

Hinckley & Bosworth Borough Council
Interested Party Reference Number: 20039546

Deadline 5 Submission:
Response to Examining Authority Written Questions
ExQ2

**Application by Tritax Symmetry (Hinckley) Limited for an
Order Granting Development Consent for the Hinckley
National Rail Freight Interchange**

(ref. TR050007)

ExQ Ref	Matter	Hinckley & Bosworth Response
<p>2.0.1</p>	<p>Revised National Planning Policy Framework</p> <p>In December 2023 a revised version of the National Planning Policy Framework was published. All Interested Parties are given the opportunity to make representations on how any changes affect consideration of the Proposed Development.</p>	<p>The Council has nothing to add</p>
<p>2.0.2</p>	<p>Submission of documents</p> <p>A number of interested parties have provided hyperlinks to other documents outside their submissions in response to questions raised. Annex H of the Rule 6 letter [PD-005] and PINS Advice Note 8.4 make clear that submissions must not include hyperlinks. This is because the Examining Authority, Interested Parties and the Secretary of State cannot rely on documents /evidence that the Inspectorate cannot directly control in respect of availability and content (including from a UK General Data Protection Regulation perspective). All parties are asked to review their submissions and, where necessary, provide copies of the information sought, indicating the relevant document(s) (using the Examination Library reference) and the location within that document to allow accurate identification.</p>	<p>The Council has already provided the following documents at deadline 4 to go into the Examination Library:</p> <ul style="list-style-type: none"> • Core Strategy (REP4-178) • Burbage Neighbourhood Plan (REP4-174) • Burbage Neighbourhood Area Plan (REP4-176) • Hinckley & Burbage Policies Map (REP4-175) • Site Allocations & Development Management Policies DPD (REP4-177) <p>For deadline 5 the Council has also provided the following which were</p>

		<p>referenced in the Council's response to the ExA questions (REP4-173):</p> <ul style="list-style-type: none">• Extract from Visitoruk.com re Burbage Common Historic Sites• Extract from HBBC website – About Burbage Common• Historic England Advice Note 1 – Conservation Area Appraisal, Designation and Management• HBBC selection criteria for local heritage assets• Leicester and Leicestershire Strategic Distribution Study 2014• Wider Markets Development Report 2017• Warehousing and Logistics in Leicester and Leicestershire April 2021• West Midlands Strategic Employment Sites Study May 2021• Extract from ons.gov.uk showing internet sales as a percentage of retail sales (ratio)• Leicestershire Highway Design Guide
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<p>2.0.3</p>	<p>Potential development in vicinity</p> <p>At First Written Questions the ExA asked “Could the Local Authorities indicate whether they agree with the Applicant's assertion in paragraph 3.188 (Planning Statement) 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 Barwood Development Securities Limited and Ms Jennifer Taylor [REP3-144] referenced that which would be precluded by the project. If not, could they set out information as necessary.” The Council replied that this was regarding heritage and declined to answer the question. For the avoidance of doubt the relevant paragraph 3.188 from the Planning Statement [APP-347] reads; No proposals have been identified in development plan (either in Blaby District or Hinckley and Bosworth Borough) which would be precluded by the HNRFI. The Main HNRFI Site is not notated on the Proposals Map within Blaby District for development, and comprises open countryside. The Borough Wide Policies Map for the Hinckley and Bosworth Site Allocations and Development Management Policies DPD identifies the land between the administrative boundary of Blaby District and the B4468 being part of a Green Wedge between the urban edge of Hinckley and Burbage and Barwell. Could HBBC indicate whether they agree with the Applicant's assertions?</p>	<p>The Council agrees with the applicant's assertion and can confirm that there are no proposals in the development plan which would be precluded by the HNRFI</p>
<p>2.0.4</p>	<p>Planning Obligation</p> <p>a) Could the Applicant please ensure that the full text of the draft Obligation (that is including the Appendices) is provided.</p>	

	<p>b) Could the Local Authorities please comment on any draft Obligations that they have seen but have not as yet been submitted into the Examination, as well as those they have been submitted.</p>	<p>The Council has been in a dialogue with the applicant following the submission of the latest draft s106 (REP4-089) and is broadly content with schedule 3 and has now agreed the square bracketed figures which will be submitted by the applicant at deadline 5. The Council will respond at deadline 5 with any further comments on the drafting of the document as a whole.</p> <p>The Council has been party to the preparation of a joint Skills & Training Plan for Hinckley, Blaby and Leicestershire County councils and expects this to form part of the applicant's revised s106 submitted at deadline 5.</p>
<p>2.5.3</p>	<p>Schedule 2, Requirement 19 - Green Space</p> <p>In response to concerns over the provision of green space, the Applicant at D4 has submitted a Landscape Ecological Management Plan (document 17.2A) and green space provision will be secured by Requirement 19. Can BDC and HBBC confirm they are happy with the approach set out and the Requirement?</p>	<p>The Council is content with the approach, but the wording of the requirement should be amended as follows:</p> <p>(b) provide a management framework for the conservation and enhancement of habitats and other features of ecological interest; This should be amended to make it expressly clear that this includes the BNG; and that it is for the minimum period covering 30 years.</p>

		<p>(c) provide a work schedule (including an annual work plan); This should be amended to make it expressly clear that the work plan includes BNG management and monitoring prescriptions in line with the conditions criteria for each individual habitat, including associated BNG specific reporting that reflects extreme weather events that impact the ability to attain the proposed final BNG score.</p> <p>It should be noted that there needs to be a clear distinction in the LEMP with regards to habitats created and/or enhanced for BNG and habitats created and/or enhanced for Green Space to avoid stacking.</p>
<p>2.5.6</p>	<p>Schedule 2, Part 2 – Fees</p> <p>The Applicant has finalised its drafting of these provisions. Could the Local Authorities indicate whether they are content with this. If not, could they please provide alternative drafting, explaining why they consider this should be preferred.</p>	<p>This is a matter which the Council is liaising with Blaby District Council over, recognising that the development of the buildings and freight terminal are within their administrative boundary. The Council understands that Blaby District Council is not content with the current drafting of the fees provisions and HBBC supports their position and proposal that</p>

		<p>the provisions should follow their suggested amended Northampton Gateway Rail Freight Interchange Order 2019 provision.</p> <p>The Council expects that it will be necessary to agree a post DCO decision PPA with the applicant (if it is approved) to ensure that the Council's costs of discharging requirements is met in full.</p>
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