

Tritax Symmetry (Hinckley) Limited

HINCKLEY NATIONAL RAIL FREIGHT INTERCHANGE

The Hinckley National Rail Freight Interchange Development Consent Order

Project reference TR050007

Applicant's response to ExA Written Questions

Document reference: 20.1

Revision: 01

9 January 2024

Planning Act 2008

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

General and Cross-Cutting Questions

ExQ	Question to:	Question	Response
1.0.3.	All parties	<p>Covid-19 pandemic</p> <p>a) Does any party have any view as to whether the Covid-19 pandemic has had any material implication as to how the Proposed Development should be considered, particularly in relation to demand and trends in all aspects of the submission following the pandemic?</p> <p>b) If so, they should explain why they hold that view, evidenced where possible.</p> <p>Note: This is a separate matter to the question asked of the Applicant in the Rule 17 letter of 22 September 2022 [PD-007] which was responded at D2 [REP2-077] by the Applicant. The Applicant does not need to respond further, but other IPs</p>	<p>The Covid Pandemic and its impact on the logistics sector is discussed in the Logistics Demand and Supply Assessment (document reference 16.2, APP-358), Section 3.2.</p> <p>Logistics uses in particular have shown strong performance for a number of years, but the Covid-19 pandemic has exacerbated existing trends. This has driven demand up even further for logistics floorspace while adversely impacting other commercial sectors such as retail and offices.</p> <p>The Applicant considers the shift in habits it has been witnessing – such as the extraordinary growth in online retailing – to be structural rather than temporary. As the country’s population continues to grow, so will I&L floorspace needs to support household consumption and other sectors of the economy.</p> <p>Most commentators agree that online retailing will continue to grow from a higher base than before the pandemic due to behavioural changes such as increased home working and continued demand for rapid parcel deliveries. This includes the National Infrastructure Commission (Better Delivery: The Challenge for Freight, 2019) who predict up to 65% by 2050 .17.4</p>

General and Cross-Cutting Questions

ExQ	Question to:	Question	Response
		<p>may respond both to this question and the D2 response.</p>	
1.0.4.	All parties	<p>Equality Impact Assessment Could all interested parties provide the Examination with their views as to how the Proposed Development would affect any person with any protected characteristics set out in section 4 of the Equality Act and whether it would (in line with s149 of this Act):</p> <ul style="list-style-type: none"> a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act; b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. 	<p>As tested in the Equality Impact Assessment Statement (document reference: 6.2.7.2B, REP3-014), construction and operational activities do not differentiate between or illegally discriminate against any protected characteristic, where any change directly attributable to what is proposed is a feature of proximity necessitated by the rail line.</p> <p>In the absence of any illegal discrimination, the Equality Impact Assessment Statement further explored any disproportionate or differential effect where individuals with protected characteristic might have a heightened sensitivity or respond differently to the wider community. This provided the means to inform the planning process and set the justification for any targeted mitigation or support initiative to advance equality opportunity and foster good relations.</p> <p>As demonstrated in both the Equality Impact assessment (document reference: 6.2.7.2B, REP3-014) and the Health and Equality Briefing Note (document reference: 6.2.7.1C), the proposed development does not present any measurable health risk to communities, including the most sensitive members of society and those with protected characteristics.</p> <p>The results of the assessment coupled by the written response and the Inspector’s request for all interested parties to provide their view on the matter, further serves to identify any gaps, conflicting evidence and ultimately catalogue how due regard has been taken during the planning process (as per the Public Sector Equality Duty).</p>

General and Cross-Cutting Questions

ExQ	Question to:	Question	Response
1.0.5.	The Applicant	<p>Health Impact Assessment</p> <p>The ExA have previously issued a Rule 17 letter [PD-007], and it is noted that the health briefing note has been updated [REP3-012]. Could a matrix or table be added as a summary of the health impacts. In addition, the date of the note needs to be correctly updated.</p>	<p>The Health and Equality Briefing Note has been updated to include an Executive Summary and summary matrix, this is submitted at Deadline 4 (document reference: 6.2.7.1C).</p> <p>Thank you for identifying the date discrepancy. This has been corrected.</p>
1.0.6.	The Applicant	<p>Terminology</p> <p>In Table 18.1 in Chapter 18 of the ES [APP-127] the Inspectorate reminds the Applicant that the term ‘Reserved Matters’, is one used</p>	<p>This is noted and the following documents have been updated to address this matter:</p> <p>Design Code (document reference: 13.1B)</p> <p>Chapter 12: Ecology and Biodiversity (document reference: 6.1.12A)</p> <p>Chapter 18: Energy and Climate Change (document reference: 6.1.18A)</p>

General and Cross-Cutting Questions

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		<p>in association with Outline planning consent and is not applicable to National Infrastructure Projects submitted under the PA2008. The term is still used in other documents such as the Design Code</p> <p>[REP2-061] and should be amended. Could the Applicant please undertake a comprehensive analysis of the documentation submitted and amend this as necessary.</p>	
1.0.7.	The Applicant	<p>Demolitions</p> <p>Demolition works are briefly summarised in paragraphs 3.12 and 3.13 of ES Chapter 3 and the Demolition Plan [APP-045] identifies the buildings that are to be demolished. Further details on demolition works and related waste produced from these are provided in paragraphs 17.73-17.78, ES Chapter 17 [APP-126].</p>	<p>With respect to the details provided within the ES Chapter 3 (document reference: 6.1.3, APP-112) and ES Chapter 17 (document reference: 6.1.17, APP-126),</p> <p>Prior to any demolition works being undertaken, we will undertake detailed surveys to establish the safest method of demolition and to maximise reuse of materials and segregation of hazardous materials.</p> <p>Materials not suitable for reuse will be processed on site for reuse on the scheme within the approved site Mobile Plant Permit (MPP) area where possible, with the remaining materials removed from site to licensed treatment and disposal facilities. The details of the approved licensed facilities will be listed within the Site Waste and Materials Management Plan (document 17.3) which is secured through The Construction and Environmental Management Plan (document 17.1A)</p>

General and Cross-Cutting Questions

ExQ	Question to:	Question	Response
		<p>Can the Applicant provide more detail on the demolition works anticipated with respect to the roads, buildings, the existing single-lane hump-back bridge over the Leicester to Hinckley railway on Burbage Common Road, and any other building or engineering operation associated with the demolition works?</p>	<p>With regards to the asphalt pavements, these will be checked to ensure that they do not contain any Polycyclic Aromatic Hydrocarbons (PAHs) and if suitable they will be either used within a recycled asphalt product or utilised as an unbound subbase material. Asphalt containing PAHs could be hydraulically bound and reused where suitable locations can be found.</p> <p>The existing buildings within the site to be demolished consist of brick build properties and steel framed barns clad typically with Asbestos Cement (ACM) sheeting. All ACM will be removed by suitable qualified and competent specialist contractors where the material will be suitably treated and removed to a licensed facility for disposal. All steelwork will be recycled at a licensed facility. Timber will be recycled and bricks, roofing tiles will be processed within the site MPP.</p> <p>With regards to the Network Rail bridge, which carries Burbage Common Road over the Leicester to Hinkley Railway line, this bridge will be mechanically dismantled during rail possessions and the methods employed to demolish it will be agreed and approved by Network Rail. Materials such as the bricks and masonry arising from the demolition suitable for reuse, will be taken to a licensed recycling facility for reuse by Network Rail in the first instance, to provide materials which could be used for refurbishment and repair of similar structures, all material not suitable for reuse will be processed on site for reuse on the scheme within the MPP areas.</p>
1.0.8.	The Applicant	<p>Building Life and Maintenance Assessments Paragraph 4.2.5 of the Logistics Demand & Supply Assessment</p>	<p>The current TSL specification states a building design lifetime of 50 years. At 30 years it is ordinarily found that warehouse buildings require a some refurbishment, albeit due to advancements in design and quality of product the life span of the Applicants warehouse buildings prior to requiring refurbishment can extend to 50 years.</p>

General and Cross-Cutting Questions

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		<p>[REP3-036] indicates “the life of a modern warehouse building is 30 years”. On the other hand, paragraph 3.138 of Chapter 3 of the ES: Project description [APP-112] indicates “the EIA has not assessed decommissioning as the HNRFI is intended to be a permanent development”. Could the Applicant please signpost throughout the EIA where the effects of the demolition and replacement of the warehouses, or if appropriate their refurbishments, has been assessed. Similarly, information as the effects of resurfacing of roads and maintenance of associated development, including solar panels, should be highlighted. Should these elements have not been assessed, could the Applicant please update all relevant chapters of the EIA, setting out the in-perpetuity effects of these elements and</p>	<p>The 30 year life span covers the minimum limits of the performance of the materials utilised to construct the buildings, this does not in itself mean that after this period anything other than monitoring or review of the performance characteristics is required. If anything is required, then it can be addressed based on the merits of undertaking that work, and the benefits it brings.</p> <p>Refurbishment can take the form of replacing and upgrading the mechanical and electrical systems as well as more frequent instances of general building maintenance such as plumbing, windows and doors.</p> <p>Estate roads will generally have the surface course fully replaced every 30 years with surface course treatments typically every 10 years, areas of high wear such as turning areas, requiring more frequent replacement, typically 10 years, with occasional filling of potholes on an ongoing basis.</p> <p>Solar panels are cleaned and any panels with mechanical faults are removed and replaced periodically. The design of the panel array on the rooftops allows for access to maintain the solar panels.</p> <p>As with any development, ongoing maintenance of the buildings, the external works and the surrounding environment will take place, as well as reviewing the form and function of an individual building or facility to suit an individual occupier’s needs.</p> <p>Paragraph 6.25 of the Environmental Statement (ES) (APP-155) states:</p> <p><i>The topic specific assessments contained within this ES assess the likely significant effects of the Proposed Development at both the construction and operational phases. The EIA has not</i></p>

General and Cross-Cutting Questions

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		<p>implications for the consideration of the Proposed Development.</p>	<p><i>assessed decommissioning because HNRFI is intended to be a permanent development and consideration for decommissioning at this stage would be too hypothetical to be meaningful.</i></p> <p>Paragraph 5.28 of the Scoping Opinion (APP-136) states:</p> <p><i>Paragraph 2.3.4 of the Scoping Report (APP-135) states that the nature and timing of any decommissioning process is difficult to forecast in any meaningful way. It is not clear from this statement whether the DCO would seek powers to decommission the Proposed Development. If this is the case the ES should include an assessment of the effects of decommissioning on the relevant aspects of the environment.</i></p> <p>The draft DCO is before the ExA and does not seek powers to decommission the Proposed Development. The Applicant’s view remains that decommissioning is an unlikely event that is so far in the future that any assessment should be undertaken at the time and would be too hypothetical to be meaningful at the current time. That said, if the Proposed Development were to be decommissioned this would be a type of deconstruction and probable repurposing, which would be the partial reverse of construction, rather than demolition, so the effects would be similar to but of a smaller magnitude than construction. An assessment would be undertaken at the time, according to the circumstances and in the light of techniques that will have developed over the ensuing decades, but remains inappropriate now.</p> <p>In terms of the type of refurbishment referred to above, i.e. cleaning, plumbing, occasional larger scale maintenance and refurbishment of electrical and mechanical systems, this is clearly minor in nature compared to the construction and ancillary to the operation of the Development. It is likely that operation will be scaled back during this type of activity so operational effects would be reduced and it is extremely unlikely that major overhauls</p>

General and Cross-Cutting Questions

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			<p>would happen at the same time across the whole site. Any effects would be considerably less significant than the effects which have been established for the construction and operational phases (which compare with and without development).</p> <p>Resurfacing internal estate roads is not a matter that warrants a detailed assessment. Traffic management within the estate can be easily implemented to ensure ongoing access during these occasional activities, with no off-site consequences. Resurfacing of external roads, including the A47 Link Road, is a routine practice that is occasional and temporary, which can be managed effectively, without causing significant disruption.</p> <p>The type of activity associated with maintenance of solar panels on roof tops does not warrant further assessment. Even the effects associated with their installation are not material.</p> <p>In the professional opinion of the specialist team, a detailed assessment of these types of maintenance activities would be atypical and disproportionate. The Scoping Opinion (APP-136) gives no indication that such an assessment would be required. It can reasonably be scoped out of any further consideration.</p>
1.0.9	The Applicant	<p>Construction Environmental Management Plan [APP-359] Paragraphs 1.67, 1.70, 1.86, and 1.110 all have typographic errors. Could the whole document please be checked.</p>	<p>The Applicant has undertaken a review of the CEMP and updated accordingly, this also includes updates to reflect the latest position on requirements and to address the points raised through WQ 1.1.3 and WQ 1.2.8. The updated CEMP is submitted by the Applicant at deadline 4, (document reference: 17.1A).</p>
1.0.10	The Applicant	<p>Construction Management Plans</p>	<p>The approach adopted for the CEMP (document reference: 17.1A) is that the application contains an overarching CEMP, which sets out clearly the systems and controls that will be</p>

General and Cross-Cutting Questions

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		<p>There is reliance on phase-specific Construction Environmental Management Plans, which are to be drafted in accordance with the principles set out in the overarching Construction Environment Management Plan [APP-359]. Please can the Applicant explain how this, and similar phased approval documents, will this comply with EIA law on staged approvals?</p>	<p>adopted during the construction of HNRFI to minimise adverse environmental effects in accordance with the ES and construction best practice. This overarching CEMP provides the framework within which all of the phase specific CEMPs will accord to. For a development project of this scale there are multiple phases and different activities and timeframes contained within each phase, therefore it is deemed to be an appropriate approach to have phase specific CEMPs. This approach secured through dDCO requirement 7 and is a standard approach adopted for projects of this scale within the NSIP regime and is in line with the approach on recent SRFIs including Northampton Gateway. The operation of Article 48 and requirement 32 ensure that the details fall within the scope of the ES.</p>
1.0.11	The Applicant	<p>Cumulative effects For the purposes of the cumulative assessment, other works outside of the Order Limits such as for junction improvements other than M69 Junction 2 and the A47 Link Road Works were excluded as they were not considered by the Applicant to be a source of significant cumulative effects (paragraph 20.13 of ES Chapter 20 [APP-129]).</p> <p>a) Can the Applicant clarify how it determined that</p>	<p>a) The offsite highway works are set out in Table 3.2 of chapter 3 of the ES (document reference: 6.1.3, APP-112), these works relate to modifications to several junctions on the local road network in response to the changes in traffic flows from the HNRFI and M69 junction 2 upgrade. These measures consist of signalisation, speed limit reductions, traffic calming features and lane widening on junction approaches increased roundabout radius. Further offsite highway works will consist of Traffic Regulation Orders made under the Road Traffic Regulation Act 1984. As set out in paragraphs 20.7 and 20.8 of ES Chapter 20 (document reference 6.1.20, APP-129), in line with PINS guidance, the assessment of transport and operational assessments of air and noise have been based on comprehensive transport modelling that has been subject to extensive consultation with the Transport Working Group and reported in the Transport Assessment and include consideration of all highway works. When considering other likely environmental disciplines, due to the fact that all of the highway works are located within the existing highway boundary and are minor in nature, they are not considered to give rise to likely significant effects. The ES in assessing the proposed development has therefore already assessed all highway works</p>

General and Cross-Cutting Questions

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		<p>these other works outside the main Order Limits would not cumulatively cause significant adverse effects with the Proposed Development in terms of both intra-project and inter-project?</p> <p>b) Can the Applicant confirm if the cumulative assessment of construction traffic modelling accounted for the effects of potential closures due to works on the M69 Junction 2? If so, provide details on how this has been assessed. If not, please explain why.</p>	<p>which it considers could give rise to likely significant effects, and no such effects have been identified. Therefore there is no additional need to assess these cumulatively since this would be duplicating assessment. .</p> <p>b) M69 J2 works at the roundabout and on the slips are included in the construction traffic calculations for materials and works. It should be noted that it is expected that closure of M69 J2 will be limited to some very short term night closures to allow for tie in connections and small scale signalling works only, all of which will be agreed, and planned in liaison with the highway authorities. These traffic management works will have limited impact and as such have not been considered in the ES Chapter.</p>
1.0.12.	The Applicant	<p>Proposed Development</p> <p>Could the Applicant please explain how the figure of up to 200,000 square metres (m2) of mezzanine floorspace within the proposed warehousing has been derived, providing evidence to support any assertions?</p>	<p>The I&L sector is one of the most progressive and productive commercial sectors. The increase of online shopping and society's desire for 'same day' / 'next day' deliveries has meant the sector's onsite operations and wider supply chains are having to deal with significantly increased product volumes.</p> <p>Not only has this revolutionised supply chain processes in order to maximise efficiency, it has led to I&L buildings having to become bigger to deal with demand. It is estimated e-commerce requires over three times the logistics space compared to traditional brick-and</p>

General and Cross-Cutting Questions

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			<p>mortar retailers (Prologis 2020, Accelerated retail evolution could bolster demand for well-located logistics space).</p> <p>Historically the response to dealing with increased product volumes has been to increase the footprint of buildings. However, taller buildings are now possible due to advancement in automated systems which handle storage and retrieval. Automation is increasingly performing repetitive, time-consuming tasks, speeding up processes that assist the movement of goods and improve their handling. Storage capacity can increase by the use of sophisticated racking systems such as high-bay storage systems and incorporation of multi-level mezzanines.</p> <p>Mezzanines increase floorspace of warehouse without increasing building footprint. Apart from accommodating automated robotic systems, mezzanine floorspace can also provide office space, manufacturing/workshop space and additional storage space.</p> <p>The figure of 200,000 sqm has been proposed as a reasonable assumption based on the percentage of the Applicants current occupiers that have mezzanine requirements representing approximately a third of footprint and in response to the market trends in mezzanine levels led by Amazon.</p>
1.0.13.	The Applicant Local Authorities	<p>Associated housing development A number of RRs, such as [RR-0025] and [RR-1022], reference the provision of housing associated with the application.</p>	<p>A) The application does not include for the provision of housing.</p>

General and Cross-Cutting Questions

ExQ	Question to:	Question	Response
		<p>a) Could the Applicant confirm if the scheme includes the provision of housing?</p> <p>b) Could the Local Authorities advise whether any major development proposals have come forward or are planned in the vicinity of the application site?</p>	
1.0.14	The Applicant BDC HBBC	<p>Place Shaping Officer BDC and HBC reference discussions regarding a Place Shaping Officer. Please provide an update on the progress and details of creating and funding such a post and how it would be secured.</p>	<p>There have been no discussions in relation to the funding of a place shaping officer since it was discussed briefly in the early pre-application stages of the application in 2018. As referenced at paragraph 13.2.9 of the consultation report (document reference: 5.1, APP-091) there was a meeting on the 30th of May 2018 where an item for discussion was whether the project had the ability to support a place shaping officer, beyond the 30 May 2018 meeting this was not discussed further.</p>
1.0.15	The Applicant	<p>Lighting of M69 Junction 2 and associated slip roads The report on M69 Lighting Proposals and associated effects [REP3-062] explicitly does not cover the assessment associated effects on biodiversity and visual effects. Could the Applicant please either signpost where the lighting proposals have been explicitly considered or provide</p>	<p>The M69 Junction 2 lighting proposals have been assessed and reported on in the updated ES Chapters 11 – Landscape and Visual (document reference: 6.1.11A) and 12 – Ecology and Biodiversity submitted at Deadline 4 (document reference: 6.1.12A). Specific references are included in ES Chapter 11 at paragraphs 11.137, 11.178 and 11.180 and an update to the Night-time Assessment of PVP12 in Appendix 11.6.</p>

General and Cross-Cutting Questions

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		a note to consider these matters.	
1.0.16	All Parties	<p>Energy Generation</p> <p>a) All parties are offered the opportunity to make representations relating to the energy aspects of the Proposed Development following the publication by the Government of the suite of Energy NPSs in November 2023.</p> <p>b) The Applicant is asked for its comments in light of footnotes 80 and 92 of EN-3 and their implications for the Proposed Development.</p> <p>c) The Applicant is asked to signpost how the proposed photovoltaic arrays are to be secured and delivered (ie to ensure any effects of them are taken into account).</p> <p>d) The Applicant is also asked to estimate the current maximum energy generation that could be</p>	<p>(a) The suite of Energy NPSs are not in force until they are designated by Parliament in early 2024. Nevertheless, as noted by paragraph 1.6.3 of EN-1 they are potentially important and relevant considerations in the decision making process and may be material consideration on application under the TCPA (EN-1 para 1.2.1). The energy generating station within the proposed development does not fall within the one of the categories listed in the NPS as it does not meet the relevant 50MW threshold and so none of the Energy NPS form a primary policy consideration for the purposes of the current application. Nevertheless, in the context of the current proposals the Applicant notes the provisions of paragraph 3.10.2 of the draft EN-3 which highlights the important role of solar co-located with other functions:</p> <p><i>Solar also has an important role in delivering the government’s goals for greater energy independence and the British Energy Security Strategy states that government expects a five-fold increase in combined ground and rooftop solar deployment by 2035 (up to 70GW). It sets out that government is supportive of solar that is “co-located with other functions (for example, agriculture, onshore wind generation, or storage) to maximise the efficiency of land use”</i></p> <p>(b) The Applicant considers that the use of photovoltaics as part of the proposals is within the scope of “co-location” as referred to in the British Energy Security Strategy and footnote 80 and therefore draws support from it. The Applicant does not consider that footnote 92 is relevant as it is not “overplanting”</p> <p>(c) The Applicant refers to its answer to question 1.1.10 copied below:</p>

General and Cross-Cutting Questions

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		<p>secured from the rooftop delivery of photovoltaic cells within the Proposed Development based on current technology (measured in alternating current (AC)). This answer should ignore any legislative restrictions on the amount of energy that could be produced.</p>	<p>The Applicant considers that the installation of PV panels is secured through a number of the requirements in the dDCO as follows:</p> <ul style="list-style-type: none"> i. Requirement 4(1) requires the details of each phase to be submitted to be in accordance with the design code (document reference: 13.1B) and include, under requirement 4(2)(b), details of built development design and layout (including any external plant). Section 12.4 of the design code sets out a specific code for energy efficiency and sustainability which includes “A proportion of the energy requirements for the development will be addressed through the provision of onsite generation of renewable energy with PV arrays mounted on the roofs”. These would then have to be provided as part of the authorised development under requirement 4(3). ii. Requirement 17 requires the submission of a detailed energy strategy for each phase, prior to its occupation, which must accord with the energy strategy (document reference: 6.2.18.1A, REP3-024). Paragraph 3.1.2 of the energy strategy sets out as a guiding principle of the strategy “significant use of on-site renewable energy generation...”. Section 7 then contains further details of proposals for rooftop solar PV installation. The Applicant therefore considers that the submission of the detailed energy strategy, which it would expect to set out details of solar PV provision within each phase, would provide another securing mechanism. <p>The Applicant considers that the combination of these requirements would ensure that solar PV would be installed on appropriate units prior to their occupation.</p> <p>d) The maximum PV generation capacity that can be feasibly installed in the proposed building roof areas is estimated to be 42.4MW measured at the AC terminals. This would be generated from c. 283,000m2 of panels. They could generate some 48,000MWh per annum.</p>

General and Cross-Cutting Questions

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1.0.17.	The Applicant	<p>Site Waste and Materials Management Plan [APP-361]</p> <p>a) Could the Applicant please explain how this plan reflects the Government’s Net Zero agenda, and in particular the “Net Zero Strategy: Build Back Greener”.</p> <p>b) Could the Applicant please provide a greater explanation as to how waste impacts of the development will be minimised?</p>	<p>As stated within the “Net Zero Strategy: Build Back Greener” report, the waste management sector accounted for 5% of UK carbon emissions (although this is a significant decrease of 71% since 1990). It is important to continue using resources more efficiently and reduce the amount of waste we create in order to reduce this figure further. In line with the 25 Year Environment Plan, the “Net Zero Strategy: Build Back Greener” report includes commitments to eliminate all avoidable waste (including plastic) and only permit landfill where no other treatment is possible. The Site Waste and Materials Management Plan aligns with these objectives, with the principle objective of the plan to use material resources more efficiently and seek to reduce the volume of waste produced and the volume of waste requiring final disposal by landfill.</p> <p>The Site Waste and Materials Management Plan sets the following waste-related targets for HNRFI:</p> <ul style="list-style-type: none"> • At least 90% (by weight) of all Construction and Demolition Waste (CDW) will be subjected to material recovery in accordance with the Waste Framework Directive. In addition, the Project will aim to achieve at least 90% (by weight) material recovery of non-hazardous CDW. • The site will aim to achieve a cut and fill balance for excavated material (sub-soil). • Given that a balance of topsoil cannot be achieved on-site, there is an aim to reuse as much residual topsoil as possible elsewhere e.g. agricultural or biodiversity uses, or on other developments in the region.

Air Quality and Emissions

ExQ	Question to:	Question	Response
1.1.1.	The Applicant	<p>Air Quality</p> <p>Can it be confirmed that the pollutants assessed in relation to diesel locomotives cover all relevant pollutants of interest.</p>	<p>The Applicant confirms that this is the case.</p> <p>Paragraph 9.158 - 9.165 in ES Chapter 9 – Air Quality (document reference: 6.1.9, APP-118) provides the screening assessment undertaken in relation to both stationary and moving locomotives as a result of the HNRFI, in accordance with Defra TG22 guidance. In accordance with Defra TG22 guidance, consideration was given to both the NO₂ annual mean and the sulphur dioxide (SO₂) 15- minute mean air quality objectives for England.</p> <p>It was determined that the HNRFI would not exceed any of the screening criteria therefore the impacts from diesel locomotives was deemed to be negligible and not significant.</p>
1.1.2.	The Applicant Local Authorities	<p>Air Quality</p> <p>Could the parties advise if the East Midlands Air Quality Network have been consulted as part of the application? If so, what was its response to the Proposed Development.</p>	<p>The Applicant has not consulted the East Midlands Air Quality Network (EMAQN) directly. The EMAQN is not a prescribed s42 consultee nor was it identified as a body with whom the Applicant were requested to consult during the consultation process with the Environmental Health Departments at Blaby District Council and Hinckley and Bosworth Borough Council, nor as part of the scoping responses, nor was the Applicant requested to consult with them as part of PINS s51 advice following acceptance. We understand however that Blaby District Council are part of the EMAQN and the Applicant has consulted with the Blaby District Council Environmental Health Department.</p>
1.1.3.	The Applicant	<p>Dust mitigation</p> <p>Paragraphs 1.77 to 1.79 of the CEMP [APP-359] set out a list of examples of dust mitigation measures, but this list</p>	<p>As set out in Requirement 7, a Construction Environmental Management Plan (CEMP) (document reference: 17.1A) will be provided for each phase of the development. As part of this, a review of the activities to be undertaken during each phase will be carried out and dust mitigation measures will be recommended as appropriate to</p>

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		<p>does not contain all of the highly recommended measures described in Tables 9.40 and 9.41 in ES Chapter 9 [APP-118]. Paragraph 1.79 of the CEMP states that “not all of these will be necessary or feasible for this particular construction project” and that “specific measures will be confirmed in each phase CEMP”. The assessment of impacts from dust during construction relies on all the mitigation measures set out in Tables 9.40 and 9.41.</p> <p>Can the Applicant clarify which of the mitigation measures in the CEMP are not necessary or achievable and how this affects the assessment of likely significant effects from dust on relevant receptors during construction.</p>	<p>mitigate dust impacts from those activities. As such, the construction dust assessment undertaken for each phase may result in different dust impact risks, depending on the location and activities of each phase. In turn, this may result in different dust mitigation measure requirements for each phase, therefore some of the measures outlined in the CEMP (document reference: 17.1A) may not be necessary for each construction phase.</p> <p>Each CEMP for each phase will be submitted to the Local Authorities for approval prior to commencement of work on each phase of the development.</p> <p>This is set out in paragraph 1.78 (check paragraph number before submitting) in the CEMP (document reference: 17.1A) which states: <i>“A number of mitigation methods are available and will be implemented where applicable to minimise the nuisance and impact arising from dust. Examples of such measures are outlined below, although not all of these will be necessary for each construction phase. Specific measures will be confirmed in each phase CEMP, completed following appointment of the PC</i></p>
1.1.4.	The Applicant	<p>Emissions</p> <p>Could the Applicant signpost where National Highways managed roads have been considered within the assessments? If not included, what are the implications of including them?</p>	<p>National Highways managed roads have been included in the assessment. These are the M69, M1, M6, A5. The extent of the study area for the construction phase and operational phase road traffic emissions assessments are shown in Figure 6.3.9.2 and Figure 6.3.9.5 respectively (document reference: APP-241, APP-244).</p>
1.1.5.	The Applicant	<p>Emissions</p> <p>Tables 18.5 and 18.6 in Chapter 18 of the ES [APP-127] set out vehicular</p>	<p>The specific figures set out in Table 18.5 and Table 18.6 are not explicitly set out in the transport document (Chapter 8 of the ES- document reference: 6.1.8. APP-117) and its</p>

ExQ	Question to:	Question	Response
		<p>Greenhouse Gas emissions during the construction and operational stages respectively. In each case these are based on a 24 hr AADT total flow.</p> <p>Although these are set out in Appendix 18.3 [APP-219], could the Applicant please direct the ExA to where these figures can be found in the requisite Transport document (Chapter 8 of the ES [APP-117] and its Appendices) or alternatively set out a clear exposition of how they have been derived?</p>	<p>Appendices. However, these figures were derived by the Transport Consultant (BWB) and the PRTM model for use in the GHG assessment.</p> <p>The Scenarios 2 and 3 flows in Table 18.5 were derived from the Construction Traffic information submitted at Deadline 3 (document reference: 18.7.1, REP3-056) . This took trip rates from East Midlands Gateway and extrapolated them across the construction activities and projected phasing (Phasing Gantt Chart- document reference: 18.6.3, REP3-048) to provide AADT estimated flows for the peak construction period.</p> <p>All AADT figures quoted in Table 18.6 were taken directly from the PRTM model, which has accounted for operational movements both with and without the development in place.</p>
1.1.6.	The Applicant	<p>Emissions</p> <p>a) Paragraphs 3.89 and 4.5 of the Planning Statement [REP3-034] assert that the buildings will be carbon net zero. Could the Applicant please provide a calculation of the buildings to underpin these assertions.</p> <p>b) At Chapter 18 of the ES (Energy and Climate Change) [[APP-127], in Table 18.2 page 1-18, it is stated ..."That being said, in the experience of the Consultant, it is not feasible, achievable nor practical to achieve true net-zero for a development of</p>	<p>a) Paragraphs 3.89 and 4.5 of the Planning Statement specifically relate to the achievement of net zero carbon in the construction of buildings – not the entire construction activity for HNRFI. The statements do not imply net zero carbon in the occupation of the buildings.</p> <p>The process committed to involves modelling the carbon impact throughout the detailed design and construction, with eventual procurement of offsets against an as built carbon total. Therefore, no detailed calculations have been carried out at outline application stage for the buildings, instead data on the Applicant’s other developments is being used internally to estimate future impact. Regardless of this value, the process committed, which is a declaration of Net Zero Carbon in Construction for the buildings, in line with the UK Green Building Council framework definition (April 2019). This process and outcome is what the Applicant commits to carrying out on each new development brought forward. This will result in accurate</p>

ExQ	Question to:	Question	Response
		<p>this size, scale and nature without procuring means to offset residual effects". How does this comment relate to paragraphs 3.89 and 4.5 of the Planning Statement [REP3-034]?</p> <p>c) Can the Applicant explain what assumptions have been applied to calculations in relation to net-zero in relation to the ExQ1.0.8 of the Proposed Development?</p>	<p>quantification of the upfront embodied carbon, with reduction of the carbon through design and construction processes where possible, and with eventual procurement of offsets (which will be compliant with UK Green Building Council guidance) to lead to a Net Zero construction process.</p> <p>b) True net zero refers to the development resulting in no carbon emissions from the use of materials, equipment and fuel for the construction of the scheme, without the subsequent use of offsets. The scheme will achieve and be declared as 'Net Zero Carbon in Construction' in line with the UK Green Building Council (UKGBC) framework definition (April 2019), which over the course of detailed design and construction will prioritise omission of carbon emissions where feasible, with any remaining residual carbon emissions being offset via UKGBC approved offset sources. This is a valid route to declaring a scheme as 'net zero carbon in construction'.</p> <p>Since the Planning Statement was prepared, the Applicant has agreed to design the buildings to BREEAM 'Excellent'. This is set out in the Design Code (document reference: 13.1B) which is secured by Requirement 4 of the DCO.</p> <p>Para 3.89 of the Planning Statement (document reference: 7.1B) states that all buildings will be designed to achieve "net zero buildings" (the definition of which comes from by the UK Green Building Council's "Net Zero Carbon Buildings Framework").</p> <p>Para 4.5 of the planning statement (document reference: 7.1B) lists provisions in the HNRFI scheme that ensure that the requirement of the Sixth Carbon Budget, are met. One of the provisions listed is Net Zero Carbon in Construction Buildings. This is secured through the Design Code (document reference 13.1B) which is secured by requirement 4 of the DCO.</p>

ExQ	Question to:	Question	Response
			<p>It should be noted that the UK Green Building Council’s “Net Zero Carbon Buildings Framework” does acknowledge the fact that carbon reduction measures in the construction of buildings are unlikely to achieve a net zero carbon result due to the residual embodied carbon associated with certain building products. The standard therefore allows for off-setting of residual carbon using a recognised off-setting framework, which should be publicly disclosed. Such an off-setting approach is acceptable in maintaining that a Net Zero Carbon Construction Buildings standard has been achieved.</p> <p>Net Zero Carbon in Construction Buildings is one objective. For site wide infrastructure and the operational use of the site a number of carbon reduction measures are referred to in Chapter 18 of the ES (Energy and Climate Change) (document reference: 6.1.8.A), to reduce any overall footprint of the scheme. Using a precautionary approach, this highlights a potential residual carbon footprint and the assessment concludes that the residual impact is non-significant in respect of the Sixth Carbon Budget.</p> <p>Para 3.89 and 4.5 are consistent with the comment in Chapter 18 of the ES (Energy and Climate Change) (document reference: 6.1.8A), in Table 18.2 page 1-18, based on an accepted need for an element of carbon off-setting to achieve net zero.</p> <p>c) The ‘Net Zero in Construction’ process set out above focuses on the carbon emissions associated with the initial construction of a project, so estimations on in-use assumptions of elements such as eventual demolition or replacement of warehouses, resurfacing of roads, maintenance of the associated development including solar panels are not included.</p>

ExQ	Question to:	Question	Response
1.1.7.	The Applicant	<p>Construction Emissions</p> <p>ES Figure 9.2 [APP-241] shows the extent of the Construction Phase Road Traffic Emissions Study Area but does not appear to include the area shown on Document 2/2H Sheet 8C of Works Plans [APP-007] and [APP-015] as associated works to the B4114 Coventry Road, with the B518 Broughton Road in Work No. 17 of the dDCO [REP2-003]. Can the Applicant clarify whether these works were assessed as part of the construction phase traffic emissions assessment and if not explain why.</p>	<p>The associated works to the B4114 Coventry Road, with the B518 Broughton Road was not included within the construction phase road traffic emissions assessment. It is not expected that the proposed construction works in this location will result in an increase in construction traffic which exceeds the traffic screening criteria in DMRB LA05 of more than 1000 AADT and/or 200 HDV movements per day, due to the relatively minor nature of the proposed works to install traffic lights and provide additional lining</p> <p>In accordance with DMRB, the screening criteria at B4114 Coventry Road, with the B518 Broughton Road have not been triggered and consequently there was no requirement for detailed dispersion modelling at this location associated with the construction phase traffic.</p>
1.1.8.	The Applicant NR	<p>Cumulative Effects</p> <p>Could the Applicant and NR clarify whether there are any rail developments which they believe could lead to cumulative effects with the Proposed Development?</p>	<p>The Applicant has undertaken a robust cumulative effects assessment in accordance with the requirements of the EIA Regulations and PINS advice note 17. The outcomes of this assessment are presented in ES chapter 20 (document reference 6.1.20, APP-129), Appendix 20.1 and 20.2 (document reference 6.2.20.1 and 6.2.20.2, APP-226 and APP-227) and Figure 20.1 (document reference: 6.3.20.1, APP-345).</p> <p>The information referenced above sets out how, in accordance with the guidance, zones of influence were derived for each technical specialism, within which a long list was derived identifying 'existing development and/or approved development in the form of planning applications, relevant development plans and any other relevant and available sources (e.g. consultation response information particularly from a relevant planning authority)'. The long list identified Croft Quarry (planning reference 2019/CM/0125/LCC), which was added as Site 43 in the cumulative long-list, as shown by Figure 20.1 (document reference: 6.3.20.1, APP-345) which has consent to run 4</p>

ExQ	Question to:	Question	Response															
			trains per day. While the rail network has potential capacity, at this time we do not consider that there are any other rail developments likely to lead to cumulative effects with the Proposed Development. .															
1.1.9.	The Applicant	<p>Energy generation and use</p> <p>Paragraph 18.269 of Chapter 18 of the ES [APP-127] indicates a list of potential building construction standards:</p> <p>a) Could the Applicant please set out in comparative terms the differences between them and also set a comparison of each against the current Building Regulations?</p> <p>b) Could the Applicant clarify how the relevant standard is secured, as a minimum, in the DCO or co-joined documents?</p> <p>c) Appendix 18.1 in section 4 only refers to the Building Regulations, although the U-values referred to are, generally, better than the Building Regulations. Could the Applicant please confirm the standard to be used.</p>	<p>A) Para 18.269 of Chapter 18 of the ES has been updated at Deadline 4 (document reference: 6.1.18A) to set out upgraded building construction standards for BREEAM going from Very Good to Excellent and EPC B to EPC A which the Applicant has committed to in their building standards across the business. LEED is considered to be an international alternative to UK's BREEAM, largely used in Central and North America, the Middle East and parts of the Far East. DGNB is largely utilised in Denmark, Spain, Austria, Switzerland and Croatia. Therefore, the Applicant proposes to use the required BREEAM standard alongside EPC A as the primary objective.</p> <table border="1" data-bbox="1032 746 2157 1391"> <thead> <tr> <th colspan="5" data-bbox="1032 746 2157 794">Scheme</th> </tr> <tr> <th data-bbox="1032 794 1285 879">Building Regulations</th> <th data-bbox="1285 794 1487 879">BREEAM</th> <th data-bbox="1487 794 1682 879">DGNB</th> <th data-bbox="1682 794 1890 879">LEED</th> <th data-bbox="1890 794 2157 879">EPC</th> </tr> </thead> <tbody> <tr> <td data-bbox="1032 879 1285 1391">National statutory instruments that seek to ensure that the policies set out in the relevant legislation are carried out. The detailed requirements of</td> <td data-bbox="1285 879 1487 1391">UK based nationwide methodology for assessing the sustainability performance of built assets Can cover multiple</td> <td data-bbox="1487 879 1682 1391">Danish Green Building Certification. Local DGNB System Partners in Denmark, Spain, Austria,</td> <td data-bbox="1682 879 1890 1391">LEED is dominated by the American ASHRAE standards LEED has not been created with adaptability in mind as it</td> <td data-bbox="1890 879 2157 1391">An Energy Performance Certificate is a rating scheme to summarise the energy efficiency of buildings. T The report provides recommendations for improving the</td> </tr> </tbody> </table>	Scheme					Building Regulations	BREEAM	DGNB	LEED	EPC	National statutory instruments that seek to ensure that the policies set out in the relevant legislation are carried out. The detailed requirements of	UK based nationwide methodology for assessing the sustainability performance of built assets Can cover multiple	Danish Green Building Certification. Local DGNB System Partners in Denmark, Spain, Austria,	LEED is dominated by the American ASHRAE standards LEED has not been created with adaptability in mind as it	An Energy Performance Certificate is a rating scheme to summarise the energy efficiency of buildings. T The report provides recommendations for improving the
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Building Regulations	BREEAM	DGNB	LEED	EPC														
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ExQ	Question to:	Question	Response				
		<p>the Building Regulations in England and Wales are scheduled within 18 separate headings</p> <p>Building Regulations control how buildings are to be designed or modified on the public grounds of safety and sustainability while 'planning permission' is concerned with appropriate development, the nature of land usage, and the appearance of</p>	<p>stages of a buildings lifecycle, most commonly used on construction stages (RIBA 1-6)</p> <p>Is contained within more than 55% of planning authorities sustainability policies</p> <p>Known to consultants and development teams, and tied to UK regulations and policies with an aim</p>	<p>Switzerland and Croatia.</p> <p>No local partner in the UK, and no assessments have ever been published for projects in the UK</p> <p>Broadly covers similar topic areas as BREEAM</p>	<p>is fixed to the ASHRAE standards and the US way of thinking.</p> <p>There are also differences in the way LEED calculates credits. They are generally linked to the US Dollar (especially the energy credits), which means that if the exchange rate is unfavourable, then the building's</p>	<p>energy performance along with a payback period</p> <p>No other features relating to wider sustainability are covered by this method.</p> <p>EPC are used within BREEAM as a metric for assessing wider energy and carbon performance</p>	

ExQ	Question to:	Question	Response				
			<p>neighbourhoods. Therefore, both must be considered when building works are to be undertaken.</p> <p>BREEAM, LEED and DGNB sit outside of Building Regulations, and are normally client led or planning policy led as they are 'extra-over' third party schemes</p> <p>BREEAM does draw on Regulations with a view to mandatory minimum compliance and</p>	<p>for betterment.</p>		<p>rating could suffer.</p> <p>LEED makes more sense from a global corporative policy perspective whereas BREEAM is dominant in the UK because it is better adapted to the UK legislation and standards, and is cost efficient to be implemented</p>	

ExQ	Question to:	Question	Response				
			<p>subsequential betterment</p> <p>Regular updates to Building Regulations often incorporate features from other schemes (i.e. Code for Sustainable Homes was almost entirely subsumed into Building Regulations and subsequently withdrawn by DCLG in 2015).</p>				
			<p>b) The standards are secured in the Design Code (document reference 13.1B) which is secured by dDCO requirement 4.</p> <p>c) The U-Values proposed would be as set out at Table 3 of Appendix 18.1 (document reference: 6.2.18.1A, REP3-025)</p>				

ExQ	Question to:	Question	Response
1.1.10.	The Applicant	<p>Energy Generation and use See also ExQ1.0.16.</p> <p>The combined roof area of all proposed buildings is estimated to be up to 65 hectares and is intended to accommodate solar photovoltaic (PV) panels, giving a potential electricity generation capacity of up to 42.4 megawatts (MW). Table 18.8 of ES Chapter 18 [APP-127] considers the carbon dioxide (CO₂) emissions that would be avoided through the generation of electricity by solar PV and paragraph 18.264 states that the Energy Strategy determined that 47,930 MWh (83%) of the yearly energy demand (in the worst case) on the Main HNRFI Site will be met by solar PV.</p> <p>a) Can the Applicant clarify if a decision has been reached on the installation of PV panels on the roofs and when these would be installed? In addition, is there potential for car parking areas to be covered by shelters so that PV panels could be installed on them?</p> <p>b) If the installation of the PV panels is a commitment as part of the Proposed Development, could the Applicant please indicate how this is to be</p>	<p>a) The Applicant is firmly committed to the installation of PV panels on the roofs and these are an integral part of the design. PV panels will be installed as part of the building construction hence before occupation. It is not proposed to provide shelters in car parking areas that have PV panels installed.</p> <p>b) The Applicant considers that the installation of PV panels is secured through a number of the requirements in the dDCO as follows:</p> <ul style="list-style-type: none"> i. Requirement 4(1) requires the details of each phase to be submitted to be in accordance with the design code (document reference: 13.1B) and include, under requirement 4(2)(b), details of built development design and layout (including any external plant). Section 12.4 of the design code sets out a specific code for energy efficiency and sustainability which includes “A proportion of the energy requirements for the development will be addressed through the provision of onsite generation of renewable energy with PV arrays mounted on the roofs”. These would then have to be provided as part of the authorised development under requirement 4(3). ii. Requirement 17 requires the submission of a detailed energy strategy for each phase, prior to its occupation, which must accord with the energy strategy (document reference: 6.2.18.1A, REP3-024). Paragraph 3.1.2 of the energy strategy sets out as a guiding principle of the strategy “significant use of on-site renewable energy generation...”. Section 7 then contains further details of proposals for rooftop solar PV installation. The Applicant therefore considers that the submission of the detailed energy strategy, which it would expect to set out details of solar PV provision within each phase, would provide another securing mechanism.

ExQ	Question to:	Question	Response
		<p>secured and at what triggers would be utilised?</p>	<p>The Applicant considers that the combination of these requirements would ensure that solar PV would be installed on appropriate units prior to their occupation.</p>
<p>1.1.11.</p>	<p>The Applicant</p>	<p>Energy generation and use Paragraphs 3.45 to 3.46 of Chapter 3 of the ES [APP-112] describe an energy centre, the details of which are described, including an electricity substation and switchgear, and 5 MW gas-fired combined heat and power (CHP) units. Provision for onsite standby generators for use only in the case of grid failure, battery storage and a hub for district heating are described in paragraph 3.46.</p> <p>Can the Applicant explain in more detail how the Combined Heat and Power (CHP) units, as well as the proposed battery and standby generators have been assessed as part of the ES for potential likely significant effects?</p>	<p>As part of the air quality assessment (document reference: 6.1.9, APP-118), a detailed air dispersion modelling assessment was undertaken to model oxides of nitrogen as a result of the operation of the generators. Two scenarios were modelled; an anticipated operation for 10% of the year and a sensitivity analysis to determine the maximum operation of the generators before impacts exceed the 1% threshold at ecological designations – this was determined at 30% of the year. Both scenarios were assessed in relation to existing human receptors and ecological designations and the impact in accordance with relevant guidance was predicted to be negligible, when considered cumulatively with operational phase road traffic emissions.</p> <p>In ordinary operation, the power supply will come first from solar PV, then battery stored solar PV, then grid incomer. In exceptional circumstances when the grid supply is inadequate the first recourse will be to battery capacity, and only then would the generating units be used</p> <p>Power interruptions in the UK occur on average for less than 30 minutes per annum. Standby generators would be expected to operate only during such periods, for brief regular tests, and under extraordinary peak loading. The total operating time for a standby generator is expected to be less than 50 hours per annum, well below the 870 hours modelled.</p>

ExQ	Question to:	Question	Response
1.2.1.	The Applicant	<p>Legal Compliance</p> <p>Regulation 7 of the Infrastructure Planning (Decisions) Regulations 2010 requires the SoS to have regard to the United Nations Environmental Programme Convention on Biological Diversity of 1992. Could the Applicant please explain how it considers that the proposal would comply with this obligation.</p>	<p>The UK is a signatory to the UN Convention on Biological Diversity. Signed by 150 government leaders at the 1992 Rio Earth Summit, the Convention on Biological Diversity is dedicated to promoting sustainable development and the main objective of the Convention is the conservation of biological diversity and the sustainable use of its components.</p> <p>In the UK, the Post-2010 Biodiversity Framework implements the Convention. This Framework arose as a result of a change in strategic thinking following the publication of the Convention on Biological Diversity’s Strategic Plan for Biodiversity 2011 - 2020 and its 20 ‘Aichi targets’, at Nagoya, Japan in October 2010, and the launch of the new EU Biodiversity Strategy (EUBS) in May 2011.</p> <p>This includes five internationally agreed strategic goals and supporting targets to be achieved by 2020. The five strategic goals agreed were:</p> <ul style="list-style-type: none"> • Strategic Goal A: Address the underlying causes of biodiversity loss by mainstreaming biodiversity across government and society; • Strategic Goal B: Reduce the direct pressures on biodiversity and promote sustainable use; • Strategic Goal C: To improve the status of biodiversity by safeguarding ecosystems, species and genetic diversity; • Strategic Goal D: Enhance the benefits to all from biodiversity and ecosystem services; and

ExQ	Question to:	Question	Response
			<ul style="list-style-type: none"> • Strategic Goal E: Enhance implementation through participatory planning, knowledge management and capacity building. <p>The UK Post-2010 Biodiversity Framework constitutes the UK’s response to these new ‘Aichi’ strategic goals and associated targets. The Framework recognises that most work that was previously carried out under the UK BAP is now focussed on the individual countries of the United Kingdom and Northern Ireland and delivered through each countries’ own strategies.</p> <p>Of the strategic goals listed above, Goals, B, C and D are relevant at a project level. The Applicant accords with these strategic goals and the Framework through minimising biodiversity loss, the retention and enhancement of ecological features where possible, the provision of new diverse and species-rich habitats. Further, the Applicant has committed to delivering a 10% net gain ahead of this being enforced through the Environment Act 2021.</p> <p>The ecological interests of the site have been fully accounted for, including threatened and protected species and designated sites. Mitigation measures to avoid significant impacts on these interests have been proposed, and enhancement measures through long-term sustainable management will be implemented.</p> <p>Climate change is a direct pressure on biodiversity, and measures taken to combat climate change will help reduce those pressures. The development proposes net zero carbon in the construction of buildings. For site wide</p>

ExQ	Question to:	Question	Response
			<p>infrastructure and the operational use of the site a number of carbon reduction measures are referred to in Chapter 18 of the ES (Energy and Climate Change) [[APP-127], to reduce any overall footprint of the scheme.</p>
1.2.3.	The Applicant	<p>ES Appendix 12.1 Ecology Baseline Assessment [APP-197] Could the Applicant please confirm that bat and other appropriate protected species surveys have been undertaken on all buildings proposed to be demolished and identify where in the ecology assessments and reports this information can be found.</p>	<p>This is confirmed. All buildings/structures within the Main Order Limits have been surveyed. Preliminary bat roost surveys, internal surveys and dusk/dawn emergence surveys have been undertaken on all buildings within the Main Order Limits which support potential roost features. Annex 4 of the Ecology Baseline Page 90 (document reference: 6.2.12.1A) includes methodology, results and conclusions of these surveys. All buildings with evidence of roosting bats or confirmed bat roosts are proposed for demolition. Figure 12.12 Bat Roost Assessment (Buildings) (document reference: 6.3.12.12, APP-317) shows the buildings surveyed.</p>
1.2.4.	The Applicant	<p>ES Chapter 12 – Ecology and Biodiversity [APP-121] Could the Applicant explain what baseline conditions and engagement led to the desk study search radii around the main part of the Application Site shown at paragraph 12.26?</p>	<p>The Chartered Institute of Ecology and Environmental Management (CIEEM) states that the search area for desk study information should be determined on a case-by-case basis. and normally extends to at least 1km from the site boundary. In this case, 2km for non-statutory sites is considered proportionate as impacts on such sites are less likely beyond this distance. Similarly, a 2km radius for biological records is considered to give a proportionate look at which species are likely to use the site and wider area. Records beyond 2km are less likely to be informative except for particularly mobile species, which given their highly mobile nature, are less likely to be reliant on any one site.</p> <p>A 6km radius is used for bats to account for any Annex II species which tend to have long roaming distances but return to fixed roosts (such as Barbastelle).</p>

ExQ	Question to:	Question	Response
			<p>The same proportionate approach is used for statutory designated sites, although some European/international sites beyond 15km may be considered when looking at potential Likely Significant Effects.</p> <p>The desk study methodology was agreed with Leicestershire County Council at the consultation stage, and BDC and HBBC have confirmed through the SoCG process that the desk study methodology is appropriate.</p>
1.2.5.	The Applicant	<p>ES Chapter 12 – Ecology and Biodiversity [APP-121]</p> <p>Could the Applicant point to where in the assessment impacts on sensitive ecological features from increased dust emissions during construct/operation have been considered?</p>	<p>Within Chapter 12 <i>Ecology</i> (document reference: 6.1.12A), pollution and degradation (including dust deposition) has been considered in terms of potentially significant construction impacts and effects, specifically for statutory designated sites (paragraph 12.142), non-statutory designated sites (12.145) and habitats (12.149 - 12.163).</p> <p>The Proposed Mitigation section of Chapter 12 (paragraph 12.208 onwards) states that the Construction Environmental Management Plan (CEMP) (document reference: 17.1A) is the mechanism to ensure general environmental control measures are implemented. Paragraphs 1.76 – 1.78 within the CEMP deal specifically with dust and air quality. Detailed CEMPs are secured via Requirement 7.</p> <p>Detailed measures to protect habitats and species during the construction phase are set out in the Ecological Mitigation and Management Plan (EMMP) (document reference: 17.5, APP-363). Detailed EMMPs are secured via Requirement 20.</p>

ExQ	Question to:	Question	Response
1.2.6.	The Applicant	<p>Ecological Buffers</p> <p>Ecological mitigation includes buffers around the proposed retained/enhanced habitats. Could the dimensions of these proposed buffers be clarified.</p>	<p>A revised Illustrative Landscape Section plan is submitted as part of the Applicant’s D4 submissions (Figure 11.17, document reference 6.3.11.17A) and shows indicative buffer widths in key locations, including:</p> <ul style="list-style-type: none"> • Section A-A - The A47 Link Road and Amenity Area (approximately 320m wide buffer at shown location between DCO boundary and development footprint); • Section B-B - The Railport Returns Area and Western Amenity Area (approximately 305m wide buffer at shown location between DCO boundary and closest area of development); Section D-D – South-eastern Boundary with M69 (approximately 70m wide corridor at shown location); • Section E-E – South-eastern Boundary with M69 (North) (approximately 30m wide buffer at shown location) • Section H-H – South-eastern boundary with Freehold Wood (approximately 45m between freehold wood and A47 link road at closest point). <p>These buffer widths are based on the Parameter plans (document reference: 6.1.2, APP-047), and whilst a degree of flexibility is required when setting the parameters (to allow adaptation to any potential unavoidable changes to the scheme), these widths are considered imbedded mitigation.</p>
1.2.7.	The Applicant	<p>Biodiversity Net Gain</p> <p>At ISH3 on Environmental Matters, during the discussion regarding Biodiversity Net Gain, it was suggested that the 10% BNG may need to be</p>	<p>For clarity, the proposals can already demonstrate some net gains in habitat and hedgerow, though on site gains do not amount to 10%. BNG credits will be required to account for the shortfall, but not the whole 10%. Monies to secure BNG credits are included in the overall project</p>

ExQ	Question to:	Question	Response
		<p>achieved through the purchase of BNG credits. If this is the means to securing the BNG requirement of the project, how will this impact on the funding of the project?</p>	<p>costs which are set out in the Funding Statement. Costs associated with BNG credits are kept under regular review. At this time no update to the Funding Statement is required</p>
1.2.8.	The Applicant	<p>CEMP [APP-359] Following discussions at ISH3, can the Applicant signpost the element of the CEMP that would secure mitigation measures to avoid negative impacts to Burbage Wood and Aston Firs SSSI during construction from dust effects, potential root compaction and encroachment.</p>	<p>In light of the ExAs WQ, amendments to the Requirements since the CEMP was submitted and discussions with the LPAs through SoCGs, the CEMP has been updated and a revised document is submitted as part of the Applicant's D4 submissions (document reference: 17.1A).</p> <p>Specific reference to dust (and air quality) pollution measures are outlined at paragraphs 1.76 - 1.78 of the revised CEMP (document reference: 17.1A). These measures will avoid impacts on the SSSI, retained habitats, and other off-site features of value.</p> <p>The wording for Requirement 7 (CEMP) has been updated to include specific dust management and monitoring measures. In addition, the revised wording includes 7(d) <i>'an arboriculture method statement detailing measures to protect retained trees, including details of built development and construction buffers which must be a minimum of 15 metres from Sites of Special Scientific Interest and ancient woodland'</i>. This is in line with Natural England and Forestry Commission's standing advice.</p>
1.2.9.	The Applicant NE	<p>Burbage Common and Woods SSSI – recreational disturbance In the RR from NE [RR-0974] it is indicated that the proposed Access Management Plan to mitigate the</p>	<p>The Applicant has been in discussions with Natural England regarding question 1.2.9. To address a key element of the ExA's question, the wording of Natural England's Relevant Representations (RR-0974) may have been misleading in terms of physically restricting access to the SSSI.</p>

ExQ	Question to:	Question	Response
		<p>effects of additional recreational disturbance occasioned by the Proposed Development would include “Measures ... to restrict access to the more sensitive areas of the SSSI”.</p> <p>a) Could the Applicant and NE set out the nature of these restrictions, including extent, timings (if part year), etc., as these do not appear to be mentioned in the Woodland Access Management Plan (Appendix 12.4 to the ES [APP-200]), to allow IPs to comment on them and the ExA and SoS to judge whether they are justified. If they are outside the proposed Order limits, how are they to be secured?</p> <p>b) Could the Applicant and NE set out respective positions should the ExA or SoS consider that these measures are not justified in the public interest.</p>	<p>This is unlikely to be a necessary measure; passive design and management measures are likely to be sufficient to avoid an impact upon the SSSI’s notified interest. Such measures may include strategic planting and appropriate signage to encourage use of the openspace provision with the DCO site.</p> <p>It is agreed with Natural England that - owing to the commercial nature of the development - whilst recreational impacts remain possible, the magnitude of these is likely to be less significant. Nonetheless, the implementation of the detailed WMP (Requirement 31) is considered necessary mitigation to deem these potential impacts insignificant.</p> <p>n, . The Applicants position is that the nature of the management measures would be in the public interest.</p>

Compulsory Acquisition, Temporary Possession and Other Land or Rights Considerations

ExQ	Question to:	Question	Response
1.3.1.	The Applicant	<p>Statement of Reasons [REP2-016]</p> <p>a) Paragraph 4.3.3 should also refer to the time limits set out in Article 28.</p> <p>b) Paragraph 7.4 indicates that the owner of Plot 40 has not responded to previous approaches. Could the Applicant please provide evidence of the approaches made and update the document if the owner has subsequently responded.</p>	<p>A) The Applicant understands that the ExA is referring to Article 29 here, and has updated the Statement of Reasons submitted at Deadline 4 accordingly (document reference: 4.1D).</p> <p>B) The Applicant sent the owner of Plot 40 a Section 42 notice on 7 January 2022 as part of its statutory consultation. The Applicant sent a further S42 notice on 4 February 2022 advising of the extension to the consultation period as explained in the Consultation Report. These letters were accompanied by the enclosures as set out in the consultation report. In both instances a Royal Mail “Return to Sender” was sent to the Applicant advising that “addressee gone away”. As per the Consultation Report Unknown land owner site notices were erected in September 2022, the Applicant took the opportunity at this time to erect a site notice on Plot 40 to cover the eventuality that the registered owner of the plot, Mr Zumbe was not in fact the owner and that it was another landowner, no contact from any other person was made in response to this notice.</p> <p>The Applicant wrote to the address recorded in the Book of Reference (which is the address noted on the HM Land Registry title documentation) to attempt to make a commercial offer to the land owner for Plot 40, In February 2023, the letter was returned to sender. The Applicant then made enquiries locally and was informed by a local agent in March 2023 that Mr Zumbe (the registered owner of the plot) had not been in the local area for several years, it was suggested that he now lived abroad and no other address was known. A further letter updating on the DCO was sent to the address recorded in the Book of Reference May 2023.</p> <p>Following further local enquiries it was established that Mr Zumbe had a business address in London, therefore a further letter was written to an</p>

Compulsory Acquisition, Temporary Possession and Other Land or Rights Considerations

ExQ	Question to:	Question	Response
			<p>address in London August 2023 and again in December 2023 registered by Mr Zumbe with Companies House. It is understood that there is currently an active proposal to strike off this business.</p> <p>A telephone number associated with the London address was called however the building reception advised that they did not know of a Mr Zumbe at the building.</p> <p>In a meeting with neighbours of Mr Zumbe in October 2023 they advised that he had not been in the local area for several years and that he was likely living abroad.</p> <p>The Applicant confirms that it has still been unable to obtain any response from the owner of the plot.</p> <p>Appendix A to this document includes the following copies of letters:</p> <p>Section 42 Letter 7 January 2022 Section 42 Letter 4 February 2022 Unknown Landowner site notice September 2022 Letter to registered land owner 2 February 2023 Section 56 Letter 4 May 2023 Letter to registered land owner 25 May 2023 Letter to registered land owner 16 August 2023 Letter to registered land owner 15 December 2023</p>

Compulsory Acquisition, Temporary Possession and Other Land or Rights Considerations

ExQ	Question to:	Question	Response
1.3.2.	The Applicant	<p>Plot 101</p> <p>a) The Applicant is asked to specifically respond to the proposal set out by the Objector in [REP3-143] that the construction compound for the proposed slip road to and from the M69 could be provided within the main body of the site, particularly through the re-phasing of the built development, so as to ensure that the area within the main body of the site closest to Junction 2 could be used as a construction compound.</p> <p>b) Could the Applicant please set out, without prejudice to its case that the use of the plot is required, alternative drafting for the dDCO (and associated documents) in the event that the SoS were to conclude that the TP of Plot 101 was not justified.</p>	<p>A) The temporary construction compound is required within this plot due to several factors such as;</p> <ul style="list-style-type: none"> a. The requirement to create distinct and separate worksites for the Highways works Principal Contractor and main site Principal Contractor, to conform with Construction Design Management Regulations 2015 b. Major Service diversions at entrance to the main site restricting access within the same phase of works as the slip road construction and M69 J 2 improvement works. c. Direct Access to proposed North Bound Off Slip which is the major works area d. Requirement to establish of suitable temporary welfare facilities adjacent to the works. e. Existing highway connection to B4469. f. Allows for segregated storage of Topsoil for reuse in accordance with material management requirements. g. Requirement for National Highways Traffic Management and recovery compound with 24/7 access h. A47 Link road construction at J2 and major earthworks cutting and filling across the main body of the site will likely be undertaken at the same time by a different Principal Contractor. i. Alternative locations are not suitable such as the land at East side of junction being subject to restrictions with regards to the 400KV overhead power transmission lines. <p>B) The Applicant has submitted alternative wording for the definition of “Order Land” so as to exclude Plot 101 from the definition, such that temporary possession powers cannot be exercised over it. The alternative wording is set out here:.</p>

Compulsory Acquisition, Temporary Possession and Other Land or Rights Considerations

ExQ	Question to:	Question	Response																																				
			<p>Article 2 (Interpretation):</p> <p>“Order land” means the land shown on the land plans which is within the limits of land to be acquired or used permanently or temporarily and described in the book of reference [excluding] [parcel 101] [and] [parcel 122] [on the land plans];</p> <p>Suggested deletions in the event that the suggested drafting above is adopted:</p> <p>If Plot 101 is excluded, the following entry in the table in Schedule 10 would need to be deleted:</p> <table border="0"> <tr> <td style="padding-right: 20px;">District</td> <td style="padding-right: 20px;">101</td> <td style="padding-right: 20px;">Construction laydown sites and stock</td> <td style="padding-right: 20px;">Work No.</td> </tr> <tr> <td>of Blaby</td> <td></td> <td>piling areas for topsoil and subsoil</td> <td>9</td> </tr> <tr> <td></td> <td></td> <td>material and construction of temporary</td> <td></td> </tr> <tr> <td></td> <td></td> <td>haul roads including access in</td> <td></td> </tr> <tr> <td></td> <td></td> <td>connection with the works to junction 2</td> <td></td> </tr> <tr> <td></td> <td></td> <td>of the M69 motorway.</td> <td></td> </tr> </table> <p>If Plot 122 is excluded, the following entry in the table in Schedule 10 would need to be deleted:</p> <table border="0"> <tr> <td style="padding-right: 20px;">District</td> <td style="padding-right: 20px;">122</td> <td style="padding-right: 20px;">Construction compound and laydown</td> <td style="padding-right: 20px;">Work No.</td> </tr> <tr> <td>of Blaby</td> <td></td> <td>area in connection with the works on</td> <td>10</td> </tr> <tr> <td></td> <td></td> <td>the B4669 Hinckley Road and the</td> <td></td> </tr> </table>	District	101	Construction laydown sites and stock	Work No.	of Blaby		piling areas for topsoil and subsoil	9			material and construction of temporary				haul roads including access in				connection with the works to junction 2				of the M69 motorway.		District	122	Construction compound and laydown	Work No.	of Blaby		area in connection with the works on	10			the B4669 Hinckley Road and the	
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Compulsory Acquisition, Temporary Possession and Other Land or Rights Considerations

ExQ	Question to:	Question	Response
			<p>alterations to the junction at Hinckley Road and Stanton Lane including access.</p>
1.3.3.	The Applicant	<p>Plot 122</p> <p>a) The Applicant is asked to specifically respond to the proposal set out by the Objector in [REP3-144] that the construction compound for the proposed highway works at the junction of Hinckley Road with Stanton Lane could be provided on the verge outside the Garden Centre.</p> <p>b) Could the Applicant please set out, without prejudice to its case that the use of the plot is required, alternative drafting for the dDCO (and associated documents) in the event that the SoS were to conclude that the TP of Plot 122 was not justified.</p>	<p>A) The existing verge outside of the Garden Centre is not suitable for the Temporary Construction Compound as this area is within the footprint of the Highways Junction improvement works and the associated utility diversions as shown on Highway Plans Sheet 7 of 8 (document reference: 2.4G, APP-028). This precludes the use of this highways verge as a suitable temporary site compound</p> <p>B) The Applicant has submitted alternative wording for the definition of “Order Land” so as to exclude Plot 122 from the definition, such that temporary possession powers cannot be exercised over it. The alternative wording is set out at Appendix 1.</p>
1.3.4.	The Applicant	<p>Wortley Cottages, Station Road, Elmhurst</p> <p>The residents of 6 Wortley Cottage, who according to the Book of Reference have interests in various parcels of land in the vicinity of Bostock Close and</p>	<p>The residents of 6 Wortley Cottages have been identified by the Applicant’s land referencing team as having interests in land at Plots 49, 50, 51. They have been identified as a beneficiary of easement, rights or privileges. They were therefore consulted as part of the Applicant’s pre-submission</p>

Compulsory Acquisition, Temporary Possession and Other Land or Rights Considerations

ExQ	Question to:	Question	Response
		<p>Station Road, Elmhurst, assert that they have not been notified of the potential interference with their land rights [REP3-140].</p> <p>Could the Applicant please demonstrate through the submission of signposting and/ or documents as to what engagement has taken place with these residents.</p>	<p>statutory consultation and have been contacted through the Section 42 process and the Section 56 notification process. They were also issued Land Interest Questionnaires in the earlier stages of land referencing.</p> <p>Appendix B to this document includes copies of the letters issued to 6 Wortley Cottages:</p> <p>Section 42 Letter 7 January 2022 Section 42 Letter 4 February 2023 Section 56 Letter 4 May 2023 and proof of delivery and proof of delivery with signature</p>

PINS ID	Question to:	Question	Response
1.4.1.	The Applicant	<p>Legislative Requirements/General matters</p> <p>a) Regulation 3 of the Infrastructure Planning (Decisions) Regulations 2010 requires the SoS to have regard to various matters in respect of heritage in coming to their decision. Could the Applicant please explain how it considers that the Proposed Development would comply with this obligation?</p> <p>b) Please confirm or otherwise whether Hill Foot Farmhouse, Station Lane, Croft has been assessed as part of the assessment of Listed Buildings. If it has not, please provide updates reports including such.</p> <p>c) Please confirm if the lighting of the site has been considered as part of the assessment of impacts on the settings of designated and non-designated heritage assets. Updated documents should be provided in the event that the assessment has failed to cover this aspect of the proposal.</p>	<p>a) The DCO Application contains a robust and comprehensive assessment of the historic environment including the potential effects of the Proposed Development on Listed Buildings, Conservation Areas and Scheduled Monuments. The assessment set out in paragraphs 13.173- 13.198 of Chapter 13 (document reference: 6.1.13, APP-122) concludes that the Proposed Development would result in less than substantial harm to a single scheduled monument, seven listed buildings and one conservation area. Paragraphs 13.214- 13.222 of Chapter 13 (document reference: 6.1.13, APP-122) also set out how mitigation has been employed to reduce the harm as far as practical. Statutory Consultees of relevance to Cultural Heritage matters agree with this finding, as set out in the SoCGs between the Applicant and Historic England, BDC/LCC and HBBC. As such, the SoS, as decision maker, can be assured that in considering this robust and comprehensive submission, appropriate regard has been given to heritage matters in respect of Listed Buildings, Conservation Areas and Scheduled Monuments, as per Regulation 3 of the Infrastructure Planning (Decisions) Regulations 2010.</p> <p>b) The Grade II listed Hill Foot Farmhouse (1307245) is assessed at 1.181 and 1.182 of Appendix 13.2: Heritage Assessment (document reference: 6.2.13.2, APP-202).</p>

Cultural Heritage

PINS ID	Question to:	Question	Response
			<p>c) The assessment of the setting of designated and non-designated heritage assets has been informed by consideration of Chapter 11: Landscape and Visual Effects (document reference: 6.1.11A), which includes Figure 11.12 – Night-time Views and Photomontages (document reference: 6.3.11.12, APP-296); within which potential lighting impacts are indicated, based on an outline Lighting Strategy for the Proposed Development (document reference 6.2.3.2, APP-132 to APP-134). These documents informed the conclusions of the assessment at Appendix 13.2: Heritage Assessment (document reference: 6.2.13.2, APP-202) and Chapter 13 (document reference: 6.1.13, APP-122). No designated or non-designated heritage assets are considered to have the potential for their significance to be affected by the lighting of the site. These conclusions remain valid following consideration of the updated Figure 11.12 – Night-time Views and Photomontages submitted at Deadline 4 as (document reference: 6.3.11.12 A).</p>
1.4.2.	The Applicant and Interested Parties	<p>Levelling Up and Regeneration Act 2023 Are there any implications for the proposed development on cultural heritage assets as a result of Section 102 of the Levelling Up and Regeneration Act 2023? If you consider there are, please set out your analysis for consideration.</p>	<p>The Applicant firstly notes that s102 is not yet in force.</p> <p>In addition, Section 102 of the Levelling Up and Regeneration Act 2023 sets out the duty of regard to ‘certain heritage assets’ in granting permissions (which previously only applied to listed buildings, under the 1990 Planning (Listed Buildings and Conservation Areas) Act) by inserting a new s58B into the Town and Country Planning Act 1990 in respect of decisions to grant planning permission or permission in principle under that Act, and by amending paragraph 8 of Schedule 4B to that Act in relation to neighbourhood development orders. It does</p>

Cultural Heritage

PINS ID	Question to:	Question	Response
			<p>not therefore impose any additional requirements in respect of development consent orders granted under the Planning Act 2008.</p> <p>For completeness, s102 identifies that in considering whether to grant the permissions referred to above for the development of land in England which affects a “relevant asset” or its setting, the decision maker must have special regard to the desirability of preserving or enhancing the “relevant asset” or its setting. The Levelling Up and Regeneration Act 2023 defines “relevant assets” to include scheduled monuments, protected wrecks, registered parks and gardens and World Heritage Sites.</p> <p>The assessments at Appendix 13.2: Heritage Assessment (document reference: 6.2.13.2, APP-202) and Chapter 13 (document reference: 6.1.13, APP-122) have determined that no world heritage sites, registered parks and gardens, or protected wrecks would be affected by the proposed development even if the provisions of s102 were relevant.</p> <p>A single scheduled monument, the Elvesthorpe Church Scheduled Monument, would be affected by the proposed development. The change to the setting of this asset would result in a minor adverse effect, equating to a low level of less than substantial harm. For the purposes of the current application these issues are considered as noted in response to ExA Q1.4.1 above under Regulation 3 of the Infrastructure Planning (Decisions) Regulations 2010</p>

PINS ID	Question to:	Question	Response
1.4.3.	The Applicant	<p>Appendix 13.1 Archaeological Assessment [APP-201]</p> <p>a) Paragraph 1.36 of Appendix 13.1 of the ES makes an inaccurate reference to ‘planning applications’ in para 5.127 of the NPSNN. This should be amended to reflect this is an application for a NSIP.</p> <p>b) Paragraph 1.64 of Appendix 13.1 of the ES refers to Figure 13.4 document reference 6.3.13.4 in its commentary regarding non-designated heritage assets. The plan references statutory designations, but it is unclear how non-statutory designated assets are designated as referred to in the text. Could the Applicant please amend the plan so it is consistent with the commentary in paragraph 1.64.</p>	<p>A) Paragraph 1.36 of Appendix 13.1 amended to remove the word ‘planning’ from Paragraph 1.36. The amended document has been submitted at Deadline 4 (document reference: 6.2.13.1A).</p> <p>B) Figure 13.4 amended and submitted at Deadline 4 (document reference: 6.3.13.4A) to identify non-designated heritage assets in the key, consistent with the text at para 1.64.</p>
1.4.6.	The Applicant	<p>Burbage Common Road</p> <p>The RR from David Knight [RR-0293] refers to the changes to the entrance road to Elmesthorpe. Could the Applicant confirm whether road changes have been considered in the assessment of effects on the character and appearance of the conservation areas. If so, could this please be highlighted in the documentation provided. If not, could this please be undertaken and submitted.</p>	<p>The RR from David Knight (reference: RR-0293) states that ‘the road leading from Elmesthorpe village to the farm [Woodhouse Farm] will also be destroyed’.</p> <p>This road forms part of the Main Order Limits and is not identified as possessing any heritage interest or significance. The road is not within a conservation area nor does it form part of any heritage designation. There is consequently no potential for any impact on any conservation area through the proposed change to this section of road within the Main Order Limits.</p>

Cultural Heritage

PINS ID	Question to:	Question	Response
			<p>Paragraphs 1.248 to 1.279 of Appendix 13.2: Heritage Assessment (document reference: 6.2.13.2, APP-202) set out the assessment of each of the 11 conservation areas in the defined 5km study area around the Main Order Limits. The DCO Site does not form part of any conservation areas. From within each conservation area there is no experience of the Main Order Limits and there are no views of the Main Order Limits from any conservation area that are identified as providing any contribution to the significance and special interest of these assets.</p> <p>Chapter 13 Cultural Heritage (document reference: 6.1.13, APP-122) concludes that the Proposed Development in the Main Order Limits, which includes changes to the road network, has no potential to affect the character and appearance of any conservation area, aside from Aston Flamville Conservation Area to the south. The assessment of the effects of the Proposed Development on the Aston Flamville Conservation Area, which includes consideration of changes to the road network and the M69 Motorway, is set out at Paragraphs 13.197 to 13.198 of Chapter 13 Cultural Heritage (document reference: 6.1.13, APP-122).</p> <p>The effects of off-site highways works and the potential effects to the character and appearance of surrounding conservation areas resulting from changes to the road network has been considered in the assessment. Proposed Development areas beyond the Main Order Limits, including off-site highways works, are addressed in paragraphs 1.305 to 1.344 of Appendix 13.2: Heritage Assessment (document</p>

Cultural Heritage

PINS ID	Question to:	Question	Response
			reference: 6.2.13.2, APP-202). In each case the assessment confirms that there is no potential for adverse impacts on any conservation areas through the implementation or operation of these aspects of the Proposed Development.
1.4.8.	The Applicant Local Authorities Historic England	<p>Effect on remains</p> <p>A number of RRs (for example [RR-0603] and [RR-1227]) suggest the proposal will erode the area’s Roman Heritage, with one stating that the remains of a Roman Bath House and villa were found. Could all parties comment on this, discuss the significance, and if appropriate if any mitigation should be proposed.</p>	<p>RR-0603 and RR-1227 both identify that Sapcote is a village of Roman origins/heritage.</p> <p>Chapter 13 Cultural Heritage (document reference: 6.1.13, APP-122) confirms that no such remains or associations in Sapcote would be affected by the Proposed Development and therefore no mitigation is required in this specific respect.</p> <p>The programme of desk-based assessment, geophysical survey and trial trenching across the DCO Site identified discrete areas of archaeological potential, comprising a ring ditch (and associated features/finds) immediately west of Hobbs Hayes Farm (ES Appendix 13.7 Archaeological Mitigation Strategy, Image 13.6.4 Excavation Area A (document reference: 6.2.13.7, APP-208); and a separate Roman settlement site defined by field enclosures located to the north of Aston Firs/Elmesthorpe Plantation (Excavation Area B). Assessment of the significance of these remains confirms none are of greater than county or regional importance.</p> <p>The Archaeological Mitigation Strategy (document reference: 6.2.13.7, APP-208) secures an appropriate programme of archaeological mitigation for all significant archaeological remains across the DCO Site. This will extend to the detailed recording and interpretation of the</p>

Cultural Heritage

PINS ID	Question to:	Question	Response
			cultural heritage features of the DCO Site and the subsequent reporting and publication of this information in the Leicestershire Historic Environment Record.
1.4.9.	The Applicant	<p>Interpretation</p> <p>Could the Applicant advise if any proposals for interpretation of the cultural heritage of the area have been considered/ proposed as part of the Proposed Development.</p>	The Proposed Development does not include any on-site interpretation of the cultural heritage of the area. The Archaeological Mitigation Strategy (document reference: 6.2.13.7, APP-208) secures a programme of archaeological fieldwork and historic building recording which will extend to the detailed recording and interpretation of the cultural heritage features of the DCO Site and the subsequent reporting and publication of this information in the Leicestershire Historic Environment Record.
1.4.10.	The Applicant Local Authorities HE	<p>Interpretation and effect on remains</p> <p>A number of RRs (for example [RR-0216] and [RR-0632]) have cited the area’s significance in relation to Bronze Age archaeology, and cultural links to the Basset Family and the English Civil War. Could the parties comment on the significance of these events to the area and whether any proposed mitigation should be considered.</p>	<p>RR-0632 makes reference to an early Bronze Age occupation site, a Roman Villa and Bath House dating from the 1st century AD and notes that “from the 12th-14th century the village was the home of the powerful Basset family.” The archaeological and historical references referred to in this RR are all made with reference to the village of Sapcote.</p> <p>Chapter 13 Cultural Heritage (document reference: 6.1.13, APP-122) confirms that no such remains or associations in Sapcote would be affected by the Proposed Development and therefore no mitigation is required in this specific respect. The Archaeological Mitigation Strategy (document reference: 6.2.13.7, APP-208) secures an appropriate programme of archaeological mitigation for all significant archaeological remains across the DCO Site.</p>

Cultural Heritage

PINS ID	Question to:	Question	Response
			<p>RR-0216 states that “the land in question also has significance to archaeologist, this part of England was the heart of the Civil War in the 17th century.” Chapter 13 Cultural Heritage (document reference: 6.1.13, APP-122) confirms that no archaeological remains relating to the English Civil War are identified within the DCO Site and therefore no mitigation is required in this specific respect.</p> <p>Once more, the Archaeological Mitigation Strategy (document reference: 6.2.13.7, APP-208) secures an appropriate programme of archaeological mitigation for all significant archaeological remains across the DCO Site.</p>
1.4.11.	The Applicant BDC	<p>Degree of Harm</p> <p>The SoCG between the Applicant and BDC [REP3-078] states that the cultural impacts have been adequately assessed and agreed adverse impacts means harm. BDC in their LIR [REP1-055] paragraph 1.128 states that the Proposed Development will have a significant impact on several structures that appear on the Historic Environment Record. Whilst the affected assets are of low sensitivity, they will be subject to a large magnitude of change which equates to moderate or minor impacts on their significance.</p> <p>Could both the Applicant and BDC confirm whether in their view, in the terms of paragraphs 5.131 to</p>	<p>Paragraphs 5.131 to 5.134 of the NPSNN, and the references to substantial harm and less than substantial harm, refer to impacts of a proposed development on designated heritage assets. No structures in the DCO Site are identified as designated heritage assets.</p> <p>A number of structures in the DCO Main Site have been identified in the assessments (Appendix 13.2: Heritage Assessment (document reference: 6.2.13.2, APP-202) and Chapter 13 (document reference: 6.1.13, APP-122) as non-designated heritage assets. They comprise two historic barns, a historic farmhouse, and a railway bridge, as follows:</p> <ul style="list-style-type: none"> • Hobbs Hayes Barn • Freeholt Lodge Barn/stable • Woodhouse Farmhouse; and • Burbage Common Road railway bridge

Cultural Heritage

PINS ID	Question to:	Question	Response
		5.134 of the NPSNN, this equates to less than substantial harm?	The impact of the proposed development will be the <u>total loss</u> of these assets and their heritage significance, equivalent to substantial harm. The Archaeological Mitigation Strategy (document reference: 6.2.13.7, APP-208) secures a programme of historic building recording which will extend to the detailed recording and subsequent reporting and publication in the Leicestershire Historic Environment Record to provide mitigation for the harm that would arise to these non-designated heritage assets

ExQ	Question to:	Question	Response
1.5.2.	The Applicant	<p>Article 2 - Definitions</p> <p>Could the Applicant please explain both in response to this question and in the EM:</p> <p>a) why the definition of “authorised development” includes “any works carried out under the requirements”? Particularly, it should explain why the drafting for this definition has excluded this phrase from “development” within its meaning in section 32 of the PA2008.</p> <p>b) why the definition of “undertaker”, particularly in relation to limb (b), is drafted as it is, since section 156(1) of the PA2008 confirms that a DCO has effect “for the benefit of the land and all persons for the time being interested in the land” As discussed at ISH5, the Applicant is also asked to consider the relationship with Articles 7(4) and 8.</p>	<p>(a) The words “any works carried out under the requirements “are intended to capture any such works which do not constitute “development” within the meaning of s32 PA2008. Examples might include survey or ground investigation works (including archaeological investigation), temporary works for the protection of land, watercourses or structures, the replacement of traffic signs and road markings as part of highway works. The Applicant will update the EM to include this explanation.</p> <p>(b) limb (b) of the definition of “undertaker” operates as a restriction on the generality of section 156(1) PA2008 in that it specifies that the provisions of that section apply only to those having an interest in the main site and not the entire order li6.1.10mits. The benefit of the order as it applies to land within the order limits but outside of the main site therefore rests solely with Tritax Symmetry (Hinckley) Limited subject to the provisions of Articles 7 and 8. Furthermore, the benefit of the order in respect of the main site does not transfer until development is implemented on the land concerned, which prevents individual landowners having the benefit of the order to undertake piecemeal implementation.</p> <p>Article 7(1) states that the order is for the benefit of the undertaker and then sets out exceptions to that generality in Article 7(2), (3) and (4). The Article 7(4) exception applies to works expressly stated in the order to be for the benefit of the entities listed.</p>

ExQ	Question to:	Question	Response
			<p>Art 8 relates to the transfer of benefit of those provisions which are solely for the benefit of Tritax Symmetry (Hinckley) Limited under Art 7(2) and (3) and for which the consent of the Secretary of State is needed to authorise their transfer. The provision of Article 8 set out the process to be followed to achieve such a transfer.</p> <p>The Applicant is satisfied that there are no inconsistencies between the definition on “undertaker” and the provisions of Articles 7(4) and 8</p>
1.5.3.	The Applicant	<p>Articles 3, 5 and 7 – Use and benefit of Order</p> <p>The Applicant is asked to explain the reasoning for the words “and used” in Article 3 given the provisions in Article 5 authorise the use to take place. That it has been used in precedent DCOs is not, of itself, a reason for the drafting as set out in this case. The reasoning should also set out how all users of the site will be subject to operational requirements under Schedule 2.</p> <p>The Applicant is also asked to consider the relationship to Article 7, and in particular the phrase “other persons affected by the authorised development” in that Article, since this could be considered to apply both to those with interests in the Order lands, but also to those outside.</p>	<p>The Applicant has explained the reasoning for the inclusion of the words “and used” in Article 3 in paragraph 5.10 of the EM. The provisions of Article 3 are general in nature and application to the whole of the authorised development across the whole of the order limits. However, the authorisation Article 3 is “Subject to the provisions of this order”.</p> <p>Article 5 only applies to Work Nos 1-7 and provides for the specific use of Work Nos 1-7 and incorporates the authorisation of ancillary uses from time to time. As noted in paragraph 5.19 of the EM this has the effect of authorisation the operation and use of those Works as if they had been granted planning permission under the TCPA 1990.</p> <p>Authorisation given to the undertaker under art 3 and 5 is also expressly granted subject to the requirements. This effectively means all occupiers of the site would be subject to the requirements. Occupiers and all users authorised by them would therefore potentially be liable for breach of the order if permitting use of the development otherwise than in</p>

Draft Development Consent Order (dDCO) & Explanatory Memorandum

ExQ	Question to:	Question	Response
			<p>accordance with the terms of the requirements. Again, this replicates the position on TCPA consents.</p> <p>As noted above Article 7(4) operates as a restriction on the undertaker taking the benefit of powers in the order where those powers are expressly granted (inter alia) for the benefit of other persons affected by the authorised development. Articles 3 and 5 do not contain any such powers and so the Applicant does not consider that there is any inconsistency between the Articles 3, 5 and 7 that needs to be resolved.</p>
1.5.5.	The Applicant	<p>Article 6 – Maintenance of authorised development Article 6(1) refers to “an agreement made under this Order [which] provides otherwise”. Could the Applicant please explain both in response to this question and the EM which, if any agreements it is referring to, and appropriate copies of the agreements should be provided (if necessary, in draft and thereafter updated).</p>	<p>The Applicant notes that Article 6 is based on a model provision and is commonly found in made orders as referred to in paragraph 5.21 of the EM.</p> <p>The Applicants notes that there are several agreements potentially contemplated with third parties under the Protective Provisions to which this provision would apply, but it would also encompass a mechanism for the generality of this permissive power to be restricted by agreement by reference to being made under the terms of the Article.</p> <p>There are no such agreements currently being progressed by the Applicant.</p>
1.5.6	The Applicant	<p>Article 10 – Power to alter layout, etc., of streets This power would allow the Applicant to alter any street within the Order limits. Could the Applicant please explain why this extensive power is required, and why it could not be limited to specific identified</p>	<p>The Applicant draws attention to paragraph 5.35 of the EM and to Article 10(1) and notes that this power is expressly constrained to streets within the main site. Primarily it relates to private streets to be provided as part of the development and which may need to be altered from time to time as the development proceeds and to streets within the main site</p>

ExQ	Question to:	Question	Response
		<p>streets? If it could be so limited, could the dDCO please be amended as appropriate.</p>	<p>that need to have their layout altered (e.g. Burbage Common Road and the public rights of way network).</p> <p>The Applicant also notes that the provision is still subject to the consent of the local highway authority under Article 10(2) and considers that it would be unduly restrictive on the generality of this permissive power whose purpose is to ensure the deliverability of the of the development in a timely manner to limit it to specific streets. To do so would also require an element of detailed design which has not yet been undertaken.</p>
1.5.7.	The Applicant	<p>Article 12 – Temporary closure of streets</p> <p>Could the Applicant please set out in the EM why this provision is needed for this Proposed Development as opposed to where it has previously been utilised in precedent DCOs.</p>	<p>The Applicant envisages that it may be necessary to temporarily close streets or parts of streets (including widths) in order to provide safe working areas for carrying out works or to enable works to be carried out to streets or in, on over or under streets. Examples might include the provisions of new accesses to compounds, to provide services to the main site, to provide appropriate signage or to restrict public access to areas in the interests of safety.</p> <p>Where this is done Article 12(2) would allow the undertaker to use that area of a street and a temporary working site which might include its temporary use for siting of plant and storage of equipment and apparatus during the working day pending its use.</p> <p>The Applicant has updated the Explanatory Memorandum (document reference: 3.2B) accordingly and this is submitted at Deadline 4.</p>

ExQ	Question to:	Question	Response
1.5.8.	The Applicant	<p>Article 17 – Speed limits</p> <p>This provision applies outside the application site. The Applicant should explain, both in response to this question and in the EM, why this is necessary.</p>	<p>The Applicant refers to paragraph 5.71 of the Explanatory Memorandum which contains an explanation as follows:</p> <p><i>The Article enables the alteration of speed limits over some stretches of highway which are not within the Order limits. This is because the operation of these powers does not require physical development (other than the erection of relevant signage, the areas for which are included in the Order limits) and therefore those stretches of highway do not need to be within the Order limits. This approach is consistent with that taken in The Northampton Gateway Rail Freight Interchange Order 2019/1358.</i></p> <p>The reduction in speed limit on Stanton Lane from national speed limit to 40mph is required as part of the suite of mitigation measures to reduce vehicle speeds along this route and discourage rerouting background traffic from utilising Stoney Stanton by increasing journey times.</p>
1.5.9.	The Applicant	<p>Article 21 – Discharge of water</p> <p>Could the Applicant please explain in both its response to this question and in the EM the relationship between this provision and section 146 of the PA2008.</p>	<p>Article 21 authorises the undertaker to discharge water into (inter alia) any watercourse or underground strata subject to the provisions therein.</p> <p>As a consequence, section 146 PA2008 is then engaged. Section 146 relates orders which authorise the discharge of water into inland waters (which would include a watercourse) or underground strata and has the effect that the person to whom the order is granted does not also acquire the power to take water or require discharges to be made from such watercourses or underground strata.</p> <p>The effect of section 146 is to make it explicit that although the DCO may confer power on the undertaker to put water into a watercourse or underground strata, the undertaker cannot then take water back out.</p>

Draft Development Consent Order (dDCO) & Explanatory Memorandum

ExQ	Question to:	Question	Response
			<p>The Applicant has updated the Explanatory Memorandum (document reference: 3.2) to confirm that the operation of section 146 means that it does not have the power to take water or require discharges to be made from such watercourse or underground strata under this Article</p>
1.5.10.	The Applicant	<p>Article 26 – Compulsory acquisition of land – incorporation of the mineral code</p> <p>The Acquisition of Land Act 1981 does not refer to “the mineral code”. Consequently, this should be defined and explained, as necessary within the dDCO, the EM and in response to this question.</p>	<p>The Applicant considers that the term “minerals code” is one readily used to refer to the matters covered by Article 26 . Nevertheless is has amended the heading to Article 26 to read “Compulsory Acquisition of Land: Minerals”</p> <p>This mirrors the heading used for equivalent provisions in the Hornsea Four Offshore Wind Farm Order 2023</p>
1.5.11.	The Applicant	<p>Article 28 – Power to override easements and other rights</p> <p>a) Unlike the cited precedents this provision refers to “any contractors, servants or agents of the Undertaker”. Could the Applicant please explain why this is necessary (and also why the term is used in various Protective Provisions).</p> <p>b) Could the Applicant please review this provision with Article 26 to ensure that there are not inadvertent disconnects, for example, where private rights include mineral rights.</p>	<p>(a) These words are included for the sake of clarity to make it clear that the power applies to the undertaker or those authorised or appointed by them in carrying out the project. The Applicant would be content for these words to be removed from Article 28 if the ExA considered them unnecessary or unhelpful</p> <p>The same words re used in the protective provisions for the benefit of Network Rail, National Highways, the local highways authorities, Cadent, utility undertakers, electronic communications network operators, and NGED in order to clarify that the indemnities given to those parties arising from the construction of any specified works do not extend to circumstances where the damage or interruption of services is due to any act neglect or default on the part of those parties or their officers contractors, servants or agents. Due to the way it which these parties operate through officers and sub-contractors etc it is vital that these words are retained in the</p>

Draft Development Consent Order (dDCO) & Explanatory Memorandum

ExQ	Question to:	Question	Response
			<p>protective provisions to ensure that these parties are bound by the actions of such officers and sub-contractors etc in the operation of the protective provisions. The Applicant notes that such wording is standard across protective provisions in other made orders and has been agreed with the majority of benefitting parties in relation to this application.</p> <p>(b) The Applicant ins content that there is no disconnect. As set out in paragraph 5.104 of the Explanatory Memorandum the purpose of Article 26 is to prevent the undertaker from acquiring the minerals themselves when exercising compulsory acquisition powers. However, the undertaker can interfere with the right to work the mineral subject to payment of compensation.</p>
1.5.14.	The Applicant	<p>Schedule 2, Part 1 – Requirement 7</p> <p>Could the Applicant please explain why paragraph (2)(d) of this provision only makes reference to trees, when Article 46 (felling or lopping of trees and removal of hedgerows) also makes reference to hedgerows.</p>	<p>The Applicant has amended requirement 7(2)(d) to also refer to hedgerows.</p>
1.5.16.	The Applicant	<p>Schedule 2, Part 2</p> <p>The Applicant indicated at ISH5 that it had yet to update this Part. Could the Applicant please ensure that this is completed by the date for responses to this question. While the Applicant has indicated [REP3-077] that it will also consider fees for applications under requirements, the drafting will</p>	<p>The Applicant has included some amendments to Part 2 of Schedule 2 in the dDCO submitted at Deadline 4 (document reference: 3.1C). The amendments reflect the Applicant’s consideration of other SRFI DCO (specifically Northampton Gateway and West Midlands Interchange, together with the PINS Advice Note 15 upon which the original drafting was largely based. The Applicant considers the amendments represent a reasonable position.</p>

ExQ	Question to:	Question	Response
		<p>need to include all bodies, not just relevant planning authorities.</p>	
1.5.18.	The Applicant	<p>Access and Rights of Way Plans [APP-016] to [APP-020]</p> <p>a) The use of indicator marks outside the designated area of the plan (that is beyond the cut line) leads to confusion. Marks should only be within the substantive area.</p> <p>Could these plans please be checked. For example, on sheet 1 of 4, the southern terminus point of the right of way, U52/6, to be stopped up is identified but is below the cut-line and therefore should not apply.</p> <p>The dDCO and EM both incorrectly identify points 5, 33, 34, 35 and 36 on the Access and Rights of Way plan is on Sheet 1 of 4, when they lie below the cut-lines and thus are only on sheets 3 and 4. Could the dDCO EM please be checked as a whole and amended as appropriate.</p> <p>b) Could the Applicant please explain why the PRoW U50/1 between points 6 and 7 is to be temporarily closed (see Part 4 of Schedule 5 of the dDCO), and therefore logically to be reopened, and a new footpath on a very similar, but different line created. What the reasons are there for not rationalising these into a single route?</p>	<p>(a) The Access and Rights of Way plans have been updated and submitted at Deadline 4 to remove notation beyond the cut lines (document reference: 2.3A, 2.3D)</p> <p>(b) The Applicant has reviewed PRoW U50/1 between points 6 and 7 and it is acknowledged that it would be more practical to permanently stop up this section of the footpath and replace it with the new bridleway proposed on the route shown on the Access and Rights of Way Plans. The relevant plan has been updated and is submitted at Deadline 4 (document reference 2.3D). The PRoW Strategy Plan (document reference 6.3.11.14A) and dDCO (document reference 3.1C) have also been updated to reflect this amendment. This amendment is also explained in the updated Explanatory Memorandum (document reference 3.2B).</p>

Draft Development Consent Order (dDCO) & Explanatory Memorandum

ExQ	Question to:	Question	Response
1.5.19.	The Applicant	<p>Schedule 15</p> <p>a) Should the Landscape and Ecology Management Plan [APP-360] be referenced in Schedule 15?</p> <p>b) Given the substitutions and amendments that have already been, and are likely to continue to be, made to the Environmental Statement, could the Applicant consider alternative ways of drafting to simplify this.</p>	<p>(a) The Applicant agrees that this should be included in Schedule 15. In addition the Applicant has amended the title of the Landscape and Ecology Management Plan (document reference 17.2, APP-360) to Outline Landscape Ecological Management Plan (LEMP) (document reference: 17.2A), and also amended Requirement 19 to refer to the submission of a detailed Landscape and Ecology Management Plan to be in accordance with the outline document.</p> <p>(b) The Applicant has made an amendment to the formatting of Schedule 15 to distinguish between documents forming part of the environmental statement from other documents to be certified under the order. In the final draft DCO in the SI template to be submitted the Applicant will also ensure that Schedule 15 is tabulated to facilitate ease of reading.</p>
1.5.20.	The Applicant	<p>Register of Environmental Actions and Commitments (REAC)</p> <p>The ExA notes that the conclusion of the Environmental Statement (Chapter 21 [REP3-010] includes a REAC.</p> <p>While appreciating that the dDCO [REP2-003] proposes that the Environmental Statement would be a certified document in Schedule 15, would it be clearer to have this as a standalone document?</p>	<p>The Applicant does not consider that this is necessary as the REAC is not expressly referred to in the dDCO and so there would be not be any interpretive purpose served by having it as a separate standalone document referred to in Schedule 15.</p>
1.5.21.	The Applicant	<p>Potential additional requirement</p> <p>The loss of habitats is referenced within paragraph 3.4 of the Ecological Mitigation and Management Plan [APP-360]. Should the management of the</p>	<p>The Applicant believes that the management of habitat loss is already secured through requirement 21 which requires the submission of a Detailed Ecological Mitigation and Management Plan in accordance with</p>

Draft Development Consent Order (dDCO) & Explanatory Memorandum

ExQ	Question to:	Question	Response
		<p>habitat loss should be controlled as a requirement in the dDCO?</p>	<p>the principles set out in the Ecological Mitigation and Management Plan (EMMP) prior to the commencement of each phase.</p> <p>The Applicant refers the ExA to the following paragraphs of the EMMP (document reference: 17.5, APP-363) which refer to the management of habitat loss and which would therefore be controlled via the detailed EMMP:</p> <ul style="list-style-type: none"> - Paragraphs 3.39-3.40 which deal with the management of vegetation clearance - Paragraphs 3.50-3.52 which deal with the maintenance of areas of cleared vegetation

ExQ	Question to:	Question	Response
1.6.2.	The Applicant	<p>Design approach for buildings</p> <p>Were a number of design approaches for buildings and overall layout considered? If so, why was this current scheme advanced, with particular regard to the scheme’s effective operation, functionality and safety? Could operational constraints that influenced design be outlined.</p>	<p>A detailed study was undertaken, to establish the architectural typology within the locality, especially those of comparative use, to ensure that the proposals put forward for HNRFI are of the highest standard and appropriateness. The proposed building design is the result of years of evolutionary development work by the Applicant, that has culminated in a form, design and application of material, that can respond to the location, environment, constraints and occupiers’ operational requirements in a positive way, as well as providing an aesthetic that can establish and create its own sense of place without replicating other surrounding logistic / industrial developments.</p> <p>With regard to the layout, Section 5 of the Design and Access Statement (document reference: 8.1, APP-349) describes the evolution of the scheme from the initial proposals through to the current illustrative layout that in turn informed the Parameters Plan (document reference: 2.12A). The changes to the design and the associated explanatory notes are all contained within this section and show how and why the current scheme was chosen to inform the application for a DCO.</p> <p>The effective operation, functionality and safety have been at the core of the design since its inception, but to clarify how they have been implemented within the illustrative masterplan, the following key drivers point the way:</p> <ul style="list-style-type: none"> • The ability to connect the Railport to the existing main line; • Accommodation of trains up to 775m in length and having the ability to handle them within the Railport;

ExQ	Question to:	Question	Response
			<ul style="list-style-type: none"> • Set down areas for the containers in an organised form that allows for their safe handling and transfer between rail and road; • Connectivity between the Railport and development plots, via secure rail corridors to ensure the capability to make this a truly rail connected scheme; • Ability to transfer rail derived containers, by multiple means, through the development plots and units; • Self-contained, secure, individual development plots can be of appropriate size and proportion to respond to varied individual occupiers' requirements; • Development plots that are of sufficient size that they can segregate the operations within; i.e. – rail connection, product handling; building siting, servicing arrangements; parking by all means; pedestrian circulation; • Direct vehicular connectivity to the highway infrastructure with complete segregation of HGV's, light vehicles, cyclists and pedestrians as well as off highway queueing arrangements for HGV's; • Appropriately sized highway corridors, with integrated modal segregation with good visibility, lighting, gradients and signage to enable safe and clear navigation to all areas of the park with easy, well signed, access to the main M69 and A47 highway arteries; • Incorporation of public transport facilities, with information boards and covered waiting areas;

ExQ	Question to:	Question	Response
			<ul style="list-style-type: none"> • Provision of a defined Lorry Park, to provide safe, secure, off-highway parking together with welfare facilities, and in addition to the on-plot lorry parking facilities; • Clear distinction between the employment environment of the development and the general public focused areas to assist in avoiding misdirection; • Open, soft landscaped routing within the proposed publicly accessible areas to ensure safe navigation; • A sensitive lighting scheme to ensure safe working and navigation by all means; • Allowance for acoustic attenuation measures to mitigate the impact of the development at noise sensitive receptors; • Access for the emergency services as well as fire access withing the development plots; <p>Moving to the operational constraints that have influenced the design, these can be clarified as follows:</p> <ul style="list-style-type: none"> • Level and gradient of existing and proposed rail infrastructure; • Plateau creation for the Railport for safe operation and storage of containers as well as standing trains; • Size and proportions of Railport such that it can accommodate the volume of trains and containers prescribed; • Ability to connect the Railport to the highway network • Creation of development plateaus that are influenced by the rail and connectivity to it; • Ability to accommodate a range of building forms and sizes that respond to the widest range of occupier needs;

ExQ	Question to:	Question	Response
			<ul style="list-style-type: none"> • Size and proportion of development plots that can accommodate all of the necessary components required for successful logistics operations; • Appropriately sized highway infrastructure to accommodate the number of vehicles and traffic flow anticipated for the development; • Connection to the M69, Junction 2 interchange to the southeast and the A47 in the northwest.
1.6.3	The Applicant	<p>Overall design</p> <p>a) Please indicate whether charging points for EV HGVS will be provided, and where these will be situated within the development.</p> <p>b) The Design Code [REP2-061] (sections 8 and 9) does not acknowledge current policy drivers emanating from the Active Travel agenda. Please explain how the design of the project was drawn up to reflect the Active Travel theme.</p>	<p>a) As the requirements for HGV charging will be specific to the fleet of vehicles run by any individual occupier, the charging points themselves will not be provided. However, a ducting network to the rear of the lorry parking bays, to allow for their incorporation in the future, as part of a tenant’s fit out works, will be provided as part of the base-build of all the units within each development plot. In addition, a ducting network will be installed around the perimeter of the Lorry Park for the same purpose. Both the DAS (document reference: 8.1B) and the Design Code (document reference: 13.1B) submitted at Deadline 4, confirm the commitment to this approach. The Design Code is secured by Requirement 4.</p> <p><u>b)</u> Both the DAS Ref 8.1 Rev B and the Design Code ref 13.1v4 Rev B submitted at Deadline 4 now confirm the taking onboard informatives such as the National Planning Policy Framework, paragraph 10 that sets out that a development should:</p> <ul style="list-style-type: none"> • Give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport,

ExQ	Question to:	Question	Response
			<p>with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;</p> <ul style="list-style-type: none"> • Address the needs of people with disabilities and reduced mobility in relation to all modes of transport; • Create places that are safe, secure and attractive – which minimise • the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards. <p>Together with policy drivers that include Circular 01/22 from National Highways which in consideration of HNRFI sets out in paragraph 12:</p> <ul style="list-style-type: none"> • “New development should be facilitating a reduction in the need to travel by private car and focused on locations that are or can be made sustainable.” <p>And finally, the National Policy Statement for National Networks (2014) also makes the following points:</p> <ul style="list-style-type: none"> • Paragraph 3.16 includes the Government's commitment to sustainable travel “it is investing in developing a high-quality cycling and walking environment to bring about a step change in cycling and walking across the country.” • Paragraph 3.17 stresses the importance of accommodating pedestrians and cyclists; noting “there is a direct role for the national road network to play in helping pedestrians and cyclists. The Government expects applicants to use reasonable endeavours to address the needs of cyclists and pedestrians in

ExQ	Question to:	Question	Response
			<p>the design of new schemes. The Government also expects applicants to identify opportunities to invest in infrastructure in locations where the national road network severs communities and acts as a barrier to cycling and walking, by correcting historic problems, retrofitting the latest solutions and ensuring that it is easy and safe for cyclists to use junctions”.</p> <p>Taking into account the above, the proposed development will include a new network of segregated pedestrian footpaths and cycleways within the development itself and which form an integral part of the estate infrastructure. These provisions are set out within the Design Code, which specifically references the integration of footpaths, cycleways, buses as well as provision for those with disabilities or impaired mobility. The illustrative masterplan also indicates how these principles might be delivered.</p>
1.6.4.	The Applicant	<p>ES Chapter 11 – Landscape and Visual Effects</p> <p>Could the Applicant explain how, with reference to specific examples, Chapter 11 of the ES on Landscape and Visual Effects [APP-120] takes into consideration the guidance published by the Landscape Institute on ‘Guidelines for Landscape and Visual Impacts Assessments’.</p>	<p>Appendix C to this document has been submitted at Deadline 4 to address this question, Consideration of the Guidelines for Landscape and Visual Impacts Assessments (document reference: 20.1.3)</p>
1.6.5.	The Applicant	<p>National Character Area</p> <p>The site lies within the Leicestershire Vales National Character Area. Could the Applicant explain if opportunities to enhance this Character</p>	<p>Yes, the NCA was considered as part of the process as noted but was not expressly expanded upon in the original ES Chapter. Further information has now been added to at paragraphs 1.76 and 1.77 of Appendix 11.1 Landscape and Visual Baseline to reflect the Statements of Environmental Opportunity identified for this NCA and paragraph 11.150 of the Chapter</p>

ExQ	Question to:	Question	Response
		Area were considered / are proposed, as part of the mitigation strategy for the application?	11 has been updated to record how the Illustrative Landscape Strategy (document reference: 6.3.11.20A) engages with these opportunities. Both updates are submitted at Deadline 4 (document references: 6.1.11A).
1.6.7.	The Applicant	<p>ES Chapter 11 - Landscape and Visual Effects [APP-120] Paragraphs 11.152-8 set out residual landscape and visual effects on a range of areas, including ‘Published Landscape Character Areas’. However, the impact on the Leicestershire Vales National Character Area is not addressed. Could the Applicant provide additional commentary and assessment on the impact of the National Character Area.</p>	The Applicant has updated ES Chapter 11 Landscape and Visual at paragraphs 11.44 -11.46, 11.93, 11.123 and 11.167 and appendices 11.1, 11.5 and 11.6 submitted at Deadline 4 to make express reference to the NCAs in response to the ExA’s question (document references: 6.1.11A, 6.2.11.5A, 6.2.11.6A). By way of explanation the Applicant did not consider that the inclusion of such commentary was required previously because the District and Borough Landscape Character Assessments which provided more specific detail relating to those elements of the NCA which are pertinent to the DCO Site and its context were assessed.
1.6.8.	The Applicant	<p>Glint and glare</p> <p>a) What analysis has been undertaken of potential glint and glare from the PV panels of the roof of the building? If none has been done, could this please be undertaken (see paragraphs 2.10.102 and following of the version of the draft National Policy Statement EN-3 published in November 2023).</p> <p>b) How does this reconcile with the statement in the Design Code (page 34) [REP2-061] where it is stated “the roofs will be finished in Anthracite (RAL 7012) with a non-glossy matt coating to be recessive and so that glare is</p>	A Glint and Glare Assessment has been prepared and is submitted at Deadline 4 (document reference: 20.1.4)

ExQ	Question to:	Question	Response
		<p>avoided when viewed from the wider landscape”?</p>	
1.6.9.	The Applicant	<p>Acoustic Barriers Part of the noise mitigation includes the construction of a number of acoustic barriers (shown on ES Figure 10.10 [APP-279]). Given the fluctuating topography at some of these locations, could sections showing the barrier context with adjacent land levels be shown including those adjacent to the Gypsy and Traveller sites. These drawings should be at a scale of no less than 1:100.</p>	<p>These sections have been submitted at Deadline 4 (document reference 18.13.3)</p>

ExQ	Question to:	Question	Response
1.7.1	The Applicant	<p>Chapter 5 of Environmental Statement</p> <p>Paragraph 5.53 of Chapter 5 of the ES [APP-114] provides a reference to policy documents. It is noted that the LLEP's Strategic Economic Plan is not referenced but is in Chapter 4 [APP-113]. As it identifies a need for rail freight facilities in the LEP area then the Applicant may wish to consider adding the document to this section.</p>	<p>In response to this Question the Applicant has updated the Environmental Statement Chapter 5 (document reference 6.1.5A) to include reference to the LLEP Strategic Economic Plan. Paragraph 5.53 now reads as follows:</p> <p>In addition to the statutory planning documents described in the sections above, there are a number of other non-statutory documents that provide the planning context for the HNRFI, which include:</p> <ul style="list-style-type: none"> • Leicester and Leicestershire Growth Plan December 2018 • Blaby District Growth Plan 2018 • Warehousing and Logistics in Leicestershire: Managing growth and change, April 2021 (amended March 2022) • LEP Strategic Economic Plan 2014-2020 L, March 2014 • LLEP Economic Growth Strategy 2021-2030, November 2021 • Midlands Connect Transport Strategy, January 2021 • The National Infrastructure Strategy, November 2020 • Great British Railways: The Williams-Shapps Plan for Rail, May 2021 • The Net Zero Strategy, October 2021 (updated in April 2022) • Decarbonising Transport, July 2021, and the one-year-on review in July 2022 • The Future of Freight: A Long Term Plan, June 2022
1.7.2	The Applicant	<p>Alternative Sites</p> <p>The Applicant in its draft SoCG with BDC [REP2-078] states that matters have been agreed on alternative</p>	<p>Pursuant to Regulation 14(2)(d), The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 require an Applicant within its ES to provide <i>“a description of the reasonable alternatives studied by the applicant, which are relevant to the proposed development and its specific characteristics, and an indication of the main reasons for the option chosen, taking into account the effects of the development on the environment”</i>. The Regulations do not require a full options appraisal nor a full environmental assessment of each alternative identified, and the Applicant believes that it has discharged this legal requirement in Chapter 4 of the ES [APP-113].</p>

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ExQ	Question to:	Question	Response
		<p>site search and selections (1.1 Ref 1 page 4). However, BDC, in its LIR [REP1-055] states, “With respect to the location of the Site selected for the Proposed Development, the Site is a significant greenfield site that if developed will represent a permanent loss of open countryside. As outlined in BDC’s Relevant Representation, other than a comment on alternative sites, no enhancement of the original site assessment appears to have been undertaken by the Applicant” (paragraph 3.2). This does not appear to confer agreement between the two</p>	<p>In addition, the Applicant submitted its response to the only other relevant legal or policy consideration relating to options appraisal or the consideration of alternatives (para 4.27 NPSNN) in Appendix B of its Written Summary of its Case at ISH4 (document reference: 18.8.2, REP3-066).</p> <p>Neither of the Regulations or NPS policy on the consideration of alternative sites require an ‘extensive’ exercise as referred to in the LIR</p> <p>The position of BDC on the Applicant’s site search and selection has moved on from the LIR. An email from Mr E Stacey, Major Schemes Officer at BDC dated 12th December 2023 [17:07] states:</p> <p><i>‘I can confirm that in the Planning Statement of Common Ground between the Council and the Applicant we have agreed that:</i></p> <ol style="list-style-type: none"> <i>1. Chapter 4 of the submitted Environmental Statement (document reference 6.1.4) outlines the Alternative locations studied and has provided indication by the Applicant as to the reasons for the selection of HNRFI.</i> <i>2. The Applicant has set out the alternative considerations in the evolution of design of HNRFI on the main HNRFI site by reference to the issues identified at paragraph 4.133 of chapter 4 of the Environmental Statement (document reference 6.1.4).</i> <p><i>These are now matters of agreement between the two parties and the Planning Statement of Common Ground forms an updated position from our Local Impact Report.’</i></p>

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ExQ	Question to:	Question	Response
		<p>parties. Could the Applicant clarify, and if appropriate amend the SoCG.</p>	
1.7.3.	The Applicant HBBC	<p>Alternative Sites The Applicant in their draft SoCG with HBBC [REP2-079] states that matters have been agreed on alternative site search and selections (1.1 Ref 1 page 3). However, HBBC in its LIR [REP1-138] states, “The applicant has evidenced the manner in which it considered alternative sites and the reasons for selecting the proposed site as set out in its Chapter 4 of the ES – Site Selection and Evolution [APP-113]. However, there remain questions regarding the</p>	<p>‘Pursuant to Regulation 14(2)(d), The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 require an Applicant within its ES to provide <i>“a description of the reasonable alternatives studied by the applicant, which are relevant to the proposed development and its specific characteristics, and an indication of the main reasons for the option chosen, taking into account the effects of the development on the environment”</i>. The Regulations do not require a full options appraisal nor a full environmental assessment of each alternative identified, and the Applicant believes that it has discharged this legal requirement in Chapter 4 of the ES [APP-113].</p> <p>In addition, the Applicant submitted its response to the only other relevant legal or policy consideration relating to options appraisal or the consideration of alternatives (para 4.27 NPSNN) in Appendix B of its Written Summary of its Case at ISH4 (document reference: 18.8.2, REP3-066).</p> <p>Neither of the Regulations or NPS policy on the consideration of alternative sites require an ‘extensive’ exercise as referred to in the LIR</p> <p>Notwithstanding the above comments, the position of HBBC on the consideration of alternative sites has moved on from the preparation of the LIR. In correspondence dated 30th November 2023 Mr Mike Parker has stated: ‘.., I’ve just looked at this question and agree with your statement being the current position.’</p> <p>HBBC is now satisfied as to the adequacy of the Applicant’s consideration of alternative sites from both legal and planning perspectives</p>

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ExQ	Question to:	Question	Response
		<p>robustness and depth of analysis undertaken to arrive at the Hinckley site and the disregard of others. 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.” This does not appear to confer agreement between the two parties. Could the parties clarify, and if appropriate amend the SoCG.</p>	
1.7.4.	The Applicant	<p>Logistics Demand and Supply Assessment [REP3-036] Although dated November 2023, the Assessment was drawn up in November</p>	<p>Document reference 16.2A (REP3-036) is not proposed to be updated. The current report is considered to represent a robust assessment of the market supply and demand dynamics and the resultant needs case in support of the Proposed Development. Throughout the document, 10-year trend data is provided and assessed. This is to ensure the report conclusions are based on a significant body of historic data and evidence rather than drawing conclusions based solely on recent trends only which are subject to change. For instance, the majority of the data analysed considers the period 2011 to 2021 which includes the period after the global financial crisis all the way through to the Covid Pandemic. Therefore, the data analysed includes different macro-economic conditions.</p>

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ExQ	Question to:	Question	Response
		<p>2022 (the updates relating to metrication only). Does the Applicant intend to update the document in relation to substantive matters? If so, could this be provided.</p>	<p>Updating the report to reflect the most current full year will not change the overarching narrative and conclusions significantly as it would represent only 1 additional year against the 11 years (2011-2021 inclusive) already analysed.</p> <p>Recent market intelligence is outlined in Savills Big Shed Briefing. The most recent published version of this briefing at the time of writing is July 2023 and is submitted as Appendix E to this document (document reference 20.1.5). Error! Hyperlink reference not valid.</p> <p>The logistics sector like all commercial and residential sectors is facing severe macroeconomic headwinds due to the increased cost of borrowing and materials. Many commentators are hopeful the worst is behind us given interest rates have remained steady for a number of months now. Despite these economic headwinds the performance of the logistics sectors has remained somewhat resilient as reported in Savills Big Shed Briefing. At a national level, take-up for the half year has reached 12.49m sq ft, which is the lowest H1 take-up since 2013, albeit just 1% shy of the pre Covid H1 average. At a deal count perspective, the level of individual transactions is in line with long-term averages.</p> <p>In terms of future outlook, Savills requirements index has rebounded in H1 23 with a strong rise in the number of requirements over 500,000 sq ft. Should the correlation of requirements to take-up be maintained, we would expect the second half of the year to see a rise in the level of new leases signed. Taking a longer-term view, it is clear that the key structural driver of increased online retail remains in place, along with new sources of demand from the manufacturing sector. The latest forecasts from Statista suggest the online retail penetration rate in the UK will rise to 35% by 2027, with growth coming from the fashion, food and electronics sectors. As the population of the UK continues to grow, so will the demand for warehouse space. Indeed with the UK population set to reach 71m by 2033, the need to deliver more warehousing becomes paramount.</p>
1.7.5.	The Applicant	<p>Logistics Demand and Supply Assessment [REP3-036] – Drive times</p>	<p>Paragraph 3.4.14 of the Logistics Demand and Supply Assessment (document reference: 16.2A, REP3-036) refers to a 30 to 45-minute drive-time only for context. This is in line with the average car trip length of 32km set out in paragraph 2.3.6 of Appendix 8.1 - Transport Assessment [Part 5 of 20] - Trip Distribution (document reference: 6.2.8.1, APP142).-Figure 3.15 of the Logistics Demand and Supply Assessment (document reference: 16.2A, REP3-036) shows only the Property Market Area and not the 30-45 minute</p>

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ExQ	Question to:	Question	Response
		<p>Paragraph 3.4.14 refers to Figure 3.15 and provides a 30 - 45 minute isochrone drive time distance from the site. Please provide more commentary on drive time distances used for such study purposes and whether different sectors have different isochrones. In addition, please comment on the drive time distance in relation to public transport provision serving the site and whether the catchment is different to that illustrated.</p>	<p>isochrone drive time distance from the site. The methodology for defining the Property Market Area is outlined in Chapter 2 of the Logistics Demand and Supply Assessment (document reference: 16.2A, REP3-036).</p> <p>The public transport catchments are illustrated within the Appendix of the Sustainable Transport Strategy (document reference: 6.2.8.1B)). The public transport provision proposed (X6, 8 and DRT) covers Coventry, Leicester and Nuneaton as the core identified areas of deprivation. Figure A6 in the appendix of the STS illustrates the catchments, which are typically within 45-60 mins. They also reflect the largest population centres that are likely to seek employment at the Site.</p> <p>Atherstone and Bedworth have smaller populations overall and have secondary connections to the site. However, the commitment to continual monitoring within the travel plan will help identify future need for direct public transport provision to these areas should they arise.</p>
1.7.6.	The Applicant	<p>Logistics Demand and Supply Assessment [REP3-036] – Employment opportunities</p>	<p>The Proposed Development will create between 8,400 to 10,400 employment opportunities once all phases of construction are completed.</p> <p>The initial Construction Phase will create approximately 75 jobs at its peak whilst major earthworks are carried out. Individual buildings construction will peak at approximately 375 persons in 2031 (assuming current development programme, which note for building construction is indicative only and will be influenced by market and specific occupier requirements).</p>

ExQ	Question to:	Question	Response
		<p>Paragraph 3.4.15 refers to construction and apprenticeship roles. Please estimate the employment opportunities that could be created by the Proposed Development with a specific figure given for youth employment.</p>	<p>The main contractor will become a member of The 5% Club, which as its mission statement says, “The 5% Club is a dynamic movement of employers committed to earn & learn as part of building and developing the workforce they need as part of a socially mobile, prosperous and cohesive nation. The Club exists to help its members and all employers increase further the number, quality and range of earn & learn opportunities across the UK.</p> <p>“By joining The 5% Club, members aspire to achieve 5% of their workforce in earn and learn positions (including apprentices, sponsored students and graduates on formalised training schemes) within five years of joining.”</p> <p>It is envisaged that up to 75% of construction employees under the age of 25 will be on a form of apprenticeship scheme.</p>
1.7.7.	The Applicant	<p>Logistics Demand and Supply Assessment [REP3-036] – Demand for logistics and storage uses</p> <p>Paragraph 5.2.18 suggests that up to 40% of demand for logistics and storage uses are for larger floor plates. Please could you provide evidence to support this assertion.</p>	<p>The evidence is contained in Figure 5.6 which is referenced in Paragraph 5.2.18. The data this is based upon is CoStar which is sourced at the bottom of Figure 5.6. The first part of the chart shows the share of inventory by size band while the second part of the chart shows the share of leasing demand (ie net absorption) by size band between 2011-2021. It shows that the 500,000+ sq.ft. and the 100,000 to 300,000 sq.ft. size bands are driving demand for floorspace across the PMA – respectively accounting for 39% and 38% of average net absorption over the decade long period considered.</p>
1.7.8.	The Applicant	<p>Logistics Demand and Supply Assessment</p>	<p>a. Please find attached as Appendix F (document 20.1.6) update to the graph on page 4 based on the latest ONS, Workforce Jobs by Industry and Region. While logistics jobs have continued to grow there was a decline at the end of 2022/ start of 2023. This is most likely in</p>

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ExQ	Question to:	Question	Response
		<p>[REP3-036] – Job growth</p> <p>a) Page 4 in the Executive Summary provides a graph at the top of the page illustrating job growth in England, highlighting the contribution made by the logistics sector. Please could this be extended to 2022 and when the data is available to 2023.</p> <p>b) Could the Applicant also provide growth projections for the next 5, 10 and 15 year periods, explaining the assumptions made.</p>	<p>response to the severe macro-economic challenges at the time culminating in increasing interest rates and the cost of construction materials. The most recent period has returned to an upward trend, most likely in response to easing inflation and interest rate increases having been halted for several months now and tentative speculation around interest rate reductions in the future.</p> <p>b. This ONS dataset does not provide future jobs projections instead focusing on actual job creation, so it is backwards looking. Limited faith is placed in future job projections from third parties such as Experian and Oxford Economics. The assumptions that lie behind them are opaque and from the Applicant’s understanding are trend based and macro-economic facing rather than incorporating market supply and demand signals specific to commercial markets. It should also be remembered that to have jobs growth you need new floorspace and therefore more land. Without new floorspace and land jobs growth will be limited.</p> <p>By way of an example of how inaccurate job forecasts can be please find attached as Appendix G (document reference 20.1.7) a graph showing historic employment projections from ‘Working Futures 2010-2020, Evidence Report’ by the UK Commission for Employment and Skills compared against actual growth in employment in industries associated with I&L (see in attached figure at Appendix C). It can be seen that the historic projections underestimated what actually happened – for logistics the projected growth was 6.7% but what actually happened was 23% growth. It is because of these inaccuracies with jobs projections that Savills have adopted a market facing approach to estimating future demand.</p>
1.7.9.	The Applicant	<p>Logistics Demand and Supply Assessment [REP3-036] – Influences on growth</p> <p>Page 6 of the Executive Summary</p>	<p>The Covid Pandemic and its impact on the logistics sector is discussed in Document Reference 16.2A (REP3-036), Section 3.2.</p> <p>Logistics uses in particular have shown strong performance for a number of years, but the Covid-19 pandemic has exacerbated existing trends. This has driven demand up even further for logistics floorspace while adversely impacting other commercial sectors such as retail and offices.</p>

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ExQ	Question to:	Question	Response
		<p>references the influence of Covid-19 on the sector's growth. Could the Applicant comments as to whether it considers this to be this sustainable and/ or irreversible growth?</p>	<p>The shift in habits such as the extraordinary growth in online retailing is structural rather than temporary. As the country's population continues to grow, so will I&L floorspace needs to support household consumption and other sectors of the economy.</p> <p>Most commentators agree that online retailing will continue to grow from a higher base than before the pandemic due to behavioural changes such as increased home working and continued demand for rapid parcel deliveries. This includes the National Infrastructure Commission (Better Delivery: The Challenge for Freight, 2019) who predict up to 65% by 2050 .</p>
1.7.10.	The Applicant	<p>Logistics Demand and Supply Assessment [REP3-036] – Golden Triangle</p> <p>a) In paragraph 2.6.2 the phrase 'Golden Triangle' is used without a description of what it is, or without a cross reference to another document (the market demand study for instance); could this please be clarified.</p> <p>b) Could the Applicant please provide an explanation of the methodology of the</p>	<p>a) A description of the 'Golden Triangle' is included within (document reference: 16.2A, REP3-036), paragraph 1.2.3. It states:</p> <p><i>'The Main HNRFI site is located within the local authority of Blaby, part of Leicestershire County, at the heart of the 'Golden Triangle', which extends from Northamptonshire up the M1 to East Midlands Airport, and westward as far as Birmingham.'</i></p> <p>This area is also shown graphically in the inset to Figure 1.1 of document 6.2A, REP3-036),.</p> <p>b) The methodology for defining the Property Market Area is detailed within Document Reference 16.2A (REP3-036), Chapter 2.</p> <p>Given the Proposed Development relates to nationally significant infrastructure, being a SRFI, it is essential the PMA captures key operational and supply chain linkages in addition to competitor locations from a market perspective. After discussions with rail freight operators, it is felt a 20-mile truck-drive isochrone from the proposed HNRFI is appropriate. This equates to roughly a 45-minute truck-drive time which most I&L companies would consider a reasonable distance from which to use the rail freight interchange to either collect or drop off materials and goods as part of their supply chain. This recognises that not only the rail-linked units provided within the Proposed Development will use the rail terminal.</p>

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ExQ	Question to:	Question	Response
		<p>Property Market Area as shown on Page 6 of the Executive Summary and why this has not included the whole of the Golden Triangle area?</p> <p>c) If it did include the whole of the Golden Triangle area, how would this influence the supply of floorspace, and would the area still be 'supply constrained' as a result?</p>	<p>c) As discussed above the Property Market Area chosen is specific to the Proposed Development. Including the entire Golden Triangle would not be specific to the Proposed Development and supply chain linkages with SRFIs. How the defined Property Market Area relates to the Functional Economic Market Area used in the Warehousing and Logistics in Leicester and Leicestershire: Managing growth and change study is explained in Document reference: 18.8.4 (REP3-068), p7-8.</p> <p>For instance, the Northampton Gateway Rail Freight Interchange falls within the Golden Triangle. The Northampton Gateway SRFI Market Analysis Report was undertaken by Gerald Eve & Oxalis Planning in May 2018. It reviews relevant policy and historical trends, as well as the general market dynamics and demand in the logistics sector, and specifically considers the demand for rail-freight interchanges and rail-served warehousing. The catchment areas for rail freight terminals refers to a 'core catchment' of 15km and a 'secondary catchment' of 50km. The 15km 'core catchment' is based on the assumption that a significant component of the demand for services will come from new on-site warehousing, and existing and new warehousing in the surrounding area. Rail will also be a viable option for other operators beyond this 'core' area, and therefore a 'secondary catchment' area of around 50km is also adopted, which is likely to incorporate the majority of logistics operators who would utilise a terminal.</p> <p>The 15km 'core' and 50km 'secondary' catchment areas are drawn specifically for the Northampton Gateway Rail Freight Interchange. The 32.2km truck-drive catchment used in the Hinckley Rail Freight Interchange Logistics Demand and Supply Assessment (document reference: 16.2A, REP3-036) is within the range used by the Northampton Gateway SRFI Market Analysis Report. The 15km 'core' and 50km 'secondary' catchment areas referred to in the Northampton Gateway SRFI Market Analysis Report are smaller than the extent of the Golden Triangle. The Northampton Gateway Rail Freight Interchange therefore provides an example of a consented SRFI within the Golden Triangle that does not consider the whole triangle as a market area.</p>
1.7.13.	The Applicant	<p>Logistics Demand and Supply Assessment [REP3-036] – Linkages to ports and airports</p> <p>a) Figure 1.1, given that para 2.8 of the NPSNN sets out a need</p>	<p>The needs case identifies that the primary focus of HNRFI is as an import and export hub for international freight moved using containers via the deep-sea shipping for global trade and short sea-ports for European trade. This is the mode used for the main volumes of freight moved in and out of the Midlands.</p> <p>The proportion of trade moved by air is comparatively small in volume, although proportionately higher in value. It is a specialised, expensive mode primarily used for short life products and high value goods.</p> <p>The reference in the NSPNN to better integration between transport modes, including the linkages to ports and airports. For airports this is understood to be primarily related to passenger transport rather than freight.</p>

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ExQ	Question to:	Question	Response
		<p>to improve the integration between the transport modes, including the linkages to ports and airports, could the Applicant explain why East Midlands Airport is not shown on the site locational context plan, when the study recognises this as a major freight port?</p> <p>b) Could the Applicant also explain the interaction between movements to and from the Proposed Development from East Midlands Airport, East Midlands Gateway and East Midlands Freeport.</p>	<p>b)</p> <p>In the context of air freight, the proximity of East Midlands Airport would provide an occupier with a high-volumes of sea based freight and some air freight, to benefit from using both HNRFI's efficient rail terminal and being relatively close to HNRFI.</p> <p>In practice the volumes of air freight are likely to be relatively small for occupiers of HNRFI. If there was sufficient demand the rail network is in place to enable a shuttle rail service between EMG and HNRFI. However, this would likely require the development of a lighter express rail freight service to avoid the commercial impact of additional lifting charges at both ends of a relatively short journey.</p>
1.7.14.	The Applicant	Logistics Demand and Supply Assessment	The size of units is indicative only, and the parameters plan allows for a maximum quantum of floor space to be delivered within the development.

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ExQ	Question to:	Question	Response
		<p>[REP3-036] – Size of units Could the Applicant explain how the size of the units shown in Table 1.1 have been allocated and whether this has been informed by potential market interest or intelligence.</p>	<p>The actual floor space of units constructed will depend on market factors at the time. Presently, evidence at East Midlands Gateway and DIRFT, the two major completed modern SRFIs, indicates occupier requirements for large buildings from c. 10,000 sq m to 150,000 sq m. Table 1.1 shows a similar allocation of unit sizes to these schemes, and reflects the indicative masterplan which has been drawn to maximise the efficiency of individual plot layout.</p> <p>Whilst interest has been fielded from various confidential parties for HNRFI, the range of units shown on the indicative Table 1.1. has not been based on specific potential market interest.</p>
1.7.15.	The Applicant	<p>Logistics Demand and Supply Assessment [REP3-036] – Isochrone range Paragraph 2.2.2 sets out that a 20 mile truck drive isochrone is deemed appropriate and equates to a 45 minute drive. Could the Applicant explain why 20 miles is deemed appropriate? In addition, the ExA notes that the proposed site is a 45 minute drive from East</p>	<p>This is based on discussions with operators of SRFI inclusive of Maritime Transport who operate similar facilities throughout England.</p> <p>A 20 mile truck drive c 45 minute's drive time, with loading and unloading times would allow a single vehicle operating from the rail terminal to do 3 round trips in a shift. Beyond this the economic cost of each drop increases due to the relatively poor utilisation of the vehicle in a day. Dropping to two drops would increase the operating cost of each delivery by 50%. This would be detrimental to modal shift and encourage a greater percentage of road miles.</p> <p>This has the advantage of keeping drivers close to their home base, which is good for families and to attract new entrants to the sector, with the less sociable long-distance haul having been operated by rail.</p> <p>It will also ensure that Electric Vehicles should be able to operate a full day without the need for charging breaks.</p> <p>As explained in Document Reference 16.2A (REP3-036), paragraph 2.2.3, the 45 minute <u>truck</u> drive time (not car) doesn't reach East Midlands Gateway (EMG) to the north. While arguably EMG could be included within the PMA, it would likely be seen as a preferable alternative for businesses located in the northern areas of North West Leicestershire, Charnwood and further north.</p> <p>If EMG was included in the PMA, the strength of future demand estimated in Document Reference 16.2A (REP3-036), Chapter 7, would likely be higher given this is one of the largest and fastest delivered logistics schemes in the country.</p>

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ExQ	Question to:	Question	Response
		Midlands Gateway and Airport. Could the Applicant comment on this.	Also, please see response to ExQ 1.7.13 above.
1.7.16.	The Applicant	<p>Logistics Demand and Supply Assessment [REP3-036] – Dark Store</p> <p>Figure 3.7 provides a pictogram of Industrial and Logistics Growth Drivers. Could the Applicant explain what is meant by a ‘Dark Store’.</p>	The term dark store, dark shop, dark supermarket or dotcom centre refers to a retail outlet or distribution centre that exists exclusively for online shopping. A dark store is generally a large warehouse that can either be used to facilitate a "click-and-collect" service, where a customer collects an item they have ordered online, or as an order fulfilment platform for online sales.
1.7.18.	The Applicant	<p>Logistics Demand and Supply Assessment [REP3-036] – Development of units</p> <p>Could the Applicant advise whether it is the intention to develop the units speculatively or build only when a tenant has been contracted.</p>	The development will include a mixture of speculatively developed units and occupier-led pre-let developed units.

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ExQ	Question to:	Question	Response													
1.7.19.	The Applicant	<p>Logistics Demand and Supply Assessment [REP3-036] – Range of Property Market Area</p> <p>Paragraph 5.2.17 reflects on how important the PMA is to the wider region Industrial and Logistics market. This being the case, could the Applicant advise if this gives credence to a wider PMA being assessed?</p>	<p>The PMA is defined based on the specifics of the Proposed Development and potential supply chain linkages. Please see response to ExQ 1.7.10 above.</p>													
1.7.20.	The Applicant	<p>Logistics Demand and Supply Assessment [REP3-036] – Building supply</p> <p>Table 6.1 provides an overview of PMA Building Supply dated July 2022. Could the Applicant update the table with current availability.</p>	<p>Below is a table which is an update to Table 6.1 within Document Reference 16.2A (REP3-036). The building supply has increased by around 200,000 sqm since the original table. Much of this increase is related to speculative buildings coming forward within major strategic sites such as Magna Park, Coventry Gateway (SEGRO Park), DIRFT III, Symmetry Park and Prospero Ansty Park (J2, M6). These first three were mentioned in 16.2A (REP3-036), paragraph 6.3.4 as the major sources of land supply alongside a complete list in Appendix C.</p> <p>In effect these buildings represent a draw down of the available land supply to provide built space. These buildings coming forward, despite the current macro-economic challenges, indicates the resilience in occupier demand.</p> <p><u>Hinckley SRFI - PMA Building Supply (Update December 2023)</u></p> <table border="1" data-bbox="825 1339 2572 1408"> <thead> <tr> <th data-bbox="825 1339 897 1408">Ref</th> <th data-bbox="897 1339 1392 1408">Unit</th> <th data-bbox="1392 1339 1728 1408">Location</th> <th data-bbox="1728 1339 1964 1408">Size (sq. m)</th> <th data-bbox="1964 1339 2572 1408">Comments/Use</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>				Ref	Unit	Location	Size (sq. m)	Comments/Use					
Ref	Unit	Location	Size (sq. m)	Comments/Use												

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ExQ	Question to:	Question	Response			
		1	Apollo 4, Ansty	J2, M6	15,922	Speculative unit B2/B8 unit available Jan 2024.
		2	Apollo 5, Ansty	J2, M6	27,875	Speculative unit B2/B8 unit available March 2024.
		3	Apollo 6, Ansty	J2, M6	24,933	Speculative unit B2/B8 unit available March 2024.
		4	Apollo 7 Ansty	J2, M6	10,807	Speculative unit B2/B8 unit available April 2024.
		5	Unit 2 Griffen Park, Desford	Desford (M1/M69)	9,632	Speculative unit available from Q1 2023
		7	MPS5, Magna Park South	M1/M69/M6	17,352	Speculative unit, under construction. PC Sept/Oct 2022.
		9	MPS10	M1/M69/M6	12,721	Speculative Unit available from Q1 2024.
		10	MPS11	M1/M69/M6	11,078	Speculative Unit available from Q1 2024.
		11	MPN5	M1/M69/M6	70,733	Speculative Unit available from Q3 2024
		12	Hinckley 340, Hinckley Park	J1, M69	31,587	Speculative unit, available January 2024.
		13	Optimus 277, Optimus Point	J21A, M1	25,776	Refurbished unit.
		14	Kingsbury Link	J10, M42	18,129	Secondhand unit.
		15	Coventry 245, Coventry	A45	22,692	Secondhand unit. Grade B/C.
		16	Unit 4B, SEGRO Park, Coventry	M45/M6	20,391	New speculative unit.
		17	Unit 4C, SEGRO Park, Coventry	M45/M6	12,989	New speculative unit.
		18	DC4, Prologis Park, Ryton	A45	15,498	Refurbished unit.
		19	Unit 5, Symmetry Park, Rugby	J1, M6	36,297	Speculative unit under construction - completion due Q3 2024
		20	Unit 6, Symmetry Park, Rugby	J1, M6	31,407	Speculative unit under construction - completion due Q3 2024
		21	Unit 7, Symmetry Park, Rugby	J1, M6	15,838	Speculative unit under construction - completion due Q3 2024
		22	DC327 DIRFT III	J18, M1	30,443	New speculative unit.
		23	Access 18, DIRFT	J18, M1	13,156	Secondhand unit.
		24	DC1, Prologis Park, Rugby	J1, M6	34,984	Plus mezzanine of 6,513 sq. m. Grade A
		25	Unit 3510, Wellington Parkway, Magna Park	M1/M69/M6	9,712	Grade B.
				Total	519,952	

Need

ExQ	Question to:	Question	Response
			<div data-bbox="827 289 1728 354" style="border: 1px solid black; height: 40px; width: 335px;"></div> <p data-bbox="835 380 991 407">Please note:</p> <p data-bbox="835 440 1201 467"><i>Excludes under offer buildings</i></p> <p data-bbox="835 472 2120 500"><i>There will be a corresponding decrease in available land where speculative units have been brought forward</i></p>
1.7.21.	The Applicant Local Authorities	<p data-bbox="494 618 790 764">Logistics Demand and Supply Assessment [REP3-036] – Supply projections</p> <p data-bbox="494 781 798 1385">Paragraph 6.4.10 recognises that further sites are being promoted which do not benefit from any formal planning status which could supplement the pipeline of sites. Paragraph 6.4.2 previously indicates these have not been considered. Could the Applicant and Local Authorities comment on the</p>	<p data-bbox="827 618 2569 841">The NPPF states in the context of windfall sites (in the context of land for housing) that <i>‘there should be compelling evidence that they will provide a reliable source of supply’</i> (Paragraph 72.) By reason of the form and scale of development to accommodate <i>‘at least one B8 unit of 9,250 sq. m or more’</i> (Logistics Demand and Supply Assessment paragraph 6.3.1) (document reference: 16.2B) Such sites are generally sourced through the development plan process. It is considered there is no compelling evidence that <i>‘sites not specifically identified in the development plan’</i> provide a reliable source of land for B8 development of the scale referenced to in the Assessment. As such, no provision should be made for windfall sites within the pipeline supply projections.</p>

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ExQ	Question to:	Question	Response
		<p>appropriateness of including a windfall provision within the pipeline supply projections.</p>	
1.7.22.	The Applicant	<p>Logistics Demand and Supply Assessment [REP3-036] – Summary of future B8 demand</p> <p>Could the Applicant please provide a simple, single sheet summary of the derivation of the 1,772ha figure set out in paragraph 7.3.4.</p> <p>This should show a step-by-step analysis indicating the derivation of each input within the Logistics Demand and Supply Assessment Report and each calculation. No explanation should be given other than notes</p>	<p>This summary is provided as Appendix H to this document (document reference 20.1.8).</p>

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ExQ	Question to:	Question	Response
		setting out the derivation of each figure by paragraph reference.	
1.7.23.	The Applicant	<p>Logistics Demand and Supply Assessment [REP3-036] – Surplus/net absorption</p> <p>Table 7.1 indicates that in four of the eleven years assessed there was a surplus of availability (column C) when compared to net absorption (column D). The average calculated in the final column omits these results.</p> <p>a) Could the Applicant please explain why it is not appropriate to include these negative numbers in its calculation?</p> <p>b) Were these negative numbers to be included what</p>	<p>a) when availability is above the 5.5% equilibrium level the Savills model assumes there is no demand lost ie no ‘suppressed demand.’ Suppressed demand is only calculated when availability is below the 5.5% equilibrium level.</p> <p>In other words, the net absorption recorded in Table 7.1 when availability is above 5.5% is assumed to be a fair reflection of ‘true’ market demand as supply has not been a constraint. Below the 5.5% equilibrium level, demand is considered to be suppressed due to supply constraints meaning the net absorption is not reflective of true market demand therefore suppressed demand needs to be added to the actual achieved net absorption.</p> <p>b) It would not be appropriate to calculate a negative suppressed demand and subtract this from net absorption. Net absorption is the demand that was actually achieved. There is either suppressed demand or not, you cannot subtract from demand that has actually occurred.</p>

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ExQ	Question to:	Question	Response
		<p>effect were it to have on the overall demand for land for warehousing in the area?</p>	
1.7.24.	The Applicant	<p>Logistics Demand and Supply Assessment [REP3-036] – Retail need</p> <p>In Step 4 of its analysis the Applicant has set out increases for online retail and, in its view, consequent additional need.</p> <p>Could the Applicant please explain why it has not included the following elements which may suppress need:</p> <ul style="list-style-type: none"> • reductions associated with lesser floorspace in property based retail; and 	<p><u>Reductions associated with lesser floorspace in property based retail</u></p> <p>Less floorspace in bricks and mortar retail is one of the growth driver behind logistics uses. Many companies have gone online, or have increased their presence online, which requires more logistics space to fulfil orders. It is estimated e-commerce requires over three times the logistics space compared to traditional brick-and mortar retailers (Prologis 2020, Accelerated retail evolution could bolster demand for well-located logistics space).</p> <p>Over the long-term, it is clear that the key structural driver of increased online retail remains in place. The latest forecasts from Statista suggest the online retail penetration rate in the UK will rise to 35% by 2027. The National Infrastructure Commission (Better Delivery: The Challenge for Freight, 2019) predict up to 65% by 2050 .</p> <p>These estimates indicate as the population of the UK continues to grow, so will the demand for logistics space. Indeed with the UK population set to reach 71m by 2033, the need to deliver more housing becomes paramount.</p> <p><u>Economic reductions, or at least lesser growth than anticipated</u></p> <p>The current report is considered to represent a robust assessment of the market supply and demand dynamics and the resultant needs case in support of the Proposed Development. Throughout the document, 10-year trend data is provided and assessed. This is to ensure the report conclusions are based on a significant body of historic data and evidence rather than drawing conclusions based solely on recent trends only which are subject to change. For instance, the majority of the data analysed considers the period 2011 to</p>

ExQ	Question to:	Question	Response
		<ul style="list-style-type: none"> • economic reductions, or at least lesser growth than anticipated, in forecasts from when the report was drawn up, associated with increases in interest rates, the war in Ukraine, and similar. If, on reflection, the Applicant considers that this does affect the overall land requirement, could this please be set out in simple terms as in ExQ1.7.22. 	<p>2021 which includes the period after the global financial crisis all the way through to the Covid Pandemic. Therefore, the data analysed includes different macro-economic conditions.</p> <p><u>Potential Sensitivity Test</u></p> <p>The largest impact historically on I&L leasing demand was the Global Financial Crisis (GFC). Between 2007 and 2009, the average take-up of units above 9,290 sqm was 1.66 million sqm per annum nationally, compared to an average of 2.15 million sqm per annum in the years between 2010 and 2012 coming out of the GFC. This indicates that the maximum demand impact during the GFC was a 30% reduction in I&L leasing (net absorption).</p> <p>Even though this was only a short term impact, if we assume this level of impact (i.e. 30% lower demand) over the entire 20 year plan period, there is still a significant demand for I&L land in the PMA for B8 uses in units above 9,290 sqm at 1,240 ha (ie 30% reduction on the 1,772 ha specified in Document Reference 16.2A (REP3-036), paragraph 7.3.4).</p> <p>This 30% reduction in demand would reduce the baseline shortfall estimate against available supply from 1,063 ha to 531 ha (ie 1,240 ha less 709 ha of supply). This reduced shortfall is still much larger than the 226 ha HNRFI.</p>
1.7.25.	The Applicant Local Authorities	<p>Overall Need</p> <p>An assertion is made in a number of the RRs (for example, [RR-0080], [RR-0550] and [RR-0745]) that there is no need for a SRFI in this location and that other existing</p>	<p>Market Needs Assessment (Doc Ref 16.1 PINS Ref APP-357) sets out the differences between the different SRFI's in the region and how they will interact (see also answer to 1.7.27).</p> <p>Unlike HGV movements, which can route virtually at free will using available roads, intermodal freight trains must use a fixed network of rail routes, cleared to take containers. This means that each terminal has prime rail routes which go on to define the nature of the market it serves. It is not simply a case of being able to fill one terminal at a time.</p> <p>Historically the main routes through the Midlands have been north - south focused, such as the West Coast Main Line, Midland Main Line and East Coast Mainline.</p>

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ExQ	Question to:	Question	Response
		<p>locations over a wider area should be considered so that these are used to full capacity before this project is considered. The parties are requested to comment and respond to this assertion.</p> <p>In addition, could the Applicant provide a written note commenting on the availability of all these suggested alternatives and their capacity/ suitability to meet some or all of the identified need for SRFI capacity in the Region?</p>	<p>The November 2012 opening of the Felixstowe to Midlands and the North Strategic Freight Route was the first cleared Cross Country, east west route, to be able to take intermodal containers into and out of the Midlands. This transformed the viability of moving freight by rail, particularly from Felixstowe, which otherwise has to go via London. Felixstowe via London frequently becomes commercially and operationally unviable as a route, adding considerable rail miles.</p> <p>HNRFI therefore will be a game changer, as it is situated in the middle of the country, directly on this Cross-Country strategic freight route, able to take trains to and from virtually any location nationally, with a single train set able to do two round trips in a day to ports such as Felixstowe, London Gateway and Liverpool.</p> <p>This fundamentally changes the operating costs of rail compared to road and provides an opportunity to support smaller and emerging regional terminals with mixed destination traffic, by acting as a rail hub. In so doing, occupiers at HNRFI would have a wider choice of terminals that they too can deliver to via rail, significantly increasing the potential to use rail for secondary distribution as well as primary distribution.</p> <p>No other terminal in the Midlands can replicate this level of connectivity combined with operational efficiency.</p>
1.7.26.	The Applicant	<p>Market Needs Assessment [APP-357] – Drafting errors</p> <p>a) Paragraph 5.13 appears to have a number of drafting</p>	<p>a) The document has been reviewed and revised accordingly and submitted at Deadline 4 (document reference: 16.1A)</p> <p>b) The documents that have been referenced in the footnotes identified by the ExA have been submitted as part of the Applicant’s deadline 4 submissions. These consist of the following:</p>

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ExQ	Question to:	Question	Response
		<p>errors. Could this please be reviewed and amended as necessary.</p> <p>b) Could the Applicant please provide the documents referenced in the following footnotes referenced in the Market Needs Assessment [APP-357]. This should be accompanied by a Schedule setting out where in each document the relevant information can be found.</p> <ul style="list-style-type: none"> • 18 • 19 • 23 • 24 • 27 • 33 • 34 • 35 • 37 	<ul style="list-style-type: none"> • GBRTT Rail Freight Growth Target Call for Evidence (July 2022) (document reference 16.1.1) • IBIS World Freight Road Transport UK (August 2022) (document reference 16.1.2) • IBIS World Freight Rail Transport in the UK (June 2022) (document reference 16.1.3) • West Midlands Rail Investment Strategy 2022-2050 West Midlands Rail Executive – draft for consultation (22 October 2022) (document reference 16.1.4) • Midlands Connect – Our Freight Routemap for the Midlands (August 2022) (document reference (16.1.5) • Midlands Engine Transport Today (document reference 16.1.6) • British port-hinterland container rail freight market analysis (Dr Allan Woodburn, October 2021) (document reference 16.1.7) <p>These documents are accompanied by a schedule which sets out which specific sections of the report have been referred to for each footnote, this source document schedule is submitted as part of the Applicant’s deadline 4 deliverables (document reference 16.1.8).</p> <p>c) The following documents have been updated since the Market Needs Assessment was drafted and are submitted at Deadline 4:</p> <ul style="list-style-type: none"> • GBRTT Developing Options for a Rail Freight Growth Target to 2050 (document reference 16.1.9) • GBRTT Rail Freight Growth Target (December 2023) (document reference 16.1.10) • IBIS World Freight Road Transport in the UK (November 2023) (document reference 16.1.11) • IBIS World Freight Rail Transport in the UK (November 2023) (document reference 16.1.12) • Midlands Engine State of the Region 2023 (document reference 16.1.13)

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ExQ	Question to:	Question	Response
		<ul style="list-style-type: none"> • 39 <p>c) If any of the above documents have been updated since the Market Needs Assessment was drafted could the Applicant please provide those updates along with a commentary as to how they affect consideration of the Proposed Development.</p>	<p>The source document schedule (document reference 16.1.8) sets out commentary as to how these documents affect consideration of the Proposed Development, in addition, the schedule contains updated letters of support that have been issued in relation to the HNRFI following publication of the updated source documents.</p>
1.7.27.	The Applicant	<p>Market Needs Assessment [APP-357] - Interaction with rail network</p> <p>Paragraph 1.2 states that the intermodal terminal within the Railport has been designed to utilise the east and west connections to the network. Paragraph 1.3 then sets out that</p>	<p>The depiction of the relationship with the Midland Region’s SRFI’s is set out in the Market Needs Assessment (Doc Ref 16.1 PINS Ref APP-357) from 6.6 to 6.15, under the heading ‘The Market for Hinckley NRFI’.</p> <p>The relationship with other SRFI’s nationally relates to the development of more SRFI’s in the regions, which this terminal is uniquely capable of assisting.</p> <p>The relationship and ability to act as a hub for mixed destination train loads from new / smaller terminals, is set out in the Market Needs Assessment (Doc Ref 16.1 PINS Ref APP-357) at 4.29 to 4.32, with a diagram explaining the potential at Diag 4.1 HNRFI – NATIONAL INTERMODAL HUB</p> <p>The reason this hub capability is unique to HNRFI is its location on the strategic freight network and its design, making it possible to use one train set to do two roundtrips per day to shuttle containers between HNRFI and the major ports such as Felixstowe, London Gateway and Liverpool.</p>

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ExQ	Question to:	Question	Response
		<p>the local market would primarily be Coventry, Hinckley to Leicester and Leicester South, including Magna Park. Can the Applicant point to elements of its submission that depicts how the proposed SRFI would interact with other SRFIs. Alternatively, could an explanation in this regard be provided.</p>	<p>This location and ability to maximise the utilisation of the train set significantly reduces operating costs and in so doing, allows rail to compete for even mixed load trains, with containers consolidated and dispatched via HNRFI.</p> <p>HNRFI will have the potential to enable occupiers and local businesses to use the rail terminal for distribution into and out of other regional SRFI's, in the way that TESCO has developed for its own traffic.</p> <p>Tesco operate 6 trains per day (7 in 2024) to/from the Daventry rail terminal moving some 400+ loads per day, and connecting Tilbury, Doncaster, Teesport, Mossend (Scotland) & South Wales. This has created a network where goods can travel from any of those regions to another via the Daventry Hub. Whilst the majority of the traffic moved is for Tesco, the Network also moves products for an additional 40+ companies ranging from one load per week to multiples per day.</p>
1.7.28.	The Applicant	<p>Market Needs Assessment. [APP-357] –</p> <p>Decarbonisation</p> <p>Paragraph 1.10 refers to the decarbonisation of freight. Could the Applicant explain how this proposal delivers a decarbonised solution, in light of the Government's aims stated at paragraph</p>	<p>As established in the data build-up of the potential CO2e savings between road and rail submitted at Deadline 3 (Doc Ref: PINS Ref) it can be seen from the outset that every train taking lorries off the road with save CO2e, even using existing diesel locomotives.</p> <p>This is the base line as the rail industry moves to itself achieve net Zero, with increasing use already of new fuels such as HVO, investment in new hybrid locomotives, such as Stadler Rail's Class 88's and Class 99's with dual diesel and electric motor, and a Class 93 tri-modal locomotive in production, which includes on board battery power to further reduce emissions under load or operate on battery alone, on unelectrified lines.</p> <p>All of these new engines will be able to operate at HNRFI.</p> <p>HNRFI has been designed to accommodate overhead line equipment and trains utilising them if and when this section of the line is electrified.</p> <p>With the pressure to deliver more freight by rail and if rail terminals are available to service trains, this brings commercial revenue streams of value to support further investment in electrification, or indeed, further invest in new technologies emerging worldwide, including the use of hydrogen instead of diesel, in hybrid combinations with batteries.</p>

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ExQ	Question to:	Question	Response
		2.44 of the NPSNN, for Strategic Rail Freight Interchanges to optimise the use of rail.	The rail industry is thoroughly engaged in decarbonising its services. To grow the capability to use these low carbon solutions, terminals in the right place, that meet users demands, have to be built.
1.7.29.	The Applicant	<p>Market Testing</p> <p>The D3 [REP3-069] submission in relation to market testing outlines the conclusions from soft market testing, could the Applicant provide further evidence to underpin the conclusions?</p>	<p>The nature of ‘soft’ market testing is that it is based on the sentiment of target occupiers in the sector.</p> <p>A relevant example of strong demand for rail-served industrial and logistics development can be seen at East Midlands Gateway, where c. 500,000 sq m of logistics space has been leased or sold in the period from March 2019 to December 2023, representing an average of c. 100,000 sq m of take-up each year, and resulting in that development being fully let. It is understood from that scheme’s rail freight terminal operator Maritime Transport, that every occupier is in some way using the rail provision at the development.</p> <p>Similarly, the larger DIRFT scheme has seen constant take-up of space as each phase of industrial and logistics development has become available for construction.</p> <p>The ongoing discussions with Maritime Transport to run the rail freight terminal at HNRFI further demonstrates belief in the need for this development in this location. Maritime Transport will only consider locations where there is commercial viability, which is led by the likelihood of strong occupier demand.</p>
1.7.31.	The Applicant NR	<p>Market Needs Assessment [APP-357]</p> <p>– Line electrification and decarbonisation</p>	<p>This is a matter for DfT, Treasury and NR, nor the Applicant. Emerging technology such as hybrid hydrogen trains may mean electrification is not required.</p> <p>The Applicants proposals have however allowed for the future electrification of the line.</p>

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ExQ	Question to:	Question	Response
		<p>Paragraph 3.29 refers to DfT’s Transport Decarbonisation Plan and the statement ‘Rail is currently the only means of transporting heavy goods in a low carbon way using existing proven technology through electrification’. The Plan further elaborates that by 2050 all rail freight will be net zero, and we will have increased the capacity to move more goods by rail. By 2040 the Plan’s ambitions are that Diesel trains will be removed from the network.</p> <p>a) In light of these statements, and that the proposed trains used will be diesel hauled, can the Applicant advise what</p>	

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ExQ	Question to:	Question	Response
		<p>timeline the project has to electrify the line, working in partnership with NR?</p> <p>b) D3 submission [REP3-065] provides a commentary on the impacts of the cancellation of the northern elements of HS2 but doesn't allude to whether additional funds may be made available to expedite the electrification of the rail network. Could the Applicant and NR comment?</p> <p>c) Can NR also comment on the prospects of the line being able to achieve the targets sets out in the Transport Decarbonisation Plan?</p>	
1.7.32.	The Applicant	<p>Market Needs Assessment [APP-357]</p>	<p>a) The driver shortage has been extensively reported. It is set out in the IBIS World Freight Road Report August 2022 (Doc ref 16.1.2). Whilst mentioned at several points, the details are set out on Page 12, para 2 under ON THE ROAD:</p>

ExQ	Question to:	Question	Response
		<p>– Driver availability and rail connection</p> <p>a) Paragraph 4.15 indicates that there is a national driver shortage plus an aging driver base. Could the Applicant please provide data to illustrate this assertion.</p> <p>b) Paragraph 4.15 also states that recent additional efforts have been made to relieve pressure. Again, could the Applicant please provide data and further information to substantiate this point.</p> <p>c) Illustrations in 1.7 and Diagram 4.1 provide a geographical overview of the national strategic rail freight network. It is noted that this covers the Midlands, Wales</p>	<p>“The ability for enterprise expansion has been limited throughout the period due to the now chronic undersupply of appropriately qualified drivers. A report by the Freight Transport Association found that 15% of firms did not expect to fill vacancies in 2019, which reiterates the findings of a 2017 report. More recently, this shortage has exacerbated by the coronavirus pandemic and the end of the transition period between the United Kingdom and the European Union, as a significant testing backlog has been accompanied by an exodus of EU workers and reduced access to EU labour markets. In October 2021, the Road Haulage Association estimated that there was a shortage of more than 100,000 qualified drivers in the United Kingdom. Pressures eased during the latter part of 2021, aided by increased funding for HGV driver tests and the introduction of temporary visas for 5,000 lorry drivers to work in the United Kingdom. This is expected to have led to an accelerated rise in average wages across the industry during the current year.”</p> <p>b) The above extract for the IBIS World Freight Road Report references the efforts taken to reduce the shortfall “. Pressures eased during the latter part of 2021, aided by increased funding for HGV driver tests and the introduction of temporary visas for 5,000 lorry drivers to work in the United Kingdom.”</p> <p>c) The illustration in 1.7 and Diagram 4.1 is an example of a hub operation between terminals on the Thames and Humber, with a mixed freight load from each, going via HNRFI, to be consolidated to make a full train load, with HNRFI’s own traffic, to reach terminals in Liverpool and South Wales.</p> <p>This hub operation works when the originating terminals do not have enough traffic to make a direct rail service themselves to the final destination.</p> <p>The Liverpool access is north via the WCML and could be to Scotland via the same line. The Humber is north via the ECML and again could go further north to Teesport and Scotland.</p> <p>The overview of the Strategic Freight Network is shown in the same document (Doc Ref 16.1 PINS Ref APP-357) at page 11 as MAP 1 – NETWORK RAIL INTERMODAL STRATEGIC FREIGHT ROUTES.</p> <p>This Map has had HNRFI identified on it, which more clearly identifies the connectivity to the main strategic freight routes and is provided at DOC Ref etc. (To follow, requested NR key to go with it)</p>

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ExQ	Question to:	Question	Response
		<p>and the South. Please provide commentary and amend the diagrams as you see fit to outline how this will connect to the north and Scotland, or how these areas will be serviced and how Hinckley will contribute.</p>	
1.7.33.	The Applicant	<p>Market Needs Assessment [APP-357] – Markets</p> <p>Paragraphs 5.1 - 5.10 provide an overview of the different markets for movement of freight. Can the Applicant state which market the Proposed Development will be focused on. If it is a range of markets, please provide percentages of the markets to be utilised?</p>	<p>HNRFI will be particularly attractive to the following:</p> <ul style="list-style-type: none"> Businesses with a significant volume of imports and / or exports going via global deep sea routes, which tend to be slower moving goods, including consumer goods, parts and manufacturing products, such as machinery. Businesses with imports and/or exports going to and from European short sea shipping routes, which may include fast moving consumer goods. Businesses with reasonably significant volumes of traffic to and/or from the UK regions, which could utilise the hub capability of HNRFI, to use rail instead of road. Such businesses would not need to have the sort of volumes TESCO controls, to benefit from using rail. <p>The percentage market mix is not predictable at this stage. Indeed, one company could have a complete mix of all of the above. To some extent the mix will depend on international trading relations and the pace of development of regional SRFI's and as such may well change over time.</p>

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ExQ	Question to:	Question	Response
1.7.34.	The Applicant	<p>Market Needs Assessment [APP-357] – SRFI capacity</p> <p>Could the Applicant please set out, in a table, the capacity of each SRFI within the Midlands region, what each centre handles in terms of markets for movement, and what level of vacant floorspace currently are being experienced in each SRFI.</p>	<p>It is important that SRFI capacity is understood in the context of the Applicant’s answer to 1.7.25, relating to Overall Need. Hams Hall and Birch Coppice (BIFT) are operating at full capacity for rail , Hams Hall has 26,000sqm of vacant second hand warehousing currently available.</p> <p>East Midland Gateway is at 6 trains with potential to go to 12. The warehousing provision was fully let within 6 years of the commencement of the first phase of construction, some 4 years ahead of its original intended completion date. Both phases of the rail freight terminal are now operational.</p> <p>DIRFT 1 is at full capacity. The replacement is being completed but the practical capacity will depend on other estate rail traffic, including TESCO and Sainsbury’s, as they are all to be served off the same single-track line from the mainline reception sidings. There are remaining sites for up to 190,000 sqm, with discussions ongoing on c.75% of this space</p> <p>Northampton Gateway is currently under construction and will be able to serve 8 intermodal trains when complete. The development has consent for up to 500,000 sq m of warehousing, with up to 270,000 sqm understood to be in advanced discussions prior to completion of the rail connections and wider infrastructure programme.</p>
1.7.35.	The Applicant	<p>Market Needs Assessment [APP-357] – Need calculation</p> <p>Please confirm whether the calculation of need is 1.6Mm2 or 768,000m2, after taking into consideration of existing commitments and planned provision.</p>	<p>The Applicant confirms that there is a shortfall of 768,000 m2 (307 ha) at rail served sites which should be planned for (including margins) after taking into consideration existing supply. This is detailed in Document reference: 18.8.4 (REP3-068) paragraph 1.18, 2nd bullet.</p> <p>This figure is from the ‘Warehousing and Logistics in Leicestershire and Leicestershire: managing growth and change’ (attached as Appendix 2 to Document reference: 18.8.4 (REP3-068)) on behalf of the local planning authorities in Leicester; Leicestershire County Council and the Leicester and Leicestershire Local Enterprise Partnership. Inevitably this report is ‘project blind’ in that it relates to the generic subregional need for larger B8 units over 9,290 m2 across Leicestershire.</p> <p>Document reference: 18.8.4 (REP3-068), paragraph 1.19 references the Statement of Common Ground on Planning Matters with the LAs for HNRFI it has been agreed:</p>

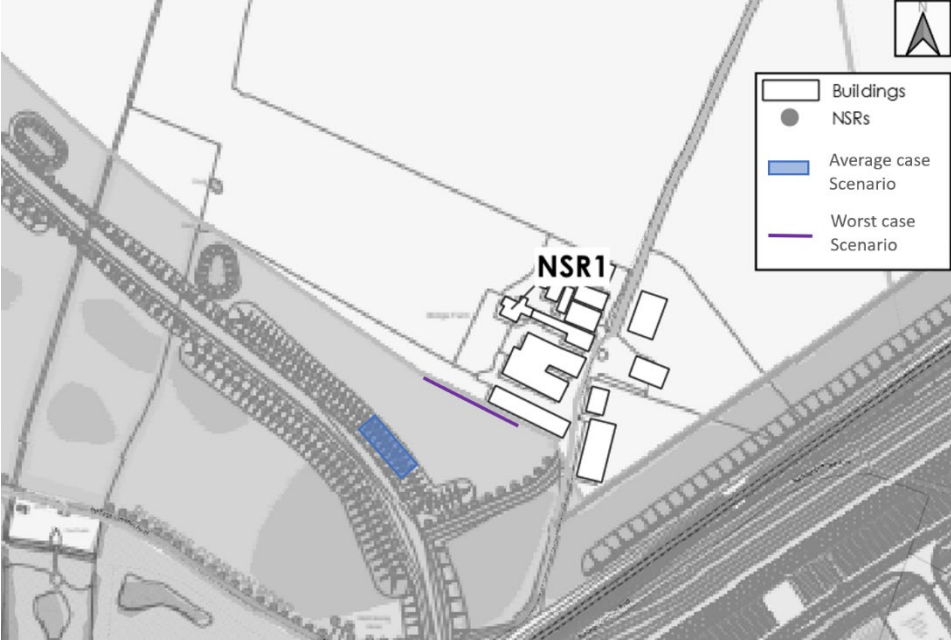
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ExQ	Question to:	Question	Response
			<ul style="list-style-type: none"> • That the Study above identifies a short fall of 718,875 m2 of rail served sites which should be planned for the period to 2041 – and that a supply shortfall for rail served sites ‘starts to emerge around the mid 2020’s (Leicester and Leicestershire Authorities’ ‘Statement of Common Ground relating to Strategic Warehousing and Logistics Needs’ attached as Appendix 3 (September 2021 paragraphs 3.4-3.5).
	The Applicant	<p>Geographies of Market Areas Plan [REP3-067]</p> <p>The plan, as submitted, does not identify the rail line as part of the physical geography, could the Applicant revise the plan to highlight this and change the reference from miles to kilometres.</p>	The revised plan is submitted at Deadline 4 (document reference 18.8.3A).

ExQ	Question to:	Question	Response
1.8.2.	The Applicant Local Authorities	<p>Ambient Noise Levels</p> <p>a) Following discussions at ISH3, can the Applicant provide written clarification as to why noise collected at NMPs has not been attenuated for both distance and topography in order to decipher current ambient noise levels at NSRs and why assessments do not need to be altered to account for this.</p> <p>b) Could the local authorities please comment on this also.</p>	<p>Given the location of the Proposed Development and receptors, which are located in the vicinity of the existing rail line, M69, B4669 and surrounding road network, as distance increases from one source, another source will become more dominant.</p> <p>This is evidenced in Document Reference 18.7.6 Written Statement of Oral Case ISH3 (Appendix F – Noise Assessment Update Note), where the applicant has provided further clarification to this matter in relation to NMP4.</p> <p>The note presents the latest available DEFRA noise mapping data for the rail line, and the noise modelling contour outputs from the baseline traffic data for the year 2019 in the vicinity of NMP4. The noise levels from the rail line and surrounding road network have been logarithmically added together and the resultant cumulative noise levels for the baseline are within the range of the ambient noise levels used within the assessment.</p> <p>It is noted that the SoCG with BDC and HBBC has the following Matters Agreed:</p> <ul style="list-style-type: none"> • Construction and Operational Phase Noise and Vibration Assessment - Selection of Sensitive Receptors • Operational Noise and Vibration Assessment – Baseline noise and vibration survey methodology

Noise and Vibration

ExQ	Question to:	Question	Response
			Therefore, further consideration of the methodology is not required.
1.8.3.	The Applicant	<p>Noise Attenuation</p> <p>If attenuation identified at ExQ1.8.2 needs to be applied for the specific sound recorded at the NMPs to establish sound experienced at NSRs, are the documents “Calculation of Railway Noise”, published by the Department of Transport in 1995, and the “Calculation of Road Traffic Noise”, published by the Department of Transport, Welsh Office, in 1988 relevant to perform this? If so, how would these affect assessments?</p>	Attenuation of the noise levels does not need to be applied for the reasons set out in the response to 1.8.2.
1.8.4.	The Applicant	<p>Construction Noise</p> <p>Likely noise effects at NSRs have been considered on an ‘average case’ and a ‘worst case’ scenario. For the average case scenario an ‘approximate centre point of the closest area of construction’ has been used.</p> <p>a) Can the Applicant explain how this centre point was established for the purposes of assessments?</p> <p>b) Further, can it identify the size of the closest area of construction and its distance from site boundaries, including reasons for such measurements, noting that Interested Parties ([REP1-109] to [REP1-113]) consider average case calculations to be correct only when plant is grouped at 300m from the site boundary and that the average area of construction is around</p>	A) The following illustrative figure, which is not to scale presents an example of how the construction area was defined for receptors included within the construction noise assessment.

ExQ	Question to:	Question	Response
		<p>600m in width? If this is correct, what are the implications for noise assessments?</p>	 <p>The worst-case scenario assumes that construction works could take place within 5m of the Main DCO limits.</p> <p>The average case scenario assumes construction taking place within the closest area where works are required, as shown on the above figure for NSR1.</p> <p>B) The average case and worst case assessments represent the range of potential outcomes for works. Where there is a large area of construction, the worst case impacts would remain the same as if it were a smaller area, however, conversely, if there is a large area where activities are on average going to be a very significant distance away from the site boundary, the average case assessment should reflect this. This is demonstrated in the above figure.</p>

Noise and Vibration

ExQ	Question to:	Question	Response
			<p>It is noted that the SoCG with BDC and HBBC has the following Matters Agreed:</p> <ul style="list-style-type: none"> • Construction Phase Noise Assessment – Assessment Criteria • Construction Phase Noise Assessment – Assessment Methodology • Construction Phase Noise Assessment <p>Therefore, further consideration of the methodology is not appropriate.</p>
1.8.5.	The Applicant	<p>Construction Noise Modelling</p> <p>Could the Applicant explain how BS5228 Part 1: Noise and ISO-9613-2-1996 ‘Acoustics – Attenuation of sound during propagation outdoors - Part 2: General method of calculation’ been considered in relation to construction noise assessments?</p>	<p>Construction noise has been calculated in full compliance with the methodologies set out in BS5228 Part 1, which is the British Standard specific to the prediction and assessment of construction noise, and therefore the correct calculation methodology for predicting construction noise.</p> <p>The methodology is consistent with the construction noise assessments for other similar DCOs such as Northampton Gateway, West Midlands Interchange and East Midlands Gateway.</p> <p>Therefore, the use of other calculation procedures is not appropriate.</p>
1.8.6.	The Applicant	<p>Construction Noise Modelling – Plant Machinery</p> <p>Could the Applicant show how has the differences in noise levels between individual plant machinery been factored into the noise assessments?</p>	<p>BS5228-1 is the British Standard for predicting and assessing noise from construction. For a construction noise assessment, the standard assessment approach is based on the noise from each plant item averaged over the daily construction hours.</p>

ExQ	Question to:	Question	Response
			<p>Table 10.27 of the ES Chapter (document reference: 6.1.10A) sets out the individual plant machinery noise levels, the number of each type of plant assumed, and their percentage “on” time.</p> <p>For each individual item, the predicted resultant noise level at a given receptor has been calculated, and then an overall noise level has been determined by logarithmically summing all individual resultant noise levels. This then allows the total construction noise level experienced at a given receptor from all plant to be determined and compared against BS5228-1 criteria.</p>
1.8.7.	The Applicant	<p>Construction Noise Modelling</p> <p>Could the Applicant show how the tonality, impulsivity, and intermittency characteristics of construction noise been considered in assessments?</p>	<p>The criteria sets described in BS5228-1, which is the British Standard specific to the prediction and assessment of construction noise, take into consideration the nature of construction noise and the community response to this type of noise, and do not allow nor require the practitioner to adjust the resultant noise levels for acoustic character.</p>
1.8.8.	The Applicant	<p>Construction/Operational Activity</p> <p>Could the Applicant show how the effect of dual construction and operation activity been considered and assessed in terms of noise and vibration? If so, please signpost this information, or if not could this analysis be undertaken.</p>	<p>The site is of such a significant scale that, for a given receptor, at any given time, either operational noise will dominate over the construction noise, or vice versa.</p> <p>Furthermore, it is impossible to reliably combine noise from operational and construction phase activity, as they are of a different nature, one is temporary whilst the other is permanent, and they have different psychological responses. Generally, people are more tolerant of shorter term, temporary noise than permanent noise. This is why they are assessed in different ways, underpinned by different British Standards and guidance documents, and to different criteria.</p>

Noise and Vibration

ExQ	Question to:	Question	Response
			<p>BS5228-1 Section 6.3 <i>Issues associated with noise effects and community reaction</i> reinforces this through the statement “However, it is generally assumed that a greater difference might be tolerated, than for an industrial source, when it is known that the operations are of short or limited duration.”</p> <p>The Noise & Vibration Chapter for West Midlands Interchange included a commentary on potential for combined effects from construction phases and operational phases occurring concurrently, but did not include a formal assessment, whilst for Northampton Gateway it was not considered at all. The consistent theme is that it is impossible to reliably undertake a quantitative assessment of the in-combination effects.</p> <p>The Applicant acknowledges that the operational use of the first phases of the Proposed Development while later phases are being constructed has the potential to lead to short term increased noise levels at nearby receptors. However, where construction works are located near to a receptor and near to the site boundary, there will be no additive effect i.e the construction works will dominate.</p> <p>The following is taken from the Noise and Vibration Chapter undertaken for West Midlands Interchange.</p>

Noise and Vibration

ExQ	Question to:	Question	Response
			<p><i>“The potential for combined effects is greater where the construction works are further away from any given receptor, when the construction noise levels are predicted to drop towards the level of noise generated by the operations. However, as the site is built out, screening will be provided by the development itself which will reduce any cumulative effects.</i></p> <p><i>Overall, the effect of cumulative construction and operational noise levels is unlikely to be significantly greater than construction on its own.</i></p> <p><i>The key difference will be at night, where construction works stop, and the early phases of the operational development continue. In these instances, the impacts set out in the operational noise assessment will occur with no added effect from construction noise.”</i></p> <p>Adopting the same approach for the Proposed Development would therefore not change the overall reported residual effects.</p>
1.8.9.	The Applicant	<p>Cumulative Effects</p> <p>a) Could the Applicant explain whether it has considered the cumulative effects of noise from Construction Traffic, together with the noise</p>	<p>A) The assessed effects of the construction phase road traffic are of negligible adverse effect at worst when assessed against DMRB construction phase criteria, with worst case increases of +0.6dB identified, which are not significant. The assessment is detailed in Paragraphs 10.134 to 10.137 within Chapter 10 Noise and Vibration (Document Reference 6.1.10).</p>

Noise and Vibration

ExQ	Question to:	Question	Response
		<p>assessments based on sound monitored at the NMPs?</p> <p>b) Does this have any effect on assessments?</p>	<p>It is unclear what is meant by 'the noise assessments based on sound monitored at the NMPs', however, the assessment follows the recognised industry standard approach for construction road traffic noise.</p> <p>B) This would have no effect on the assessment of construction phase road traffic noise.</p> <p>It is noted that the SoCG with BDC and HBBC has the following Matters Agreed:</p> <ul style="list-style-type: none"> • Construction Phase Traffic Assessment <p>Therefore, further consideration of the methodology is not required at this stage.</p>
1.8.10.	The Applicant	<p>Predicted Unmitigated Noise Assessments</p> <p>Could the Applicant clearly set out why NSRs located in excess of 300m away from the site boundary have been removed from assessments in relation to predicted unmitigated noise levels?</p>	<p>To clarify, the omission of NSRs located in excess of 300m away only applies to the construction phase noise assessment.</p> <p>Construction noise has been assessed in accordance with BS5228-1:2009+A1:2014 '<i>Code of practice for noise and vibration control on construction and open sites – Part 1: Noise</i>', which is the pertinent guidance for this type of noise. This states in section F.2.3.2 that '<i>at distances over 300 m, caution is needed, especially on applying the soft ground curves, because of the increasing importance of meteorological effects</i>'. This is also referenced in Paragraph 10.127 of the Noise and Vibration Chapter (document reference: 6.1.10A) Revision 07.</p>

ExQ	Question to:	Question	Response
			<p>Whilst this statement from section F.2.3.2 does not explicitly exclude any assessment beyond 300m, the implication is that the calculation methodologies in BS 5228-1 may not be reliable beyond this distance. In the interests of presenting a robust assessment, 300m is considered a suitable study area. For additional context, para 3.5 Note 1 (p13) of DMRB LA111 advises that for construction noise assessments of highways infrastructure "A study area of 300m from the closest construction activity is normally sufficient to encompass noise sensitive receptors.". As such, there is a clear consistency between two professional guidance documents relating to the matter of construction noise.</p> <p>Notwithstanding this, at distances of 200m and greater the noise levels as a result of construction will be lower than the adopted criteria of 65dB.</p> <p>It is also worth noting that Construction Phase Noise Assessment is agreed through the Statement of Common Ground with BDC and HBBC</p>
1.8.11.	The Applicant	<p>Ground Acoustic Absorption</p> <p>In terms of noise impacts from the completed development, how has the ground absorption coefficient of 0 been calculated as identified in paragraph 10.220 of ES Chapter 10 [APP-119] for the "Do Something" scenarios? Has this coefficient been used for all noise models and, if not, why not?</p>	<p>As described in paragraph 10.220 of the ES Chapter, the "Do Something" scenario ground absorption coefficient has been assumed to be 0 across the Proposed Development to reflect the situation that the scheme comes forward and the soft ground across the site is developed out to hard standing. For "Do Minimum" scenarios, the Proposed Development area would not be built out and therefore remain as soft ground, i.e. an absorption coefficient of 1.</p>

ExQ	Question to:	Question	Response
			<p>It is of note that the following matter is currently agreed with BDC and HBBC:</p> <ul style="list-style-type: none"> Operational Phase Noise Assessment - Modelling Inputs and Source Data
1.8.12.	The Applicant	<p>Ground Acoustic Absorption</p> <p>a) Could the Applicant explain why a ground absorption coefficient of 0.0 should not be extended beyond the site boundary to include the width of the existing railway?</p> <p>b) If it were to be extended, what effect would this have on the assessments?</p>	<p>A) Although the railway could be considered hard ground, the area between the railway and receptors to the north of the railway is soft ground (i.e. fields). Therefore, noise from the Proposed Development will propagate much further than the width of the railway, with the majority of the path crossing soft ground. The industry standard approach when mixed ground types are present is to use an absorption coefficient of $G=0.5$, which is appropriate in this case.</p> <p>The generalised noise model setting has been $G = 0.5$, which essentially takes into account the mixed ground conditions between source and receiver (i.e. from source to receiver the sound will need to travel across some hard ground and some soft ground). Where other absorption coefficients have been used for specific areas, these have been stated in the ES chapter. Therefore, the existing railway has been taken as $G = 0.5$ along its width.</p> <p>B) In practice, given the short distance over which the sound would travel across the rail line, the setting of this area would make no appreciable difference to resultant noise levels.</p> <p>The modelling inputs and source data for the operational phase noise assessment are agreed through the Statement of Common Ground with BDC and HBBC.</p>

ExQ	Question to:	Question	Response
1.8.13.	The Applicant	<p>Background and Rating Levels</p> <p>Does the BS4142:2014+A1:2019 “Technical Note” published by the Association of Noise Consultants Good Practice Working Group in March 2020 have any relevance to assessments in terms of background levels and rating levels? If so, could the Applicant explain the implications?</p>	<p>The Association of Noise Consultants (ANC) is a trade organisation. The Technical Note was produced to assist their members with interpretation of the British Standard, however p2 of the document states:</p> <p><i>“This is intended to be a discussion document with some qualified views from the ANC Working Group (WG) and should not be taken as a prescriptive guide. The discussion is also intended to assist with the evolution and development of subsequent guidance.”</i></p> <p>The applicant considers BS4142 to be clear as a standalone document, and it is not considered that there is anything within the ANC Technical Note that would change the approach or results of the assessments set out in the ES Chapter.</p> <p>The operational phase noise assessment methodology is agreed through the Statement of Common Ground with BDC and HBBC.</p>
1.8.14.	The Applicant	<p>Rail Movements</p> <p>Data on timetabled trains has been used to provide the baseline for the existing movements at the current time on a weekday. Could the Applicant explain how this element of modelling is robust given that some trains timetabled to run do not actually run?</p>	<p>There would need to be a significant reduction in number of trains running for this to have an appreciable effect on the existing ambient noise levels in proximity to the railway.</p> <p>Furthermore, in the applicant’s Written Statements of Oral Case ISH3 [Appendix F - Noise Assessment Update Note] (document reference: 18.7.6, REP3-061), the Defra strategic noise mapping for the railway is referenced. This is essentially annualised data that allows a long term “average” to be considered for strategic planning purposes. The document demonstrates that the levels used for the existing ambient baseline are representative and robust.</p>
1.8.15.	The Applicant	<p>Train Accelerating/Decelerating</p>	<p>Train movements at a higher speed generate higher noise levels, therefore trains accelerating/decelerating at low speed within the confines of the terminal will produce lower noise levels than if they were</p>

Noise and Vibration

ExQ	Question to:	Question	Response
		<p>Could the Applicant explain how has train accelerating/ decelerating, including any associated 'wheel squeal', been taken into account in noise assessments?</p>	<p>travelling at higher speeds on the main line. Therefore, the introduction of any measures that reduce the speed of a train, such as the provision of a station or stop, has the effect of reducing noise impacts.</p> <p>Wheel squeal is essentially generated by lateral slip of the wheel against the railhead. Lateral slip causes degradation of the rail and wheel which then exacerbates wheel squeal as there is then more friction. A properly maintained track will assist in reducing wheel squeal. It can be removed by eliminating tight radius curves, and the curve as proposed in the parameters has already been reduced as much as practicable.</p> <p>The stick-slip excitation that leads to wheel squeal can be managed by reducing the friction at the wheel/rail interface. This is done by gauge face lubrication (GFL) through wayside or on-train applicators. As part of the general maintenance of mainline tracks, Network Rail uses GFL to prolong the life of the tracks and it has the associated effect of preventing wheel squeal. Similarly, general maintenance of the track not in the control of Network Rail will include the use of GFL.</p> <p>On this basis, the noise assessment has not accounted for wheel squeal as it has been assumed that this general maintenance will take place. Notwithstanding this, there are a number of acoustic barriers proposed adjacent to the radius curve.</p>

ExQ	Question to:	Question	Response
1.8.16.	The Applicant	<p>Diesel Locomotives</p> <p>Could the Applicant explain how the effects of the starting of combustion engines for diesel locomotives been considered in noise assessments?</p>	<p>The noise assessment has not specifically considered the starting up of a combustion engine, but noise from a locomotive pulling away has been included within the assessment, which is similar to an engine starting up. Both sources have similar frequency content and include the engine revving up. Therefore, the source data and assumptions made within the assessment are robust. Furthermore, the modelling inputs and source data are agreed through the Statement of Common Ground with BDC and HBBC.</p> <p>Table 10.36 of the ES Chapter (document reference: 6.1.10A) includes source noise data for a diesel locomotive idling/pulling away. Paragraph 10.154 (fourth bullet) states how this noise source has been included in the noise model.</p>
1.8.17.	The Applicant	<p>Uncertainty</p> <p>Could the Applicant explain how it has addressed the principles of Uncertainty alluded to in BS 4142:2014+A1:2019 “Methods for rating and assessing industrial and commercial sound” for the noise and vibration assessments?</p>	<p>The level of uncertainty of the measurement is low given the length of the measurement period and intervals, and the removal of any adverse weather conditions.</p> <p>The level of uncertainty from the calculation is low. The resultant levels have been derived using acoustic modelling software that uses industry recognised standard ISO 9613-2 calculation method, which assumes downwind sound propagation in all directions. Standardised sound pressure levels were used as input data in the model which is considered to be representative of the sources and the conditions under which the sources are expected to operate.</p>

ExQ	Question to:	Question	Response
1.8.19.	The Applicant BDB HBBC	<p>Overnight Rail Movements</p> <p>a) Can the Applicant clarify that noise assessments have only taken into account overnight engineering train movements between the hours of 23:00 and 05:00 and no other trains given NR's indicates in paragraph 5.19 of the Summary Rail Report [REP3-050] that the Rules of the Route does not assume trains will run past the site between these hours?</p> <p>b) Do BDC and HBBC have any comments on this?</p>	<p>A) No, the night-time noise assessment covers the 23:00 – 07:00 time period, which is in line with BS8233:2014 Guidance on sound insulation and noise reduction for buildings.</p> <p>The assessment has assumed five two-way existing passenger movements and 21 two-way existing freight trains during this time period. The freight train movements dominate the noise level during the night-time and removing the passenger movements as a worst-case does not alter the results of the assessment. Therefore, the methodology and results of the assessment of noise from off-site rail movements are robust, and are agreed through the Statement of Common Ground with BDC and HBBC.</p>
1.8.20.	The Applicant	<p>Noise Thresholds</p> <p>The Applicant states, at paragraph 10.36 to ES Chapter 10 [APP-119], that changes in noise level above 3dB are only just perceptible under laboratory conditions. Could the Applicant explain its reasoning for this assertion, particularly given that Table 10.9 to ES Chapter 10 shows that the magnitude of impact from an increase of 3dB is 'Medium' and as paragraph 10.54 to this Chapter described changes of Medium magnitude as 'significant'?</p>	<p>Table 10.9 relates specifically to noise from off-site rail movements. Notwithstanding this, the table does state that a change in noise level between 3.0 - 9.9 dB is noticeable and potentially intrusive, particularly at the higher end of the scale. A change of 3dB is at the lower end of this scale.</p> <p>As stated in the Noise and Vibration chapter (document reference: 6.1.10A), and within the IEMA Guidelines for Environmental Noise Impact Assessment, changes of 3dB are only just perceptible under conditions 'in the field' (i.e. in practical or 'real world' conditions). This relates to noise that is continuous and similar in nature to the existing noise, however using the rating level, rather than the specific provides a reasonable proxy for this.</p>

Noise and Vibration

ExQ	Question to:	Question	Response
			<p>Notwithstanding this, with mitigation in place, the increase in noise level as a result of HGV movements, loading/unloading operations and service yard operations including SRFI operations, is up to 1.7dB, as a worst case (see tables 10.58 and 10.59 in the Noise and Vibration Chapter) (document reference: 6.1.10A). This is below 3dB and unlikely to be perceptible to the human ear under ‘real world’ conditions</p>
1.8.21.	The Applicant	<p>Noise Thresholds Has paragraph 2.7 of the Institute of Environmental Management and Assessment Guidelines for Environmental Noise Impact Assessment, which appears to state that changes of 3dB are perceptible under most normal conditions, been considered in relation to the setting of perceptible noise thresholds shown at paragraph 10.36 to ES Chapter 10 [APP-119]?</p>	<p>Yes, however there is a typographical error in paragraph 10.36 of the ES Chapter (document reference: 6.1.10A). It should read as follows (changes underlined):</p> <p>Therefore, to determine the resultant effect as a result of operational noise, sound rating levels have been compared to the existing noise climate at each receptor. The effect is determined by the change in noise level, with changes of 3dB being only just perceptible <u>under laboratory</u> <u>under most normal</u> conditions. This relates to noise that is continuous and similar in nature to the existing noise, however using the rating level, rather than the specific level, accounts for this.”</p> <p>This has been amended within the Noise and Vibration ES chapter, and submitted at Deadline 4.</p>
1.8.22.	The Applicant	<p>Noise Thresholds Could the Applicant explain how the nature of the type of activity at the proposed service yard been considered in terms of the setting of the 3dB perceptible noise threshold?</p>	<p>The 3dB threshold has been adopted within the context assessment for operational noise, and is set in accordance with the Institute of Environmental Management and Assessment Guidelines for Environmental Noise Impact. However, this threshold relates to noise that is continuous and similar in nature to the existing noise. As noise</p>

ExQ	Question to:	Question	Response
			<p>from service activities could potentially include differing acoustic character, the rating level has been used within the context assessment, rather than the Specific Sound Level.</p>
1.8.23.	The Applicant	<p>Rating Levels</p> <p>a) Could the Applicant explain what acoustic character corrections been applied to the specific sound level to account for factors including the tonality and impulsivity of specific noise when calculating rating levels?</p> <p>b) Similarly, what acoustic corrections been applied for rating levels for noise assessments with mitigation in place?</p> <p>c) If no acoustic corrections have been applied, could the Applicant explain why this is the case and the effect of this on noise assessments.</p>	<p>A) Paragraphs 10.157 to 10.161 of the ES Chapter (document reference: 6.1.10A) set out the rationale for the application of acoustic character corrections in the unmitigated noise assessment. The corrections range between 0 and 10dB, dependant on NSR. A penalty of 2dB has been applied to account for tonality associated with the gantry cranes which is likely to be just perceptible at NSRs 1 through 8, 19, 20, 25 and 26. A 4dB penalty has been applied at NSR24, to account for tonality which is likely to be clearly perceptible. A penalty of 3dB has been applied to account for impulsivity associated with the Proposed Development which is likely to be just perceptible at NSRs 2 through 8, 15 through 20, 25 and 26. A 6dB penalty has been applied at NSR24, to account for impulsivity which is likely to be clearly perceptible. To account for impulsivity at NSRs 9 and 10, a penalty of 6dB and 3dB has been applied respectively.</p> <p>B) No character corrections are considered warranted in the mitigated noise assessment.</p> <p>C) Although operations will include activities which are individually intermittent, that many of these operations will overlap, which will give the impression of the site operating consistently. Notwithstanding this, through discussions with BDC and HBBC, a sensitivity analysis has been undertaken where 3dB penalty for operational noise associated with the HNRFI has been applied. This sensitivity analysis concludes that with</p>

Noise and Vibration

ExQ	Question to:	Question	Response
			<p>the implementation of acoustic barriers, the resultant effects at nearby NSRs are not significant. The document is appended to the SoCG (Hinckley NRFI SoCG between the Applicant and Blaby District Council Document Reference 19.1B).</p>
1.8.24.	The Applicant	<p>Rating Penalties Can the Applicant explain the methodology and rationale for the application of its various rating penalties.</p>	<p>A) Paragraphs 10.157-10.161 and 10.288 of the ES Chapter (document reference: 6.1.10A) set out the rationale for this, which are also detailed above. The rating penalties have been applied in accordance with the subjective method detailed in BS4142:2014+A1:2019.</p>
1.8.25.	The Applicant	<p>Noise Reduction for Gantry Cranes a) Can the Applicant provide further numerical evidence to support the assertion that a 10dB reduction is appropriate for noise from gantry cranes as a result of mitigation to this machinery. b) Could the Applicant please explain how this less noisy type of gantry crane is to be secured?</p>	<p>A) The applicant has provided further clarification to this matter on p5-6 in Written Statements of Oral Case ISH3 [Appendix F - Noise Assessment Update Note] (document reference: 18.7.6, REP3-061). B) Requirement 26 has been amended to include for submission of details of any mitigation measures to machinery:</p> <p>Requirement 26 Control of Operational Noise</p> <p>Prior to their installation, details of all mechanical and ventilation plant and any other noisemaking machinery, or mobile plant (including HGV chiller units) that is intended to be used within the main site, must be submitted to and approved in writing by the relevant planning authority including details of mitigation measures to any machinery. This will include an assessment of the expected noise impact at relevant receptors in accordance with BS4142:2014+A1:2019 Methods for rating and assessing industrial and commercial sound and BS8233:2014 Guidance</p>

ExQ	Question to:	Question	Response
			<p>on sound insulation and noise reduction for buildings. The assessment will consider noise from the proposed plant and machinery to demonstrate compliance with government and local policy on noise. Any fixed plant or ventilation equipment must be installed and operated in accordance with manufacturers' instructions at all times.</p>
1.8.26.	The Applicant	<p>Magnitude of effect applicable to LAFmax levels Can the Applicant please provide the methodology behind the "magnitude of effect" scale in Table 10.8 to ES Chapter 10 [APP-119]?</p>	<p>The Table has been derived on the basis of World Health Organization Guidelines for Community Noise 1999. The guidelines contain guidance on L_{AFmax} noise levels during the night, the document draws upon guidance from Vallet and Vernet, which states: <i>"For good sleep, it is believed that indoor sound pressure levels should not exceed approximately 45 dB L_{AFmax} more than 10-15 times per night"</i>. This is essentially therefore the criterion to which the table refers to and effectively defines the Significant Observed Adverse Effect Level (SOAEL).</p>
1.8.27.	The Applicant	<p>ES Appendix 10 .3 - Hinckley Consultation Response – BDC [APP-182] a) Please can the Applicant confirm which document Blaby DC comments are in response to. b) In response to BDC's comments on Table10.14 the report states 'It is understood that additional trains using the lines are not dependant on the HNRFI being brought forward...' Please can you expand and clarify this statement in light of para 4.89 of the NPSNN which states: As a minimum, a SRFI should be capable of handling four trains per day and, where</p>	<p>A) The comments are in response to the PEIR, which has been superseded by the Noise and Vibration ES Chapter. B) The Leicester to Nuneaton section of the railway is part of Network Rail's Felixstowe to the Midlands and the North Strategic Freight Route. It is also a key east-west Cross-Country passenger artery. As such overall use of this route by freight and passenger services is outside the control and influence of the Applicant. Its capacity is available to be used by all UK licenced freight and passenger operators in line with the Office of Rail and Road and Network Rail track access provisions. This traffic along with its hours of operation could be to and from HNRFI, or anywhere else on the rail network. The 16 paths each way identified as available</p>

ExQ	Question to:	Question	Response
		<p>possible, be capable of increasing the number of trains handled. SRFIs should, where possible, have the capability to handle 775 metre trains with appropriately configured on-site infrastructure and layout. This should seek to minimise the need for on-site rail shunting and provide for a configuration which, ideally, will allow main line access for trains from either direction.</p> <p>This response should be on the basis of the additional sixteen pathways each way which would result from the Proposed Development.</p> <p>c) Referring to consultation responses to sections 10.85 – 10.97, please signpost where this information can be found in the final ES or specify when the further detail required will be known in order that the potential impacts can be assessed.</p> <p>d) Referring to consultation responses to 10.121 – 10.146 and tables 10.35 -10.41, the Applicant indicates that this can only be calculated when the timetable of trains is known.</p> <p>However, in order to identify the ‘worst-case’ situation, could the Applicant please make an assessment based on the maximum number of rail movements along this stretch of line.</p>	<p>paths in the working timetable to support HNRFI traffic could, in fact, be used by other traffic if and when not used by HNRFI.</p> <p>As a result of the provisions of the Railways Act 1993, the Applicant only has the responsibility to consider and address noise impact arising from the operation of the rail terminal itself and not the running of trains on the existing rail network that may or may not be associated with the HNRFI. This assessment is therefore dealt with in the Noise Chapter [Chapter 10 Noise and Vibration (document reference: 6.1.10A)].</p> <p>C) This question is understood to refer to generic construction noise information being utilised in the absence of site-specific data. The plant items which have been assumed within the construction noise assessment are based on the plant item selection adopted for West Midlands Interchange. Similar to this Proposed Development, detailed information was not available for the construction assessment. The noise data for the plant has been obtained from annex C of BS 5228-1, which is the British Standard for the assessment of construction noise. The use of representative data from BS 5228-1 is entirely commonplace at this stage in the project lifecycle, when the construction contractors are yet to be brought onboard, or, if onboard, have yet to specify the construction plant at this preliminary stage. There are suitable controls within the framework CEMP to minimise construction phase noise effects, including the development of a noise and vibration management plan, and management and monitoring processes.</p>

Noise and Vibration

ExQ	Question to:	Question	Response
			<p>D) BS4142:2014+A1:2019 Method for rating an assessing industrial and commercial sound requires operational noise associated with the Proposed Development to be assessed over a 15-minute period during the night-time. The assessment assumes one train per 15-minute period. A train would not arrive and depart within the same 15-minute period, nor would there be a situation of 2 trains arriving within the same 15-minute period. Therefore, a worst-case scenario has been assessed i.e one train in any 15-minute period, and the methodology and results are robust. The operational phase modelling inputs and source data is agreed through the Statement of Common Ground with BDC and HBBC.</p>
1.8.29.	The Applicant	<p>ES Appendix 10.4 - Hinckley Consultation Response - HBBC [APP-183] There are a number of references within this document to information being included “once further detail is known”. Could the Applicant please confirm whether the ES has been revised in light of the receipt of the updated traffic data, and if not, please update in light of the latest information available.</p>	<p>The applicant confirms that this was a response to the PEIR stage consultation and is included as a historic reference.</p> <p>The traffic data that has been used in the ES Chapter is the most up to date version.</p>
1.8.31.	The Applicant	<p>ES Chapter 10: Noise and Vibration [APP-119] A paragraph is missing at 10.197 of this document. Can this please be inserted?</p>	<p>A paragraph is not missing at 10.197. This is a typographical error and the reference to paragraph 10.197 should be removed.</p> <p>This has been amended within the Noise and Vibration ES chapter, and re-issued at Deadline 4.</p>
1.8.32.	The Applicant	<p>Vibration – Operational Rail Movements</p>	<p>A) see response to 1.8.27 question B above, which is relevant to vibration as well as noise. As a result of the provisions of the Railways Act 1993,</p>

ExQ	Question to:	Question	Response
		<p>Paragraph 10.214 of Chapter 10 of the ES [APP-119] indicates that vibration impacts from the additional trains have been considered to fall outside the scope of the assessment.</p> <p>The Applicant’s Scoping Report for this Proposed Development stated that the Environmental Statement will assess rail noise from rail movements within the site. Should an increase in rail movements off site lead to significant noise and vibration effects these should also be assessed.</p> <p>a) Accordingly, and as the 32 additional movements (16 each way) would not occur without associated with the Proposed Development, could the Applicant further explain why these effects should not be assessed?</p> <p>b) Will any additional assessments be carried out in this regard?</p>	<p>the Applicant only has the responsibility to consider and address noise impact arising from the operation of the rail terminal itself and not the running of trains on the existing rail network that may or may not be associated with the HNRFI. This assessment is therefore dealt with in the Noise Chapter [Chapter 10 Noise and Vibration (document reference: 6.1.10A)].</p> <p>B) No, an additional assessment of groundbourne vibration will not be undertaken as it is not required. Paragraphs 10.213 to 10.216 of the ES Chapter does include an appraisal of the existing environment in relation to groundborne vibration. The existing VDV levels are low and fall within the threshold criteria for ‘low probability of adverse comment’ as set out in BS6472:2008.</p> <p>Given that there will be less than a doubling of movements, there is therefore unlikely to be a corresponding doubling of VDV, and that for receptors close to the rail line (assuming VMP1 being a suitably representative distance from the nearside rail line) they are likely to continue to experience a magnitude of impact of “very low” as per Table 10.10 of the ES Chapter, and therefore a negligible adverse effect, which is not significant.</p> <p>Furthermore, operational Phase Groundborne Vibration Assessment from off-site rail movements is agreed through the Statement of Common Ground with BDC and HBBC.</p>

ExQ	Question to:	Question	Response
1.8.33.	The Applicant	<p>Noise – Burbage Common Wood</p> <p>In paragraph 10.239 of Chapter 10 of the ES [APP-119] it is stated that some areas of Burbage Common Wood may experience noise levels above those predicted, particularly where the woods are in close proximity to the proposed link road. Can the Applicant define what is meant by ‘close proximity’, and explain the extent to which the analysis reported represents a suitable assessment of the worst case within the terms of the Rochdale envelope?</p>	<p>The applicant considers this to be a reference to paragraphs 10.269 (unmitigated) and 10.340 (mitigated) of the ES Chapter.</p> <p>In relation to the reference to ‘close proximity’, Figure 10.15 (document reference: 6.3.10.15) gives a comprehensive picture of the sound propagation from the Site across Burbage Common Wood with acoustic barriers in place. This shows that for the majority of the Common and Woods, the noise levels from the operational phase (i.e onsite noise and the A47 link road) will be below 55dB $L_{Aeq,T}$, and when this is considered within the context of the existing ambient noise levels, the resultant effect is minor, adverse which is not significant. Therefore, the assessment area is appropriate. There is a small area adjacent to the A47 link road near where the road crosses the railway line, that is predicted to experience noise levels up to 65dB $L_{Aeq,T}$, but this is not representative of the area as a whole. The assessment has also assumed the higher noise level (i.e no mitigation) for gantry cranes, which in reality will be lower. The assessment acknowledges this.</p>
1.8.34.	The Applicant	<p>Out of Hours working</p> <p>Can the Applicant provide an estimate of the likely frequency of out-of-hours construction activity for all works? This should be set out in six month periods over the whole construction period.</p>	<p>It is envisaged that out of hours works will be required during the infrastructure phase for works affecting the highways and railway. These works would take place in years 1,2 and 3 of the Construction Phase (2026 to 2028)</p> <p>Out of hours working will be limited as much as possible, however it is out of the control of the applicant as the conditions imposed by Highways Authorities, Network Rail and utilities companies regarding</p>

Noise and Vibration

ExQ	Question to:	Question	Response
			<p>access restrictions and conditions imposed to undertake the works safely and minimising disruption to the public.</p> <p>Highway works which are required to be constructed within the existing Highway, are under the control of the relevant Highways Authority The timings of the permitted access to undertake the works will be controlled by the Highways Authorities and these works may be required to be undertaken during out of hours periods.</p> <p>Network rail will direct when we can undertake work to maintain the safe operation of the railway. Out of hours working will be directed by Network Rail using possessions and blockades as necessary.</p> <p>Works with the relevant statutory bodies may be required to be undertaken out of hours to protect the busier service periods and may require overnight or weekend shutdowns to un</p> <p>During the construction of the buildings, (2027 to 2034) the anticipated out of hours working would be restricted to the construction of the warehouse concrete floor slabs requiring powerfloat finishing, the duration of these finishing works needs to be undertaken for a continuous period of typically 14 hours after the slab is laid. The impacts of such out of hours working will be limited and will be minimal as they will take place inside of the building envelope.</p>

ExQ	Question to:	Question	Response
1.9.1.	The Applicant	<p>Community Hall The Design and Access Statement [REP2-059] Section 5, Page 24 of suggests the provision of a new Community Hall. Does the Applicant intend to fund the provision of a Community Hall? If so, please provide details and the mechanics of providing this facility as part of the consenting regime.</p>	<p>The reference to a ‘community hall’ was ‘aired’ during the informal consultation undertaken during 2018 (and is referenced in the ‘scheme evolution’ Section 5 DAS). Such a proposal was not carried forward into Statutory Consultation, and forms no part of the application for the DCO.</p>
1.9.3.	The Applicant	<p>Relationship to Aston Firs and Land south of Leicester Road Traveller sites The Applicant is asked to specifically consider the effects of the Proposed Development on those using the Aston Firs and Land south of Leicester Road Traveller sites, particularly taking into account:</p> <ul style="list-style-type: none"> • the requirements of the Equality Act 2010, • The Health Impact Briefing Note, 	<p>The Requirements of the Equality Act As detailed in Section 1.24 of the Health and Equalities Briefing Note (document reference: 6.2.7.1C), and Section 1.7 of the Equalities Impact Assessment Statement (document reference: 6.2.7.2B AS-001), the Equality Act 2010 replaces previous anti-discrimination legislation to simplify and strengthen the law to tackle discrimination and inequality.</p> <p>A key part of this (Section 149) sets out a Public Sector Equality Duty that requires all public bodies to play their part in making society fairer by having due regard to:</p> <ul style="list-style-type: none"> • eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act; • advance equality of opportunity between people who share a protected characteristic and people who do not share it; and,

ExQ	Question to:	Question	Response
		<ul style="list-style-type: none"> the Planning Policy for Traveller Sites document, and the judgement of the Court of Appeal in Smith v SSLUHC & Ors [2022] EWCA Civ 1391. 	<ul style="list-style-type: none"> foster good relations between people who share a protected characteristic and people who do not share it. <p>Put simply, this means that through active consideration (i.e. due regard), all public sector decision making is primed to identify and prevent discrimination, consider existing inequality, advance equality and tackle prejudice for the following protected characteristics:</p> <ul style="list-style-type: none"> age; disability; gender reassignment; marriage and civil partnership (but only in respect of eliminating unlawful discrimination); pregnancy and maternity; race – this includes ethnic or national origins, colour or nationality; religion or belief – this includes lack of belief; sex; and sexual orientation. <p>Overall, the Public Sector Equality Duty is intended to support good decision-making. It encourages organisations to understand how different people will be affected by their activities. This helps to ensure projects being delivered are appropriate and accessible to all, and meet different people’s needs.</p> <p>With regard to the effects of the Proposed Development on those using the Aston Firs and Land south of Leicester Road Traveller sites, all protected characteristics have been considered for all health pathways (i.e. activities with the potential to influence health, be they permanent residential receptors or visitors and users of Public Rights of Way or Burbage Common), including the traveling community.</p>

Socio-economic Effects

ExQ	Question to:	Question	Response
			<p>As an example, and as detailed on Page 10 of the Equalities Impact Assessment Statement (document reference: 6.2.7.2B) AS-001 for changes in noise and vibration, Age and Disability protected characteristics were broadly identified for heightened sensitivity to environmental change, and then considered by receptor (including the caravan part and Traveller Site at Aston Firs) and phase. The relative mitigation was then considered, and an appraisal provided testing for any unlawful discrimination, opportunity to advance equality or foster good relations.</p> <p>In this instance, Age and Disability formed the key focus of the protected characteristics explored, as being a Gypsy or Traveller doesn't in itself present a disproportionate sensitivity, it would be the relative sensitivity to noise experienced as a consequence of age and disability (and associated burdens of poor health and vulnerability) that might prime a disproportionate health impact associated with noise (i.e. there is no health evidence to suggest a gypsy is more vulnerable to noise, but there is for age and disability).</p> <p>On the above basis, and as detailed in the Equality Statement conclusion, none of the potential environmental or socio-economic changes discriminate; and that all mitigation measures implemented to avoid and reduce significant effects are relevant to all population groups, including those with protected characteristics.</p> <p>There are a limited number of residual effects which are considered to be significant; where this is the case, no disproportionate or differential effects exist across the affected receptors.</p> <p>The results of the assessment (and the deliberation through the Written Question) reiterates how due regard has been taken during the planning process, that there is no</p>

Socio-economic Effects

ExQ	Question to:	Question	Response
			<p>significant health impact to any community, and no discrimination or disproportionate impact to any protected characteristic.</p> <p>The Health and Equalities Briefing Note</p> <p>The Health and Equalities Briefing Note (document reference: 6.2.7.1C APP-137) is intended to summarise how and where health and equality matters have been inherently assessed and addressed within the EIA, and provides additional narrative to set potential changes and risk into context.</p> <p>It draws from and builds upon pertinent technical disciplines protective of the environment and health, so naturally applies a source pathway receptor approach, where each of the supporting technical disciplines considers topic specific sensitive receptors, and then the distribution and assessment of significance from any change directly attributable to the proposed development accordingly. With regard to the Traveller site south of the Leicester Road, and users of Aston Firs, each of these receptors are identified in the pertinent technical disciplines, most notably, air quality, noise and transport for construction and operational activities, and assessed and addressed accordingly. The Gypsy and Traveller site at Aston Firs is identified as a Noise Sensitive Receptor NSR15, and the site off Leicester Road as NSR28 (Figure 10.1 Noise Sensitive Receptor Locations (Document Ref 6.3.10.1 APP-270)).</p> <p>It should be stressed that both the Travelling Community and users of the Caravan Park have been assessed as permanent residential receptors, irrespective of any nomadic transition of plots or seasonal use, embedding a precautionary approach.</p> <p>As an example for air quality, in Appendix 6.2.9.4 (Air Quality Road Traffic Emissions assessment - Existing Sensitive Human Receptor Locations – Construction Phase and</p>

Socio-economic Effects

ExQ	Question to:	Question	Response
			<p>Operational Phase), Receptors R43-R45 are the Caravan Park users on Smithy Lane, and Receptor R219 is the Traveller Site off Leicester Road as shown in Figure 9.9 (document reference 6.3.9.9, APP-248). These are then assessed to air quality objective thresholds protective of health, and then the highest change in annual mean concentration for NO2, PM10 and PM2.5 were then further tested in the health and equality briefing note.</p> <p>As detailed in Section 1.108, the changes in concentration are considered to be negligible in air quality terms set to be protective of health, and the relative change in concentration and exposure remains order of magnitude lower than is required to quantify any measurable adverse health outcome on local communities, including the traveling community.</p> <p>On the above basis, the pertinent technical disciplines consider topic specific receptors, including users of Aston Firs and Land south of Leicester Road Traveller sites, provide an appropriate assessment protective of health, and the Health and Equalities Briefing Note (document reference: 6.2.7.1C APP-137) provides a concise summary to improve transparency. It should be noted that the potential for disproportionate risk to protected characteristics has been further considered in the Equalities Impact Assessment Statement (document reference: 6.2.7.2C AS-001).</p> <p>Similarly for noise and vibration, Table 10.14 detailed in the Noise and Vibration Chapter (document reference: 6.1.10A) Revision 07 includes NSRs 15, 16 and 17 which are the Caravan Park users on Smithy Lane and NSR 28, which is the Traveller Site located off Leicester Road (B4668), and have again been considered as permanent residential receptors (a precautionary approach).</p>

Socio-economic Effects

ExQ	Question to:	Question	Response
			<p>The potential noise and vibration impacts have been assessed at these receptors externally in garden areas and internally through an open window, which is the weakest element of the façade, in line with the BS4142:2014+A1:2019 Methods for rating and assessing industrial and commercial sound, and BS8233:2014 Guidance on sound insulation and noise reduction for buildings.</p> <p>NSRs 15, 16, 17 and 28 are located closest to the proposed A47 link road, and mitigation in the form of acoustic barriers are proposed where significant impacts are predicted. With this mitigation in place, no significant impacts are anticipated. The Applicant has considered the impact of HNRFI upon the residents at the Aston Firs Gypsy and Traveller Site – which is managed by Leicestershire County Council – on the basis the residents are ‘gypsies and travellers’ with the meaning set out at Annex 1 Glossary to Planning Policy for Traveller Sites 2015.</p> <p>On the above basis, all protected characteristics, including the travelling community have been considered appropriately through the regulatory planning process, are assessed accordingly, no illegal discrimination or any significant disproportionate impact has been identified, and the conclusions have not been contested by any evidence to the contrary.</p> <p>The judgement of the Court of Appeal in Smith v SSLUHC & Ors [2022] EWCA Civ 1391.</p> <p>The Judgement of the Court of Appeal in Smith V SSLUHC & Ors [2022 EWCA Civ 1391 was in relation to the definition of Gypsies and Travellers in the Planning Policy for Traveller Sites, who depending on their personal circumstance might cease to peruse a nomadic lifestyle.</p>

Socio-economic Effects

ExQ	Question to:	Question	Response
			<p>The concern was for indirect discrimination against “elderly” and “disabled” Gypsies and Travelers as the policy wording was more broadly termed as those Gypsies and Travelers that might cease to peruse a nomadic lifestyle due to “health needs or old age”.</p> <p>Amongst other items, the Court of Appeal found that there was no proper justification for that discrimination, and that the judgement for future decision-making will depend on the particular circumstance of the case. In this instance, the case has no bearing on the proposed development, where Gypsies and the Travelers are considered as sensitive receptors in their entirety (irrespective of age, sex, ethnicity etc), and are identified as sensitive receptors in pertinent chapters (air, noise and transport). They are then further considered as permanent residents, irrespective of their nomadic culture, offering a precautionary approach to hazard exposure, and thereby already accounting for those Gypsies and Travelers that might cease to peruse a nomadic lifestyle due to health need or age, and feature as a permanent resident at the sites.</p> <p>The assessment demonstrates that the traveller site are not significantly impacted regardless of the residents intent to peruse a nomadic lifestyle or not, and wider protected characteristics that fall within this community group and the wider communities are then further considered (age, sex, disability sexual orientation and preference, race, religion etc).</p> <p>In accordance with the law, the Applicant has further considered the impact of HNRFI upon the residential amenity enjoyed by the residents of the Aston Firs Gypsy and Traveller Site, fairly and comparably alongside the level of residential amenity to be enjoyed by members of the settled community. In short form, without discrimination, where the use, and any impact on amenity space is assessed equally for all. There is no</p>

Socio-economic Effects

ExQ	Question to:	Question	Response
			<p>illegal discrimination or any disproportionate impact in the amenity areas assessed, and no evidence to the contrary has been provided by any party.</p> <p>The Equality Impact Statement is a useful resource to explore the potential influence on all protected characteristics directly attributable to what has been proposed, and as a means to test the Public Sector Duty and Equality Act (document reference: 6.2.7.2B, REP3-014).</p> <p>In summary, the judgement of the Court of Appeal in Smith v SSLUHC & Ors is not pertinent to, or affected by the Proposed Development, where all credible change in environmental and socio-economic circumstance have been considered for all protected characteristics, including those in Aston Firs and the Travelers site. The choice or ability to peruse a nomadic lifestyle, or not, due to age, health or any other factor is then addressed by assuming that the Gypsie and Traveling community are permanent receptors, and any impact on amenity is assessed in the same way it would for the permanent community, and the wider protected characteristics that reside within it.</p>
1.9.4.	The Applicant	<p>Construction assessment</p> <p>Paragraph 9.23 of Chapter 9 of the ES [APP-118] indicates that no detail was available during the assessment on where materials and labour would be sourced from, but it has been assumed that the greatest increase in road traffic during the peak construction period for traffic emissions would be on</p>	<p>An indicative assessment of where earthwork and materials would likely be sourced from and go to was provided to the Traffic Consultants by WINVIC who gave early advice on behalf of the Applicant. This was used to inform distribution of HGVs to and from the site alongside an indicative program to inform the ES Chapters Construction impact assessments.</p> <p>This was summarised in the original CTMP which has recently been updated at deadline 3, REP3-040 with advice from the applicant's construction team on availability of materials and locations now. Resulting in a shift more to utilising the north</p>

Socio-economic Effects

ExQ	Question to:	Question	Response
		<p>Junction 2 of the M69 motorway, and adjoining roads.</p> <p>Can the Applicant clarify how they have defined the worst-case scenario with respect to environmental effects from the anticipated need for labour and materials during construction without details on where these would be sourced from, for its assessment.?</p>	<p>Leicestershire quarries has resulted in a more likely profile that then in turn uses the strategic road network for access to the site.</p> <p>The environmental traffic distribution assessed in the environmental assessments was based on only 60% coming from the M69 and 20% on the B4668 to the west and east (with quarries such as Croft nearby). The review undertaken recently has suggested that a number of facilities are at capacity due to several major developments and therefore 80% is now assumed to come from the M1, 15% from the M69 south and only 5% attributed to the A47/B4668 in the initial peak construction years.</p> <p>The traffic levels, activity and program were reviewed prior to first submission by the Applicant’s project management team and this informed the CTMP that was originally submitted.</p> <p>The impact is mostly at M69 Junction 2 with limited impact on the B4668 when the construction of the roundabout and a haul road is formed to construct the road to the north of the railway line.</p> <p>The program, duration of each activity was reviewed, and the peak year determined in terms of activity on site and traffic movements.</p> <p>Key construction traffic routes were predicted to experience the greatest increase in road traffic during the peak construction operations, due to the required routing of delivery vehicles and available access point to the Main HNRFI Site at this stage of the construction.</p>

ExQ	Question to:	Question	Response
1.9.5.	The Applicant	<p>Public Open Space</p> <p>Paragraph 3.37 of the Planning Statement [REP3-034] indicates that additional informal open space for recreation would be provided.</p> <p>a) Please could the Applicant provide a quantum and OS plans indicating the location of such provision, along with information as to how it is to be secured and maintained.</p> <p>b) Please provide further information on whether the provision of additional informal open space addresses a local identified deficiency of this typology of open space.</p> <p>c) Paragraph 7.105 of Chapter 7 of the ES [APP-116] advises that the HBBC Open Space and Recreation Study (2016) identifies a deficiency for amenity areas and allotments for some residents in the area. Does the Proposed Development include making a provision as part of this</p>	<p>A) Proposed informal open space (IOS) has been added to Figure 11.14 which is submitted at Deadline 4 (document reference 6.3.11.14A) A further plan showing the detail of the landscape proposals within the IOS and titled Burbage Common and Woods Country Park Extension Land has been submitted as Figure 11.20 (document reference 6.3.22). The area referred to in both plans is 22ha in area. As set out in the LEMP (document reference: 17.2A), the IOS will be managed by a private management company on behalf of Tritax symmetry. Discussions are currently ongoing with HBBC, who have expressed an interest in managing the land and are reviewing the mechanisms for doing so at present.</p> <p>B) The informal open space lies adjacent to the – Hinckley/Barwell/Earl Shilton/Burbage Green Wedge (Policy 6 of the Hinckley and Bosworth Core Strategy).</p> <p>This was subject to a review in 2020 with aspirations for the area set out in Supplementary Planning Guidance HBBC Hinckley/Barwell/Earl Shilton/Burbage Green Wedge Review April 2020.</p> <p>Although not included within the Study Area as it lies outside the Hinckley and Bosworth Borough, the above mentioned 22ha Western Amenity Area (referred to as Burbage Common and Woods Country Park Extension Land on Figure 11.22) is of benefit in relation to the aspirations of the Green Wedge Review, extending the area of natural open space within the vicinity of the Green Wedge and thereby strengthening its function locally. Also of note is the PRoW network including the upgraded off-road bridleway that forms part of the Proposed Development (see Appendix 11.4) which would facilitate access to and from the Green Wedge Area.</p> <p>Also of relevance is Policy 20 – Green Infrastructure (GI)</p> <p>The Proposed Development partially lies within the Southern GI Zone. The 2020 Green Infrastructure Strategy includes a range of interventions and opportunities for Green Infrastructure provision within the Southern Green Infrastructure Zone including</p>

Socio-economic Effects

ExQ	Question to:	Question	Response
		<p>application to address the deficiency?</p>	<p>enhancing the Southern Green Wedge, delivering a more resilient Burbage Common and Woods SSSI and increased woodland planting. A number of these opportunities are met by the creation of the 22ha Burbage Common and Woods Country Park extension area.</p> <p>C) The HBBC Open Space and Recreation Study states that “Nearly all residents have access to a natural or semi natural open space over 10 hectares within the recommended distance threshold. Local access to natural and semi natural open space (below 10 hectares) is however more limited. Key areas of deficiency are found in Earl Shilton, Barwell, Desford, Newbold Verdon, Barlestone and Stoke Golding. However, the study notes that opportunities to enhance the quality of natural and semi natural open space should be taken, particularly where sites are identified as being in particular need of improvement. It is noted that the new public open space would serve to extend the area within a reasonable distance for Barwell residents and proposals meet the recommendations to provide natural and semi natural open space for the purposes of both recreation and biodiversity and conservation. The Hinckley / Barwell / Earl Shilton / Burbage Green Wedge also offers the opportunity to provide recreational natural and semi natural open space. Improvements to access routes to and within existing natural and semi natural spaces (as well as to the nearby accessible countryside) will be instrumental in maximising usage of natural open space</p>
1.9.6.	The Applicant	<p>Job opportunities Paragraph 3.37 of the Planning Statement [REP3-034] states that substantial new job opportunities on and off site would be brought forward by the Proposed Development. Please could the</p>	<p>ES Chapter 7 Land Use and Socio-Economic Effects (document reference: 6.1.7, APP-116) sets out the ‘Employment during Operation’ at paragraphs 7.206-7.227. Employment opportunities are addressed:</p> <ul style="list-style-type: none"> • On site • Off site

ExQ	Question to:	Question	Response
		Applicant signpost where this information can be found in the documents or provide further data to substantiate this point.	
1.9.7.	The Applicant	<p>Gross Value Added</p> <p>Paragraph 3.37 of the Planning Statement [REP3-034] provides an overview of the Gross Value Added (GVA) potential of the Proposed Development and links across to Table 7.19 of ES Chapter 7 [APP-116]. Please could the Applicant provide an explanation of how the GVA has been calculated.</p>	<p>ES Chapter 7 Land Use and Socio-Economic Effects (document reference: 6.1.7, APP-116) sets out how the GVA has been calculated in paragraph 7.230. The calculation is based on the average GVA of £39,135 per FTE employee for the Transport and Storage sector in the Leicester and Leicestershire LEP and the applicable number of jobs in each case. An example is provided below.</p> <p>$£329m = 39,135 * 8,400$</p> <p>The Planning Statement (document reference: 7.1B) has been updated at paragraph 3.53 to clarify GVA.</p>
1.9.8.	The Applicant	<p>National Infrastructure Strategy</p> <p>Could the Applicant provide an overview of how the National Infrastructure Strategy (November 2020), relates to the proposal.</p>	<p>The National Infrastructure Strategy seeks to readdress the failure of past Governments to invest in the UK regions and nations. The Prime Minister’s Forward refers to quality of the nation’s infrastructure falling behind other countries as a consequence of this lack of investment. The desired ‘renaissance’ in investment is to be sourced from both public and private investment.</p> <p>The Strategy sets out the case for infrastructure investment stating:</p> <p>‘High quality infrastructure is crucial for economic growth, boosting productivity and competitiveness. It helps connect people to each other, and businesses to markets, forming a foundation for economic activity. Infrastructure acts as a direct ‘input’ for businesses, which rely on energy, transport and waste collection to operate. Well developed transport and digital networks allow businesses to grow and expand, enabling them to extend supply chains, deepen labour and product markets, collaborate, innovate and attract inward investment. These ‘agglomeration’ effects are</p>

Socio-economic Effects

ExQ	Question to:	Question	Response
			<p>particularly powerful in city regions, where high quality infrastructure can play a substantial role in boosting productivity. But they also apply more broadly.’</p> <p>The Strategy articulates the benefits from infrastructure investment under the following chapters:</p> <ol style="list-style-type: none"> 1.) Recovery and rebuilding the economy. 2.) Levelling up the whole of the UK. 3.) Decarbonising the economy and adapting to Climate Change. 4) Supporting private investment. 5.) Accelerating and improving delivery. <p>These objectives endorse the policy provisions of the NPS-NN for SFRIs which are to be delivered by the private sector within a commercial framework.</p> <p>In so far as the NPS-NN does not directly reference ‘Levelling Up’ HRNFI will address the compelling need for an expanded network of SRFIs and meet the identified shortfall within the sub-regions for rail related warehousing. It is accepted by the local authorities that this need ‘emerges from the mid 20s’ which is now.</p> <p>The Market Needs Assessment (document reference: 16.1A) has identified the local business market which HRNFI will serve – HRNFI will not ‘consume the lunch’ of existing or committed SRFIs, but will contribute to the requirement for an expanded network of DRFIs.</p>

Socio-economic Effects

ExQ	Question to:	Question	Response
			<p>Furthermore – and considered to be a unique role – for HNRFI can serve as a national rail hub, ‘consolidating loads from different ports in the east, into train loads for running into terminals in the west, including Wales and the South West, as well as the North West and Scotland (and vice versa) also benefits other nation states. (Market Needs Assessment, paragraphs 5.35-5.36, document reference: 16.1A). This opportunity promotes a key component of the Strategy for ‘connecting nations and regions’.</p> <p>The primary markets for HNRFI will be through Felixstowe, London Gateway, and the Northern Ports/Regions. (Market Needs Assessment paragraph 5.33, document reference: 16.1A), HNRFI will promote a key component of the Strategy of ‘connectivity for a trading nation’.</p> <p>It is submitted that the projected private sector investment by the Applicant in HNRFI of some £0.8billion (Funding Statement paragraph 7.1, document reference: 4.2A, REP1-007); in the location of HNRFI within the East Midlands providing substantial new job opportunities and the connectivity of HNRFI with other UK nations and regions and the deep sea ports is wholly aligned with the underlying aims of the National Infrastructure Strategy.</p>
1.9.9.	The Applicant	<p>Logistics Demand and Supply Assessment [REP3-036] – Deprived communities</p> <p>Paragraph 3.4.14 and Figure 3.15 refers to deprived communities within a 30-45 minute drive time isochrone. Several RRs (including [RR-0277], [RR-0528]) refer to the</p>	<p>Figure 3.15 of the Logistics Demand and Supply Assessment [document reference: 16.2A, REP3-036] shows the top 10% and 20% most deprived areas based on data published by the Department for Levelling Up, Housing and Communities, English indices of deprivation 2019. This shows a number of deprived areas in Leicester, Nuneaton, Bedworth, Coventry and Atherstone. The RRs referring to low unemployment rates primarily focus on Blaby District and Hinkley and Bosworth Borough and do not refer to the above communities.</p>

ExQ	Question to:	Question	Response
		<p>area of the Proposed Development enjoying low unemployment rates.</p> <p>a) Could the Applicant give its response to this issue.</p> <p>b) Given the deprived communities are less likely to have access to a motor vehicle, what public transport services are available for the highlighted deprived communities to directly access the proposed site, and what public transport drive times exist?</p>	<p>The public transport catchments are illustrated within the Appendix of the Sustainable Transport Strategy (document reference: 6.2.8.1B). The public transport provision proposed (X6, 8 and DRT) covers Coventry, Leicester and Nuneaton as the core identified areas of deprivation. Figure A6 in the appendix of the STS (document reference: 6.2.8.1B) illustrates the catchments, which are typically within 45-60 mins. They also reflect the largest population centres that are likely to seek employment at the Site.</p> <p>Atherstone and Bedworth have smaller populations overall and have secondary connections to the site. However, the commitment to continual monitoring within the travel plan will help identify future need for direct public transport provision to these areas should they arise.</p>
1.9.10.	The Applicant	<p>Land Use and Socio-Economic Effects – Labour supply</p> <p>Para 7.3 of Chapter 7 of the ES [APP-116] states that the HNRFI will play a small role in ensuring a closer match between job opportunities and local labour. Could the Applicant elaborate and set out where the labour supply will be sourced from.</p>	<p>The emerging Work and Skills Plan Framework Principles provides for the appointment of a Work and Skills Co-ordinator. The roles of the Work and Skills Co-ordinator are set out below:</p> <ol style="list-style-type: none"> 1. Work with the Applicant, the Principal Contractor’s Skills and Training Team and the Group to aid the delivery of the HNRFI Skills and Training Framework; 2. Develop and maintain key relationships to provide an effective communication mechanism between training, education and employment providers and their client base; 3. Be the central point of contact for liaison with key site staff and subcontractors to interpret and plan on-site placements, employment and training activity in line with the programme of works and the Framework; 4. Monitor and report on activity delivered against the Framework’s targets and provide quarterly reports to the Group; and

ExQ	Question to:	Question	Response
			<p>5. Provide administrative support to the Group (the scope of which is to be defined and agreed).</p> <p>The Applicant will require the Principal Contractor’s Skills and Training Team to work along with the Work and Skills Contractor to discuss the training needs of students, with local colleges, universities and other education and development providers (in advance of the Enabling Phase) and advise on the opportunities on offer to meet these needs. The underlying purpose of the Work and Skills Plan Framework is therefore to achieve a close match between job opportunities and local labour.</p>
<p>1.9.1 1.</p>	<p>The Applicant</p>	<p>Land Use and Socio-Economic Effects – Agricultural land</p> <p>Paragraph 7.8 of Chapter 7 of the ES [APP-116] states that the adverse land use and socio-economic effects anticipated for the existing agricultural land holdings will be mitigated by the financial gain of the owners from the sale of the land, and goes onto to say the effect is neutral if they invest in further land holdings. However, several RRs (for example [RR-1219] and [RR-0215]) set out their concern about the loss of agricultural land and the ability of the country to be able to generate farm produce.</p>	<p>The NPS (paragraph 5.168) states: <i>‘Applicants should take into account the economic and other benefits of the best and most versatile agricultural land (defined as land grades 1, 2 and 3a) of the Agricultural Land Classification.’</i></p> <p>Thereafter it is stated: <i>‘Where significant development of agricultural land is demonstrated to be necessary, applicants should seek to use areas of poorer quality land in preference to that of higher quality.’</i></p> <p>This consideration has been addressed in the Planning Statement (document reference: 7.1B) at paragraphs 3.209-3.210. 1% of the site, amounting to 2.68 hectares of land – comprised Best and Most Versatile Agricultural Land. It is agreed with the Local Authorities that the need for a SRFI can not be accommodated from within existing urban areas. A countryside location is necessary, and by reasoning of the required scale (at least 60 hectares) the loss of farmland is unavoidable. The Applicant has selected a site where the loss of BMV agricultural land is of a de minimis significance. The loss of</p>

Socio-economic Effects

ExQ	Question to:	Question	Response
		Could the Applicant comment on this, and the difference in effect beyond on the individuals and on the wider community.	food production is outweighed by the compelling need for an expanded network of SFRIs.
1.9.1 2.	The Applicant	<p>Land Use and Socio-Economic Effects – Unallocated development value</p> <p>Table 7.2 of Chapter 7 of the ES [APP-116] ‘Criteria for Receptor Sensitivity’ categorises unallocated development with planning permission as a low receptor value. Could the Applicant explain why this form of development is considered to be of low value, providing justification, preferably from external sources?</p>	Paragraph 7.33 of Chapter 7 of the ES (document reference: 6.1.7A, REP3-156) sets out that the sensitivity criteria of Land-use and Accessibility receptors are based on Design Manual for Roads and Bridges LA 112 Population and Health guidance published by National Highways.
1.9.1 3.	The Applicant BDC	<p>Land Use and Socio-Economic Effects – Health outcomes and business re-location</p> <p>Table 7.6 of Chapter 7 of the ES [APP-116] at Paragraph 7.191 identifies BDC’s consultee response on health outcomes. BDC states that the suggested minor adverse effect on the health of local residents is considered to</p>	<p>Table 7.6 of chapter 7 of the ES [APP-116] at paragraph 7.191 sets out BDC’s consultee response on the health impact from changes in visual setting, noting that air quality and noise have been addressed but that at the time, the visual impact assessment was incomplete/unsatisfactory.</p> <p>It is the Applicants position that visual impacts and tranquillity have been extensively assessed and addressed (APP-120, APP-191, APP-195, APP-196, APP-285, APP-305, AS-026, AS-027, AS-028, AS-029, AS-030, AS-031, AS-032), and focus on subjective and intangible factors and include a topic specific significance criteria that preclude any measurable adverse health outcome. On this basis, there is no gap in the assessment,</p>

Socio-economic Effects

ExQ	Question to:	Question	Response
		<p>significantly under-estimate the impact of the proposal. From the responses provided, it is unclear whether the 'minor adverse effect' conclusion is maintained. Could the Applicant and BDC each clarify their positions?</p>	<p>and no evidence of any measurable adverse health outcome from changes in visual impact or tranquillity has been presented by any party.</p> <p>With regards to the point on access and accessibility and impacts on PRoW, as detailed in Paragraph 3.1.7 of the Deadline 2 Design and Access Statement (document reference: 8.1A, REP2-059), there are a number of public bridleways and public rights of way (PROW) that cross the site within the Main Order Limits. The masterplan evolved with these routes in mind, and both consultation and assessment has been conducted. As an example, Appendix 11.2: Public Rights of Way Appraisal and Strategy (document reference: 6.2.11.2, APP-192), sets out the methodology for the appraisal and survey, but also the extensive engagement on the matter with the LCC Highways and the PRoW officer at LCC, alongside consultation with the British Horse Society, and the Open Spaces Society.</p> <p>Table 1.3 provides a summary of the PRoW use followed by narrative on they form of use, and quality of route. Paragraphs 1.78 through to 1.93, explain the potential impact and strategy to ameliorate and mitigate any disruption by specific use, and the conclusion is that:</p> <p>“PRoWs and IOS matters do not represent an ‘in principle’ constraint to development of the DCO Site. Whilst there is a notable closure of routes within the Main HNRFI Site, loss of amenity on diverted routes, and reduced amenity, particularly during the construction period on PRoW beyond the Order Limits, the overall PRoW Strategy which includes a 22ha extension of IOS adjacent to Burbage Common and Woods Country Park is considered to provide a proportionate mitigation package”.</p>

Socio-economic Effects

ExQ	Question to:	Question	Response
			<p>In short, given the survey data indicating the extent and type of use, coupled with alternative options, upgrades and re-provision, there is no severance, or a material change in provision that would materially impact on physical activity or use (including horse riders).</p> <p>The final point made by BDC is that a “full Health Impact Assessment” is requested to consider other areas of impact, with the only example given to infer an assessment gap being the potential impact of increased down time at the Narborough level crossing. However, as detailed in section 51 advice published by the planning inspectorate (dated 27 September 2023), a full Health Impact Assessment has been scoped out and is not required. Furthermore, this is not a gap, and has been extensively assessed and addressed through the DCO process, including by BDC in their Written Representation Appendices “Socio-Economic and Health Impacts of Narborough level Crossing”. Here, BDC conclude and corroborate the Applicants position, that “the increased downtime of the barrier at Narborough Crossing is not considered to have an overall material impact on quality of life of residents”.</p> <p>On the above basis, and as explained in the Health and Equalities Briefing Note (Doc Ref 6.2.71C), all credible health pathways (i.e. activities with the potential to influence health) have been appropriately scoped, assessed and addressed through the regulatory assessment process to preclude any measurable risk to health, and no party has provided any evidence to the contrary. Furthermore, the voluntary, non-regulatory HIA process has been integrated into the DCO process, and all stages of HIA are delivered within the Health and Equalities Briefing Note. The Applicants position is therefore that there is at most, a minor impact on health (i.e. not significant) and would not result in any tangible change in local health circumstance or burden.</p>

Socio-economic Effects

ExQ	Question to:	Question	Response																										
1.9.1 4.	The Applicant	<p>Land Use and Socio-Economic Effects – Functional Economic Area</p> <p>Figure 7.11 of Chapter 7 of the ES [APP-116] provides details and a boundary of a Functional Economic Area. Could the Applicant explain why this differs from the PMA, and why the Market Needs Assessment has not followed the Functional Economic Area.</p>	<p>Further explanation on the assessment areas has been provided in paragraphs 1.32 – 1.37 of the 18.8.5 Written Statements of Oral Case ISH4 Appendix D Market Need Note (document reference: 18.8.4, REP3-068).</p>																										
1.9.1 5.	The Applicant	<p>Land Use and Socio-Economic Effects – Business Rates</p> <p>a) Table 7.20 of Chapter 7 of the ES [APP-116] provides an overview of Potential Business Rates Generated. Could the Applicant confirm that this is on completion of development?</p> <p>b) It is suggested that the Business Rate benefits outlined are incorrect and overstated. Please comment on this and provide revised information if appropriate.</p> <p>c) In addition, could the Applicant also provide a table based on a phased implementation of</p>	<p>a) The applicant confirms that the Potential Business Rates Generated in Table 7.20 of Chapter 7 of the ES (document reference: 6.1.7A, REP3-156) refer to the operational stage of the HNRFI following the completion of the development.</p> <p>b) The business rates benefits are estimated by using an average rateable value of £55.27 per sqm, the HNRFI floorspace and the standard multiplier rate of 51.2 from the Valuation Office Agency. The average rateable value is based on other warehouse schemes locally including Magna Park, DPD Depot (LE10 3BQ) and Optimal Point (LE3 8JR).</p> <p>c) The table below provides a phased implementation of business rates based on the information of Table 7.20 of Chapter 7 of the ES (document reference: 6.1.7A, REP3-156), Written Statement of Oral Case ISH2 [Appendix C - Phasing Gantt Chart] (document reference: 18.6.3, REP3-048) and the Parameters Plan (document reference: 2.12, APP-047). This assumes that each phase is fully occupational the year following its construction completion.</p> <table border="1" data-bbox="869 1305 1780 1385"> <tr> <td>Year</td> <td>2</td> <td>2</td> <td>2</td> <td>2</td> <td>2</td> <td>2</td> <td>2</td> <td>2</td> <td>2</td> <td>2</td> <td>2</td> <td>2</td> </tr> <tr> <td></td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> </tr> </table>	Year	2	2	2	2	2	2	2	2	2	2	2	2		0	0	0	0	0	0	0	0	0	0	0	0
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Socio-economic Effects

ExQ	Question to:	Question	Response																										
		<p>Business Rate income and occupation, as per the suggestions in the supporting statements.</p> <p>Each assessment should set out the assumptions it has made.</p>	<table border="1"> <tr> <td></td> <td>24</td> <td>25</td> <td>26</td> <td>27</td> <td>28</td> <td>29</td> <td>30</td> <td>31</td> <td>32</td> <td>33</td> <td>34</td> <td>35</td> </tr> <tr> <td>Business Rates Estimate</td> <td>£ .0M</td> <td>£ .0M</td> <td>£ .0M</td> <td>£ .0M</td> <td>£ .0M</td> <td>£ .37M</td> <td>£ .78M</td> <td>£ .78M</td> <td>£ 1.27M</td> <td>£ 1.92M</td> <td>£ 2.40M</td> <td>£ 2.41M</td> </tr> </table>		24	25	26	27	28	29	30	31	32	33	34	35	Business Rates Estimate	£ .0M	£ .0M	£ .0M	£ .0M	£ .0M	£ .37M	£ .78M	£ .78M	£ 1.27M	£ 1.92M	£ 2.40M	£ 2.41M
	24	25	26	27	28	29	30	31	32	33	34	35																	
Business Rates Estimate	£ .0M	£ .0M	£ .0M	£ .0M	£ .0M	£ .37M	£ .78M	£ .78M	£ 1.27M	£ 1.92M	£ 2.40M	£ 2.41M																	
1.9.16.	The Applicant Local Authorities	<p>Land Use and Socio-Economic Effects – Housing employment land supply and relationship to Development Plan</p> <p>Para 7.263 of Chapter 7 of the ES [APP-116] Development Land, states the development land is not an existing or allocated employment site and therefore the magnitude of the proposed development will be negligible. It further states, “The sensitivity of the receptor is low, resulting in a neutral effect over the long term”.</p>	<p>a) The potential impacts on housing supply are assessed in paragraphs 7.239-7,250 of Chapter 7 of the ES document reference: 6.1.7A, REP3-156) . BDC’s emerging Development Plan (Reg 18) includes the assessment of potential sites for allocation. The sites assessed as reasonable for residential development within the vicinity of HNRFI are STO002, STO025, STO026, STO028 and ELM008. These five sites have a total potential capacity of up to 7,063 dwellings. If this land gets allocated and developed it will increase housing provision in the area and be able to house up to 10,950 working age people. This estimate is based on the average household size and share of working age population assumption as stated in paragraph 7.247 of Chapter 7 of the ES document reference: 6.1.7A, REP3-156). Therefore the potential housing allocations are anticipated to further improve the housing provision and HNRFI will have a negligible impact on the housing market.</p> <p>Paragraph 7.226 assesses the impact on the employment supply by considering unemployment level in the study area. In terms of employment the emerging</p>																										

Socio-economic Effects

ExQ	Question to:	Question	Response
		<p>a) Can the Applicant please set out potential impacts on housing provision and supply, and employment provision and supply?</p> <p>b) Can the Applicant also set out what effect the Proposed Development would have in relation to the working age population in the vicinity and, given the quantum of warehousing provided in the proposal, whether employment shortages would result in other employment sectors, assuming a reduced employment land supply.</p> <p>If the Development Plan is subject to review, please provide information of any sites within the vicinity, that should be assessed as part of the evidence base, and mitigation for this application.</p>	<p>Development Plan (Reg 18) identifies site EAST001, in addition to the HNRFI site as reasonable for employment development with a floorspace capacity of 100,000 sqm. This will further improve the employment provision locally.</p> <p>b) Based on the estimated number of unemployed people in the study area and the evolving Employment and Skills Plan the Proposed Development is anticipated to contribute in decreasing the number of people unemployed by ensuring that the required skills are in place.</p> <p>The exact type of employment use of EAST001 is not defined. BDC’s Strategic Housing and Economic Land Availability Assessment (SHELAA) 2019, which is the evidence base for the Development Plan (Reg 18) defines the employment uses as office, industrial and warehouse. Given the location of the site west of Junction 2, M69 motorway we anticipate this site to be used for either warehouse or industrial development if allocated. Therefore the site could accommodate between 990 and 2,500 employees. This is based on Homes and Communities Agency (HCA) Employment Density Guide (2015) employment densities with Industrial & Manufacturing representing the most dense end of the range (36 sqm GIA per FTE) and National Distribution Centre (95 sqm GEA per FTE) the least dense. In addition, a vacancy rate of 6% was applied for both uses alongside a conversion factor for GEA to GIA of 5% for Industrial & Manufacturing as per the Homes and Communities Agency (HCA) Employment Density Guide (2015).</p> <p>Based on the additional 10,950 working age people estimated as a result of the potential housing allocations, the estimated HNRFI on site jobs (8,400-10,400), the estimated jobs (990 - 2,500) from EAST001 and the estimated number of</p>

Socio-economic Effects

ExQ	Question to:	Question	Response
			<p>unemployed people in the study area no employment shortages are anticipated. Therefore, HNRFI would have a beneficial impact on the working age population.</p>
<p>1.9.1 7.</p>	<p>The Applicant Local Authorities</p>	<p>Land Use and Socio-Economic Effects – Development Plan sites and housing</p> <p>a) If any sites referenced within the Planning Statement [REP3-034] within the vicinity are being promoted for development in Development Plan reviews, could the Applicant confirm if these sites have been assessed for their cumulative impact, and consideration of appropriate mitigation proposals have been suggested as a result of this application.</p> <p>b) Could the Local Authorities indicate whether they agree with the Applicant's assertion in paragraph 3.188 that no proposals have been identified in the development plan or emerging development plans (noting the submission of Parker Strategic Land and others [REP3-143] and</p>	<p>As set out in chapter 20 of the ES (document reference 6.1.20, APP-129) and ES Appendix 20.1 (document reference 6.2.20.1, APP-226), the process utilised to undertake the CEA has closely followed the advice set out in PINS advice note 17 on CEA.</p> <p>Paragraph 20.11 of ES chapter 20 sets out the criteria that have been used to identify those sites that were considered as part of the CEA long list and subsequent short list. This included 'development allocations identified in the relevant Development Plan (and emerging Development Plans – with appropriate weight)'. The HNRFI long list therefore included those allocations within the search area identified through the local plans of Hinckley and Bosworth Borough Council and Blaby District Council. This list was consulted upon as part of the statutory consultation on the PEIR with the local authorities and all comments were addressed and taken through to the final cumulative assessment.</p>

Socio-economic Effects

ExQ	Question to:	Question	Response
		<p>Barwood Development Securities Limited and Ms Jennifer Taylor [REP3-144], which would be precluded by the project. If not, could they set out information as necessary.</p>	
1.9.1 8.	The Applicant BDC	<p>Housing Demand</p> <p>In paragraph 10.2.2 of its LIR [REP1-055] BDC states that there would be neutral impacts on the current demand for housing to meet employee requirements during operation. The SoCG between the Applicant and BDC [REP2-078] suggests (1b page 68) reports that there is still insufficient information or analysis to understand the HNRFI's impact on housing demand overall and in terms of housing affordability on relevant employment sectors.</p> <p>Could both parties clarify the situation, or the Applicant update the SoCG if agreement has been reached.</p>	<p>It is agreed that there would be neutral impacts on the current demand for housing to meet employee requirements during operation this is agreed in the Statement of Common Ground with BDC submitted at Deadline 4 (document reference: 19.1B)</p>
1.9.2 0.	The Applicant	Agricultural Land	Hectares

Socio-economic Effects

ExQ	Question to:	Question	Response
		Could the Applicant please confirm the unit of measurement for the areas in Table 1.1 of Appendix 11.3 Soils and Agricultural Land Quality Report [APP-193]?	
1.9.2 1.	The Applicant	<p>Agricultural holdings</p> <p>Are there anticipated to be any effects on the integrity of existing agricultural businesses, land holdings or the current environmental stewardship of the land?</p>	<p>Existing agricultural businesses have been assessed in paragraph 7.261 and agricultural land holdings in paragraph 7.264 of Chapter 7 of the ES (document reference: 6.1.7A, REP3-156). There are two businesses currently operating on site due to the small size of the two businesses minor adverse effects are anticipated. In terms of the land holdings major adverse effect is anticipated which will be mitigated by the financial gain of the owners from the sale of the land.</p> <p>There are no environmental stewardship schemes in place across the Order Limits.</p>
commented 1.9.22.	The Applicant	<p>Planning Obligations</p> <p>In Blaby's D3 submission [REP3-092] in response to the ExA's question on whether any additional community facilities/ payments are required, it states: "BDC would ask the ExA to note that it is the Applicant's responsibility to consult with services where a contribution request may arise, such as the Fire and Rescue Service, and the Leicester, Leicestershire, and Rutland Integrated Care Board to</p>	<p>The Fire and Rescue Service and the Leicester, Leicestershire and Rutland Integrated Care Board were consulted during the Statutory Consultation and were issued with Section 56 Notices. No requests were made by these bodies for additional facilities or S106 payments.</p>

Socio-economic Effects

ExQ	Question to:	Question	Response
		ensure they can make their own requests if they feel it is required". Can the Applicant comment on approaches made to these organisations?	

ExQ	Question to:	Question	Response
1.10.1.	The Applicant	<p>Cut and fill and Proposed Levels</p> <p>Figure 16.1 Proposed Plateau Levels Isopachytes [APP-344] sets out the proposed levels for the site.</p> <p>a) Can the Applicant please confirm that this drawing has been used to estimate that the volume of cut would be 2,338,266 cubic metres (m3) of material and fill of 2,344,437m3 as set out in paragraph 16.105 of the ES Chapter 16 [APP-125].</p> <p>b) In various locations, such as paragraph 3.49 of Chapter 3 of the ES [APP-112] it is stated that the main site would be remodelled to provide two level plateaux. In looking at Figure 16.1 it is not clear where the change between the two levels would be. Could the drawing be reissued with an additional notation indicating where the change would be.</p>	<p>a) The Applicant can confirm that the same 3D design model which was used to produce the Isopachyte drawing (document reference: 6.3.16.1, APP-344) of the proposed plateau levels was the model used to calculate the earthworks Cut/Fill volumes and the calculated volumes which are referenced within (document reference: 6.1.16, APP-125) are also shown on this drawing.</p> <p>b) The drawing has been reissued with additional notation to indicate the location of the change in plateau levels at Deadline 4 (document reference: 6.3.16.1A).</p>
1.10.2.	The Applicant	<p>Topsoil</p> <p>a) What is the maximum amount of time that any section of topsoil would be set aside for re-use on site landscaping or stored for other off-site purposes?</p> <p>b) How much topsoil will be taken off-site for purposes such as Biodiversity Net Gain?</p>	<p>a) The maximum time that any section of topsoil will be set aside for reuse would be 24 months. Topsoil which does not have further reuse within the site, or as a temporary protection for earthworks plateaus, will be removed from site when it is generated and reused off-site for purposes such as creating and enhancing and creating additional Biodiversity Net Gain (BNG) sites such as restoring brownfield sites such as quarries and redevelopment of old industrial sites, via the CL:AIRE DoW CoP.</p>

ExQ	Question to:	Question	Response
		<p>c) How many vehicular movements will this result in?</p> <p>d) Could the Applicant please confirm whether this has been considered in all relevant assessments?</p>	<p>b) As detailed within paragraph 16.106 of the ES Chapter 16 (document reference: 6.2.16, APP-125) the organic topsoil material volumes can be minimised by measurement of organic content of soils with depth. This will minimise the volumes stripped and becoming ultimately surplus to requirement within the development. We anticipate that all the surplus topsoil will be reused for purposes such as BNG and land reclamation, improvement purposes. The volume of topsoil to be taken off-site is set out in response to (c) below.</p> <p>c) The surplus topsoil that we cannot reuse on the site, will typically be taken off site as 20T loads (12.5m³) in HGV tippers and with the volume of surplus topsoil anticipated at this stage to be 125,000m³ which will be removed at a rate of approximately 21 loads per week during the construction, with a peak of 160 loads per week. The topsoil will be removed when it is no longer required, which will be as the development progresses, as the development plateaus will be re topsoiled once they have been cut and filled to level and prior to the building works commencing to protect the plateaus and minimise the risk of dust and silt runoff. The surplus topsoil will be therefore removed from site over a period of 9-years, from the enabling works phase until the construction of the final building. However, if the topsoil is to be utilised reinstating a site within the locality of a suitable rail link, such as Croft quarry, the topsoil may be taken off site in later phases of the development by utilising the Rail Freight Terminal.</p> <p>d) The transport movements associated with the removal of this surplus topsoil from the site during the construction period has been allowed for in the modelling as set out in ES chapter 8 Traffic and Transport (document reference: 6.1.8A), ES Chapter 9 Air</p>


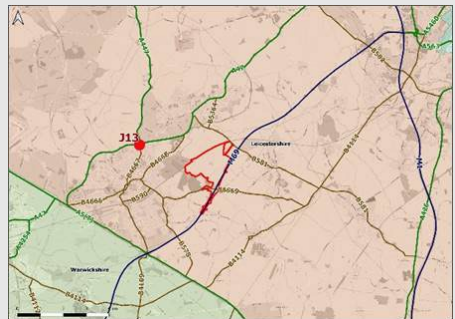
Geology and Soil

ExQ	Question to:	Question	Response
			Quality (document reference: 6.1.9, APP-118) and Chapter 10 Noise (document reference: 6.1.10A) and therefore no additional transport related effects arise through this process.

Traffic & Transport

ExQ	Question to:	Question	Response
1.11.1.	The Applicant	<p>ES Chapter 8 – Transport and Traffic [APP-117] Paragraph 8.190 cites the indicative construction programme and cross-refers to Table 3.4 in Chapter 3 of the ES [APP-112]. This is a list of proposed 24 hour waiting restrictions. Could the correct reference please be given.</p>	<p>This should be Table 3.9 of Chapter 3 of the ES (document reference: 6.1.3, APP-112).</p>
1.11.2.	The Applicant	<p>TA [REP1-011] – Typographic and clarification Could the Applicant please confirm that the data in Table 8-11 is correct? That for the AM peak and PM peak are identical, which leads to the query.</p>	<p>This has been updated in the transport 2023 update report submitted at Deadline 4 (document reference: 18.13.2) ToFr expediency the table is replicated below</p>

Table 8-11: Junction 1 LINSIG Capacity Assessments

Layout		Site Location					
							
2036 Capacity Result							
ARM		Without Development		Without Development with Scheme		With Development	
		AM Peak Hour (08:00-09:00)					
		DoS	MMQ	DoS	MMQ	DoS	MMQ
A	Ashby Rd (N)	98.4%	18.7	89.4%	11.6	115.3%	57.1
B	Normandy Way (E)	96.4%	30.4	92.3%	25.0	91.9%	26.5
C	Ashby Rd (S)	89.5%	12.6	80.6%	9.6	91.4%	12.7
D	Normandy Way (W)	97.3%	17.1	76.7%	8.5	130.3%	32.0
		PRC	Delay (PCU/Hr)	PRC	Delay (PCU/Hr)	PRC	Delay (PCU/Hr)
PRC over all lanes		-9.4%	51.53	-2.6%	30.38	-44.7%	95.47
ARM		PM (17:00 -18:00)					
		DoS	MMQ	DoS	MMQ	DoS	MMQ
		A	Ashby Rd (N)	84.6%	8.4	78.1%	7.6
B	Normandy Way (E)	83.2%	16.3	90.1%	19.2	97.0%	27.3
C	Ashby Rd (S)	91.5%	19.0	88.0%	17.9	96.1%	24.6
D	Normandy Way (W)	90.0%	13.2	83.8%	11.3	91.3%	13.0
		PRC	Delay (PCU/Hr)	PRC	Delay (PCU/Hr)	PRC	Delay (PCU/Hr)
PRC over all lanes		-1.7%	32.69	-0.1%	31.38	-7.7%	45.41

ExQ	Question to:	Question	Response
1.11.3.	The Applicant	<p>TA [REP1-011] – Mitigation</p> <p>The Applicant has indicated various junctions will have highway impacts in percentages. Could this be fully explained as to how these percentages have been derived?</p>	<p>The Applicant was provided with PRTM ‘Without Development’ and ‘With Development’ scenarios by the strategic modellers. The team then utilised the data to extract link flows for the respective junctions and subsequently the flows were added up to calculate total flow for each junction. The percentage impact is calculated as follows:</p> <p>Percentage Impact = (‘With Development Total Flow’ Minus ‘Without Development Total Flow’) Divided By Without Development Total Flow’</p>
1.11.4.	The Applicant	<p>TA – Part 5 [APP-142] – Trip Distribution</p> <p>Table 2 sets out National Trip End Model (NTEM) Person Type Categories. This utilises a working age range of 16-64.</p> <p>a) Given that the State Retirement Age has risen to 66 and is due to rise to 67 shortly, what impact would this have on the model and the assessment for this Proposed Development?</p> <p>b) What effect has been made of those working beyond state pension retirement age in the Applicant’s assessment?</p>	<p>Aecom have confirmed that the gravity model does in fact use NTEM version 7.2.</p> <p><i>“The version of the NTEM used for this task was NTEMv7.2. The data dimension within the NTEMv7.2 database states the age range is 16-74.</i></p> <p><i>Unfortunately, there is a discrepancy between the age range within an outdated DfT trip end model (CTripEnd) guidance document, which Table 2 references. Apologies if this has caused confusion.</i></p> <p><i>NTEM data is an industry standard set of data provided by DfT to use in transport modelling, and the data dimensions are defined by the DfT. “</i></p>

ExQ	Question to:	Question	Response
			b
1.11.6.	The Applicant	<p>TA – Part 5 [APP-142] – Trip Distribution</p> <p>a) The Gravity Model used assumes a distribution model based on geography. Could the Applicant explain what account was taken of other employment sites which might act as alternative locations for employment of potential employees? In other words, what account of workplace competition has been included?</p> <p>b) If this was not included, could the Applicant please indicate what inclusion would have on the results of the model?</p>	<p>a. The scope of the distribution is not to quantify likely competition from alternative sites. However, census JTW data for similar sites, DIRFT and Magna Park are used in the analysis of commuter travel distances, combined with planning uncertainty logs are used within the PRTM. These take account of likely trips on the network associated with competing sites and their assignment on the modelled network.</p> <p>b. Traffic numbers for competing sites will already be accounted for within the assignment model. It is unlikely that the results would change substantially across the network as a whole.</p>
1.11.7.	The Applicant	<p>TA [REP1-011] – Use of site for exports</p> <p>a) Figure 6-5 of the TA [REP1-011] sets out the Expected Distribution of Freight from the Proposed HNRFI within the Supply Chain. The ExA notes that this is entirely a one-way process, ie from seaport to the proposed HNRFI. Could the Applicant please set out any analysis that has been undertaken of the use of the site for exporting goods via rail to the ports, or from this site to another rail served distribution centre as indicated would occur (see, for example paragraph 5.27 of the Market Needs Assessment [APP-357])?</p> <p>b) If not, could the Applicant please explain why this hasn't been explored and provide information as to</p>	<p>The Railport volumes assumed HGV moves for imports into buildings and to the surrounding areas; as well as returns either empty or with exports. As such this is not a one-way process.</p> <p>The balance of trade in and out of the Midlands is better than most areas. In volume terms, there should be enough containers coming into the Railport to be able to be used for backloading with exports from the Scheme and the surrounding area, back through the Railport. Any imbalance in use would be returned as empty containers.</p>

ExQ	Question to:	Question	Response
		<p>the what the implications would be of the use of the site in these terms?</p>	<p>The assessment includes an allowance for empty running of HGVs to pick up (imports) and drop off (exports / empties) when they did not have a synchronised drop and collect at the Railport. This effectively allows for triangulation between an importer's delivery and an exporter's dispatch.</p>
1.11.11.	<p>The Applicant NH Local Authorities</p>	<p>Hazardous Substance Zones of Influence Are there any Hazardous Substances Zones of Influence which potentially could impact on the M1 (between junctions 19 and 22), M69 (whole length) and A5 (between the A4303 junction and the M42 junction), and could result in closure of the motorways/ A5?</p>	<p>The Applicant is not aware of any Hazardous Substances Zones of influence in the identified area which could result in closure of the motorways /A5 this is information which the HSE would hold.</p>
1.11.13.	<p>The Applicant NH LCC WCC</p>	<p>HGV Routing a) How would the Applicant, NH, LCC and WCC respond to a proposition that there should be either no development or no occupations until the proposed lowering of the height of the carriageway on the A5 under the railway bridge has been completed? b) Could the Applicant, if necessary on a without prejudice basis, provide a draft Requirement to this effect?</p>	<p>The lowering of the carriageway under the A5 Nutts Lane Rail Bridge was not modelled within the PRTM run for the application. The mitigation was not within the uncertainty log as this was agreed with the Authorities prior to the works to the highway under the bridge being recommended for approval by the relevant planning authorities as part of the Padge Hall Farm development proposals, albeit the S106 for the Padge Hall Farm development has not yet been signed to allow the planning decision notice to be issued.</p> <p>The HNRFI development is not dependent on the delivery of the alterations, as an alternative route for High-Sided vehicles was identified at the time of submission for vehicles heading north-west on the A5 and vice-versa. This is via the A47 and the new link the access infrastructure provides.</p>

ExQ	Question to:	Question	Response
			<p>On the basis that there is an alternative access that avoids this route it is considered that that there is no need for a Requirement of the form suggested.</p> <p>S120 Planning Act 2008 states:</p> <p>120 What may be included in order granting development consent</p> <p>(1) An order granting development consent may impose requirements in connection with the development for which consent is granted.</p> <p>(2) The requirements may in particular include:</p> <p>(a) requirements corresponding to conditions which could have been imposed on the grant of any permission, consent or authorisation, or the giving of any notice, which (but for section 33(1)) would have been required for the development;</p> <p>(b) requirements to obtain the approval of the Secretary of State or any other person, so far as not within paragraph (a).</p> <p>The tests for a valid planning condition are set out in paragraph 56 of the NPPF:</p> <p>Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.</p> <p>The proposed condition would fail the tests of necessity and would not be reasonable. This is because:</p>

ExQ	Question to:	Question	Response
			<ul style="list-style-type: none"> • The applicant’s transport assessment does not consider the lowering of the carriageway under the Nutts Lane bridge as being committed development and so its outputs are not contingent upon those works having been completed. The applicant’s transport assessment assumes that all high-sided vehicles from the development would use the A47 and the A47 Link Road. The applicant’s mitigation package (a) was therefore not proposed on the assumption that those works would be completed; and (b) did not propose those works being undertaken as part of that mitigation package. The Proposed Development is therefore in no way reliant upon those works being completed in order to make the associated traffic impacts acceptable. • The applicant’s transport assessment was based upon the PRTM model which as discussed at ISH2. This model does not distinguish between HGVs and high-sided HGVs and is based upon observed data. Consequently, far from saying that the applicant was reliant upon the completion of the works for lowering the carriageway under the Nutts Lane bridge, it was LCC’s position that the applicant had not adequately modelled the consequences of high sided vehicles being able to use the A5 following completion of those works. For any of the authorities to now suggest that those works are somehow necessary to make the Proposed Development acceptable is therefore nonsensical.

ExQ	Question to:	Question	Response
			<ul style="list-style-type: none"> In any event those works are undertaken by the developer of the Padge Hall Farm scheme, the applicant has now completed an analysis for Deadline 4 which demonstrates that the traffic impacts are acceptable based upon its existing proposed package of offsite highways mitigation measures secured through the dDCO. <p>(b) On the basis of the above the Applicant has not provided a draft requirement as it would be unlawful</p>
1.11.14.	The Applicant	<p>HGV Routing</p> <p>At ISH3 the ExA queried whether the fines associated with the misrouting of the HGV traffic for operators on the site should go to a community fund. The Applicant agreed to “consider” this (see Transcript [EV6-007] between 1:19:00 and 1:20:02).</p> <p>The revised HGV Route Management Plan and Strategy [REP3-038] sets out two uses for the funds generated:</p> <ul style="list-style-type: none"> to fund additional measures ... to further discourage HGVSs routing via Sapcote. These measures could 	<p>As set out in the updated HGV Route Management Plan and Strategy (document reference: 17.4B) paragraph 5.26 the Applicant will provide a fund of £50,000 towards additional measures that the HGV Strategy Working Group considers necessary to further discourage HGVs routing via Sapcote. These measures could include signage, road markings, traffic calming, Traffic Regulation Orders etc. This fund would be topped up on an annual basis with any occupier fines collected for breaching the HGV Route Management Plan and Strategy. This is set out in the HGV HGV Route Management Plan and Strategy (document reference: 17.4B)</p>

ExQ	Question to:	Question	Response
		<p>include signage, road markings, traffic calming, Traffic Regulation Orders etc; and</p> <ul style="list-style-type: none"> • off-set the Estate Management Charge for those tenants complying with the HGV Route Management Plan. <p>Neither of these appears to be a “community fund” and the second does not relate to the harm being mitigated.</p> <p>Could the Applicant please explain why it has not followed through a community fund to provide for mitigations (community benefits) to off-set the harms?</p>	<p>The HGV Strategy Working group will include representatives from the local parish councils, planning and highway authorities and as such should the requirement to fund relevant community initiatives related to HGV traffic and/or breaches become an issue then appropriate funds can be released in agreement with the authorities.</p> <p>1.1.</p>
1.11.15.	The Applicant	<p>Private Fines</p> <p>Paragraph 5.46 of the HGV Route Management Plan and Strategy [REP3-038] indicates fines up to a maximum of £1,000 for breaches of routing requirements.</p> <p>a) Should this figure be indexed linked?</p> <p>b) How is this to be secured in the dDCO or associated documents, taking into account of Section 120(8) of the PA2008?</p>	<p>a)Yes, this has been included in updated document at Deadline 4 (document reference 17.4D) paragraph 5.48.</p> <p>b) Yes in the HGV Management Plan and Strategy and secured through requirement 18.</p>
1.11.16.	The Applicant	<p>HGV Routing</p> <p>Paragraph 3.8 of the HGV Route Management Plan and Strategy [REP3-038] indicates that occupiers of the site will be required to comply with the HGV Route Management Plan and Strategy through their lease</p>	<p>Whilst this is the Applicant’s intention so that they retain an element of control over the occupiers’ operations as a responsible landlord, occupiers of the main site would also fall within the definition of undertaker for the purposes of the dDCO and would therefore be directly liable to comply with the HGV Route Management Plan and</p>

ExQ	Question to:	Question	Response
		arrangements. How is this to be secured in the dDCO or associated documents?	Strategy (document reference: 17.4C) secured through requirement 18.
1.11.17.	BDC HBBC The Applicant	<p>Parking Provision</p> <p>a) Do the LAs consider the parking provision to be appropriate? If not, please explain why.</p> <p>b) Could the Applicant please explain what reduction in parking provision has been allowed for in light of the proposed implementation of the Site Wide Travel Plan?</p>	Parking allowance has been set within the LA limits to ensure that all employee parking is within the site boundaries. No reduction in parking provision has been made in light of the Site Wide Travel Plan to ensure adequate parking is provided for within the site boundaries.
1.11.18.	The Applicant	<p>Road Safety Audits</p> <p>The ExA notes that interim Road Safety Audits (RSAs) have been submitted to the local highway authorities and NH. Could the Applicant please ensure that all RSAs, at whatever stage, are submitted into the Examination at Deadline 4.</p>	<p>Interim Road Safety Audits and Designer's responses are submitted at Deadline 4 (document reference: 20.1.1</p> <p>)) The highway plans (document reference 2.4) have been updated to reflect changes made as a result of the interim audits and further discussions with the HAs. In addition, the geometric design strategy record report and appended 1:500 GA drawings and swept path drawings have been amended (document reference 2.29A).</p>
1.11.19.	The Applicant	<p>Road to rail movements</p> <p>What proportion of movements at the Proposed Development are expected to be from road to rail, and to what extent does the Applicant consider this to be significant, important and relevant? Please can the Applicant set out the reasons for its conclusions on this?</p>	<p>The proportion of movements by rail, at 16 trains per day, is anticipated to be c24% of a road only scheme.</p> <p>This is based on the total daily number of HGV moves saved by rail (1,940) as a percentage of total number of B8 HGV moves (7,637) and HNRFI assumed rail moves (589)- totalling 8,226 HGV moves, for a non-</p>

ExQ	Question to:	Question	Response
			<p>rail / road only equivalent sized scheme to HNRFI. See the Trip Generation Movements in the Transport Assessment (document ref 6.2.8.1 PINS ref: APP-138, Tables 6-4 & 6-5 which sets out the rail terminal HGV trips and Table 6-7 that sets out the B8 HGV Trips above This is significant because Leicestershire has identified the need for the quantum of floorspace HNRFI will provide, regardless of its rail connectivity. HNRFI will be able to remove up to 1,940 long distance HGV moves per day to and from the area.</p> <p>It is important because this assessment is based on the historic use of intermodal rail freight for primary distribution, in many locations with empty returns. HNRFI has been designed and is located to act as an efficient transport conduit to and from the major ports, with one train set being able to do two round trips in a day.</p> <p>It will also have a hub capability for other regional terminals.</p> <p>In so doing it will provide significant potential for primary exports to better balance primary imports; and to better utilise equipment for secondary distribution nationally.</p> <p>This is particularly relevant here because whilst the lorry miles / kilometres saved by such an SRFI is clearly significant, HNRFI is expected to carry more laden traffic (payload) both ways in each rail movement than has traditionally been the case.</p> <p>This has an economic benefit of reducing the cost of distribution by rail; and the environmental benefit of improving the net freight tonne kilometre moved and associated CO2e savings.</p>

ExQ	Question to:	Question	Response
			<p>This is clearly relevant to achieving the Rail Freight Growth Target, which is based on the net tonne kilometre metric to measure growth.</p>
1.11.22.	The Applicant	<p>Site Wide Travel Plan [APP-159] to [APP-162]</p> <p>There are a number of typographic errors, most likely caused when the documents were converted to PDF format. Could the Applicant please check the whole document and re-issue it?</p>	<p>The Site Wide Travel Plan has been updated and re-submitted for Deadline 4 (document reference: 6.2.8.2B).</p>
1.11.23.	The Applicant	<p>Construction Traffic Management Plan [APP-359]</p> <p>a) Table 1 in the Construction Traffic Management Plan sets out “Trip Rate Estimates based on type of Construction (source: EMSRFI)”. However, one row refers to “M69 J2 Site Access, Slips and Rbt on B4668 Leicester Road”, which relates to the Proposed Development.</p> <p>i. Could the Applicant please clarify this table as to whether it is providing data on the East Midlands Strategic Rail Freight Interchange or the Proposed Development and if the latter, how that was derived by providing the base data?</p> <p>ii. Could the Applicant also clarify what the “Trip Rate (One Way)” is and over what time period the number is identified?</p>	<p>A(i)Table 1 relates to Trip-Rates for construction activity used at East Midlands Gateway as a proxy. These are then used in Table 2 to derive the rates for construction activity at HNRFI.</p> <p>A summary of the construction traffic derivation is submitted at Deadline 4, it is appended to this document (document reference: 17.9). This sets out the method of deriving the trips from the trip rates included within Table of APP-364. As a headline the rates in Table 1 were for total construction activity based on m3, m2 or length (in the case of rail) The spreadsheet indicates the totals calculated for each</p>

ExQ	Question to:	Question	Response
		<p>b) What measures would be utilised to minimise the use of the A47 Link Road as a construction access route, particularly for HGVs, after it has been opened to all traffic?</p>	<p>activity for the total construction period and how these are broken down into daily two-way flows.</p> <p>B) The M69 is prioritised as the key construction access point and the CTMP is set out to maximise the use of the SRN for construction access. However, there will be need to access the A47 for vehicles, notably during the construction of the haul roads for the bridge construction. The use of the A47 aligns with LCC's Network Management Plan which identifies the A47 as a strategic HGV route. The CTMP will be updated (document reference: 17.6C) at each additional phase of the construction, beyond the completion of the Link Road. The routing and enforcement will be subject to agreement with LCC as highway authority.</p>
1.11.25.	The Applicant	<p>Applicant's Response to DFT and IEMA Guidance [REP2-077]</p> <p>Page 8 of the document states....'In addition to the general statistics the Applicants [sic] team has reviewed the Dft [sic] AADF database for local roads around the HNRFI site. A summary of the findings is presented below. This suggests that in 2022, there is an average of 8.9% drop in vehicles overall and 0.5% drop in HGV levels compared to 2019.'</p> <p>Can the Applicant explain why there is a 0.5% drop in HGV movements, when in other evidence it is reported that internet retail sales are growing exponentially,</p>	<p>The local link data recorded by DfT and as supplied in the extract within Section 3 of the Applicant's Response to DfT and IEMA Guidance (document reference: 18.5.2, REP2-077) demonstrates the recorded changes as evidence that the average differences in HGV movements</p>

ExQ	Question to:	Question	Response
		<p>which would be expected to lead to an increase in HGV demand?</p>	<p>between 2019 and 2022 on routes on the local network are small. There is a range in the dft data on the local links with some having increased significantly and some still below pre covid levels.</p> <p>The routes reviewed are specific to the local network in the immediate vicinity of the HNRFI. National, generalised statistics may account for higher HGV numbers being recorded due to internet sales. However, it should be noted that both internet and physical sales both require freight movement. The statistics do not appear to support the anecdotal evidence of HGV movements reaching post covid levels globally at the local level, with only parts of the Strategic Road Network experiencing higher than the pre covid HGV levels and some local route sections, some of which are around local parcel distribution centres.</p>
1.11.26.	The Applicant	<p>Rail Operations Report [APP-131]</p> <p>a) Paragraph 1.4 refers to figure 'FiguF', could the Applicant please replace with correct notation.</p> <p>b) Could the Applicant please review paragraph 2.7 in relation to the various directions to confirm that it is correct?</p>	<p>a) Figure should refer to Figure 3.1, the report has been updated accordingly and submitted at Deadline 4 (document reference: 6.2.3.1A)</p> <p>b) Paragraph corrected to state that trains from the west would cross to the westbound line before entering the HNRFI Railport. The report has been updated accordingly and submitted at Deadline 4 (document reference: 6.2.3.1A)</p>
1.11.31.	The Applicant NH LCC WCC	<p>Non-Car mode enhancements</p> <p>Revision 5 of the Sustainable Transport Strategy and Plan [REP3-022] sets out several proposals and options for enhancement to non-car facilities and modes.</p>	

ExQ	Question to:	Question	Response
		<p>While appreciating that further work is to be done on the proposals:</p> <ul style="list-style-type: none"> a) Could the Applicant confirm how the committed proposals are to be secured? b) Could the Applicant explain how the potential proposals for post-decision would be evaluated and, where appropriate, how they would be secured. c) Could the Applicant please undertake an analysis on the operation of the A47/ B4668 roundabout in relation to the introduction of a Toucan crossing as shown (Enhancement 1) and what effect it would have on capacity and queuing. d) Could IPs comment on the weight that should be given to these elements, particularly in relation to elements that are not definitely secured? 	<ul style="list-style-type: none"> a) The Sustainable Transport Strategy updated and submitted at deadline 4 (document reference: 6.2.8.1B), provides an update on scheme viability and deliverability. LCC have confirmed that they will not be able to hold S106 monies for schemes and/or provide County assistance on PROW maintenance and upgrades where the applicant is not the land owner. Therefore the applicant envisages that the enhancements that can be delivered by the applicant within highway ownership as set out in the STS update securing the principles of set out in the STS and the FTP whereby the decide and provide approach can be delivered in a phased and appropriate way alongside monitoring B) Should any further enhancements be required through the monitoring of the modal shift targets by the Travel Plan Coordinator these will be agreed by transport steering group which includes local highway and planning officers. C)_The toucan crossing (enhancement 1) has been reviewed within the Transport 2023 Update (document reference: 18.13.2) and has no impact on capacity or queuing at the adjacent roundabout on the A47 with the B4668.

ExQ	Question to:	Question	Response
1.11.32.	The Applicant	<p>Effect on users of Burbage Common Road</p> <p>In the response dealing with the distances between points 1 and X on the Access and Rights of Way Plan (2.3A and 2.3B), the Applicant has referred to users being able to use permissive ways (comment in 'Alternative route' for Walkers in [REP3-054].</p> <p>a) Given that the proposed streets within the Main site would be privately owned, how would the permissive way be secured. Would it not be better if it were dedicated as a public right of way through the DCO?</p> <p>b) Could the Applicant please explain how, in line with paragraph 5.216 of the NPSNN, the routes and measures being secured would meet the strong expectation that impacts on accessibility for non-motorised users would be mitigated.</p>	<p>A commitment to maintaining the permissive routes for public access has been included within the updated Public Rights of Way Appraisal and Strategy (document reference 6.2.11.2A) Access would only be restricted for maintenance purposes or safety reasons.</p> <p>The permissive routes allow non-motorised users to travel through the site on segregated pathways. The amenity of these routes has been considered with a commitment to tree-lined avenues and separation from vehicular traffic included in the Design Code (document reference: 13.1A)</p>
1.11.34.	The Applicant	<p>Indirectly Impacted Pedestrian Level Crossings</p> <p>In its draft report [REP3-050] NR indicates that a contribution to the cost of outside limits level crossing works generally will be secured through a Framework Agreement.</p> <p>a) Could the Applicant please confirm whether such an Agreement will be submitted into the Examination, and if so, could it please provide this, or it yet to be finalised, the current draft?</p> <p>b) If the agreement is not to be submitted, how can the ExA and SoS rely on its contents and/ or how are the works to be secured?</p>	<p>(a) The Framework Agreement will remain confidential between the Applicant and Network Rail and will not be submitted to the Examination.</p> <p>(b) The ExA and the SoS is not being asked to rely upon the Framework Agreement. The ExA and the SoS will be asked to rely upon the anticipated confirmation from Network Rail as the statutory undertaker for the operation of the rail network that the project raises no concerns in respect of level crossings outside of the order limits.</p>

Traffic & Transport

ExQ	Question to:	Question	Response
1.12.1.	The Applicant	<p>Hydrogeology</p> <p>Can the Applicant please explain the methodology used to assess the effects to the bedrock aquifer from changes to rates of infiltration during construction (see Chapters 14 and 15 of the ES [APP-123] and [APP-124] and their associated Appendices)?</p>	<p>The effect has been assessed qualitatively based on BGS mapping and the data from the Hydrock Ground investigation (document reference: 16.2.15.2, APP-215) The bedrock aquifer comprises the Edwalton member of the Mercia Mudstone Formation and is classified as a Secondary B Aquifer. The overlying superficial deposits predominantly comprise Bosworth Clay and Thrussington Till which are unproductive strata and undifferentiated secondary aquifers respectively.</p> <p>Significant groundwater flow is not expected in the mudstone and where it is present likely to be perched at the upper weathered portion of the strata. Occasional sandstone bands known as Skerries do occur in the mudstone across the wider region, which have a higher flow and groundwater storage capacity, although none of these are mapped at the site.</p> <p>The historical pattern of rapid flooding in response to rainfall events would suggest that the superficial deposits become rapidly saturated, and runoff overwhelms the local drainage system. Downward recharge of the mudstone is therefore assumed to be very limited.</p> <p>Ground investigation will be required for detailed design which will further assess the underlying groundwater regime</p>
1.12.2.	The Applicant	<p>Water Environment</p> <p>Could the Application provide a table showing the level of effect with and without mitigation on various assessed aspects of water environment (see Chapters 14 and 15 of the ES [APP-123] and</p>	<p>Please see table 1 provided below in which the level of effects from Chapters 14 and 15 of the ES (document reference: 6.1.14 and 6.1.15, APP-123 and APP-124) have been collated, and additional columns added to identify the potential effects if no form of mitigation was offered.</p>

ExQ	Question to:	Question	Response
		[APP-124] and their associated Appendices).	
1.12.3	The Applicant	<p>Flood Risk Assessment [APP-209]</p> <p>Could the Applicant please explain how the limits of deviation described in the dDCO [REP2-003] been incorporated into the flood risk modelling?</p>	<p>The dDCO describes the limits of deviation associated with Works No.4 (related to the road layout within with the Main HNRFI Site and associated infrastructure) and Works No. 7 (related with the A47 Link Road and associated infrastructure).</p> <p>The limits of horizontal deviation for Works No.4 overlap with Works No. 5 (rail served warehousing). Works No. 4 and No.5 are both developed areas in the Main HNRFI Site that are treated the same in the hydraulic model. Therefore, any horizontal deviation of Works No. 4 will not influence the hydraulic modelling or the Flood Risk Assessment (document reference: 6.2.14.1, APP-209).</p> <p>To the south of the railway line, the limits of horizontal deviation for Works No.7 overlap with Works No.2 (the rail freight terminal), No.3 (rail infrastructure), and No.5 (rail served warehousing). These development areas are treated the same as Works No. 7 in the hydraulic modelling. There is also some overlap with Works No. 6 (landscaping). However, this is in an area that is not identified to be at flood risk. Therefore, any horizontal deviation of Works No. 7 to the south of the railway line will not materially influence the hydraulic modelling or the Flood Risk Assessment.</p> <p>To the north of the railway line, the limits of horizontal deviation for Works No.7 overlap with Works No.6 (landscaping). In this area there are four watercourses and an overland flood route that the A47 link road need to consider. The hydraulic modelling has shown that that the watercourses can be culverted beneath the A47 link road with no detrimental impacts on flood risk, this will be true for any position within the limits of horizontal deviation. The overland flow route is also to be culverted beneath the A47 Link Road to preserve connectivity with the downstream floodplain. The hydraulic modelling has shown that this arrangement will cause a marginal increase in flood levels that extends up to 60m into the upstream floodplain. This is</p>

ExQ	Question to:	Question	Response
			<p>an informal form of floodplain compensation that is contained within the DCO Site. Upstream of the limits of deviation there is a 126m offset to the DCO Site boundary. Therefore, even if the A47 is located at the upstream extent of the limits of horizontal deviation, the impacts on flood risk will still be contained entirely within the DCO Site. Therefore, any horizontal deviation of Works No. 7 to the north of the railway line will not materially influence the findings of the hydraulic modelling or the Flood Risk Assessment.</p> <p>The dDCO also describes the limits of vertical deviation of the highway and railway works. Article 4 ensures that any deviation of this linear infrastructure is subject to the planning authority's satisfaction that no material change to the EIA would result (this includes the Flood Risk Assessment).</p>

Table 1 Water Environment Summary of Effects

The table below provides a summary of the level of effects on the various assessed aspects of water environment. This is based upon Chapters 14 and 15 of the ES (document reference: 6.1.14 and 6.1.15, APP-123 and APP-124). Additional columns have been added to identify the potential effect if no form of mitigation was offered.

Description of impact	Sensitivity of receptor	Assuming no mitigation is provided		After the inherent mitigation measures adopted as part of the project has been considered			After the proposed additional mitigation measures have been considered	
		Magnitude of impact	Significance of effect	Description of inherent mitigation	Magnitude of impact	Significance of effect	Additional mitigation measures	Residual effect
Construction Phase								
Temporary flood risk to construction workers in areas within Flood Zones 2 and 3	High	Major	Major Adverse	-	Major	Major Adverse	CEMP (document reference: 17.1A)	Negligible
Temporary increase in flood risk within Main HNRFI Site, offsite highway work 'B6', and downstream catchments as a result of construction works potentially altering flow characteristics, flow routes, or through the temporary loss of floodplain storage.	High	Major	Major Adverse	-	Major	Major Adverse	CEMP (document reference: 17.1A)	Negligible
Temporary increase in runoff rates to minor watercourses due to construction traffic movement leading to ground compaction and reduced infiltration rates and increased runoff.	High	Minor	Moderate Adverse	-	Minor	Moderate Adverse	CEMP (document reference: 17.1A)	Negligible
Temporary reduction in infiltration to the bedrock aquifer due to construction traffic movement leading to ground compaction and reduced infiltration rates	Low	Minor	Negligible	-	Minor	Negligible	CEMP (document reference: 17.1A)	-
Temporary pollution of controlled waters from construction activities	Low	Moderate	Minor Adverse	-	Moderate	Minor Adverse	CEMP (document reference: 17.1A)	Negligible
Temporary decrease in quality of groundwater receptors from construction activities, including contamination of shallow groundwater from fuel spillages during construction	Medium	Moderate	Moderate Adverse	-	Moderate	Moderate Adverse	CEMP (document reference: 17.1A)	Negligible
Increase pressure on local foul water sewer network due to temporary presence of construction workers	Medium	Minor	Minor Adverse	-	Minor	Minor Adverse	Sewer Network upgrades provided by STW	Negligible
Increased demand on local water supply due to construction activities and temporary presence of construction workers	Low	Negligible	Negligible	-	Negligible	Negligible	-	-
Operational Phase								

Description of impact	Sensitivity of receptor	Assuming no mitigation is provided		After the inherent mitigation measures adopted as part of the project has been considered			After the proposed additional mitigation measures have been considered	
		Magnitude of impact	Significance of effect	Description of inherent mitigation	Magnitude of impact	Significance of effect	Additional mitigation measures	Residual effect
Increased flood risk as a result of the Proposed Development both to site users and downstream receptors	High	Major	Major Adverse	Implementation of a drainage strategy to intercept, store, and safely dispose of surface water within the development. Realignment of the minor watercourse in the Main HNRFI Site along a corridor designed to convey flood flows. Culverts to be designed to convey flood flows beneath the A47 Link Road.	Negligible	Negligible	-	-
Increased surface water runoff through reduced infiltration as a result of introduction of impermeable surfaces on a currently greenfield area, leading to increased discharge into Thurlaston Brook Tributary and UOW.	High	Major	Major Adverse	A drainage strategy, including SuDS has been identified to reduce surface water runoff rates and direct any pluvial flow paths towards a positive drainage system. The drainage strategy will lead to a reduced risk of flooding in more extreme events because of reduced rates of discharge from the Main HNRFI Site into local watercourses.	Moderate	Minor Beneficial	-	-
Contaminated run-off from Main HNRFI Site and the A47 Link Road detrimentally impacting quality of water in the sewer network.	Medium	Moderate	Moderate Adverse	-	Moderate	Moderate Adverse	Cleaning and maintenance of proposed oil interceptors to mitigate impact of contaminated surface water entering the drainage system	Negligible
Contaminated run-off from Main HNRFI Site and the A47 Link Road detrimentally impacting quality of water in the Thurlaston Brook Tributary and UOW.	Low	Moderate	Minor Adverse	-	Moderate	Minor Adverse	Maintenance schedule for SuDS measure to ensure effectiveness of proposed stages of water quality treatment remain for lifetime of the development	Negligible
Change of use from agricultural will lead to improvements in water quality as agricultural uses is a key issuing preventing Thurlaston Brook reaching Good WFD status	High	Minor	Minor Beneficial	-	Minor	Minor Beneficial	-	-
Interference in base flow to underlying aquifers to Aston Firs Wood	Low	Moderate	Minor Adverse	-	Moderate	Minor Adverse	Provision of attenuation ponds within drainage strategy to maintain groundwater levels	Not significant

Description of impact	Sensitivity of receptor	Assuming no mitigation is provided		After the inherent mitigation measures adopted as part of the project has been considered			After the proposed additional mitigation measures have been considered	
		Magnitude of impact	Significance of effect	Description of inherent mitigation	Magnitude of impact	Significance of effect	Additional mitigation measures	Residual effect
Contamination of shallow groundwater from fuel spillages during operation	Medium	Moderate	Moderate Adverse	Hardstanding and sealed drainage from yard and maintenance areas will prevent contaminated run off from impacting groundwater	Moderate	Minor Adverse	Provision of secondary bunding to tanks, spill kits available and training of operatives. Monito	Negligible
Increased foul water flows to sewer network.	Medium	Minor	Minor Adverse	-	Minor	Minor Adverse	Sewer Network upgrades provided by STW	Negligible
Increase in water demand could impact on capacity of local public water supply	Low	Negligible	Negligible	-	Negligible	Negligible	-	-