to the context, take all pertinent factors into consideration".</p> <p>Once context is accounted for, the residual impacts are predicted to be minor adverse, which is not significant.</p>