

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 1 - BDC]

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Planning Act 2008

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

Applicant's Response to BDC Deadline 4 Submission

No.	ExQ	Question to	Question Response	Applicant's Response
<u>The Examining Authority's written questions and requests for information (ExQ1) require</u>				
1	1.0.4.	<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>In BDC's opinion there are four groups of persons with protected characteristics who would be affected by the Proposed Development: namely, age, disability, pregnancy and maternity in respect of users of Narborough Level Crossing and the Gypsy and Traveller communities at Aston Firs.</p> <p>The impacts on disability and travellers groups is set out further in BDC's Local Impact Report (REP1-055 paragraph 14.6) and Written Representation</p> <p>(REP1-050 paragraphs 6.34, 11.5, 11.6). Additionally, the protected characteristics of 'age' and 'pregnancy and maternity' are relevant, particularly in reference to Narborough Level Crossing due to the accessibility issues.</p> <p>BDC acknowledges that the Secretary of State will be subject to the duty set out in s. 149 of the Equality Act 2010 when determining the</p>	<p>The Applicant does not disagree that those with a disability and the gypsy and traveller community might be affected by the proposed development as it has made clear in its EQIA and previous submissions. However, the Applicant has also noted in those submissions that the Proposed Development would align with s149 Equality Act.</p> <p>Further, the Applicant notes that the Council has not offered any evidence by way of response to disagree with the Applicant's conclusions, nor does it explain how the case of LDRA Ltd v Secretary of State for Communities and Local Government is relevant to any points it would wish to make in response to the Applicant's submission on this issue.</p>

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			<p>application and will therefore need to have due regard to the matters listed in the question taking account of the evidence submitted by the Applicant and the interested parties</p>	
1.1 Air Quality and Emissions				
2	1.1.2.	<p>Air Quality 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>Having consulted our Environmental Health Officer who provided air quality advice previously, BDC did not consider it appropriate to consult the East Midlands Air Quality Network and notes they are not a statutory body.</p> <p>Notwithstanding the above, it should be for the Applicant to consult with the Network should it be required.</p>	<p>See Applicants response to First Written Question 1.1.2 (repeated below for ease of reference):</p> <p><i>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</i></p>

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				<i>Council Environmental Health Department.</i>
1.2 Biodiversity, Ecology and Natural Environment (including Habitats Regulations Assessment (HRA))				
3	1.2.2	<p>ES Appendix 11.4: Arboriculture Impact Assessment [APP-194] Please confirm or otherwise your comments on the Arboriculture</p> <p>Assessment and the loss of trees, particularly the loss of Category A specimens. In addition, please comment on the compensatory provisions proposed.</p>	<p>BDC would always prefer to retain veteran trees where possible, particularly as they fall under 'irreplaceable habitat' in Biodiversity Net Gain terms.</p> <p>At the hearing, the Applicant stated that due to the ground levelling that was required for the project that micro-siting around Ancient tree ref T486 (APP- 194) was not possible, however we feel this required further thought. We therefore seek clarification on the construction methods and rationale that has been used to determine this approach in order to better understand the process.</p> <p>We also seek clarification on any features present on the veteran tree relating to potential use by roosting bats and/or nesting barn owl.</p>	<p>Taking the rationale first, to confirm, there are very specific gradients that a rail line can be set at (max 1:200), the curvature of the rail lines to access the areas that have been defined with having the ability to be rail connected (min 150m internal radii), and also the standing level of the sidings where the rail wagons with the containers upon them would be (max 1:500). These defined parameters, in turn, influence the plateau levels where they are proposed.</p> <p>In addition, the scheme also has to respect the existing levels that surround the main development plateaus, and tie into those as well as the new highway infrastructure levels and finally achieve a cut/fill balance across the site to avoid the exportation of material from the site.</p>

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				<p>Moving on to the construction methodology, the development areas will initially receive a topsoil strip to take it down to a reduced level, which will then be subject to the earthworks cut and fill process in line with the agreed levels strategy as well as any earthworks stabilisation that is required as an output of the detailed ground investigation. For the buildings, this is followed by a buildup in levels to achieve the desired FFL, which will include the subbase, and concrete floor slab, the thicknesses of which, will be subject to the bearing capacity of the ground, the load they are designed to take as well as any individual occupier requirements such as imposed mezzanine floor loadings.</p> <p>The areas that surround the buildings, such as the yard and parking areas, will be subject to their own detailed buildup process but ultimately need to relate to the level of the building for operational and access purposes.</p>

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				<p>It should be noted that whilst Veteran Trees cannot be replaced as such, the 20,000 new trees proposed as part of new woodland and parkland tree planting and approximately 600 street trees will provide considerable mitigation for tree losses on site.</p> <p>T486, also listed as T74 within the Ecology Baseline (document reference: 6.2.12.1A, REP4-065) and on Figure 12.14 Bat Roost Assessment (Trees) (document reference 6.3.12.12, APP-317), has moderate bat potential on account of the large rot holes and splits it supports. No evidence of barn owl usage has been recorded to date.</p>
1.5 Draft Development Consent Order (dDCO) [REP2-003] & Explanatory Memorandum [REP2-012]				
4	1.5.12	<p>Article 49 – Disapplication, application and modification of legislative provisions</p> <p>a) Could the Applicant please check the referencing in the EM as this</p>	<p>BDC is generally content with the provisions of article 49.</p> <p>The general principle of article 49(3) is accepted but BDC considers the purpose of the provision would be clearer if the drafting was revised as</p>	<p>The Applicant does not consider that the proposed wording by BDC is appropriate. The Applicant is aware</p>

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		<p>refers to Article 48.</p> <p>b) Do the EA, NE, NR, LCC as LLFA, BDC and HBBC agree with the provisions as cited? If not, could you please explain why or, if it considers alternative drafting is necessary, please provide it, making particular reference to the Infrastructure Planning (Interested Parties and Miscellaneous Prescribed Provisions) Regulations 2015 (as amended).</p>	<p>shown below:</p> <p><i>(3) If planning permission is granted under the 1990 Act for development any part of which is within the Order limits following the coming into force of this Order that is—</i></p> <p><i>(a) not itself a nationally significant infrastructure project under the 2008 Act or part of such a project; or</i></p> <p><i>(b) required to complete or enable the use or operation of any part of the authorised development,</i></p> <p><i>the carrying out of such development, under the terms of the planning permission does not breach the terms of this Order.</i></p> <p>BDC does not consider there is any need for the wording added by the Applicant at Deadline 2 which seeks to avoid the potential 'Hillside' situation whereby a conflicting permission results in the DCO not being capable of lawful implementation. There is no conflicting planning permission for the site.</p>	<p>that there is no conflicting planning permission at this stage, but the wording is intended to cover all eventualities including the future position.</p> <p>In terms of paragraph 3(a) of BDC's proposed response, article 49(3) does not disapply section 31 PA 2008 and so the proposed amendment is unnecessary.</p> <p>Paragraph (3)(b) of BDC's proposed wording is not appropriate since a TCPA planning permission may not be <i>required</i> to complete or enable the use or operation of the "authorised development" but may be necessary to satisfy a warehouse occupier or rail terminal operator requirements. Examples might include alternative arrangements or different parameters for car parking, lorry parking, reach stackers or cranes or any other form of development which might otherwise be considered associated or ancillary development, all of which could be appropriately</p>

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			<p>However, if the ExA accepts the Applicant's view that this drafting is 'prudent and necessary' BDC considers the drafting is acceptable and could be added to the drafting above.</p>	<p>permitted under the TCPA.</p> <p>The Applicant's wording is similar to that contained in other DCO such as Northampton Gateway and is necessary to ensure that development pursuant to such planning permission would not constitute a criminal offence under the DCO.</p> <p>The Applicant considers it prudent to include wording which seeks to ensure that any such TCPA planning permission would not prevent continued development under the DCO and avoid a potential 'Hillside' situation on the basis that this point has not been tested in the Courts in relation to DCOs.</p>
5	1.5.15	<p>Schedule 2, Part 1 – Requirement 12</p> <p>Please advise whether you consider the drafting of this requirement is appropriate. If not, please provide any amendments you consider necessary to this requirement to make it detailed</p>	<p>BDC proposes the following initial amendments to Requirement 12 as improvements to its drafting which will be supplemented with further submissions at Deadline 5.</p> <p><i>12.—(1) No phase is to commence until such time as a written scheme of investigation for that phase,</i></p>	<p>BDC has requested the applicant amend the drafting of Requirement 12, to include additional text setting out the contents of the WSIs for the archaeological works. The additions are highlighted below.</p>

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		<p>to specific parts of the site, rather than, as set out currently, referring to the Mitigation Strategy.</p>	<p><i>informed by the provisions of the archaeological mitigation strategy, has been submitted to and approved in writing by the relevant planning authority.</i></p> <p><i>(2) The written scheme of investigation submitted for approval must include -</i></p> <p><i>(a) the statement of significance and research objectives,</i></p> <p><i>(b) details of the on-site recording methodology;</i></p> <p><i>(b) details of sampling, analysis and reporting strategy;</i></p> <p><i>(d) details of monitoring arrangements;</i></p> <p><i>(e) details of timetable and personnel, and;</i></p> <p><i>(f) details of post-investigation assessment and subsequent analysis, publication and dissemination and deposition of resulting material.</i></p> <p><i>(3) No part of the authorised development on the main site is to commence until a level 3 record of the buildings of historic interest identified in the archaeological mitigation strategy has been undertaken. The survey, analysis, reporting and archive deposition, must be carried out in accordance with a written specification first</i></p>	<p><i>12. —(1) No phase is to commence until such time as a written scheme of investigation for that phase, informed by the provisions of the archaeological mitigation strategy, has been submitted to and approved in writing by the relevant planning authority.</i></p> <p><i>(2) The written scheme of investigation submitted for approval must include -</i></p> <p><i>(a) the statement of significance and research objectives,</i></p> <p><i>(b) details of the on-site recording methodology;</i></p> <p><i>(b) details of sampling, analysis and reporting strategy;</i></p> <p><i>(d) details of monitoring arrangements;</i></p> <p><i>(e) details of timetable and personnel, and;</i></p> <p><i>(f) details of post-investigation assessment and subsequent analysis, publication and dissemination and deposition of resulting material.</i></p>

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			<p><i>agreed with the relevant planning authority in consultation with Leicestershire County Council and prepared by a competent building recorder in accordance with Historic England Understanding Historic Buildings, A Guide to Good Recording Practice, 2016.</i></p> <p><i>(4) A copy of any analysis, reporting and publication required as part of the written scheme of investigation must be deposited with the Leicestershire and Rutland Historic Environment Record within one year of the date of completion of the authorised development or such other period as may be agreed in writing by the relevant planning authority or specified in the written scheme of investigation.</i></p> <p><i>Each phase must be carried out in accordance with details in the approved written scheme of investigation.</i></p>	<p><i>(3) No part of the authorised development on the main site is to commence until a level 3 record of the buildings of historic interest identified in the archaeological mitigation strategy has been undertaken. The survey, analysis, reporting and archive deposition, must be carried out in accordance with a written specification first agreed with the relevant planning authority in consultation with Leicestershire County Council and prepared by a competent building recorder in accordance with Historic England Understanding Historic Buildings, A Guide to Good Recording Practice, 2016.</i></p> <p><i>(4) A copy of any analysis, reporting and publication required as part of the written scheme of investigation must be deposited with the Leicestershire and Rutland Historic Environment Record within one year of the date of completion of the authorised development or such other</i></p>

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				<p><i>period as may be agreed in writing by the relevant planning authority or specified in the written scheme of investigation.</i></p> <p><i>Each phase must be carried out in accordance with details in the approved written scheme of investigation.</i></p> <p>The Applicant is content to agree these additions and will make the highlighted amendments to Requirement 12 to accommodate BDC's request in the final dDCO to be submitted, as it is considered appropriate for the requirement to include these stipulations in respect of the WSIs.</p>
6	1.5.17	<p>Explanatory Note</p> <p>The Explanatory Note indicates that a copy of the plans and the Book of Reference will be available for inspection at the offices of BDC. Could BDC confirm that it is content for this</p>	<p>BDC can confirm that the Book of Reference will be available for inspection at the Main Office for BDC, during normal opening hours, providing hard copies are provided by the Applicant.</p>	<p>This is noted and agreed. The Applicant confirms that it has provided a hard copy of the Land Plans and Book of Reference to BDC 24 January 2024.</p>

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1.6 Landscape and Visual				
7	1.6.1	<p>Appendix–11.1 - Landscape Visualisation baseline report [APP-191]</p> <p>Please comment on the economic value of the landscape and the impact on such as a result of the proposal.]</p>	<p>Figure 11.19 (ref 6.3.11.19) shows that the HNRFI site is made up predominantly of Subgrade 3b with some smaller areas of Subgrade 3a which will all be lost to agriculture as a result of the Proposed Development. Land along the M69 and other roads is classified as 'Non Agricultural/Not surveyed'.</p>	<p>That is correct, only 2.9ha of best and most versatile agricultural land will be lost as a result of the development as set out in Table 1.1 of Appendix 11.3 (document reference: 6.2.11.3, APP-193).</p>
1.7 Need				
8	1.7.11.	<p>Logistics Demand and Supply Assessment [REP3-036] – Industrial and Logistics demand</p> <p>Page 7 of the Executive Summary states that previous employment studies have significantly underestimated Industrial and Logistics demand. Could Local Authorities comment on this and provide any data to support your statements.</p>	<p>Studies have been undertaken in 2014, 2016 and 2021 considering the employment needs for large scale distribution space¹. These have followed recognised methodologies that include past completions trends and modelling future freight growth.</p> <p>Through the 2013 to 2022 period the large scale (9,300sqm+ units) industrial market has reported an average availability rate of 5% and vacancy 4.2% (derived from CoStar database). With a typical optimum of 5-10%, these have been at the lower end of the range but not severely undersupplied.</p> <p>The most recent 2021 study added a considerable 'margin' of c25% above the base need forecast in recognition of high demand levels and looking to</p>	<p>Please refer to Applicant's Response to LCC Deadline 4 Submission (1.7.11) (document reference: 18.17).</p> <p>In addition, it should be noted the PPG at Paragraph: 031 Reference ID: 2a-031-20190722 doesn't require certain methodologies to be used when assessing need but rather outlines some steps to help 'inform' this process.</p> <p>The Savills suppressed demand model is considered to meet the requirements of the NPPF and PPG. Firstly, it takes account of market signals in accordance with Paragraph</p>

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			improve delivery.	<p>31 of the NPPF and as explained in paragraph 4.4.4 to 4.4.6 of the Logistics Demand & Supply Assessment (document reference: 16.2A, REP3-036) accords with the PPG.</p> <p>It also worth noting that the preferred demand model within the L&L Strategic Warehousing study being "High replacement, sensitivity test traffic growth" is not a standard past take up or labour demand model.</p> <p>Iceni who prepared the L&L Strategic Warehousing study have used Savills suppressed demand model recently as part of their work on the Warehousing and Logistics in the South East Midlands Study. We are also informed it is being used as one of the estimation methods as part of the West Midlands Strategic Employment Sites Study.</p>

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9	1.7.12.	<p>Logistics Demand and Supply Assessment [REP3-036] – Employment evidence base</p> <p>a) Paragraph 1.1.5 and Table 4.2 indicate the Applicant has reviewed the employment evidence base of the 12 planning authorities. Given that some of the studies have been prepared a number of years ago, have any local authorities updated their evidence base or are in the process of doing so?</p> <p>b) If so, how does this relate to the methodology and the assessment made by the Applicant.</p>	<p>a) the most relevant planning evidence study is the 2021 “Warehousing and Logistics in Leicester and Leicestershire: managing growth and change”² as this deals with the strategic need rather than local. It is not clear that the studies in table 4.2 are wholly relevant to the matter, and this list excludes the 2022 Leicester and Leicestershire HENA which itself defers to the 2021 Warehousing report (above) in terms of strategic employment units need. Outside of Leicestershire, most other studies deal with the issue of local need as the strategic need is dealt with in the 2021 West Midlands Strategic Employment Sites Study³.</p> <p>b) The applicant’s assessment is more recent than the 2021 Leicestershire Warehousing Study. It also covers a different market area. It includes a ‘suppressed demand’ factor which looks to uplift the future need to compensate for past low vacancy. Whilst the merits of this are broadly understood, the methodology does not comply with the NPPF</p>	<p>a) The local authorities included within Table 4.2 of the Logistics Demand & Supply Assessment (document reference: 16.2A, REP3-036) are relevant to the Property Market Area (PMA) specific to HNRFI.</p> <p>The regional employment evidence is reviewed in detail within Section 4.2 of the Logistics Demand & Supply Assessment (document reference: 16.2A, REP3-036).</p> <p>b) The suppressed demand approached used in the Logistics Demand & Supply Assessment (document reference 16.2A, REP3-036) does comply with the NPPG and PPG. Please see response to 1.7.11 above.</p>

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		<p>c) In addition, if updated evidence bases have or are being prepared, do these acknowledge a future warehouse supply of 1,781,000m2 in the LLEP area as cited by the Applicant at paragraph 7.75 of Land Use and Socio-Economic Effects statement [APP-116]?</p> <p>d) If not, what supply do they indicate? If appropriate, could an analysis of any difference be made.</p>	<p>or PPG and it is not clear how low vacancies of up to a decade in the past should feed into future demand based requirements. It also seems disingenuous that the applicant's demand assessment only includes suppressed demand but not oversupply periods. Overall, in this light, the 2021 Warehousing study 'margin' (see previous response) is preferred. Furthermore, adjustments for e-commerce are not considered to have merit. As ONS reports⁴ demonstrate, the increase online sales is essentially linear, and post COVID-19 returns to that trend line. That means that historic market 'deals' and 'occupations' from past decades already present the e-commerce market, and a further top up is simply double counting.</p> <p>c) The applicant's assessment of supply is not for</p>	<p>There appears to be confusion about the ecommerce uplift. There is no double counting as suggested as we only uplift based on the difference between the historic amount of online sales versus future projections but excluding the Covid years. The amount of online sales is a function of both existing households predicted to spend more online in the future and the fact we are building new homes who too will spend online.</p> <p>Most commentators agree that online retailing will continue to grow from a higher base than before the pandemic due to behavioral 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>c) noted</p>

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			<p>the LLEP but for their own property market area including for example sites in Coventry and Warwickshire.</p> <p>d) Work being undertaken by the Leicestershire authorities indicates a supply of 1.7m sqm at April 2022 against a need of 2.6m sqm thus with a shortfall of c1m sqm for the LLEP area only.</p>	<p>d) it is important to recognise both the Council's employment need evidence and the Applicant's (document reference: 16.2A, REP3-036) conclude HNRFI is needed. The difference between both parties is the level of overall logistics need.</p>
10	1.7.17.	<p>Logistics Demand and Supply Assessment [REP3-036] – Development completions</p> <p>The Applicant's report in paragraph 4.3.8 considers development completions not as an indicator of demand, but rather as a supply measure. Could Local Authorities comment on whether they consider this appropriate? If not, could they give justification for their reasoning.</p>	<p>The PPG makes it clear that development completions are to be used as one indicator of future needs "It is important to consider recent employment land take-up and projections (based on past trends) and forecasts (based on future scenarios)" Paragraph: 029 Reference ID: 2a-02920190220. It is generally evident that past completions are an indicator of demand as they report the degree of market interest, although it is recognised that notable land supply constraints can reduce the effectiveness of the indicator. Flexibility in assessments and triangulation against other methodologies is therefore required. The latest evidence (2021 Warehousing study) builds in a generous margin above the completions trend. It is also of note that some</p>	<p>They key point here, as noted in the Council's response is: 'it is recognised that notable land supply constraints can reduce the effectiveness of the indicator.'</p> <p>The Applicant completely agrees with this statement and have discussed the limitations of this approach in the Logistics Demand & Supply Assessment (document reference: 16.2A, REP3-036, paragraphs 4.2.12 and 4.3.7 to 4.3.9). In effect you can't accommodate demand without available supply. Past take-up only tells you what has been built, which is</p>

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			1.7m sqm of supply is available in the LLEP area, which is very substantial.	<p>inextricably linked to how much land has been allocated. It doesn't tell you what true demand would have been if more supply was made available. The Savills model helps to answer this question by estimating how much demand has been lost due to historic supply constraints (i.e. 'suppressed demand').</p> <p>We agree with the principle of sensitivity testing, but this process needs to be meaningful. For instance, the preferred demand model within the L&L Strategic Warehousing study is "High replacement, sensitivity test traffic growth". As discussed in Paragraph 4.2.9 to 4.2.13 and Section 4.2 more generally, we do not consider this model to be accurate as it estimates less demand than the supply constrained past take up trend.</p>
11	1.7.25.	<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</p>	The market and business dynamics relating to the need for SRFIs is complex and the authorities are not well placed to consider this in full. The authorities are aware that there is capacity at	<p>DIRFT and EMG serve different markets to that identified for HNRFI.</p> <p>It is noted that it is recognised by the</p>

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		<p>need for a SRFI in this location and that other existing 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>DIRFT and EMG in terms of 'trains per day' utilisation, however there is further development capacity notable at DIRFT which may absorb this and occupier requirements can change at any time, so there is uncertainty.</p> <p>Given the 2021 Warehousing study modelled 'need' which shows at present a considerable shortfall in supply, should a rail freight solution fail to materialise then the possibility remains that the alternative would be further road based developments.</p>	<p>Council that there is a need, referenced as a considerable shortfall of warehousing and importantly, if HNRFI does not proceed, that need would have to be met by road only schemes.</p> <p>This supports the long standing position of the Local Authorities that there is a need for an SRFI in South Leicestershire, as set out in their respective Statements of Common Ground SoCG (document reference: 19.3A).</p> <p>What is important to recognise is that the benefit of a rail scheme as opposed to a road only scheme, is that the rail services will work for the area's benefit, not just the scheme.</p> <p>Given the Local Authorities recognise they will have to accommodate the additional warehousing, to do so without HNRFI and its clear long-term benefits to the area, would be illogical.</p>

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1.8 Noise and Vibration				
12	1.8.1	<p>ES Appendix 10.3 - Hinckley Consultation Response – BDC [APP-182]</p> <p>Please comment on the responses made by the Applicant to your consultation responses and confirm whether you have any further queries or comments</p>	<p>BDC can confirm that any concerns are being worked through within the SoCG.</p> <p>The Applicant has submitted a technical note to BDC which has addressed some of the Council's concerns. What remains unresolved is the contextualisation of impacts on NSRs to the north of the Application Site and the submission of supporting evidence regarding the proposed gantry crane and docking mitigation.</p> <p>Additionally, within paragraphs 10.243 – 10.244 of this document the Applicant indicates an LAmax exceedance of 5 dB. However, the Environmental Statement (ES) indicates mitigated impacts at NSR 24 of 8 dB and therefore, clarification from the Applicant is sought on this discrepancy. This is being discussed in the Statement of Common Ground meetings.</p>	<p>The Applicant notes that ES Appendix 10.3 (document reference 6.2.10.3, APP-182) was BDC's consultation response, which was based on the PEIR noise chapter. This has now been superseded by Chapter 10 Noise and Vibration (document reference: 6.1.10A, REP4-039) and all discussions relating to noise are based on the ES Chapter, which is the most updated information. There is no 'discrepancy', since the ES Chapter reflects the assessment and the PEIR represented the environmental information available at the time of consultation.</p>
13	1.8.2.	<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</p>		<p>This is noted and agreed. This also reflected in the Noise and Vibration SoCG (document reference 19.1B, REP4-134) regarding agreement of baseline noise monitoring and the selection of representative noise levels for each time period.</p>

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		<p>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>b) Ambient (LAeqT) and maximum (LAm_{ax}) noise levels will have been attenuated for both distance and topography within the noise model. With regard to background (LA90) levels, it is not possible to predict or calculate these, and they can only be obtained through measurement. Subsequently, it is not feasible to monitor at each sensitive receptor location. Therefore, one must first choose a location and level representative of typical conditions in the absence of noise from the scheme. BS 4142 makes it clear that the objective of any analysis "is not simply to ascertain a lowest measured background sound level, but rather to quantify what is typical during particular time periods.", and that "a representative level ought to account for the range of background sound levels and ought not automatically to be assumed to be either the minimum or modal value". In this regard, it is felt that the Applicant has correctly analysed the background sound levels in the locality, and therefore, BDC have no concerns on the chosen LA90 noise levels used within the assessment.</p>	

No.	ExQ	Question to	Question Response	Applicant's Response
1.9 Socio-economics effects				
14	1.9.13	<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.</p> <p>BDC states that the suggested minor adverse effect on the health of local residents is considered to 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>Following further consideration, BDC now consider that the Applicant's 'minor adverse effect' conclusion in respect of impacts on public rights of way is acceptable. However, further technical work pertaining to noise has been undertaken and the noise assessment is considered inadequate specifically in respect of the impacts on residents at Aston Firs and Woodfield Stables caravan sites and at Bridge Farm because BDC's noise consultant has identified a significant adverse effect/impacts. Therefore, the health outcomes for these residents should be reassessed in light of the assessment work undertaken.</p>	<p>The Applicant disputes the operational phase residual effect as being significant, adverse. Further detail is provided within the Scott Schedule that accompanies the Noise and Vibration SoCG (document reference: 19.1B, REP4-134).</p>
1.11 Traffic and Transport				
15	1.11.11.	<p>Hazardous Substance Zones of Influence</p> <p>Are there any Hazardous Substances Zones of Influence which potentially could impact on the M1 (between junctions 19 and 22), M69 (whole</p>	<p>Within the vicinity of the Proposed Development the following is of relevance:</p> <ul style="list-style-type: none"> • Historic and gassing landfill sites • Calor Gas site • High Pressure Gas Pipeline 	<p>These locations as identified within BDC's Appendix 5 plans are noted and agreed to be identified hazardous substances zones of Influence. While the identified locations are hazardous substance zones, the Applicant is not</p>

No.	ExQ	Question to	Question Response	Applicant's Response
		length) and A5 (between the A4303 junction and the M42 junction), and could result in closure of the motorways/ A5?	These hazards are shown along with their buffer zones (within which consultation on Town and County Planning Act 1990 applications takes place) at Appendix 5.	able to state that these facilities could result in closure of the motorways / A5. Such a closure would be a matter for National Highways.
16	1.11.17.	<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>	BDC refers to Leicestershire County Council's vehicle parking standards which are published under their interim Highway Design Guide. ⁵ It should be noted that these are maximum requirements. The Council notes that the parking proposals are set out in REP1-011, but at REP3-049 the applicant suggests that there may be an introduction of multi-storey car parking to satisfy occupier requirements. On this basis it is unclear exactly what the level of parking provision is actually intended as it seems flexible based on occupier requirements. There is the possibility that this may result in provision of car parking in excess of the County Council standards and the Council is concerned that this will further undermine the effectiveness of the sustainable transport strategy by creating over reliance on car based trips.	The introduction of a decked parking facility on the Site, as outlined within Written Statement of Oral Case ISH2 [Appendix D - Car parking strategy note] (document reference: 18.6.4, REP3-049) will not increase the overall site provision of parking spaces. Any inclusion will be for more efficient use of land within the plots.

No.	ExQ	Question to	Question Response	Applicant's Response
<u>Comments on Deadline 3 submissions</u>				
Lighting				
17	18.7.7 REP3-062	Written Statement of Oral Case ISH3 [Appendix G - M69 Lighting Proposals and associated effects]	<p>This document states that it doesn't assess the associated effects on biodiversity or visual effects and it is unclear if this is going to be done by the Applicant. BDC understood that this was requested by the ExA and should be provided by the Applicant.</p> <p>The methodology for assessing the need for lighting and the lighting classes specified are correct (i.e the five-second rule, M4 lighting class) however basing the assessment of lighting the M69 on current accident data, with no reference to the increase in HGV vehicles using the junction as a result of the development, seems flawed. The Applicant should revise its assessment and consider if changes to the lighting scheme are required.</p>	<p>National Highways (the lighting asset owner and relevant authority) has reviewed the lighting proposals for the M69 and agreed that they are what would be expected in this case. In terms of assessment of the visual effects of lighting at the junction updates have been made to Chapter 11 (document reference: 6.1.11B, REP4-041, paragraph 11.181)</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.</p> <p>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 design stage</p>

No.	ExQ	Question to	Question Response	Applicant's Response
				<p>(Requirement 30).</p> <p>It should be noted that junction 2 itself, and 5 seconds of drive time on the slip roads is proposed to be lit to a standard which is suitable for the number of vehicles predicted to be using junction 2 in the assessed scenario. It should also be noted that the referenced lighting assessment document concludes that for lighting of the M69 main line to be justified there would need to be an almost four times increase in the number of darkness PICs as recorded over the last five year period and the applicant does not consider this to be a feasible scenario regardless of any increase in traffic, therefore the conclusions of the report are considered to be sound.</p>
Socio Economic				
18	18.8.2 REP3-066	Written Statement of Oral Case ISH4 [Appendix B - National Policy Options Assessment Note and Alternatives Assessment]	<p>This Note generally reiterates previous points made within the main submission evidence.</p> <p>Notwithstanding this, the only 'missing link' is the reconciliation between the employment 'impact</p>	The Applicant has explained the different purposes of these areas in the Written Statements of Oral Case ISH4 Appendix D Market Need Update (document reference: 18.8.4,

No.	ExQ	Question to	Question Response	Applicant's Response
			<p>area' and the Functional Economic Market Area / Housing Market Area in which BDC was of the understanding that this was an item the Applicant was to follow up on.</p>	<p>REP3-163). The Functional Economic Market Area (FEMA) used in the Warehousing and Logistics in Leicester and Leicestershire: Managing growth and change study is 'project blind' and is appropriate to inform local plans within this geography but not for HNRFI specifically. The Housing Market Area (HMA) which covers the same area with the FEMA is considered as the appropriate geography to prepare planning policies for meeting housing need across the local authority boundaries. The employment 'impact area' is HNRFI specific and shows where HNRFI employees are anticipated to commute from. The employment 'impact area' fully contains the FEMA/HMA. These areas are also illustrated in the map of Appendix 5 Written Statements of Oral Case ISH4 Appendix D Market Need Update (document reference: 18.8.4, REP3-163), which justifies the use of the Leicester and</p>

No.	ExQ	Question to	Question Response	Applicant's Response
				<p>Leicestershire HMA as the main study area for housing.</p> <p>Due to the FEMA/HMA being project blind and the employment 'impact area' being project specific there is no requirement for reconciliation.</p>
19	<p>18.8.3 REP3-067</p>	<p>Written Statement of oral case ISH 4 [Appendix C - Geographies of Market Areas Plan]</p>	<p>This statement generally reiterates previous points made within the main submission evidence. Notwithstanding this, the Applicant has still failed to reconcile the difference between the employment 'impact area' and the Functional Economic Market Area / Housing Market Area. BDC was of the understanding that this was an item the Applicant was to follow up on.</p>	<p>The Applicant has explained the different purposes of these areas in the Written Statements of Oral Case ISH4 Appendix D Market Need Update (document reference: 18.8.4, REP3-163). The Functional Economic Market Area (FEMA) used in the Warehousing and Logistics in Leicester and Leicestershire: Managing growth and change study is 'project blind' and is appropriate to inform local plans within this geography but not for HNRFI specifically. The Housing Market Area (HMA) which covers the same area with the FEMA is considered as the appropriate geography to prepare planning policies for meeting housing need across the local authority</p>

No.	ExQ	Question to	Question Response	Applicant's Response
				<p>boundaries. The employment 'impact area' is HNRFI specific and shows where HNRFI employees are anticipated to commute from. The employment 'impact area' fully contains the FEMA/HMA. These areas are also illustrated in the map of Appendix 5 Written Statements of Oral Case ISH4 Appendix D Market Need Update (document reference: 18.8.4, REP3-163), which justifies the use of the Leicester and Leicestershire HMA as the main study area for housing.</p> <p>Due to the FEMA/HMA being project blind and the employment 'impact area' being project specific there is no requirement for reconciliation.</p>
20	18.8.4 Late submission accepted after Deadline 3 REP3-163	Written Statement of Oral Case ISH4 [Appendix D – Market Need Note]	<p>Some points regarding document 18.8.4 have been included in BDCs response document to ExQ1 at questions 1.7.11, 1.7.12, 1.7.17, 1.7.21 and 1.7.25. As such, these have not been repeated in this document.</p> <p>Whilst not a material consideration, it should be noted that paragraph 1.46</p>	The report authored by Savills for the British Property Federation (BPF) called 'Levelling Up – The Logic of Logistics' outlines the Suppressed Demand methodology used by the applicant as part of demonstrating the need for HNRFI within document

No.	ExQ	Question to	Question Response	Applicant's Response
			<p>18.8.4 states "Savill's approach has also recently been used in the 'Warehousing and Logistics in the South East Midlands' study" which is not correct (Iceni, advising the host Authorities, authored this study). Whilst recognition is made of the issue Savills raise their method is not applied in full. The Applicant should revise this document to acknowledge this nuance.</p>	<p>reference: 16.2A, REP3-036.</p> <p>Savills report is referenced multiple times within Iceni's 'Warehousing and Logistics in the South East Midlands' study most notably at paragraph 9.2 which states:</p> <p><i>'Take up (net absorption) trends are considered to be a useful indicator in forecasting future business floorspace demand. This reflects the Planning Practice Guidance and more recently the British Property Federation's (BPF) January 2022 report on 'Levelling Up – The Logic of Logistics' p20 which suggests that net absorption (along with adjustments for historic supply constrained suppressed absorption) is one of the most effective ways of reporting future logistics demand.'</i></p> <p>In light of the above, we have not said the Savills Suppressed Demand model is applied in full but it is used significantly in methodological terms and in terms of principle. Therefore,</p>

No.	ExQ	Question to	Question Response	Applicant's Response
				we do not consider our statement to be inaccurate.
21	18.8.5 REP3-069	Written Statement of Oral Case ISH3 [Appendix E - Update on Market Testing]	This statement generally reiterates previous points made within the main submission evidence. Notwithstanding this, the Applicant has still failed to reconcile the difference between the employment 'impact area' and the Functional Economic Market Area / Housing Market Area. BDC was of the understanding that this was an item the Applicant was to follow up on.	The Applicant has explained the different purposes of these areas in the Written Statements of Oral Case ISH4 Appendix D Market Need Update (document reference: 18.8.4, REP3-163). The Functional Economic Market Area (FEMA) used in the Warehousing and Logistics in Leicester and Leicestershire: Managing growth and change study is 'project blind' and is appropriate to inform local plans within this geography but not for HNRFI specifically. The Housing Market Area (HMA) which covers the same area with the FEMA is considered as the appropriate geography to prepare planning policies for meeting housing need across the local authority boundaries. The employment 'impact area' is HNRFI specific and shows where HNRFI employees are anticipated to commute from. The employment 'impact area' fully

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				<p>contains the FEMA/HMA. These areas are also illustrated in the map of Appendix 5 Written Statements of Oral Case ISH4 Appendix D Market Need Update (document reference: 18.8.4, REP3-163), which justifies the use of the Leicester and Leicestershire HMA as the main study area for housing..</p> <p>Due to the FEMA/HMA being project blind and the employment 'impact area' being project specific there is no requirement for reconciliation.</p>
Archaeology & Heritage				
22	18.7.8 REP3-063	Written Statement of Oral Case ISH3 [Appendix H - Note on Archaeological Mitigation Strategy for Non-designated Heritage Assets]	Paragraphs 1.7, 1.8, 1.9 and 1.10 wording should be amended to include the 'A47 Link Road Corridor' as an identified search and recorded location.	Noted and this note has been updated and is submitted at Deadline 5 (document reference: 18.7.8A).

No.	ExQ	Question to	Question Response	Applicant's Response
Ecology				
23	18.7.5 REP3-060	Written Statement of Oral Case ISH3 [Appendix E - Biodiversity Note on Nitrogen Deposition and sHRA]	<p>Paragraph 1.3: The Applicant needs to explain how has this been quantified from the assessment in order to conclude that the reduction of farming activities will result in a beneficial effect on the woodland. The Applicant should also confirm whether an assessment using quantifiable data been undertaken with regard to the pollution effects from the development.</p> <p>Paragraph 1.4: Whilst acknowledged, and welcomed, that buffering is being included, this is just an outline approach and does not include specifics such as proposed species mixes, age of whips and therefore time to maturity. Without these details, there is no means of knowing whether the proposed buffer will act as described within this approach. The Applicant should provide this additional information or set out how its provision and linked functionality will be secured.</p>	<p>Negative air quality impacts on Freeholt Wood from the proposed development have been assessed within Chapter 12 of the ES (document reference: 6.1.12A, REP4-043) based on quantifiable data. These negative impacts have been found to be insignificant even in the absence of likely positive air quality impacts that are predicted to occur as a result of the cessation of farming practices within the project site, and the inclusion of an appropriate buffer. The likely positive impacts have not been quantified, and are instead predicted based on professional judgement, but it can be confidently concluded that these would further reduce any residual impact on Freeholt Wood.</p> <p>Similarly, all potential negative pollution effects from the proposed development have been assessed using standard assessment methodologies and quantifiable data</p>

No.	ExQ	Question to	Question Response	Applicant's Response
				<p>where this exists.</p> <p>Figure 11.17 has now been updated and was submitted at deadline 4 (document reference: 6.3.11.17A, REP4-078). It gives indicative buffer widths in key locations, including next to Freeholt Wood (approximately 45m between Freeholt Wood and A47 link road at its closest point). The figure shows a 22m woodland planted buffer is proposed immediately adjacent Freeholt Wood. This will comprise woodland planting, transitioning into scrub and then grassland. Beyond the bridleway will be a further 18m of woodland planting on an embankment, further screening the ancient woodland from the A47.</p> <p>The precise specification of the buffer is currently being addressed through the SoCG process with BDC and HBBC. It is anticipated that the species composition of the screen</p>

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				<p>planting will comprise tree and shrub species which are known to have properties which help disperse emissions and reduce atmospheric nitrogen deposition. The species will also be selected to be complimentary to the existing species composition of Freeholt Wood, with preference to those of local provenance. To this end, further engagement with BDC/HBBC is anticipated.</p> <p>It is also anticipated that trees will be provided in a range of sizes (standards, feathered and multi-stem). Shrubs will be provided as pot grown, barefoot transplants and whips.</p> <p>Details of screen planting will be included in the detailed WMP (Requirement 31). This will be reviewed by an SQE and approved by the planning authority. This is also stated in the updated Outline</p>

No.	ExQ	Question to	Question Response	Applicant's Response
				Landscape and Ecology Management Plan (LEMP) (document reference: 17.2A, REP4-111) at paragraphs 4.12 and 4.13 and compliance with the Outline LEMP is secured by Requirement 19.
Landscape				
24	18.8.8 REP3-072	Written Statement of Oral Case ISH4 [Appendix H - Landscape Note on Greenspace Strategy and Mitigation]	<p>BDC has previously challenged the claim that the proposed public open space provides a 'generous natural separation between the Main HNRFI Site and the adjacent Burbage Common and Woods Country Park' (restated at Paragraph 1.7 of this document). This point remains outstanding and of concern.</p> <p>Additionally, BDC's LIR states that the proposals create a pinch point (25 m) which crosses into Burbage Common Local Wildlife site which should be widened to provide extra buffering space.</p> <p>It should be noted that there is also a point of disagreement within BDC's SoCG where, in BDC's and HBBC's opinion, there would be significant adverse residual effects (Year 15) on the Burbage Common Rolling Farmland LCA and on views experienced by Country Park Users (PVP 44) and</p>	These are matters that the Applicant has not been able to reach agreement on as the Applicant continues to consider the country park extension land does provide a good natural separation as demonstrated by the photomontages and 25m is an ample buffer when appropriately planted as proposed (particularly as this is a minimum distance at one pinch point).

No.	ExQ	Question to	Question Response	Applicant's Response
			<p>PRoW Users in the vicinity of Burbage Common (PVP 3). This additional impact should be considered by the ExA when considering the Proposed Development's planning balance.</p>	
Change				
25	<p>6.2.18.1 APP-217</p>	<p>Hinckley NRFI ES - Appendix 18.1 Energy Strategy (tracked)</p>	<p><u>BDC would wish to make comments on the following sections of this Energy Strategy:</u></p> <p><u>11.1.7</u></p> <p>BDC see little evidence of whole life costs/payback estimates for each low carbon technology being considered. Upfront cost is cited as the primary (and only) reason for preferring Air Source Heat Pumps (ASHP) over Ground Source Heat Pumps (GSHP) despite the obvious lower energy requirement of the latter as well as an advantage from both a cooling and heating standpoint. Cooling may be particularly relevant given the likely increasing frequency of extreme heat and higher energy demand required to cool buildings in the future. The Applicant should amend the Proposed Development to make greater use of GSHPs.</p> <p><u>3.2.1</u> Minimising energy use is not included as a</p>	<p>11.1.7 - A Ground Source Heat Pump (GSHP) will be an option considered for each building, however it should be noted that it is unlikely that its use will be suitable for logistics buildings, as Air Source Heat Pumps (ASHP) are more appropriate for the likely users of the buildings.</p> <p>Whilst a GSHP will incur a high installation cost, this is not the reason its use is likely to be unsuitable for warehouse buildings at HNRFI. The use of GSHP systems will be considered and evaluated at detailed design stage.</p> <ul style="list-style-type: none"> • GSHPs only provide heating or cooling at any one time, and so are less able to respond to fluctuating temperatures. An ASHP can provide simultaneous heating or cooling, and is quicker to react, providing a

No.	ExQ	Question to	Question Response	Applicant's Response
			<p>factor for considering the suitability of each heat pump technology. 11.1.7 also seems to contradict this section by stating that installation cost makes GSHP unattractive.</p> <p>One of the most significant costs of GSHP technology is the excavation or drilling associated with laying the pipework. It could be argued that with the likely excavation and groundworks already taking place as part of the building construction, there is an opportunity for this element (installation of horizontal ground source heat network pipework) to be achieved at much lower cost with adequate forward planning. The long lifespan and constant heat makes this technology potentially more attractive than ASHP. These factors don't appear to have been considered yet nor is there any assurance they will be considered in the future. The Applicant should amend the Proposed Development to incorporate these points and set out how greater use of GSHPs will be achieved or at the very least properly considered.</p>	<p>more comfortable environment for office-based employees</p> <ul style="list-style-type: none"> • Occupiers of modern logistics buildings rarely require heating and cooling to the warehouse space, only the ancillary office accommodation, therefore the energy draw is much reduced for heating and cooling, and modern construction techniques and insulation reduce the need further. • As a result of the slow reaction time. The system will be required to run on a continuous basis in order to maintain building temperature as typically buildings concrete floor is used as the temperature transfer medium. An ASHP provides more flexibility and doesn't require continuous operation. • Due to the lack of flexibility, a GSHP is typically more suited for residential buildings. <p>The use of vast quantities of MDPE pipework which may be surplus to requirements if the building occupier does not require heating, will result in significant waste and embodied</p>

No.	ExQ	Question to	Question Response	Applicant's Response
				<p>CO2 within the development.</p> <ul style="list-style-type: none"> • Typically, a logistics building's base build specification will include high-level heating and cooling to the office areas only, for which an ASHP is most suitable. • HNRFI plans the extensive use of roof-mounted PVs, and the power produced by these will be adequate to run the logistics buildings using electric heating, in addition to the option of ASHP and GSHP. • Specific occupier requirements on heating and cooling will be discussed with occupiers at the point of initial design, and all options, including GSHP, will be considered.
Air Quality				
26	18.7.3 REP3-058	Written Statement of oral case ISH3 [Appendix C - Air Quality at Narborough Crossing Note]	No consideration to kerbside concentrations has been given, particularly during school/nursery run times where children may be present at the crossing. Notwithstanding this, the presented queue times (Table 3), shows no difference between the without and with scenarios during these periods, so concentrations would be the same in either scenario. However, BDC are aware	Receptors using the kerbside are considered transient receptors due to the minimal time spent in these locations, therefore, the annual mean air quality objectives do not apply at the kerbside, in accordance with Defra LAQM.TG22 guidance. The short term objectives apply at these

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			<p>that further survey work is to be done at Narborough Level Crossing during school term, which could change these outputs. Further consideration will be needed and an opportunity afforded to the Authorities to do this and provide comments.</p>	<p>locations instead. Defra LAQMTG.22 guidance states that if annual mean concentrations are less than $60\mu\text{g.m}^{-3}$, then the short term objectives are unlikely to be exceeded. Modelled receptors R3, R4 and R5 are considered representative of kerbside locations used by the public within the vicinity of the crossing. Predicted annual mean NO_2 concentrations at these locations, with the HNRFI, are $15.1\mu\text{g.m}^{-3}$, $15.1\mu\text{g.m}^{-3}$ and $14.5\mu\text{g.m}^{-3}$ respectively. The modelled concentrations are well below $60\mu\text{g.m}^{-3}$ therefore the short term objectives are not predicted to be exceeded, in accordance with Defra LAQM.TG22 guidance. In addition, conservatively, the annual mean objectives of $40\mu\text{g.m}^{-3}$ is not exceeded.</p> <p>With regard to queue times, the air quality modelling has assumed that the queue is present 24 hours a day, 365 days a year. This therefore provides a conservative and robust assessment, and predicted</p>

No.	ExQ	Question to	Question Response	Applicant's Response
				<p>concentrations are below the annual mean objectives and the short term objectives are unlikely to be exceeded in accordance with Defra LAQM.TG22 guidance. In accordance with the IAQM/EPUK guidance, the impact and significance criteria outlined in Table 6.3 of the guidance is “only designed to be used with annual mean concentrations”, therefore the impact and significance criteria would not be applicable to kerbside locations.</p>
dCO Matters				
27	6.1.21A REP3-011	Hinckley NRFI ES Chapter 21 Conclusion (tracked)	<ul style="list-style-type: none"> • LV4 and LV6 - Public Rights of Way Appraisal and Strategy - Makes reference to ‘relevant planning authority’ but requirement 25 of the dDCO refers to ‘Highway authority’. The Applicant needs to amend one of these documents to ensure consistency between them. • NV2 – is supposed to be describing how noise barriers are secured, but column 3 also refer to measures intended to control operational noise from cranes/gantries. This should be a separate row. 	<ul style="list-style-type: none"> • Noted, the REAC has been updated to refer to the highways authority, and is resubmitted at deadline 5 (document reference 6.2.21.1A) • NV2 – the Applicant is happy to separate out these measures to assist with clarity in the REAC, an updated REAC is submitted at deadline 5 (document reference:

No.	ExQ	Question to	Question Response	Applicant's Response
			<ul style="list-style-type: none"> <li data-bbox="972 371 1599 948">• NV3 – refer to noise level limits being set at the Noise Sensitive Receptors (NSRs) by means of the controls in Requirement 26 (control of operational noise). However, it is not clear on the face of that requirement that it will provide for the setting of noise limits at NSRs. Instead, Requirement 26 controls the installation of noisemaking machinery or mobile plant and assessing their impacts against specific guidance standards. There is no specific reference as to what acceptable noise limits are for NSRs or where they are detailed and secured. The Applicant should clarify where this is set out and how it will be achieved. <li data-bbox="972 1018 1570 1082">• EB2 - the text in the 3rd column is jumbled and needs to be revised. <li data-bbox="972 1246 1608 1385">• SW2 – states that “Sustainable drainage statement, which includes strategy for sewer network upgrades to be provided by SWT.” It is not clear what ‘SWT’ is. 	<p data-bbox="1673 276 1816 308">6.2.21.1A).</p> <ul style="list-style-type: none"> <li data-bbox="1628 371 2134 871">• NV3 Noise limits have not been set for other similar developments in the area and Requirement 26, in its current form is agreed with BDC through the SoCG. Requirement 26 requires operational noise to be assessed in accordance with BS4142:2014+A1:2019 and BS8233:2014. These Standards reference specific noise levels to design against, which will ensure that noise levels are controlled to within acceptable levels at NSRs. <li data-bbox="1628 978 2134 1166">• EB2 – noted, the Applicant has amended the wording to clarify the statement, an updated REAC is submitted at deadline 5 (document reference: 6.2.21.1A). <li data-bbox="1628 1225 2134 1374">• SW2 – this is a typographical error and should read STW, which stands for Severn Trent Water, the Applicant has amended the

No.	ExQ	Question to	Question Response	Applicant's Response
				wording to clarify the statement, an updated REAC is submitted at deadline 5 (document reference: 6.2.21.1A).