

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 Deadline 4 Submissions [part 8 – Parish Councils]

Document reference: 18.17

Revision: 01

9 February 2024

Planning Act 2008

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

Burbage Parish Council

No	ExQ Ref	Matter	Burbage	Applicant's Response
1	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. 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 may respond both to this question and the D2 response.</p>	<p>Burbage Parish Council has no doubt the Covid-19 pandemic will have had an impact upon forecasting trends, some of which will have been dramatically changed during the pandemic due to the very likely unique set of social disruptions experienced during the pandemic. These will have in, our opinion, impacted: a) Shopping habits and resulting logistics changes b) Working practices such as working at home and the impact on the traffic flows and rail journeys These changes could have influenced the data gathered to support this application, which assessments needing to made as to whether the changes will endure long into the future, or whether the trends will return to pre-Covid-19 expectations. We are able to point to specific evidence to support these opinions, however, we believe The Applicant should provide robust evidence as to how such impacts or potential impacts have been investigated.</p>	<p>The Covid Pandemic and its impact on the logistics sector is discussed in the Logistics Demand and Supply Assessment (document reference: 16.2A, REP3-036), Chapter 3.</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.</p> <p>It should also be noted the Savills need estimates build upon a 10 year look back period, the majority of which are pre Covid. This means its estimates will not be disproportionately impacted by the Covid years.</p>
2	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 secured from the rooftop delivery of</p>	<p>Burbage Parish Council would be very concerned if the 'bureaucracy' of major energy generating schemes provides an artificial limitation on the planned provision of the number of photovoltaic cells installed on the roofs of warehouses. Should this 'national infrastructure' proceed, we consider it essential that an economic, green or social benefits which can be delivered as a byproduct of such a large development should be maximised and not limited by non-physical considerations.</p>	<p>Photovoltaic cells will be installed on 100% of useable roofspace. Roofspace that is not useable for the installation of PVs includes roofspace occupied by rooflights, plant and areas designated for maintenance access.</p>

No	ExQ Ref	Matter	Burbage	Applicant's Response
		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.		

Elmesthorpe Parish Council – Written Questions

No	ExQ Ref	Matter	Elmesthorpe Parish Council	Applicant's Response
1	1.0.4	<p>Equality Impact Assessment</p> <p>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): 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>	<p>It is not considered that any element of the proposal would actively work to eliminate discrimination, harassment, victimisation, advance equality of opportunity or foster good relations. It is a concern that by extending the distances of the PRow routes, the Applicant is actually exacerbating access for persons who share a relevant protected characteristic. This will be further expanded upon in our response to 1.11.32.</p> <p>Referring to Appendix 7.2: Equalities Impact Assessment Statement, Table 3, Page 18 Changes to the pedestrian and cycle environment: It appears that the approaching footpath at the closed Outwards crossing has been amended from being 'poor and not suitable for wheelchair users' to 'limited,' and consequently implies a level of concluded suitability. It is not advised that there will be any works undertaken to improve the suitability of the path, despite the existing most direct PRowS from Elmesthorpe through Burbage Common Road being removed and replaced with much longer routes. We would welcome signposting to further details and documents if this is already included in the Applicants documents.</p> <p>The Outwoods footbridge has been revised from having 'limited accessibility' to 'installing a ramp subject to agreement from Network Rail.' It is commended that this is now being looked at, however it is worth noting that in the event this not be agreed with Network Rail, the closest railway bridge with accessibility ramps is identified as 400m away and would be, in many cases, the difference between no longer being able to utilise this area for an excursion. 400m (each way) is a considerable distance for a person with disabilities and also those within other protected groups (Pregnancy, those with push chairs/walking with young children/child carrying (Maternity) and the elderly (Age)).</p>	<p>The IP does not specify in their response which specific protected characteristics could be impacted by extending PRow routes.</p> <p>Furthermore, it is important to note that any proposed extension of a PRow is a mitigation measure to ensure access to PRow (or a network of PRow) is maintained, including for users with protected characteristics. On the basis that this mitigation is relevant to any user of PRow, the application of such mitigation does not have a disproportionate or differential impact on individuals with a protected characteristic.</p> <p>Regarding the Outwoods PRow (U8/1) and crossing specifically, to clarify, a ramped bridge will be installed (rather than a footbridge). No works to improve the suitability of the path either side of the ramped bridge or footbridge are proposed. This will ensure that users who are currently able to use the crossing and paths either side can continue to do so.</p> <p>As such, on the basis that access across the railway would be maintained through the use of alternative nearby PRow, there would be no disproportionate or differential impact on individuals with protected characteristics.</p>
2	1.11.32	<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]. 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</p>	<p>Burbage Common Road is the main link from Elmesthorpe to the beloved Burbage Common and Woods SSSI (including Elmesthorpe Plantation). Many residents use this road to walk for leisure, or to exercise their dogs/other animals. Burbage Common Road, whilst it is a road accessible for vehicles, is mainly used for access to business on Burbage Common Road, agricultural vehicles, as a bridlepath for equestrian users or by those with mobility scooters/wheelchairs/prams to access Burbage Common or enjoy the surrounding countryside, without having to traverse alongside the very busy A47/B4668 or along</p>	<p>The route between points 1 and X identified for cyclists, to the south of the railway bridge (the majority of its length) will be lit. The effects of this are considered in the environmental assessment. Lighting for security purposes will be provided within the new underpasses. It should be noted that the proposed route between points 1 and X provides a higher quality route than at present as it is segregated from vehicular traffic and well illuminated for the majority of its length contrary to Burbage Common Road. At the A47 link road/B4668 junction, a crossing point is provided between the shared footway cycleway on the link road and the shared footway/cycleway</p>

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		<p>expectation that impacts on accessibility for non-motorised users would be mitigated.</p>	<p>the very narrow footpath on B581 to reach it.</p> <p>Burbage Common Road is home to the Farm Shop at Woodhouse Farm, the only shop in Elmesthorpe, that is well-supported by residents of Elmesthorpe and surrounding villages and provides meat and vegetables amongst other items. It also is home to a number of equestrian businesses, private stables and the local kennels/dog walking service.</p> <p>When looking at the distances between point 1 and X on the 'Accessibility Plans for Burbage Common Road', we submit:</p> <p>Vehicle Users; the current 1.6km route will increase to 4.95km. Our only alternative vehicular access into the village will be entirely removed and any incidents that prevent access from either end of Station Road B581 will severely affect residents and emergency services, and the only available detour will be significant. Add into this the substantial increase in traffic using and joining the B4668 and A47 as a result of the A47 Link road, and the cumulative effect on residents trying to go about their daily lives will be extensive.</p> <p>Cyclists; The roads surrounding the proposed site are narrow, fast, dangerous and undesirable. Will there be lighting available during the winter months, for those commuting to work (potentially both on and off site) using the revised PRoW offered? If so, have the effects of this been considered in the assessments of the impact of lighting on ecology, local residents, energy usage etc? What security will be in place to ensure safety at the newly installed underpasses? Cyclists travelling through the site from Elmesthorpe will not be exiting onto the M69 and therefore will be joining the main carriageway at the roundabout where the A47 link road meets the B4668. What provisions will be made to protect cyclists at this busy junction, mainly occupied by HGVs?</p> <p>Bridleway Users: the current 1.6km route will increase to 4.95km. Aside from the substantial increase in distance which not only will tire the horse out before they even reach their destination; the additional time implications involved in this impacts the frequency that equestrian users may be able to hack in their own locality. This is removing a key benefit and reason that many equestrian business and private owners chose to base themselves here for. It goes without saying that the amenity of</p>	<p>to the northern side of the B4668.</p> <p>The Applicant understands that residents of Elmesthorpe enjoy the facility of the farmshop however the landowner has taken the decision to enter into commercial terms for the proposed development of the land including the farmshop. Impacts to businesses adjacent to the site including equestrian facilities are not anticipated to be adversely affected due to the proposed bridleway network of the Proposed Development, which ensures that connectivity around the Main HNRFI Site is retained via new dedicated links.</p> <p>On equestrian access, it should be noted that a significant length of the route illustrated between points 1 and X on the submitted plans is through Burbage Common. The route to access the common from Point X is 3.2km. Segregation from vehicular traffic and safe crossing points provide mitigation for the loss of a route which required users to share the highway with vehicles and cross the railway on a narrow overbridge with poor forward visibility. Furthermore, softer surfacing will reduce risk of slips.</p> <p>With regard to the 'recreational uses' stated in relation to Burbage Common Road, local residents will have fully accessible access to off-road amenity areas within the development including the bridleway and welfare areas which will provide much safer locations for dog walking and children than a public highway as well as an off-road amenity route through a variety of habitats bringing including woodland, meadow and streamside habitats providing a considerable additional nature interest</p>

No	ExQ Ref	Matter	Elmesthorpe Parish Council	Applicant's Response
			<p>the new bridlepath provided is no substitute for the environment currently experienced.</p> <p>Walkers: It is firstly considered the user group merely identified as 'Walkers' is a very broad group and doesn't identify the many different types of users who use this area as pedestrians. That aside, walkers who use the current 1.6km PRow route experience a wide, level, quiet road that serves more as a path enjoyed by all types of people and animals, with immediate access to the amenity of surrounding countryside. It does not discriminate against any groups whom fall within the groups identified with Protected Characteristics and provides unimpeded access for all, should they choose. All of the proposed alternative PRows for pedestrians provide increased distances (the shortest increase being a full 50% increase) which will serve to alienate and exclude some users, including (but not limited to) those who currently walk with young children to utilise the newly upgraded children's play area at Burbage Common or those with mobility issues. All of the proposed alternative routes offer reduced amenity and experience to the current PRow and nobody would choose to simply take a shorter leisurely amble around a SRFI before returning home due to personal limitations. The increase in route distances, and the stark reduction in amenity value would entirely remove the access to countryside for some users</p>	

Elmesthorpe Parish Council

No	Matter	Elmesthorpe PC	Applicant's Response
1	Sewerage/Drainage	<p>The pumping Station located at Bostock Close experienced failures. Severn Trent were present for 24 hours a day for several days pumping out water in tankers and removing it by road until it resolved.</p> <p>We advised at Deadline 3 of sewerage floods from the Severn Trent mainline due to root ingress. Unfortunately since Deadline 3, a property experienced another sewer blockage, from further root ingress in the Severn Trent mainline. The mainline was identified as in need of patchwork repair and took Severn Trent several weeks to repair.</p> <p>The site of the new crematorium being built upon the roundabout where B4668 meets the A47 also experienced major issues. Again, Severn Trent tankers were required to pump and remove water by road for a period of several days.</p> <p>These instances did not occur during periods of heavy rain, although this was in December where water levels may naturally be a little higher. All the above are indicative of the already overwhelmed and failing sewerage and drainage systems in and around our village. Serious thought needs to be given as how to responsibly ensure that a development of this size is implemented considering the issues experienced currently.</p>	<p>Severn Trent Water (STW) are responsible for the operation and maintenance of the local public sewer network. They have an obligation to provide sufficient public sewer capacity upgrades to allow for development.</p> <p>As reported in the Sustainable Drainage Statement (document reference: 6.2.14.2B, REP4-071), STW have identified a need to upgrade the existing network to accommodate the anticipated foul flows from the proposed development, but they have confirmed a connection to the public sewer in Burbage Common Road would be acceptable.</p> <p>STW have stated that they intend to undertake further assessment work to better define any necessary mitigation works and that these will be programmed to ensure the most effective solution is delivered by the time of connection.</p> <p>STW have identified that the mitigation works could vary from upgrading the local foul drainage system to pumping off site to the nearest suitable treatment works or into another drainage catchment area.</p> <p>This is a reasonable and standard position and is a common arrangement for new developments.</p>
2	Flooding	<p>The beginning of 2024 started with the arrival of Storm Henk. Bostock Close experienced intensely overflowing mains and the stream that runs along the back of Bostock Close (highlighted in previous representations) experienced extremely high levels, which rose in the space of 3 hours, and almost completely submerged entire gardens. There was a report of a property along Station Road B581 that experienced flooding and consequently electrical failure as a result of groundwater run off. Reports of flooding on/around Bridlepath Road/Billington Road East and West crossroads were also received. Outside of Elmesthorpe there was severe flooding on all nearly all access routes to Sapcote preventing vehicular access, on B581 in Stoney Stanton threatening homes (emergency response from local authorities to pump out properties), restricted vehicular access due to flooding on junction of B581 Broughton Road to B4114 Coventry Road, and perhaps the most severe of flooding happened in Sharnford with there being no access for vehicles at</p>	<p>When the scheme is operational, access to the wider road network will be available, including the A47 and M69.</p> <p>The strategic road network is generally more resilient to the risk of flooding, and additional highway connectivity means that a number of different travel options will be available in the event of a flood incident.</p> <p>The proposed A47 link road will remove traffic from the B581, and routes for HGVs to and from the site will be prohibited through Sapcote.</p>

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		all through the village and many homes and premises internally flooded. All of these routes are identified as important routes associated with the proposed development. Whilst we appreciate that storms are unusual weather, the frequency of extreme weather systems in the UK is increasing and should be duly considered.	

Narborough Parish Council

No	Narborough PC Response	Applicant's Response
1	<p>Narborough Parish Council notes the applicant's paper on downtime at Narborough level crossing submitted at deadline 3. However, in its experience the average barrier downtime (i.e. the period that the road is closed to traffic) is, in reality, around 4 minutes.</p> <p>The Council also does not agree with the applicant's interpretation of that data. Whilst the increased number of minutes projected with the additional trains may only add minutes to the downtime, overall on a daily basis these represent around 15% additional downtime which can hardly be described as insignificant. Neither can the additional impacts in terms of increased frequency of traffic queues, increased congestion and reductions in air quality be regarded as insignificant.</p>	<p>The data does confirm that in the AM peak the average downtime is around 4 minutes; and around 3 minutes in the PM peak.</p> <p>Mathematically the analysis of increase in down time as a percentage does not demonstrate a significant increase. For example, if two closures became 4 closures, this would be a 100% increase in downtime.</p> <p>The important point is the degree to which the level crossing is actually open for traffic and pedestrians. The data, based on actual use, has shown that in the AM and PM 3-hour peaks, the Narborough level Crossing is open for over 70% of the time, with and without HNRFI related traffic.</p>
2	<p>Additionally, the earliest projected date when the rail interchange facility is likely to be fully operational is 2036. Narborough Parish Council believes that the projections should be remodelled on a worst case scenario basis as with other traffic modelling exercises for the road network to take into account the cumulative impacts from other proposed developments that will take place in the intervening period including over 1,300 additional homes already identified as reasonable sites for inclusion in the next Blaby local plan in this Parish and a recently announced intention to double passenger services on the Birmingham to Leicester line.</p>	<p>HNRFI does not increase the vehicular use of the level crossing. The increase in rail use does not significantly impact on the available open time for vehicles to cross the level crossing. There is capacity for more passenger traffic.</p> <p>The sites identified are contained in a Regulation 18 Local Plan and have not currently been taken forward as draft allocation. Future residential developments that could lead to more vehicular traffic will need to address how they mitigate their impact.</p>
3	<p>Finally, the applicants have drawn comfort from a Network Rail policy that states a level crossing would need to be down for 45 minutes in an hour before any intervention was considered. The Secretary of State may wish to consider whether this is reasonable in the circumstances when at less than half that downtime, local traffic can on occasions tail back to and onto the Leicester to Coventry main road and also if the additional downtime and impacts from this development in combination with other proposals are acceptable given the impacts on community cohesion.</p>	<p>The Applicant would contest that it has "drawn comfort" from NR's position on the extent of downtime that would require an intervention. The Applicant has simply presented what is the factual position and then explained that in the context of the minimal increased downtime as a result of the additional train paths for the development. This line is on a Strategic Freight Route of national importance, as well as a key Cross-Country route for passenger services. The Parish Council recognises that the incidents of longer tailbacks are occasional. Under virtually all circumstances tailbacks are cleared when the barrier is lifted. The Narborough Level Crossing is not the sole road access between, to or from Narborough and Littlethorpe.</p>

Stoney Stanton Parish Council

No	ExQ Ref	Matter	Stoney Stanton PC	Applicant's Response
1	1.2		<p>The additional information provided in respect of need for the facility does not alter the non-planning reason for reducing the site search area.</p>	<p>The Applicant has explained that the genesis for the site search for a SRFI was the conclusion reached in the Report commissioned by all the local planning authorities (Leicester and Leicestershire Strategic Distribution Study 2014 which concluded at paragraph 5.8:</p> <p><i>'The preferred high replacement scenario therefore suggests that, once existing consents and potential sites are accounted for, around 115ha of new land at rail-served sites will need to be brought forward by 2036. This suggests one further Strategic Rail Freight Interchange (SRFI) will need to be brought forward within Leicestershire up to 2036. The preferred high replacement scenario suggests around 153ha of new land at non rail-served sites will need to be brought forward within Leicestershire up to 2036.'</i> (emphasis added)</p> <p>National planning policy (NPS-NN) expects SFRIs to be brought forward in a commercial framework. The in principle support from the advice commissioned by the LPAs provided the confidence for TSH to engage a site search focusing on Leicestershire. No sound purpose would have been served in searching for potential sites in adjoining counties where no comparable research findings had been published.</p>
2	1.2		<p>Overall, it is considered that there are still substantive unresolved issues in respect of the highway modelling and thus the impact of the proposal upon highway, noise, air quality and amenity for local residents as a result.</p>	<p>The Applicant's position on highway modelling and related matters has been reported elsewhere in significant detail throughout the Examination and including in its Deadline 5 submissions and is therefore not repeated in detail here. The Applicant would remind the ExA that forecast future year modelling retain outputs from the original PRTM model, for which all inputs had been fully agreed. Updates to junction traffic assignment based on 2023 observed traffic were submitted as part of the Deadline 4 Submission-Transport 2023 Update (document reference: 18.13.2, REP4-131).</p>
3	1.2		<p>whilst the additional lighting information and clarification essentially that decked car parking will be required to meet maxima standards means that the visual impact will be greater than that outlined in the Landscape and Visual Impact Assessment (LVIA); the LVIA has not been updated to reflect these additional harms. The application should therefore still be refused, as the additional information does not allay concerns and shortcomings in the information submitted.</p>	<p>As is clarified within the Design and Access Statement (document reference: 8.1A Rev B) and the Design Code (document reference: 13.1B, REP4-093, Rev B), decked car parking will only be provided to meet very specific individual occupier needs, and the primary application of parking will always be at grade.</p> <p>In all instances, if a decked car park was deemed a necessity, then it would always be significantly smaller and lower in both mass and scale to the associated building, and therefore of lesser visual intrusion.</p>

No	ExQ Ref	Matter	Stoney Stanton PC	Applicant's Response
				All decked parking options would fall well within the maximum height parameters on the parameters plan which is the basis of the LVIA and as such have been assessed as part of the application.
4	1.2		insufficient justification is provided for reliance upon fossil fuel to power the facility;	<p>The proposed development would not have a reliance on fossil fuel. Power will be supplied by energy from PVs, additional energy will be made up via an on-site battery storage system before import from the Grid supply.</p> <p>Supplementary to this and as a last resort such as during a grid fault, a Combined Heat and Power (CHP) energy centre will be used. Any CHP units would be hydrogen ready and able to operate on 100% hydrogen as grid gas is decarbonized in accordance with Government policy.</p>
Logistics Demand and Supply Assessment Document Reference 16.2A (Rev 04)				
5	2.1		This document simply alters all the size references from square foot to square metres. It provides no meaningful addition to the justification for the facility. Consequently, the lack of an identified need for the facility in this location as set out within Section 2 of the SSPC Written Representation is still considered to stand.	<p>Need for an expanded network of SFRIs has been established by the Government. National planning policy NPS-NN articulates to this need as a 'compelling need'. (2.56) More recent announcements of Government policy continue to emphasise the need for additional intermodal freight facilities (including the draft NPS-NN, and Policy Paper Rail Freight Growth Target (December 2023)).</p> <p>A Sub-Regional need for a SFRI has been established by the LPAs in the Final Report 'Warehousing and Logistics in Leicester and Leicestershire, Managing Growth and Change' April 2021 (amended March 2022).</p> <p>It is submitted the evidence of need for a SFRI is beyond peradventure. The locational merits of HNRFI as to whether the adverse effects are outweighed by the benefits remains for determination. It has not been the purpose of national or sub-regional policy to identify specific sites for SFRIs.</p>
Written Statement of Oral Case ISH4 [Appendix B – National Policy Options Assessment Note and Alternatives Assessment] Document Reference 18.8.2 (Rev 01)				
6	2.2		The Written Statement of Oral Case (WSOC) summarised the need for the facility and the site selection process. In terms of the Stage 1 Option Development, this is set out from paragraph 10 onwards. Importantly, at paragraph 17 it confirms a key issue identified in the previous SSPC Written Representation at paragraph 2.5. This is the fact that a national infrastructure project has arbitrarily drawn an area of search to align with the local authority administrative boundary of Leicestershire. This decision is noted at paragraph 17 of the WSOC ISH4 that Leicestershire was selected as there was no comparable study for rail-connected logistic need within the administrative area of Warwickshire. This	The Applicant's response to paragraph 1.2 above sets out the Applicant's position. It is not the role of a local planning authority to identify sites for SFRIs – albeit such an allocation could be made for HNRFI in the review of the Blaby Local Plan.

No	ExQ Ref	Matter	Stoney Stanton PC	Applicant's Response
			is a clear recognition of the use of a nonsound planning reason to arbitrarily limit the scope of search for a suitable site; this is for a national infrastructure project, not one just for Leicestershire.	
7	2.3		The proposal is therefore considered to continue to remain contrary to paragraphs 4.26 and 4.27 of the National Networks National Policy Statement (NNNPS).	The Applicant has provided the response to the complaint at Deadline 3 'Update on Need for HNRFI and Logistics Demand & Supply Assessment' (document reference: 18.8.4, REP3-068)
<p>3. HIGHWAYS</p> <p>Environmental Statement Volume 2: Appendix 8.1 – Transport Assessment (Part 1 of 20) Document Reference 6.2.8.1B Rev 09</p> <p>Environmental Statement Volume 2: Appendix 8.1 – Transport Assessment (Part 12a of 20) Document Reference 6.2.8.18 Rev 09</p> <p>HGV Management Plan and Strategy Document Reference 17.4 Rev 09 Appendix</p> <p>A – Transport General Update Note Document Reference 18.6.1 Rev 1</p>				
8	3.1		The Transport Assessment work has been updated with additional modelling of two junctions noted as J5: Rugby Road/Brookside and J9: A47/B582 Desford Crossroads. The assessment concludes that no improvements are required at either location, despite the increase in PRC at J9 by 0.6% and 2.1% in the AM and PM peaks respectively. In respect of the junctions within Stoney Stanton (J37 and 38), no updates are provided and the assessment work remains unchanged despite concerns previously in respect of the lack of mitigation in particular at J38 B581 New Road/Long Street mini-roundabout. J38 operates over capacity in future year scenarios, which is made worse by development traffic, but no mitigation is put forward to address the impact of the development at this junction.	Revised modelling based on 2023 observed traffic flows was submitted at Deadline 4 Transport 2023 Update (document reference: 18.13.2, REP4-131). Further discussions regarding the design of Junction 37 have taken place with LCC. This was to accommodate car park access in the vicinity of the junction. As outlined in the Transport Assessment (document reference: 6.2.8.1B, REP4-052), Junction 38 has been tested with different configurations, there are significant constraints with listed buildings to the back of footway prohibiting capacity enhancement.
9	3.2		It is noted from the Transport General Update Note prepared by BWB that a Highways workshop took place between the applicant and all relevant highway authorities on 13th November 2023, the day before the original deadline 3 submission date. There are no agreed minutes from this meeting but it is clear within the note that there is a commitment to updated traffic surveys and modelling to be undertaken and submitted at deadline 4. It is disappointing this assessment work is not available but given the timeframe between the Issue Specific Hearing 2 (ISH2) on Transportation issues on 31st October 2023 and the deadline 3 submission date of 14th November 2023 there was not enough time to commission new surveys and update the assessment work based on the new survey data. It is acknowledged within the BWB note that further Bus Improvements to/from Nuneaton are agreed along with an internal site shuttle service between the furthest units on site and the onsite bus stops, which will be entirely developer funded.	Noted- the Transport 2023 Update report submitted at Deadline 4 (document reference: 18.13.2, REP4-131) includes updated models based on recommissioned surveys at the mitigation junctions.
10	3.3		The BWB update note also suggests updated modelling at the M1 Junction 21/M69 Junction 3 interchange has been undertaken	The Transport 2023 Update (document reference: 18.13.2, REP4-131) report submitted at Deadline 4 includes updated models with

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			with an assessment based on the Lutterworth East Urban Extension model carried out by AECOM for LCC and signed off in May 2022. It remains the Applicant's view is that the development impact in this location is not severe, however, it is considered the applicant continues to not assess the development impact at this junction in sufficient detail to determine any likely rerouting onto the local highway network as a result of existing (and proposed increase) congestion at this junction.	sensitivity tests adding 'without development' flows to the development traffic to eliminate redistribution of background traffic demonstrated within the original 'with Development' model runs. The differences in junction performance recorded are minimal.
11	3.5		The assessment work therefore submitted at Deadline 3 continues to be unsatisfactory in relation to highway impact and the general methodology is not considered to be appropriate for the scale of development impact.	Discussions and agreements shortly before Deadline 3 with the Highway Authorities has meant further work on the Sustainable Transport Strategy (document reference: 6.2.8.1B, REP4-052) and updates based on 2023 observed traffic data which address the concerns raised by the Authorities.
4. CAR PARKING				
Written Statement of Oral Case ISH2 [Appendix D – Car Parking Strategy Note] Document Reference 18.6.4 (Rev 1)				
12	4.1		Prepared to specifically address concern raised over how the car parking would be accommodated on site, it denotes that the illustrative masterplan shows parking levels below the maximum recommended figures set out by Leicestershire County Council Highways Policy. It also confirmed that the previous revisions of the Design and Access Statement and the Design Code did not specifically state that decked car parks would not be included.	LCC standards are maxima, the numbers of parking spaces are proportionate and fall only slightly below the maximum permitted levels as described within the Transport Assessment (document reference: 6.2.8.1B, REP4-052). This is to balance the requirements to avoid unnecessary parking overflow with the need to encourage sustainable transport modes to the site. It is the case that, that the initial versions of the DAS and the Design Code, did not specifically reference decked car parks, and that subsequent revisions then made reference to them. This was in direct response to the Blaby District Council landscape design review, prepared by LUC, which suggested decked car parks, should be considered, as an appropriate parking solution, and also points that were raised within the Issue Specific Hearings. The notes now contained within both documents confirm how, as the primary design response, all parking will be at grade, and decked car parks will only be considered as part of an occupier specific requirement.
13	4.2		As evidenced by the discussion to date in respect of highway matters, it is a common view of interested parties that the countryside location of the site means that there would be a reliance on travel by the private motor vehicle. The limited infrastructure proposed to enhance alternative modes of transport means that in reality, the maximum car parking standards should be applied to this site. Being located adjacent to classified highways which will be used by significant number of HGVs in association with the development, the potential for over-spill car parking onto the A47 Link Road or other surrounding classified roads would pose a significant safety risk and impede	The Sustainable Transport Strategy (document reference: 6.2.8.1B, REP4-052) submitted at Deadline 4 sets out clear mode share targets for the site, this aims to discourage single occupancy car trips whilst enhancing alternative modes of transport to the site. The targets are committed through Requirement within the DCO. Circular 01/22 paragraph 30 also acknowledges that <i>The NPPF is clear that planning policies should recognise the specific locational requirements of different economic sectors, including for storage and distribution operations..... To operate efficiently, the freight and logistics sector requires land for distribution and consolidation centres at multiple stages.... For instance, some hubs serve regions and tend to be</i>

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			the free flow of traffic. The only logical conclusion should be that the full parking requirement needs to be accommodated on site	<i>located out-of-town near the SRN.</i> Parking standards are marginally below the LCC Maximum Requirements as described within the Transport Assessment (document reference: 6.2.8.1B, REP4-052), though this does not include for the HGV docks on the buildings themselves which provide significant further capacity for HGV parking. Site Management will also monitor any rogue parking and act accordingly to prevent further issues.
14	4.3		This conclusion on highway safety grounds in respect of parking level, means that the visuals of the scheme are inaccurate and the assumptions made in respect of the visual impact and perceived appearance of the site are misleading at best, or to put it simply, just wrong. In recognition of the need to include decked car parking to accord with standards, the LVIA needs to include this within its assessment, in order to consider the 'worse case scenario', the position expected by LVIA's. This additional harm augments the concerns already outlined within sections 7.	The LVIA is based on the scheme parameters as submitted and deck parking falls well within the maximum height parameters of the built development. At the present time there is no identified need for deck parking and this is not therefore included in the illustrative masterplan. When asked by the local authority what might happen if additional parking requirements may be needed in a future scenario, it was acknowledged that one way in which this could be dealt with would be deck parking. It is unlikely this solution will be required but if it is, it will be a part of detailed design proposals.
<p>5. LIGHTING</p> <p>Written Statement of Oral Case ISH3 [Appendix G – M69 Lighting Proposals and Associated Effects]</p> <p>Document Reference 18.7.7 (Rev 01)</p>				
15	5.1		This statement prepared by BWB deals specifically with the requirement for the need and standard of additional lighting associated with the upgrading of Junction 2 of the M69. On the basis that the main M69 carriageway is not to be lit, paragraph 3.3 states that the following lengths of slip road will be lit: - 156.5 metres of the divergent slip roads on the approach to the conflict area; and - 97.0 metres of the merge slip roads on the exit from the conflict area.	
16	5.2		However, these distances do not appear to fully represent the extent of new lighting required, as visually shown on drawing HRF-BWB-GEN-XX-SK-CH-SK130 at Appendix A of document 18.7.7 (Rev 01). This identifies an extra 429 metres of lighting to the existing and new slip roads onto the M69, plus additional lighting along the B4669 to the east of the junction. Upgrading of the lighting to the west is also required.	The distances listed are the extents of the slip roads and approaches to J2 to be lit. They do not specifically represent additional lighting and some of the areas noted (B4669 approaches, north facing slip roads) are currently lit to an extent as shown on the 'existing' half of SK130. Therefore it is not correct to say that there is an <i>extra</i> 429m of lighting to the existing and new slip roads. For example, the extents of lighting on the northbound merge is currently 60m and will be 97m meaning an additional 37m of road to be lit. The total length of additionally lit road is 385m including the new slip roads.
17	5.3		The quantum of lighting required is not diminutive. It will expand the existing lighting further into the dark sky of the area, adding to the substantive lighting proposed for the main employment site. This additional impact will affect the landscaping and ecology	The M69 slip road with lighting has been modelled in updated Figure 11.12 (document reference: 6.3.11.12A, REP4-076) at Photoviewpoint 12 and the Landscape and Visual Impact Assessment has been updated at paragraph 11.181. The night-time assessment

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			<p>using this areas. However, no comment from a landscape or ecological perspective is provided anywhere within the updated information. This additional harm augments the concerns already outlined within sections 7 and 8 of the SSPC Written Representations.</p>	<p>of the change was informed by Photoviewpoint12 and the overall effect remains not significant as set out in Appendix 11.6 (document reference 6.2.11.6B)</p> <p>In terms of the assessment of biodiversity, the potential impacts are considered to be negligible given the existing lighting (generated by columns and traffic) and the minimal disruption to existing commuting corridors. As such, the approach to the assessment of biodiversity has not changed in Chapter 12 (document reference: 6.1.12A, REP4-04) and precise designs will be reviewed at the detailed lighting design stage (Requirement 30).</p>
<p>5 ENERGY Environmental Statement Volume 2: Appendices Appendix 18.1 Energy Strategy Document Reference 6.2.18.1A (Rev 03)</p>				
18	6.1		<p>During the hearings, significant concerns have been levied at the Applicant by the Inspectors and numerous interested parties in respect of the extent to which green energy opportunities on site for generation have been explored. In particular concern has been raised in respect of the limiting of solar generation to 49.9 MW and the reliance upon fossil fuels as part of the CHP. Despite this, the updated Energy Statement incorporates only minor changes to the text and offers no valid additional justification or explanation for the need to rely on outdated technologies and how the system will deal with increased demand for future electric vehicle charging stations.</p>	<p>The queries raised at the hearings were not criticisms on the development's proposed energy strategy, rather they were clarifications on the legal point that the order does not consent for more than 49.9MW of energy generation, renewable or otherwise. As outlined within the Energy Strategy Appendix 18.1, it is proposed that of the 49.9MW maximum incoming power, a significant contribution will be met by renewable energy, possibly up to 42.4MW if conditions allow. No outdated technologies have been proposed. It is appropriate and proportionate for such a large and strategic scheme to put in place parameters which inform the detail of the various phases as they come forward. The CEMP and CTMP provide a framework for future building contractors to supplement with further detail on construction methodology and plant. It is not appropriate for the application to stipulate specific construction methodology as this constrains opportunity for innovation and improvements in technology. A combination of the CEMP, CTMP and a carbon reduction target approach to procurement (described in ES para 18.247, document reference 6.1.18, APP-127), which aligns with the applicants commitment to delivering Net Zero in Construction (ES para 18.252, document reference 6.1.18, APP-127), provides the most effective mechanism for mitigating any construction related impacts. Fossil fuels are certainly not a main source of energy provision (document reference: 6.2.18.1, APP-217). The energy infrastructure design expressly optimises the path to net zero operations and minimises reliance on fossil fuels. Onsite renewables used directly when generated or after storage in batteries are the first supply. Grid electricity is the second. The use of battery storage will enhance the ability of occupiers to use only renewable grid energy. Any CHP or standby generation would only</p>

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				be used in exceptional circumstances during a failure of supply. The Energy Strategy Appendix 18.1, (document reference 6.2.18.1, APP-217) concludes that 83% of the peak operational energy requirements would be produced by solar photovoltaics (PV) with 100% of the total available roof space (excluding areas required for rooflights, drainage and safe access) to be covered by PV cells. (document reference: 18.1.2, REP1-019).
19	6.2		All of the concerns set out in the SSPC Written Representations at paragraphs 2.20 -2.23 remain, and thus it is considered that the proposal does not comply with the NNNPS paragraph 4.36 requirements on climate change.	<p>Paragraph 4.36 of the NPS-NN references the statutory requirements for the Secretary of State in designating an NPS to have regard to the desirability of mitigating and adapting to climate change. SSPC appear to be challenging Government policy – which is not a matter for consideration by the ExA. The Government's policy for addressing need for SRFIs could not be clearer with the statement at NPS-NN paragraph 2.53:</p> <p><i>'The transfer of freight from road to rail has an important part to play in a low carbon economy and in helping to address climate change.'</i></p>
<p>7 NOISE Written Statement of Oral Case ISH3 [Appendix F – Noise Assessment Update Note] Document Reference 18.7.6 (Rev 01)</p>				
20	7.1		This note was prepared by BWB to address a number of points raised in the Hearing Session, including missing information for Acorns Café and play area, and the absence of night-time information at a number of locations.	
21	7.2		This additional information is helpful in providing a more complete dataset of information. However, it is all still predicated on an unconfirmed highway model, given that much of the noise to the surrounding area is generated by vehicle movements. If the number and pattern of movements alters, then there will be a requirement to re-run the noise modelling in order to provide an meaningful set of results.	The forecast PRTM outputs remain valid. Local surveys to check the detailed models of individual junctions have been updated for Deadline 4 and as reported in Transport 2023 Update (document reference: 18.13.2, REP4-131).
22	7.3		In light of the on-going highway modelling issues, no confidence can be provided in the noise information being accurate. The extent of noise mitigation required to ensure the development accords with standards is also still considered to underline the inability for the site to appropriately assimilate itself with the wider area without generating significant landscape harm even at Year 15. The concerns set out within the SSPC Written Representations Section 6 are therefore still considered stand.	. The development lies adjacent to a railway line and a motorway which already disturb tranquility locally. Where noise impacts have been identified in relation to the residential amenity of certain properties located close to the A47 link road, acoustic barriers have been recommended to reduce any impacts. In landscape and visual terms, the barriers are designed in conjunction with hedgerow and tree planting to aid their assimilation into the landscape. In most cases, existing mature vegetation will assist this process.

