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SUMMARY KEYWORDS

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00:05

So if we can move to the biodiversity net gain

00:08

search before you do that, and apologies for interrupting could I have an opportunity just to clarify what Mr. NEEP said in relation to that last question that you asked him about the extension to the common, you know, just to avoid any confusion, in that there's, there's no proposal within the scheme to formally extend the common ie we aren't proposing to make new common land as a result of these proposals. And just to avoid any any confusion over that. Also, I'm not entirely sure whether this is access to it is regulated through the woodland management plan, or through the limp. What we'll do is we'll take it away, and we'll provide that clarification in our written summary.

00:50

Thank you, that's very helpful. Alright, moving back to biodiversity net gain. So, these calculations for the proposed development show that at present they do not meet planning policy requirements or the aims of the environmental Act, or the environment act sorry, 2021 in terms of the 10% requirement, but could the applicant explain how it intends to achieve the 10% Bng in respect of habitat and linear river units, please.

01:17

Currently, we are looking at the applicant is looking at off site options, which we have demonstrated can achieve gains in in other categories, where there still remains to be a shortfall in any credits at the detailed bng stage, which is a requirement 30 to meet those 10%, then that shortfall will be sought through credits through organizations such as environment bank or a backstop of national credits if needed.

01:52

And I have any comments from any of the parties on this proposal? Yes.

01:57

LMA Slee acting on behalf of the counselors. Yeah, I think our position here is that we feel there's a lack of certainty around the provision of off site bng. At this point, in the application, we would expect a complete assessment of biodiversity net gain, particularly surety around the off site provision and how

this may be secured, we feel that there's not a secure mechanism to deliver a minimum of 30 years of net gain including the monitoring and management, we understand the applicant has floated the idea of partnering with the environment bank, but we seek further clarity as to how this would be undertaken and the and in secured in the long term.

02:41

Thank you, I take the point, can the applicant provide clarity on that point?

02:47

So the requirement 30 is stated will ensure there's a 10% net gain. So we the applicant has to commit to that 10% wherever those credits are source. So environment bank, discussions are ongoing. And they have outlined that those credits are available, should they be needed as it stands, and those credits can be secured to a legal arrangement.

03:15

Are there any other comments on this particular point? And national highways?

03:19

Thank you, sir. Mr. Benson for National Highways we have put in our written representations were considered. We're concerned that the biodiversity net gain hasn't included the 69 junction to the vision of the two new slips. There, the embankments have a substantial amount of vegetation and habitats on them from from our understanding, and that the extra putting the slips will eradicate that. And we're not sure how that would be covered across in terms of the bio biodiversity net gain assessments. We have had a comment back in on on the written veps in document 18.3 on page 47 that says Once the design is fixed, or MC 69 junction to the calculations will be undertaken. We request that that's undertaken at the earliest opportunity to understand how that complies with national highways requirements around biodiversity

04:14

will the African lead to respond?

04:16

Michael NEEP on behalf of the applicant. So the existing bng is outlined in nature unnecessarily so at this stage and it The purpose is to demonstrate what gains can be achieved on site. The proposals to the M 69 Junction show some loss of grassland but also quite significant increase in Woodland hedgerows and because of hedgerow, therefore associated grass and planting and that gain if in that part of the site isolated is expected. However, it's understood that that will be included in in what that certainly will be included in a detailed bng But

05:02

yes, blebbing cancelled.

05:03

Duncan O'Connor on behalf of labor District Council. Two points from ASA. Regarding bng. We understand the mechanism in requirement. I think it's now 29 was 30. And that that is a pre commencement requirement. We understand that. I think the request is for more detail. The details submitted under that requirement have to be in accordance with the principles set out in the biodiversity impact assessment. And the council's submission is that, as that stands, there's a there's a lack of detail. We understand. Development can't commence until the further details provided. But the council would like to see more at this stage to have greater certainty as to the mechanisms, including things like the use of the environment bank to deliver off site mitigation. That was the first point. The second point was jumping back to agricultural issues. And this is about the loss of the veteran tree. T 486, which is identified in the assessment. The council has concerns as and does not understand the justification for the selling of that

06:10

tree. Yeah, we'll come to that in due course, suddenly, yes, thank you.

06:14

Okay. I wasn't sure which item you were dealing with. Okay.

06:17

Yes, give us time. With regard to the first point raised there does the African wish to respond?

06:23

Michael Kneipp on behalf of the applicant? So yeah, the the current calculations are primarily primarily based on the landscape strategy. And they've been calculated using a number of assumptions unnecessarily so, but they are based on defined parameters within the defined parameter plans. So there is therefore subject to some of areas. And this is standard practice in terms of delivering the principle of net gain at this outline stage.

06:57

Thank you, I take the point. Are there any other company so CPRA?

07:02

Thank you. I just wanted to pick up Gerald Kelce from CPRE the question of access. I'm a little confused, because when we did our submission with regard to the woodland access tree management plan, it was stated clearly that that would only apply within the development zone. And I'm just not clear. And I know we're talking about getting some more clarity on what applies within the zone and outside, but that was my understanding, but from what I'm hearing now, it seems to be blurred as to whether it applies just to that vote or whether it applies to Burbidge, wood and everywhere else. And I maybe some clarity will come when we have this further information, but I just want to bring that up.

07:55

Thank you, and with the African lighter responder,

07:58

Michael O'Neill on behalf of the applicant so the woodland management plan, as it's now titled, specifically deals with the retention protection and the creation of management of woodland within the main order limit site within the site. But the district the strategy established also ensures that the construction and operation of the authorized development will be done in such a way that offsite woodland will be protected through sensitive working practices, but also key lead with collaboration with off site management bodies where applicable, and access management and this is security requirements. 33.

08:31

Thank you. Are there any other comments in relation to biodiversity net gain? Yes.

08:36

Including autocomplete be sorry,

08:38

LMA Slee on behalf of thinking Bosworth and Blaby councils. Yes, we acknowledge that that as an applicant stated that partnering with the environment bank may be possible in order to secure off site bng. However, we have no surety that those units are indeed present and the units that we that are required that are in deficit, there is no surety around what those units are and what will be required long term and whether that can adequately be delivered by the environment bank. The second point that we'd like to raise is around the need for a phased assessment approach and whether the applicant is considered reassessing their big assessment around that.

09:24

Yeah, I will come to that. Thank you. I take the point. Are there any other comments in relation to borrow? Yes, Councillor bill?

09:34

Yes, thank you. Could I just express some concern about this by biodiversity alternative sites? Obviously, Burbidge is going to be the the main community disaffected by this by this proposal, and therefore I think it's important that any that that Any diversity biodiversity additional sites should be as close as possible, as close as possible to the site or not. For example, a proposal coming forward to extend Bradgate park or something might be fine, but it's not going to be of immediate benefit to the to the people of SAP Koto, Ashton flamboro Burbidge, and I'm slightly concerned about the suggestion that this offsetting can be provided by by greening up the verges alongside the M 69. I would have thought a principle is has to be that the public should have access access to these additional sites. And I'm not sure that well, certainly there's no question of public having access to motorway verges. And if the if it's going to if these sites are going to be within the current zone of the the proposal, I'm not sure sure that there's any guarantee that the public will have access to those areas as well. So I'd like some assurances on public access to the additional sites, which we are discussing now.

11:24

So my clinic on behalf of the applicant sites that have alternative sites within a local area are being considered. They those are specifically not considered in terms of public access, but the main bulk of

the biodiversity gains that that's proposals are delivering on site and these are within the significant areas of woodland and wild species which grasslands which have been delivered aside Burbidge common which will be publicly accessible. Going back to previous point on the environment bank, we aren't the applicant is not specifically relying on the environment bank to deliver these gains. That is one option and come January when the environment act is enacted, or 2025, when it's enacted for N sips national credits will also be available, which is an alternative option, should the environment bank not to have the necessary units available?

12:27

Thank you. Yes.

12:32

David Howard, Stoney Stanton Action Group. Two things. One is there have been quite a lot of studies or studies recently that have shown that off site mitigations often fail for bio diversity. So what guarantee have we got that in the long term, we're talking 30 years, these will be successful. And if they're not successful, what will be done about it? And the second thing was following up something that Councillor Bill said, no new green areas alongside major roads, actually already green areas, so they're not new green areas. But

13:10

I'm gonna say that the first question I'm afraid is questioning government policy. So we can't discuss that. Second half. It's a different it's a different question. Sorry. Thank you.

13:21

Thank you for the opportunity to respond on those.

13:29

So it's worth mentioning that the the detailed landscape ecology management plans will come forward on a phase by phase basis and will be long term management plans, which will have built in monitoring and remedial actions if if the proposed habitats or the condition of the post habitats is not being met, those remedial actions will be triggered and relevant management will be enacted.

13:54

Thank you. Are there any comments in relation to net gain that we haven't heard? Building on matters that we haven't heard? That is okay.

14:07

Barbara Lee speaking on behalf of safe Burbidge common and also as an individual. I'm concerned about some of the remarks that had been made in response to submissions made by the general public concerning wildlife. In particular, you said that skylarks are of a moderate amount. These are red listed birds that you have found on your own breeding bird survey, along with the red listed at yellow hammers and lapwings. The population density on this site is naught point one to three per hectare and the average density is naught point 108 per hectare, so the population is actually above average. Secondly, although you state that this bird would nest on the small parcels of uncultivated land

remaining, they would unfortunately not do so as they are farmland birds and only nest on farmland, farmland birds have decreased by 58% Since 1970, and are clearly at threat risk of extinction. This is according to the state of nature report published two months ago. Also the effect on pollinators you have said that the loss of intensively managed agricultural land is not considered to negatively impact pollinators. Pollinators are deemed to be very important on agricultural land by the Food and Environmental Agency or government department, by crops such as beans and I will say oilseed rape, hedgerows with blossom, tree and trees. And the hedges and ditches that are on the farmland provide vital shelter for insects in particular overwintering. As well as this, this ecosystem of Burbidge common does not exist on its own. It exists in their surrounding farmland as well, with many birds and animals for feeding on that site. And animals and birds from around feeding their ravens, owls, and redkite all have been seen their feeding. I would also like to say that this farmland has been farmed very responsibly in the time I've walked over it, which is many 1000s of times in the last 32 years. The hedges, trees and ditches have all been well maintained and not removed. pig manure is used to fertilize the land and spraying has been kept to a minimum. And the uncultivated areas around the fields have many species of wildflowers, such as orchids, which are protected. There are also animals such as brown hairs, otters have been seen in the watercourses surrounding development. All in all, I feel that the environmental impact of this development, particularly on the village of elms, Thorpe is very detrimental and I cannot see that will be any advantage environmentally for us. Thank you.

17:13

Thank you. So we understand the points and the African will have the opportunity to respond in due course, if it wishes, but could I propose moving on to to phasing that has already been touched upon briefly. Given the phase nature of the proposed development? Has the applicant considered the timing of new habitat creation? And could certain elements of habitat be created or enhanced in advance of loss for example,

17:37

Michael NEEP on behalf of the applicant, so given the nature of the phasing, ie the creation of the key delivery of habitat will be in the early initial phases. So the bng itself, I don't believe is any benefit in phasing the bng. And given that the key habitat provision will be delivered in the early stages there is potential to consider how that might affect the calculations in terms of advanced planting given the 10 year development lifespan created construction lifetime. Sorry. Thank you.

18:14

Thank you. Are there any points on this matter? Yes.

18:20

Imhc on behalf of Hinckley and Bosworth and Blaby cancels. Now we take the point that the face developments can propose challenges. However, in our experience, phase developments in with regard to biodiversity net gain, can reduce the need for off site gains. Should native habitats be created a moderate or good condition, particularly those that are peripheral habitats, or habitats that are less likely to be disturbed, such as boundary habitats, and we would like clarity as to whether this could be investigated further.

18:59

The African like to respond.

19:01

As I think you have can can Michael noop. On behalf of that, can I believe we can investigate further to the potential of that. But the I think the key point might be that certain phases, ending on how they fall, there's no guarantee they can they may be able to wash their own face in terms of bng given that that upfront big upfront habitat provision, but it seems certainly something we can explore. Thank you.

19:33

We note that the stream present within the site is to be rerouted with the post development condition entered into the biodiversity metric as moderate could the applicant please explain how it has reached this particular conclusion?

19:48

Michael nape on behalf of the applicant so that the net loss of the river is primarily due to its almost total realignment to the east of the site. Um, the criteria assessment criteria for river corridors is, is largely based on the presence and diversity of morphological features more than anything else. So it's difficult to ascribe certainty to the establishment of a good condition, stream host development, and given the underlyings of geological and upstream influences. As such, our assessment has gone with moderate as a precautionary approach and a balanced one.

20:31

Thank you, I understand. Lastly, in terms of mitigation, I wonder has the applicant produced a version of the landscape and ecological management plan or illustrative Master Plan showing mitigation measures such as habitat creation? And, and if so, could we have this could you signpost me to it?

20:54

There is a current it's not within the LE MP, if you just bear with me one second, I might be able to signpost right now.

21:10

Bigger 6.3 point 12.24 of chapter 12.24 Is the ecology ecological mitigation proposals.

21:23

Thank you. Thank you.

21:30

So if we could now move to Item five, which is noise and vibration and start with the environmental statement chapter 10, which covers this in terms of modeling and assessments? Can the applicant first explain how HGV arriving departing and decoupling times set out in tables 10 point 3010 point 31 have been derived.

21:49

Thank you. So Paul, male for the applicant. This requires some new participants on our site. Perhaps I could introduce themselves before they go further. Thank

21:57

you. Thank you. Good morning. My name is Mike Barrett. I'm an Associate Director for b2b Consulting. I'm acting on behalf of the accident applicant speaking to matters on noise and vibration.

22:21

I name is Lucy Alma. I'm associated b2b Consulting acting on behalf of the applicant with regards to noise and vibration. Thank you. Hello.

22:34

Shall I repeat the question for you there?

22:36

No, it's fine. Yes, thank you. In terms of the data on which the operational noise assessment has been undertaken for on site activities, the HCV movements have been based on a large number of other sites that have been visited source noise data that has been taken during those visits for similar sites. And they've also been validated against those used in other similar SSRIs.

23:23

Give me an indication of the other sites or similar comparable sepharose.

23:40

We can we can provide that information to you by by deadline three. Some of the data is already living in the various appendices where we've provided excerpts from other DCO applications, but we can provide a node that signposts that that'd be helpful, thank you. Yes, a

24:04

lot of questions with or Leicestershire county council, can I just ask for clarification there we understand from earlier in the session that there was construction traffic modeling done if that was the case. Why was it elected to consider noise and vibration impacts by comparison to other schemes as opposed to your own traffic construction traffic modeling the applicant

24:35

the construction traffic modeling is primarily dealt with in terms of an an off site assessment based on provide provided transport flows which have been discussed in the hearing yesterday. Be calculation of those have been done in accordance with the design manual for roads and bridges, la 111, which is quite prescriptive about how that's done. And that's the reason why it was done in that way for construction traffic.

25:17

Thank you. Are there any other comments on that particular matter?

25:22

No, thanks. I'm not sure that was a response. But they

25:26

have a sufficient Yes. Sorry.

25:30

I'm just for point of clarification for myself. Mr. Benson national Harris, just for point of clarification with reference to LA, one 112. of them on eBay. It might be helpful, it's a bit of submission. But can we get an idea of who that assessment was scoped out with? Because generally, I would have expected it to have been scoped partly with national highways.

25:53

But the speed provided?

25:57

Yes, we can do.

26:02

Yes, CPRA.

26:05

I think our concern with this is obviously about the price of worst case hours and how that that works out, but also about what is being compared. And I'm slightly unclear on that, in terms of whether the noise and vibration is simply the noise and vibration that results out of the traffic modeling overall, or the traffic modeling very specifically, of the traffic which is associated with this development.

26:38

Yeah, I understand what comes to worst case modeling and do core.

26:42

Sorry, I jumped the gun here she does.

26:47

So moving on, can the applicant explain how ground ball and vibration impacts arising from construction have been modeled, although we may have touched upon that.

27:14

So in terms of sorry, Mike Barrett, speaking for the applicants, the groundwater and vibration impacts during construction phase have been based? Well, they've been considered in accordance with British Standard 5228 Part two, which is specifically related to vibration impacts during construction phases. The applicant has taken the approach of specifying typical distances at which different peak particle velocity resulting levels are to be expected. And on that basis is set is spoken to a risk based approach. B. The subsequent mitigation section then goes on to identify a number of potential mitigation options

that could be taken into consideration for different techniques ultimately be the CMP document will deal with those. And that is that's contained in the draft TCO.

28:43

Thank you. I wonder it's possible just to have a note to explain this at deadline three. That'd be most helpful.

28:49

That's no problem.

28:50

Thank you. So at present it doesn't appear to be clear what machinery will be used for the gantry cranes, how has this been addressed in the applicant by the app considering its modeling assessment?

29:19

Like Bharat on behalf of the applicant. So, the noise and vibration assessment assumes worst case plant selection for the gantry cranes, so, rubber tire gantry cranes, which are diesel powered and this presents a robust assessment methodology for the without mitigation assessment. The reduction in noise afforded by electric cranes has been taken from a proof of evidence by Simon Stephens CINAHL noise which is paddocks 6.2 point 10.7 And this has been used to demonstrate the concept of There are solutions available on the market to allow noise from Grant gantry crane operations to be minimized and to what feasible extent the Northampton gateway rail freight and to change which document reference 6.2 point 10.6 included electric gantry crane noise data and this presented a sound power level of around 10 decibels lower than that assumed in the Hinkley SSRI assessment. So that was 99 DBA compared with 109 DBA. Thank you.

30:39

Thank you for telco. Thinking about the worst case scenario that we touched upon moments before can the applicant confirm that the base of the noise model was predicated on actual or timetabled journeys? Was there somebody online Oh, my apologies maybe go back to Neil for sag please.

31:00

Either Neil floors I can see on behalf of Blaby I'd just like to come back to that point on the gantry cranes and the 10 DB reduction afforded by suitable plant can the applicant confirm whether this relates to impact noise from LA Max events to the applicant?

31:22

That comment does not relate specifically to individual Max events that is dealt with in another part of the chapter that refers to the the container placement and reach stackers and gantry crane impact noise. Again, the assessment was based on on those individual impacts being undertaken without the assistance of mitigation or specific technology. It is expected that soft dock technology would be implemented on reach stackers in countries which would allow containers to be positioned accurately with cameras and gentle positioning on stacks and trailers, which should shoot significantly reduced noise levels associated with those operations compared with what has been assessed.

32:28

Thank you. No foresight. Would you like to comment on that?

32:34

by Neil falls, I can only say on behalf of Blaby. Again, the 10 DB has been included within the ES chapter. The reductions of the LA Max events but there is no numerical evidence provided to show that the stackers can actually achieve a 10 DB reduction.

32:57

I wonder if the applicant could provide that

33:05

or signboard signpost summary. It may be it may be in that report, but the proof of evidence.

33:32

I will come back to that point if if a possible were of the understanding that that 10 DB hasn't been included in the with mitigation, Max, but I do want to just spend some time to clarify that position.

33:46

Okay. That will be helpful. Thank you. there any other comments on this matter?

33:53

Okay, sir, do you mean on this agenda item land? No. I'm coming under critically on the Andhrapradesh on

33:58

the 10 DB level. Yes. Okay, thank you. So moving back to the worst case scenario I asked before whether or not the applicant could confirm that the base of the noise model was predicated on actual or timetabled journeys. Could that be clarified please?

34:24

My bearer for the applicants apologies. Could I just clarify in regard to which element does this refer to timetable to rail for rail? Yes, sorry. Yeah. For rail. And is this in relation to the off site impacts associated with rail?

34:49

No, it it's the impacts in their entirety.

34:53

Okay. I think broadly speaking, it has been Based on timetabled data

35:05

then could you please explain why this replica represents the worst case scenario in line with the Rochdale envelope approach given the variations in timetabling?

35:37

Clarify applicants from an acoustic theory perspective you would need quite a significant reduction when compared to the timetables movement for it and have a significant impact and the final result

36:03

so, are there any other comments on this particular matter? Yes. CPRE?

36:09

Yes, sir, I want I want to come finish in way the point I was making, which is in regard to the impact of noise and vibration, and it's, it appears to be based on a science standard on the movement from the site. And if I can just go back to SAP count, just as an example, but there will be other places we know from the traffic modeling and the discussion we had yesterday that in SAP code, we take chamfered road, it will see an increase in HGVs. Very significant increase in HGVs, an increase in traffic all of which will cause an increase in noise and vibration. The HGVs worst case, our may well not be the worst case our for the site, because those ATVs won't be going to the site because all we're told they won't be because we're told that they're the ones that won't be. So my question is, what isn't it if there? Is there a noise and vibration effect on those people resulting from this application? And where it assessed? It's a simple question. I may have got it wrong. But it seems to me that those people that that those vehicles are not model for the noise. Increase because they're not going if they're not going to cite

37:52

the option like to respond on that.

38:00

Mike Barrett for the applicant, I would like to respond. But could I just clarify the question? Is it in regard to be overall noise impact on site code?

38:18

If I might have diverted traffic from HGVs? Through through the village? Has that been muddled? And does that have an impact on residents in terms of noise and vibration?

38:29

So we determined our study area, in accordance with dmrbl a 111. And that the rationale behind that is set out in the chapter. To find the study area, we then sat out all adverse and beneficial effects as a result of the assessed links.

39:05

I understand the points I understand the two positions are doing well, I think that might be able to resolve it here we could consider Yeah.

39:11

I just like clarity on whether it may be something to be bought back. Does that mean that the assessment of noise is the assessment of any traffic going down that road? Which is going to the site and the increase in that? Or is it an assessment of all the additional traffic in that area? Because if I were the reference reference, or resident of fat code or anywhere else, what would matter to me was the increase in noise resulting from this application, not the increase in noise resulting from three or four vehicles that are going to your site? Because you have to change it. That's sorry, that that that is a simple point from

39:55

I understand. could you just clarify the scope of the the assessments on that in that regard? Thank You

40:00

Yes, my Barrett for the applicant? Yeah, apologies. I understand. Yes, it does not just consider vehicles going to and from the site it considers all of the all of the

40:15

traffic, and does that include rerouted traffic are diverted traffic through the villages? Yes, it does. Thank you. Thank you. Okay, moving moving on to mitigation. Has the applicant relied on the assumptions that freight trains will be less noisy in the future to mitigate for the significant adverse effects arising from operational railway noise?

40:41

might borrow for the applicants know?

40:45

Is this something that could be considered or is it relevant?

40:52

My bar if the applicant It's not often a must to consider whether there could be potential reduce the impact in the future, but we can consider that okay. Just Just curious as to whether that might have an effect at all. So,

41:10

to mitigate noise, it is noted that the applicant relies upon acoustic barriers for up to six meters in height. However requirement for as detailed design and approval of the draft DCO specifies that acoustic fencing was not exceed three meters in height. Can the applicant explain why it how it derived at three meters in height was the maximum that should be permitted? And will this be altered?

41:36

Mike barrack for the applicants there was an error in oh sorry,

41:46

Mrs. Laura Beth Hudson for the applicant and the requirement was amended with the deadline to submission to collect it to remove that reference and also to add that the details around locations and heights will be included as part of those discussions on discharge with that requirement with the local authority.

42:02

Are you saying it was a typographical error lastly, on this point, the applicant relies on use of best practicable means to mitigate the effects of construction noise can the applicant define what is meant by best practicable means as it applies to the assessment

42:23

please

42:30

Mike Barrett for the applicant in broad terms that would be to do with the availability of technology and the available availability of equipment coming onto the market that could improve the noise situation and potentially reduce impacts further.

43:02

Okay, thank you. Moving to the noise survey method statement, if we could please have the plans up for the noise monitoring positions and the noise sensitive receptors please I think we have a split screen showing these two plans.

44:01

Are we able to have the it doesn't allow to show split screen but

44:07

I can flip.

44:08

Okay, that's fine. Thank you. Okay, if that's the case, then can we have the noise sensitive receptors first thanks.

44:31

Marvelous. Thank you. So the noise assessment compares predicted operational noise levels during the daytime at Burbidge common and woods which is NSR 19 on that plan before us with the stated background noise at this receptor to compare noise levels existing background noise levels have been derived from noise monitored at certain locations. So one of these if we could flip to the other plant please thank you is NSR thanking

45:08

us for NSR 19 which is beverage common is noise monitoring position three, and you can see that this is towards the western edge of the site and close to the railway line. The question is therefore, for the applicant has noise monitored at NMP, three being attenuated for background noise levels at Burbage

comma woods to account for both distance and topography, particularly given that the railway line close to NNP three is in a cutting as it passes near the bridge. And if not, does this have any implications for noise assessments at Burbidge common Woods

45:41

Mike Barrett or the applicant ultimately, the assessment for bearish common Woods is led by the future ambient noise levels. Now, in line with IEMA guidelines, we have considered changes and absolute noise levels.

46:19

But ultimately, the I mean, there are various figures provided in the in the chapter related to future noise levels across the common and the provision of mitigation to protect the common where, where, where it's needed where appropriate. And those future ambient noise levels would be there irrespective of what the the baseline noise monitoring suggests. And that just limits its usefulness

46:55

Okay. Okay.

47:00

I understand that it may be similar for this next question then but noise monitoring position for shown on these plans here. They used to derive le Q measurements that are representative for bridge farm, the single dwelling at Billings and roof and dwellings off Billington Road East. And if we could flip back to the other plan please.

47:27

So these are shown as NSRS 128 and NSRS 24 to 26. On these display plans, to some of these receptors are 450 meters away from nm p four, so can ask the applicant, if it's appropriate still apply any attenuation correction to the sound of a train pass by at these NSRS for existing background noise levels to account for distance? Or is it the same premise?

47:54

Mike Barrett for the applicant, it's similar premise but not quite the same. So, the what I do need to state at this point is that the the selection of baseline noise monitoring locations was consulted on with Blaby and Hinkley councils on agreed the survey method statements states what is considered to be representative for different locations, that document was was agreed with the local councils in terms of the the properties that are further from the site. The the primary assessment has been for the properties closest to the site and therefore most affected by future noise levels. The chapter considers the future noise in a in a in a few ways in order to provide context to that. And one way in which it does that is to consider the absolute future noise levels that those properties will be exposed to and provides a an an argument as to why that is acceptable.

49:26

Thank you. Thank you Well that are there any comments on this? On these points? Yes, national house.

49:32

Thank you, sir. Mr. Benson for national highways. It's not directly related to the points you raised, but it's just in regards to in providing deadline to in document reference 18.3, which is a response to the statute puts a tight statutory responses. We've noted that noise assessment was undertaken round M 69 Junction two. However, we aren't aware of what is the bay uses for that assessment in terms of traffic information and data. It's been raised with a landscaping point actually because the vegetation prevent provides some noise mitigation with the amendments. To that we need some further detail and clarity. I'm happy for that to be provided in writing for us to consider the applicant.

50:21

Mike Barrett for the applicant. Just clarification point. Is this an MP five?

50:30

Flip back to an MP five are the noise management position monitoring positions please.

50:36

Sorry, sir. Expensive financial house. I think it was that plan that we just had up, it was just down to it by a policy, no injunction to.

50:56

Think it may need to actually roll

50:58

it out.

50:59

Yeah, I understand that. I'm 69 junction. So that was the previous

51:06

I think it's I think it just needs scrolling down. It's a default, both of them show also the document on the basis on the basis that it's an MP five that was used as a as a calibration point for the noise model to be able to validate the the noise modeling, which is what it was used for.

51:31

VS natural and thank you, sir. Mr. Benson for national highways, can we get clarification on this provided to us because actually, that perceptive point, when you consider where the new slips are going, is quite a distance away from the new slips. And obviously, you're changing vegetation and potentially noise attenuation means damage 69 With prevailing winds might be more audible,

51:53

the applicant, my buyer for the applicant. The just just to be clear, that monitoring location was used to validate the existing noise model on which to then overlay the proposed developments, ie it was the calibrate it was to validate the current noise model as it is today.

52:27

If if I may say can I take this offline with discussion with BW be back later here?

52:35

Yeah, thank you very much. Are there any other comments on this particular matter? But bear with me one second, a roving mic is reaching.

52:51

Sean Scott, resident of subcut, a member of safer common, just very briefly, I'd like to say it as the rather significant effect of noise vibration, and also air quality being considered on a columns cafe and the children's playground, because that would be very close to the new link road, which my understanding is will be used for the HGVs to get to the a 47 to go into Lester's they're not going to use the six to nine the applicant

53:31

might borrow for the applicant. We will have to take that away because I'm not aware of exactly where that is. Oh, my God.

53:46

That just seemed to be quite a major admission was

53:50

Scott that we don't comments like that not necessary.

53:56

I mean, to be to be clear, there are a number of beggars in the noise and vibration chapter that include noise contours, so that all the receptors that may or may not have been mentioned specifically can be identified and their impact impacts identified. So it's not a case of there being an oversight.

54:21

I understand just a note specifically in relation to the cafe will be helpful. Thank you. There was another hand up.

54:27

Thank you. Mr. Jonathan weeks. Stoney Stanton parish council, it was just a quick point following on from the comments which was made by the inspector with respect of the noise sensitive receptors and using number 19 As an example, I know that obviously within the tables which have been provided in the environment statement, and I'll refer to table 1014 1042 As examples, there is a lack of information for nighttime data, which is actually provided with this. Can I ask you to a specific reason why some of these sensitive receptors have not got daytime and nighttime we and weekend figures provided

55:11

the applicant like to comment.

55:58

Mike Barrett for the applicant, some of the locations are not considered sensitive for the nighttime, such as the Burbidge common words. But we can provide even

56:17

a genuine justification as to why that be the case will be very helpful. Yes, thank you. There was another hand at the back.

56:26

Terry Richardson lead replay for District Council, this will seem a good spot to ask the question. I was assured by the applicant, they would ask today because I they said that would be covered today. So in order to understand the noise level and the vibration that was particularly on the railway, it would be good to understand what the ramping up Mohsen method is over what period to get to 14 finds a day you go in? And also the question I asked of how many of those trains coming out would be carrying goods because the vibration levels between a full train and an empty train are considerably different, as is the noise. And I was assured by tritec Yesterday on their rail person that it would be sensible to ask this question, Stan, I will get an answer today on what is the timescale? So you know, how many trains is going to be in year one, how many trains going in in year two? And how many trains are actually coming out with any goods on the tube? To the applicant,

57:26

pool male for the applicant? As Mr. Richardson said, quite happy to answer it today. But this is not the hearing the hearing this afternoon when Mr. Vega will back on and we'll explain.

57:34

Yes, that makes that later on this afternoon if we weren't appropriate question. That's Thank you. There was one more hand raised.

57:59

Sorry, Dr. Moore, could you just raise the microphone to your mouse thank you

58:04

with regard to the method statement, and on page one of the actual statement, it says that the background noise levels greater than the background noise levels when used for operational assessment phrases like freshness assessment include the loading unloading activities and on site rail noise and it does not say that the ambient or le Q values will be used for that purpose and that was what was agreed with Blaby District Council. But in your noise report, you have after making comparisons with the background la 90 values and finding that they were unfavorable, you have then gone on to compare them directly with the LA Q values in contradiction to the agreement with maybe District Council, can you explain why you made that decision please?

59:19

Would you like to respond?

59:38

Mike Barrett all the applicants. The reason why they have been considered at all is because they the starting position assessment whereby you take a rating level and compare it to the background Out is is set out in, in British standard form for two. Same standard says that you cannot complete that assessment without a consideration of context. And it does direct you to all the sources at that point of information, or the standards and guidance may be maybe useful or more applicable.

1:00:31

And you are referring presumed,

1:00:33

generally documented, it's the examining authorities who asked you to allow questions not for a discussion between yourselves.

1:00:44

It is correct that we that we have used those Ambien levels as part of that conceptual assessment. But equally so, we've used British standard 8233, which sets out good and reasonable standards internally and externally for residential receptors. And we've demonstrated paragraphs 10.299 through two Rs 10.307. That in terms of the future ambient levels that those receptors will be exposed to, for broadly in line with those levels and those within the World Health Organization guidelines 1999. And so whilst I do take the point, the the assessment has drawn on on on various other ways of looking at things to provide that context.

1:01:50

Thank you. I appreciate the point.

1:01:55

Knoxville appreciate you want to go out because you didn't see i should i May I suggest that you have a conversation outside the exam with the outsourcers question. We've got other things we need to do is one further question and that is all

1:02:10

the Q values that you have used, and which apply to you have applied to some NSRS, which are 430 meters away from the track are, as I understand it, identical to those that that you have recorded on NMP for at the truck side, and there has been no attenuation between the two. In other words, you're comparing the you're comparing with the values that you have measured directly out of the truck side, not values, that would have been very much lower at 430 meters from the track. Could you like come on? There'll be under

1:03:03

I understand the points that have been made. But we've had a discussion in this regard. I believe the applicant has addressed this. Therefore, I propose we move on. And as Mr. Jackson has stated you have a discussion outside of this hearing on those matters. But just moving on, can the applicant clarify

whether the results of noise monitoring take into account mitigation that is inherently integrated into the design of the proposed development such as the landscaping bonds around the main site?

1:03:49

Mike Barrett for the applicant. So in terms of the with future noise modeling that has been undertaken that has been based on the Bose earthworks model, which includes all bonding that is contained within that. Thank you.

1:04:16

Just my apologies. Yes, lady.

1:04:20

Thank you. So I just wanted to flag I would like to bring Neil Mr. Neil Forsyth. Back in before we move away from the noise. Topic. He has a point which I'm sure if he'd have been sat next week, he would have prodded me to say but I'm afraid I missed it because he's not in the room. But it's a point about in combination impacts which I think we were touching on earlier but okay, if you'd like have a chance for him to say that before we leave the noise topic,

1:04:45

given given where we're at now. Would you like to make your comments?

1:04:49

Are there Neil Thor's MEC on behalf of Blaby I'd just like to point out that the guidelines for environmental noise for EIA require Why in combination assessments, particularly of road traffic noise, which doesn't appear to have been undertaken within the Yes, however, the IES does point you to future baseline noise levels. And spikes are increases of between four and six DB are expected at sensitive receptors adjacent to the B 4669. And junction two of the M 69. It then goes on to show the impacts from development traffic, albeit without mitigation in place, which shows impacts from ranging from major impacts in accordance with dmr, which equates to an in noise increase of five DB or more. Therefore, one would expect an in combination impact at these receptors to be 10 DB and up. I'd just like to know how the applicant will respond to that.

1:06:00

Would be applicant like to provide comments on that matter?

1:06:06

Mike Barrett for the applicants. We do consider cumulative and in combination effects within the chapter paragraphs 10 through 350 through to paragraph 10 353. The the tables that the gentleman was referring to are without mitigation.

1:06:37

And I think beyond that, I think I'll have to deal with that in written form, because I think it's going to take quite some time to pick up.

1:06:49

Okay, that'll be helpful again, if that makes sense. Yes, that'd be appropriate by deadline through Thank you. Okay, just one more point on statutory nuisance. Could the applicant please indicate where potential nuisance arising from because of piling is anticipated?

1:07:13

Mike Barrett for the applicant. In terms of percussive piling, I understand we're not currently at the stage where the exact filing method is going to be able to be determined. And that can form part of the the CMP. And but as I'm sure you're aware, there are there are a lot of different ways of getting parliament.

1:07:44

I assume that we'll consider necessary mitigation. Atlas. Thank you. Good. Okay, moving to item six, landscaping, visual assessment, and start with the parameters of the design of the landscape to mounds. So landscaping landscape screening is proposed to mitigate visual effects. Are there maximum and minimum values for heights of this landscaping screening? And if not, Is there potential that bonds could cause additional adverse effects and themselves to the applicant, please?

1:08:17

Ben Connolly on behalf of the applicant, the project description in chapter three of the environmental statement sets the height of the bands up to three meters. The location of those bands are shown on the within the green areas on the parameters plan, and the elicited master plan shows one way in which those bonds could come forward. We've worked hard with the upcoming team to set that come tight such that they don't become alien in their own right. So that combined with the landscape of strategy is intended to assimilate proposals into the landscape.

1:08:57

Thank you that's helpful. In terms of lighting, please could the Africans explain how the final detailed design of the lighting strategy could deviate from the Indicative external lighting design presented? For example, will it include details such as ISO Lux contour mapping for vertical and horizontal light spillage?

1:09:15

butylated for the applicant? Yes, we have been through the process that the detailed design stage will obviously be done per phase as part of requirements 31 We've agreed as part of the statement of common ground particular details that would have to be provided as part of the submission of every phase detail plan which includes the vertical and the horizontal.

1:09:39

Thank you. That's helpful. In terms of the surface yards, can the applicant just explain the likely quantum and nature of any supplementary flood lighting here

1:09:51

till entered for the applicant for service yard, was that sorry? Yes, yes. So service yard we've got a an average looks level set and uniformity To which will be done from building and column mounted lighting

to the perimeters. Supplementary field lighting is mentioned as above each loading door to achieve a certain look level, which is in line with the lighting guide for industrial environment.

1:10:19

Thank you. Just moving to design codes and mitigation. Yeah, sorry, national house.

1:10:27

Thank you, sir. Mr. Benson for national highways just on lighting effects in mitigation. National Highways just wants to raise that we are concerned about the assessment that's been undertaken from 69 Junction two, but the M 69. itself. Currently, the M 69 is an unlit section of motorway in accordance with dmr standards, the slips and the junction will need to be lit. And the elements of the mainline will also need to be lit for decision making. Therefore, it could have quite a significant visual impact in the nighttime sky. We haven't seen any of the methodology or calculations to understand what the impact is or the specification of lighting. So if we're happy to have it by written submissions to us, but can we have that information provided? Thank you? Well, listen

1:11:13

to it provided to the applicant,

1:11:16

pizza line for the applicant? At the moment that isn't included in the work that we've done, we would have to defer that to the highways design. At the moment, we're not anticipating it being

1:11:31

smelled funny you still say that?

1:11:37

Or shall I miss the specific request that I'm the

1:11:39

best request was with, like lighting design for the slip road, the overbridge and the relevant sections of the motorway themselves. Your highlighting engineer said I'll defer that to the highway engineers. I'm saying without committing to it. I've asked you can you can you commit to your highway engineers to design to find international and national highways.

1:12:04

So suddenly, we can have those discussions that are relevant engineers don't think I'm not in the room today. So

1:12:11

sorry, Mr. Benson national average of income on that. But that's quite an important element of the landscape impact assessment for the site. I think we understand.

1:12:18

Yeah, yeah. And if I can just add in potentially biodiversity, flight lines, etc. So there's a significant element of assessment that would have thought needs to be done.

1:12:29

We understand yes, play be canceled.

1:12:33

Could I just introduce Mr. David hope for Blaby district Councillor walls has a point on nighttime impact.

1:12:39

Hello, David hope on behalf of labor District Council and Hinckley and Bosworth Borough Council decided to appoint England just like to raise a point in relation to the nighttime visual assessment in the landscape of visual impact assessment. There were recent revisions, six of the LVA removed all significant visual impacts. From the old BIA which we find surprising, we'd expect a scheme of this scale and nature to have widespread significant nighttime visual effects, including on the local community. So it's just not clear why they've been removed in the LBI.

1:13:15

The African light to respond.

1:13:18

Ben Connolly on behalf of the applicant, it's essentially a point of presentation, the assessment of daytime and nighttime effects were included. From each of the agreed viewpoint locations where there was an assessment after dark that was then separated out to provide separate judgments, one during the day and one, one after dark based on the agreed methodology. The reduction in significance of the effect comes through essentially a reduction in the value and susceptibility to change of the receptor in that location. Given that, you know, in some parts of that landscape is not a dark sky landscape. We're not talking about sensitive use after dark. So there's now a separate judgment, one for the daytime assessment, one for the nighttime assessment. That's where the difference is coming from.

1:14:09

I understand the point you'd like to come back to

1:14:11

yeah, I hope on behalf of the labor District Council and embossed with the council. Yeah, one one thing we've noticed, and when we've we requested an additional narrative on nighttime assessments, which gentleman refers to. But yeah, we would disagree on those sensitivity levels, and specifically, why the local communities haven't been considered. As I said earlier, we'd expect to see some significant visual effects on those sensitive receptors.

1:14:37

I understand the point to be made there. Thank you. We have a hand up on online here is this a point in terms of nighttime effect?

1:14:45

It is it's Catherine bathroom I'm not sounds together, as well as with others and what they're saying. Those that live locally, we will fill in a significant impact overnight because there will be a big glow from this. I mean there's always 700 lights on the whole area. and that will be obviously increased if the 69 junctions are also lit. Locally, the many of our street lights not that we have many because we're a small village, most of those are turned off at night. So we do have a dark sky at night. And that will completely be gone. So that will have a significant impact on those within the vicinity, especially those amounts that Thank you. Thank you.

1:15:23

Just moving on, I'm sure the applicant will be aware of it. Excuse me, I'll use the landscape design review submitted by interested parties, which reports a number of deficiencies with a design approach. Can I have the applicants thoughts on this particularly in relation to the treatment of building facades and options explored for the preservation of the veteran tree and the justification for its removal?

1:15:46

Hello, there, it's Martin Lake in acting on behalf of the applicant. So we're sorry,

1:15:55

we're off. It might have just come out of this our bad.

1:16:10

Guys love it. Perfect. Thank you. Okay. So thank you. We have undertaken a full review of the landscape design review, and prepared but the site, we have undertaken a full review of the landscape design review undertaken prepared by Luc on behalf of blaming expert counsel and thinking boss with berkhout. So could

1:16:27

you speak a little bit please sit into the microphone itself

1:16:30

is that letter which was received on the 12th of September 2023. Unfortunately, as this response wasn't provided in the informal stages of being consultation, nor in response to a statutory consultation, it wasn't possible to respond to these comments in the submission of the application. For the DCI. In reviewing this document, as a team, we've heard a written response around reference 18 point 4.1. And this was submitted as part of the deadline to material on the 24th of October 2023. Together with an update to the design and access statement to version two and the design code to version four. The written response addresses each and every one of the comments on a point by point basis and where appropriate directs towards the corresponding section of the data or the design code, where it is either already been addressed or how, through further clarification or extended commentary, and imagery we propose to incorporate into the design features elements which satisfy the characteristics or well designed place, as set out in the National Design Guide in the context of an S RFI. With regard to the specific question on the elevational treatment, they put forward an alternative treatment to the one that we propose we have proposed a style and an aesthetic, which as the National Design code request

doesn't mimic another design. Within the local area, the one that has been put forward in their code does mimic the gaze lead development at magnet Park in terms of the graduated blows. The other proposal, or sorry, the other part of their proposal captured the use of green walls on the facade. Now this isn't something and it is discussed within the DAS document itself and why have we discounted it. The reason being is one primarily there isn't a cladding manufacturer present that will actually want a system that can be applied on brick walls on an industrial building. To the obviously brings with it a fire load and a fire risk. And obviously insurance in the current climate is difficult to achieve with that sort of scenario. Thirdly, given the scale of these buildings, it's not actually possible to guarantee that the green wall itself will survive at the heights that they are talking about. And finally, and fourthly, you obviously can't put these places in an area where they are susceptible, so the operational facade of the building. The other comment I would make is that they have proposed a parapet design. Now the issue with the parapet to design is that we have determined through the parameters plan, a vertical height for our buildings at various locations within the plot. Now the issue with a parapet solution is that it creates a straight line at the ridge level of the building. So therefore, by perception, you perceive the all of the overall height of the building. Our design actually undulates and so is a more natural free flowing form. And as a consequence, the eaves line of the buildings on this design we're putting forward is actually a minimum of two meters lower than actually the overall height for which the parameter is putting forward. We've also addressed the material aspect within our design code and the DAs and stated why and within that, we believe in materials and we are suggesting are appropriate, obviously avoiding anything which needs long term maintenance or renewal such as timber is obviously that puts a maintenance and ongoing cost onto both occupier and it's not a sustainable solution. Sorry remind me oh the veteran tree sorry. Yes. So in response to the veteran tree so the LEC landscape design review that stated that efforts can be made to retain more existing features such as the waterfalls, hedgerows and trees within the veteran, sorry, including the veteran tree. Unfortunately, this state fails to recognize the engineering constraints and functionality required when Master Planning and si are i The veteran treaty 486, which has been identified within the arbor a cultural impact assessment, and its location is shown on sheet 28 of 64 within the document, and similarly, the other landscape features within the main development site cannot be retained in their current location and their loss is unavoidable. To achieve the applicants need to deliver an S RFI scheme based upon the parameters plan, with the engineering of the site levels and the flexibility required within the development plateaus as informed it. By way of further explanation, the hnr f5 proposal and the parameters plan that has been prepared have defined the vertical parameters of the scheme based upon an engineering view and design that starts with the rail element of the works and the connection to the existing Felixstowe to neaton line. This has the least flexibility in terms of its vertical alignment and geometry and therefore defines the level of the rail port in turn the development plateaus where a direct rail connection can be attained, and then the development zones thereafter. The engineering design for the site also took into the into account, the need to create development plateaus that provide flexibility and the ultimate position the boundaries of the individual development plots and the location of the infrastructure that serves them. There was also a need to tie into the existing levels around the perimeter of the site and have a scheme that worked on creating a cut feel balanced with the earthworks to avoid the need to remove material from site. All this means that the existing levels in and around the veteran tree and the other features cannot be maintained. Within smaller scale developments were smaller non rail connected buildings are more appropriate, there is a greater ability to respond to the existing site levels. However, the requirements of an SF ri where the provision of a rail terminal and the larger building footprints mean that significant

level changes within the terminal itself, or the buildings in their plots is not acceptable if they are to operate effectively. Also, and notwithstanding the engineering impacts, and using the principles of the Rochdale envelope as a guide for our parameters plan, given that all the details of development are not yet confirmed. Limits of deviation have also been set out within the development zones to allow for the movement specific parameters to provide the required flexibility, when responding to individual occupants require it. In short, what this means that the veteran tree and the other features could also end up being in the ideal location where a new building or the serve Sheldon highway sense.

1:22:53

Thank you. Thank you. I understand I understand there will be comments on this. I understand your positions for where given where we're at at the moment. I wonder if we can deal with these through written submissions or d3. Is that appropriate? Thank you.

1:23:06

That's, that's fine, sir. I just need to because Mr. Pringle, who's making the submissions on behalf of laby on this point isn't in the room, I'll just check with him online. But that's fine. There wasn't a burning point that he wanted to raise. But otherwise, that that's understood. So So can I take this as a sort of legacy hand off on the screen here? And it wasn't? Maybe I could just put things in, right if

1:23:32

I can just come in there. So and Mr. Andy Pringle on behalf of BlueBee and tinkly. The point really was to thank the applicant for their their responses that we received. And also just to clarify that, you know, we are position is still that we we have a lot of issues with with the proposals in terms of design, particularly with regards to the veteran tree and its removal, which we we don't think that's proven to be unavoidable. But we're happy to pick up those in a written response.

1:24:07

Thank you. I appreciate that. Thank you very much. I do have one further question on this day in terms of legibility, if one was visiting the site, how would one understand exactly where they are within that particular element of it?

1:24:23

Martin Leakey and on behalf of the applicant so in terms of legibility, we've created an aesthetic of contemporary design, which will be addressed across all of the buildings within the park. Now we've found that that provides the best cohesive and uniform way of developing large format large scale master planning of the sorts of parks in terms of wayfinding there will be directional signage located on the actual highways themselves pointing users and visitors to the site to the appropriate location and the applicant. cells actually has their own coding for the types of signage and this is included within the design code itself as an illustration

1:25:09

How do you say that each assigned does not create a sense of place? How do you identify individual senses of place within the overall scheme given the overall homogeneity of the buildings and overall layout.

1:25:24

So, the sense of place itself is actually defined by Ark itself. So the whilst you're absolutely right, there is a there is a similarity between the buildings, but there will be differences in scale, because the occupiers will demand differences in variation in terms of the form and the height, there will be the external areas. So they are set back from the the actual main highways themselves. So you will have an openness in this environment and there will be within these areas, additional landscaping and paving and amenity areas that will as part of the individual development plots themselves.

1:26:00

Thank you. Just one final question I have for you. So we note that the design code and the parameter plan would form part of the approved documents would the applicant consider the alternative approach of dealing with this via the inclusion of requirements for example, these could secure the submission of a design code master plan prior to development and phase design codes ahead of the submission of full details.

1:26:44

Yeah, apologies Martin Lake and on behalf the applicant, so the design code is actually secured as part of the application a sorry requirement site for Florida COMM For Yes, sorry. The design code is actually included in requirement four

1:27:04

was about the notion of phase design codes.

1:27:13

Mrs Laura Beth Hudson for the applicant. So requirement four deals with detailed design by phasing. And through that secures that each each phase that is submitted is to comply with the principles set out in the design code. So it will be dealt with on a phased basis.

1:27:33

Thank you. Thank you. Unless there are any other comments, I will pass you to have roving mic on the way to say.

1:27:49

Os that's coming to you is Mr. Pringles hand on the team's measures the legacy hand?

1:27:54

No, that was isn't No, it's a second.

1:27:57

That was the mic. We'll deal with the jet. Okay.

1:27:59

No problem. Thank you, Mr. John, two weeks standing Santa Clara's counselors. Just a quick sort of follow on question almost in the comments which provided about the sense of place and space and the openness which is created across the site and sensations of this because the buildings are set back, there was discussion yesterday about the fact that there is likely to be a need for multi storey car parks to be able to actually get sufficient parking in on signs. But I didn't know whether there was a specific comment you wanted to make as to how the inclusion of more than one floor of parking across these open areas in front of the buildings would change the sensation and the visual impact of the scale down.

1:28:43

Okay, it wasn't Martin Lakin on behalf of the applicant advisors, I wasn't aware of that comment made yesterday. But it within the design code and the DAS we actually currently state that the prime primarily the primary solution for parking will be at grade level, which will create these open areas and VISTAs and multi deck car parking would only be provided if it was required for an actual perspective occupy and therefore we would have to look at it at the time on this merit. Thank you.

1:29:16

I believe we said we go to Mr. Pringle prior to be the one remaining hand so if you just hear from from yourself, please.

1:29:23

Thanks very much. Andy Brown go on behalf of Barbie and Hinkley. So it's just regard to the design code itself. So in our experience, this is still quite vague in places and there are any gaps in terms of the detail. It will be that will be provided, you know the further stages it's just really a question of how how that detail will be secured. And just to make sure if it is a phased delivery, that we can have confidence that that's that details seen before before it's agreed

1:30:00

There's sorry African lights respond on that believe we may have heard it. But

1:30:04

I was going to say Martin Lakin on behalf of the applicant. So just to reiterate, so requirement for does cover that and the police approached as well.

1:30:12

Thank you, and the raised hand in the room.

1:30:17

Thank you, Tim books are residents of the village firewall, just a couple of brief things. Firstly, just in comparing the proposed designs of the warehouses to other warehouses in what was called the locality. The applicant is actually not comparing the current design to other buildings currently within the landscape that the development is proposed to be outside the current landscape. But if you're looking at lots of work, how about 910 miles away, and way, way on the horizon? The second is that as a member of the public, I've been led to believe it was reasonable for me to expect, as I think the current

and future guidance implies that I'm paraphrasing, that the development should respect the character and appearance of the area in which it is this intrinsic value, beauty, overall character and the landscape. Nothing I've read, and I think I've heard this morning, indicates that the applicant feels are able to provide a development that does that. And they have gone through all the criteria, and all the issues that are raised in the relevant planning guidance, and ticked them off or rather put crosses next to all of them, green walls, etc, etc, saying that they're not feasible. I just wanted to note that thank you. Okay,

1:31:35

but noted, thank you very much. Now, unless there any other comments, I will pass you over to Mr. Sword. My apologies, CPRE.

1:31:45

I'm not sure I think I want to make a quick comment on the Nexus statement. I don't know if we've had that or not now being appropriate time. Very quickly. It is very quick. And it's the point that I've been asked very strongly to make. We've seen the new design Nexus statement, we still haven't seen anywhere that we can find where there is an assessment of the impact on specific places in an overall context. So for example, if you take that code, we just discussed noise, or if you took Burbage common. And this is remained in a confirm to us that we know about landscape we hear about biodiversity. But we don't see anywhere where the the put together to say is the impact on Burbidge common, in total, acceptable when you put all those factors together. And that's something that I've just been asked to stress because we feel that that is something that really ought to be in front of this in the written statements that we have. Thank you.

1:32:56

Thank you and I and as I said it, they're going to rest assured that we will be visiting VAs at that particular area soon. Thank you. Bright, I believe I will pass you over to Mr. Salt then for Agenda Item seven.

1:33:10

Thank you Mr. Harun Historic England as the government's historic advisor, as submitted that response as part of the initial submission of representations, they have no objection to the application on heritage grounds. However, the proposals will result in some harm to the significance of several highly graded designated heritage assets. This harm requires clear and convincing justification and should be outweighed by the public benefits of the proposal that the applicant provide an update and how it considers harm can be mitigated.

1:33:49

Mr. at Stratford for the applicants on heritage matters in respect of the highly graded heritage assets, and essentially the listed buildings and sheduled monuments. The effects on those assets are identified as deriving from the visibility of the proposed development in views from these assets and the loss of very localized and distinct views of those assets from from the site itself. In this context, and given the locations where one does view or will view the proposed development context of these buildings, you'll be looking from elevated areas of the Lackawanna landscape to the north predominantly. And in this

context, the mitigation that is proposed in terms of landscape mitigation, abandoned planting and so on. We acknowledge in our assessment is not capable of mitigating those effects given that one is looking down onto those assets. So, while there will be some screening of aspects of the development in those views, at lower level, fundamental need to change the settings that those assets will arise and the harm will arise from visibility those upper reaches of those local hosts and as such that that is not something that can be mitigated, and that is agreed with Historic England. As such, the residual harm is cited in our assessments.

1:35:26

Thank you. It's noted that in the opinion of Leicester county council that the development impact of the proposed development of non designated heritage assets have been adequately assessed. Can the applicant advise on any further discussions in relation to mitigation or recording and any agreement on section 106 obligations that will be entered

1:35:53

at Stratford for the applicant on heritage matters? There's a DCA requirement number 12, which sets out the archaeological mitigation strategy for the site. And within that, that covers the effects on archaeological remains identified within the site, as well as historic built form then the site. So there's a strategy less hotel agreed between the applicant unless the council secured by that DCR requirement.

1:36:27

Can a written update be provided at line three on that place? So anybody else that would make a comment on cultural heritage?

1:36:44

On behalf of Blaby District Council, I think the comments raised around this topic have largely been addressed I think the statement of common ground sets out the position has been reached on it.

1:36:55

Thank you. We'll pass on to Mr. Jackson for next steps and action list

1:37:06

it's right in the last last action note from that last one. So bear with me for a few seconds.

1:37:33

I understand there wasn't a somebody here who wanted to speak to Agenda Item eight, which was the public rights away we did that yesterday. So, can I ask you if you want to put anything else in you need to put it in writing please for day three Thank you might pop up all right. So the actions that we have identified from here today are the air quality nurse analysis Nobre unless, unless I otherwise say these are for the applicant deadline three, a sensitivity analysis with regards to construction traffic modeling in in the peak including information on how the construction traffic has been assessed. response to the changes in the planning practice guidance related to battery energy storage systems. What consultations if any have taken place with the Fire Rescue authority in relation to this matter. Consideration of any benefits from the removal of agricultural land on free home base or woods on

basis, this is upstream, a reassessment of it. From Councillor Bill health data referred to in his representations on air quality back to the applicant note alteration to which field based studies were used for the base line information. That's this is not in writing to noise. clarifications have public access to both Burbidge common words is to be secured and for what period list of sites where background has been survived and where the scoped in and who with I guess there's no skin noise note setting out how ground borne vibration effects arising from construction have been assessed. Then there was the information as to where the 10 DB reduction and whether whether that was included how that has been included in the assessment. The applicant to produce the right information regarding the work to be undertaken to reduce train noise and provide an indication of certainty that this would be obtained would be in place to enable it to be relied on as mitigation. signpost of information to clarify effects on air quality, noise and vibration on users of a cafe and playground and why some locations are considered not to be sensitive, particularly in light. That was In response to the query with the in combination effects, and in relation to the B four double six, nine and then junction two of the MCS nine have been fully considered to the applicant to provide information slighting proposed for the MCC, nine slip roads, the overbridge and the interconnecting section of the M 69. Along with the associated effects of that lighting on biodiversity and visual receptors. And then finally, an update on the archeologico situation in relation to unrecorded non destinations Harris G assets as as they arise.

1:40:44

Up is there any queries on that list? I'm really happy with them. Firstly, we will review them in but that's sort of as we go along as it were. Okay. So that brings that brings us to the end for this morning's proceedings. Thank you, everybody for attending. I suspect most of you we will see again in just over an hour at two o'clock when we have the issue specific hearing on need and socio economic matters. But in the meantime, this hearing is now closed. Thank you