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**By Electronic Submission only**

Dear Ms Norris

**Planning Act 2008  
Tritax Symmetry (Hinckley) Limited**

This letter accompanies a suite of documents submitted on behalf of Tritax Symmetry (Hinckley) Limited pursuant to the information requested by the ExA for submission at deadline 7 of the examination.

In addition to the requests from the ExA, the Applicant has updated a number of further documents, we set out below the documents that have been updated and provide an explanation to the ExA the reasons behind these updates.

The Applicant also wishes to update the ExA on a number of matters related to the application, and again these are set out in the sections below.

Sustainable Transport Strategy (document reference 6.2.8.1E)

Following further discussions with the highways authorities and the responses received from Interested Parties at Deadline 6, and as indicated in the Applicant's Deadline 6 submissions, the Applicant has undertaken a comprehensive review and updated the Sustainable Transport Strategy accordingly.

The appendices that accompany the Sustainable Transport Strategy have not been updated at this deadline but are resubmitted for completeness to keep the package together to aid the ExA.

HGV Route Management Plan and Strategy (document reference 17.4E)

Following further discussions with the highways authorities and the responses received from Interested Parties at Deadline 6, and as indicated in the Applicant's Deadline 6 submissions, the Applicant has updated the HGV Route Management Plan and Strategy. The updated version of the HGV Route Management Plan and Strategy submitted at deadline 7 has also been subject to a comprehensive review of all commitments as set out in the submission letter for deadline 6.

Lighting Strategy and Technical Note

Following discussion with Interested Parties, the Applicant is resubmitting the Lighting Strategy (document reference 6.2.3.2A) to incorporate the Technical Note prepared as part of the Applicant's Written Submission of Oral Case at ISH3, (Appendix G – M69 Lighting Proposals and associated effects (document reference 18.7.7)). By incorporating the note into the overall lighting strategy, this ensures that the measures set out within the technical note will be appropriately secured through the DCO and specifically requirement 30.

DCO Validation Report

The Applicant has sought to validate the DCO with the Parliamentary Office however on the final validation request the Applicant has received an error message purporting to relate to XML conversion process which is the process used to publish legislation electronically. The Applicant understands this to be a system error

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from previous experience and confirms that it has had no previous error messages in respect of the DCO which it has been updating and validating intermittently throughout the Examination to keep any validation issues under review. The ExA will be aware that the Parliamentary office system validation is outside of the Applicant's control and the Applicant has sought to contact the office to no avail. The Applicant will follow this up urgently on 28 February to seek to resolve this and submit a Validation Report as soon as it is able to do so.

#### Approach taken in response to deadline 6 submissions from interested parties

The Applicant wishes to once again highlight the approach that has been taken in responding to deadline 6 submissions from other interested parties. In order to ensure that the response documents are not unnecessarily lengthy, the Applicant has only responded to those comments, where it feels that a full response is required. Therefore where the Applicant has not directly responded to a comment, it can be taken that the Applicant notes the comment and has nothing further to address in the comment.

In addition, where exchanges have been made on certain matters across a number of deadlines yet a difference in position remains, the Applicant has not sought to make the same representations again, an example of this is the difference of position between the Applicant and BDC on the matter of the requirement for a health impact assessment.

#### Cycle Link from the A47 Link Road to Burbage Common Road

As outlined in the cover letter that accompanied the Applicant's deadline 6 submissions, in review of the cycle provision related to the HNRFI, the Applicant has identified a new cycle link that has been added from the A47 Link Road to Burbage Common Road. To reflect this additional cycle link, the following documents have been submitted at Deadline 7:

- Illustrative Masterplan (document reference 2.8B);
- Illustrative Context Masterplan (document reference 2.9B);
- Illustrative Masterplan (ES Figure 3.1) (document reference 6.3.3.1B);
- Works Plan [Sheet 1 of 8] (document reference 2.2A);
- Access and Rights of Way Plan [Sheet 1 of 4] (document reference 2.3A);
- Highways Plan [Sheet 1 of 8] (document reference 2.4A);
- Public Rights of Way and Informal Open Space Strategy (document reference 6.3.11.14C);
- Illustrative Landscape Masterplan (document reference 6.3.3.1B);
- Design and Access Statement (document reference 8.1B); and,
- Design Code (document reference 13.1C).

The relevant amendments have also been made to the dDCO (Document 3.1D) (the description of Work 7 in Schedule 1, Part 3 of Schedule 5 and Schedule 15 to reflect the updated documents).

#### Illustrative Landscape Sections

The Applicant has noted that the version of the Illustrative Landscape sections submitted at deadline 4 (document reference 6.3.11.14A, REP4-077) are not displaying correctly on the PINS website. The Applicant believes this to be an issue with the website and not the version as submitted, and therefore for clarity we have resubmitted this document. The Applicant would like to clarify that there are no updates to this from the version submitted at deadline 4, the resubmission is purely for display purposes.

#### Construction Traffic Derivation

It has come to the Applicant's attention that the previously submitted Construction Traffic Derivation document (document reference 20.1.9), presents an incorrect document. This is an administrative error, and the Applicant has sought to rectify this through appending the Construction Traffic Derivation document to the updated Construction Traffic Management Plan (document reference 17.6C) submitted at deadline 7.

#### Statements of Common Ground

As requested in the Rule 8 letter the Applicant is submitting, where possible, signed versions of those SoCGs that have not previously been submitted. The Applicant would like to point out a number of matters in relation to the outstanding SoCGs for the ExAs reference.

- **Blaby District Council** – Did not have time to review
- **Leicestershire County Council** – Will submit as soon as possible
- **National Highways** – Unfortunately due to other commitments, the National Highways signatory has been unavailable to sign the SoCG. The Applicant has still submitted the latest version at this deadline, but hopes to have moved matters further on and will then submit a signed SoCG for deadline 8.

Response to the ExAs Rule 17 letter dated 20.02.2024

Further to the publication of the Rule 17 letter dated 20.02.2024, the Applicant, as requested, has responded to the points raised through the submissions made at deadline 7. The table below sets out where the specific points raised have been responded to, to assist the ExA in the navigation of the documents.

<b>Matter</b>	<b>Where this has been addressed in the Applicant's deadline 7 submissions</b>
<p><u>Draft planning obligations under section 106</u></p> <p>The Councils are asked to provide detailed comments on the draft Planning Obligation, both as to its drafting and to what it would seek to deliver. The ExA would particularly welcome representations on whether the Councils consider that the draft Planning Obligation has any drafting defects that would mean that the Planning Obligation was unenforceable or otherwise deficient.</p> <p>The Applicant is asked to liaise with the Councils over this so as ensure that any areas of disagreement are minimised.</p> <p>Should the text not be agreed, the Councils are requested to explain why they hold the position that they do, and what amendments are necessary to make it acceptable to the Council. As regards Leicestershire County Council it should explain why it considers it would be unable to complete the Obligation by agreement.</p>	<p>The Applicant has prepared an update on the Planning Obligations to assist the ExA, including an explanation of the Applicant's position on the adequacy of the drafting, obligations and enforceability – this is submitted as document reference 9.3.</p>
<p><u>SoCG with Hinckley and Bosworth DC [REP4-135]</u></p> <p>On Page 4, Point 4, there is reference to the site being designated as open Countryside in the Hinckley and Bosworth Development Plan. The main site is within the district of Blaby. We think the reference in the SoCG is an error. If so, please can it be amended or removed.</p>	<p>This has been amended</p>
<p><u>Automatic Number Plate Recognition Camera locations</u></p> <p>At D5 the Applicant has submitted a series of plans as an Appendix to the HGV Route Management Plan and Strategy [REP5-024] showing the proposed locations of the Automatic Number Plate Recognition Cameras. Due to the scales used, not all of the locations are clear. Could the Applicant please amend these by either providing an overview plan (on an Ordnance Survey base) showing all the locations or add extracts from the 1:25000 Ordnance Survey</p>	<p>This has been provided</p>

Matter	Where this has been addressed in the Applicant's deadline 7 submissions
<p>on each plan identifying the relevant location. The Drawing Titles could also be usefully amended to specify the individual proposed locations within them</p>	
<p><u>Noise and Vibration</u></p> <p>From the representations received from Interested Parties at Deadline 5, notably REP5-098, a number of additional questions have arisen. These are as follows:</p> <p>a) It has been suggested that the Applicant's Noise Assessment Update Note [REP3-061] mis-states the locations of NSRs 2, 3 and 4 and that they should not have been included in Table 5 to this Update Note. Can the Applicant explain why such NSRs have been included at Table 5.</p> <p>b) Again, with regard to Table 5 to the Noise Assessment Update Note, can the Applicant explain its findings that all NSRs experience at least 50dB of ambient rail noise, given that they appear to fall outside of the rail noise contours depicted in the Update Note.</p> <p>c) At paragraph 10.174 to ES Chapter 10 [REP4-039], the Applicant draws reference to BS4142 insofar as it relates to circumstances where absolute levels may be more relevant than the margin by which the rating level exceeds the background level. This includes circumstances where background sound levels and rating levels are low. Can the Applicant explain why its methodologies are in line with such advice, given that, in this instance, the background and rating levels are higher than those levels at all NSRs during all time periods.</p> <p>d) In terms of construction noise, can the Applicant clarify the rationale used for predicting the reduction in the significance of effects at NSRs with mitigation in place. In making such reductions, has the Applicant considered factors such as the attitude of site operators, noise characteristics (such as impulsivity), the duration of site operations and existing ambient noise levels?</p> <p>e) In terms of window attenuation, it would appear that previous proposals for rail freight interchanges (notably East Midlands Gateway and Northampton Gateway) assumed that a partially open window would lead to a 12dB reduction of the sounds projected to be caused by the Proposed Development. Can the Applicant explain why this has not been applied in this instance?</p>	<p>The Applicant has prepared a further Noise Technical Note in response to the points raised through the Rule 17 letter. The Applicant has addressed the ExA's points a-e within this note.</p> <p>This is submitted as part of the Applicant's Deadline 7 submissions (document reference 22.3).</p>
<p><u>Compulsory Acquisition and Temporary Possession</u></p> <p>In looking at the Compulsory Acquisition Schedule (the CAS) [REP4-035] there appear to be a number of discrepancies when comparing</p>	<p>a) The Book of Reference Land Plans are correct with the CAS submitted at Deadline 7 updated to reflect this.</p>

Matter	Where this has been addressed in the Applicant's deadline 7 submissions
<p>this against the Book of Reference [REP3-006] and the Land Plans [REP2-007] and [APP-059] to [APP-065] :</p> <p>a) Under the references in the CAS to Jonathan Charles Woodward (pdf pages 17, 31 and 32) Plots 101 and 102 are both shown for Compulsory Acquisition and Temporary Possession. On the Land Plans [APP-062] Plot 101 is shown for Temporary Possession, and Plot 102 [APP-063] is shown for Compulsory Acquisition.</p> <p>b) Under the references in the CAS to Louise Taylor (pdf page 33) reference is given to her Relevant Representation for Plots 116a, 118 and 119, but not for Plot 117.</p> <p>c) In its Relevant Representation [RR-1027] Parker Strategic Land indicates that it "has an interest in the Employment Site by way of a promotion agreement with the Landowners" and in Relevant Representation [RR-1028] it is indicated that Barwood Development Securities Limited and Parker Strategic Land Limited have "interests" in Plot 122. The interests of Barwood Development Securities Limited are included in the Book of Reference, but not in the CAS, while no interests of Parker Strategic Land are referenced in either document.</p> <p>d) The Applicant will be aware that correspondence [REP3-140] and [REP5-093] has been received from the residents of 6 Wortley Cottages, Station Road over the extent of notification of the Applicant's request to Temporarily Possess Plots 49 and 50. The CAS only refers to the Relevant Representation of Brenda Ann Grant omitting others with an interest in these plots and does not refer to the written representation received [REP1-190]. It is clear that the correspondence is from the residents not a resident.</p> <p>e) As an example, in its D3 representation [REP3-137] National Highways indicates that it has 'no objection' to certain of the plots in which it has an interest being compulsorily acquired, while maintaining its objection to others. However, the plots where 'no objection' is stated are still identified in the CAS as being subject to objection. It would therefore appear that the CAS is not entirely up-to-date.</p> <p>f) The reference for Leicestershire County Council's Written Representation is given as [REP1-151] when referenced document is from Leicester City Council; the correct reference should be [REP1-152]. In addition, as examples, there also appears to be errors in the referencing of the Relevant Representations from National Grid Electricity Transmission plc, Darren Leigh and Calor Gas Limited in the CAS, and the Written Representations of Hinckley and Bosworth Borough Council.</p> <p>The Applicant is asked to address these anomalies, and to comprehensively check the CAS to ensure that this is accurate when</p>	<p>b) Louise Taylor's Relevant Representation has been added to Plot 117 in the CAS submitted at Deadline 7</p> <p>c) The Applicant has recognised that Parker Strategic Land and Barwood Development Securities have interests in a number parcels which have not been picked up in the Book of Reference or CAS. These are known interests from negotiations with landowners but have been omitted from both documents due to the omission of detail from the title registers and plans of the respective plots. The Applicant apologises for this omission and would like to take the opportunity to provide a further update to both documents at Deadline 8 to ensure they accurately reflect the current known ownership of plots.</p> <p>d) The CAS has been updated to include reference to REP1-190 on all relevant residents of Wortley Cottages.</p> <p>e) The CAS has been updated for those plots in respect of which National Highways have removed their objections.</p> <p>f) All Written Representations highlighted by the ExA have been review and amended. A further comprehensive review has been completed to ensure WRs are acknowledged within the schedule.</p>

<b>Matter</b>	<b>Where this has been addressed in the Applicant's deadline 7 submissions</b>
<p>compared with the Book of Reference, Land Plans and representations made.</p>	
<p>In order to do this, and to ensure that the CAS has all relevant interests identified, it would be beneficial if those plots where "No compulsory acquisition powers sought" are also included as a separate element to the table.</p>	<p>Given that the intention of this schedule is to outline the plots for which Compulsory Acquisition and Temporary Possession Powers are being sought, the Applicant considers it inappropriate to include them here, as they are already covered in the Book of Reference and including them in this CAS would be a repetition of that information. The Applicant can provide a simple/consolidated list of those plots which are not subject to compulsory acquisition as part of its Deadline 8 BoR and CAS updates for ease of reference.</p>
<p>The Applicant is also asked to confirm the nature of the rights sought, if any, in relation to Plot 27 on Land Plan Sheet 2 [APP-059]. This appears not to be coloured, but from the Book of Reference it would appear that the Compulsory Acquisition of all rights with the exception of those held by certain individuals is sought. The Book of Reference indicates that this plot is on Sheets 1 and 2 of the Land Plans, but on Sheet 1 [REP2-007] there is an identification marker which is covered by the sheet title information. Assuming that this is to Plot 27 this appears to be coloured green, which would indicate Compulsory Acquisition with rights. The Applicant is asked to clarify this and is also asked to address any implications under the Human Rights Act 1998 and the Infrastructure Planning (Compulsory Acquisition) Regulations 2010.</p>	<p>The Applicant confirms that the colouring of plot 27 on Sheet 2 of the Land Plans was an error and that the delineation of the plot on Sheet 1 and the description in the Book of Reference was and remains correct. The plot is to be subject to the acquisition of rights. This is simply to deal with the third party rights which are Hinckley and Bosworth Borough Council, Leicestershire County Council, National Grid Electricity Transmission, Openreach Limited and the Applicant. All of these parties are aware of the DCO and save for Openreach, have been actively involved in the DCO Application. NGET and Openreach have the benefit of protective provisions. The Applicant therefore does not consider there are any implications under the Human Rights Act 1998 and the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 as a result of this error on one of the land plan sheets.</p> <p>The Applicant has included a corrected version of Sheet 2 with its Deadline 7 submissions (Document 2.26B).</p>

Matter	Where this has been addressed in the Applicant's deadline 7 submissions
<p><u>Draft Development Consent Order [REP4-027]</u></p> <p>In addition to the Proposed Changes set out in [PD-014] the ExA has noted the following additional typographic errors:</p> <p>In Schedule 2, Requirement 4(3), after “7.4 kWh” should be inserted “and”;</p> <p>In Schedule 2, in the title to Requirement 19 “and” should be inserted between “Landscape” and “Ecological”.</p> <p>The Applicant is also asked to update the ExA as to the latest situation as regards drainage in relation to Plots 15, 16 and 17 as shown on the Land Plan (land northwest of Old Woodhouse Farm), whether, to ensure that the occupiers of the properties opposite continue to have foul drainage, it intends to include a specific requirement within Schedule 2 of the dDCO to deal with this matter.</p>	<p>The Applicant has made these changes in the dDCO submitted at Deadline 7 (Document reference 3.1D).</p> <p>The Applicant has made some further additions to the Sustainable Drainage Statement in respect of the drainage arrangements for Plot 16 and rights for those properties which require drainage to the septic tank. Requirement 13 therefore secures the arrangements in this regard.</p>

### Submission of information for deadline 7 of the HNRFI examination

The deadline 7 submission on behalf of the Applicant consists of the following documents (with document references provided where relevant):

#### 1. Application information

1.4G Hinckley NRFI Guide to the Application (including Document Index [Deadline 7 Update])

#### 2. Plans / drawings / sections

2.2A Hinckley NRFI Works Plans [Sheet 1 of 8]  
 2.3A Hinckley NRFI Access and Rights of Way [Sheet 1 of 4]  
 2.4A Hinckley NRFI Highway Plans [Sheet 1 of 8]  
 2.8B Illustrative Masterplan  
 2.9B Illustrative Context Masterplan  
 2.20B Hinckley NRFI Land Plan [Sheet 2 of 8]  
 2.29.1 Hinckley NRFI Geometric Design Strategy Record (GDSR) – M69 Slip Roads and Comment Log

#### 3. DCO

3.1D Hinckley NRFI Draft Development Consent Order  
 3.2C Hinckley NRFI Explanatory Memorandum  
 3.4C Hinckley NRFI Schedule of Changes made to the draft Development Consent Order

#### 4. Other documents

4.2B	Hinckley NRFI Funding Statement
4.3D	Hinckley NRFI Book of Reference
4.3.1	Hinckley NRFI Schedule of Changes to Book of Reference
4.4C	Hinckley NRFI Compulsory Acquisition Schedule
6.1.12B	Hinckley NRFI ES Chapter 12 Ecology and Biodiversity
6.2.3.2A	Hinckley NRFI ES Appendix 3.2 Lighting Strategy
6.2.8.1D	Hinckley NRFI ES Appendix 8.1 Transport Assessment (Part 15 of 20) Sustainable Transport Strategy and Plan
6.2.8.1D	Hinckley NRFI ES Appendix 8.1 Transport Assessment (Part 15 of 20) Sustainable Transport Strategy and Plan (Appendices)
6.2.8.2D	Hinckley NRFI ES Appendix 8.2 Framework Site Wide Travel Plan [Part 1 of 4]
6.2.11.2D	Hinckley NRFI ES Appendix 11.2 Public Rights of Way Appraisal and Strategy
6.2.12.2C	Hinckley NRFI ES Appendix 12.2 Biodiversity Impact Assessment Calculations
6.2.12.2B	Hinckley NRFI ES Appendix 12.2 Biodiversity Impact Assessment Calculations Annex 1
6.2.14.2C	Hinckley NRFI ES Appendix 14.2 Sustainable Drainage Statement
6.2.14.2C	Hinckley NRFI ES Appendix 14.2 Sustainable Drainage Statement (Appendices)
6.3.3.1B	Hinckley NRFI ES Figure 3.1 Illustrative Masterplan
6.3.11.14C	Hinckley NRFI ES Figure 11.14 Public Rights of Way and Informal Open Space Strategy
6.3.11.17A	Hinckley NRFI ES Figure 11.17 Illustrative Landscape Sections AA to HH
6.3.11.20B	Hinckley NRFI ES Figure 11.20 Illustrative Landscape Strategy
17.2C	Hinckley NRFI Landscape Ecological Management Plan (LEMP)
8.1B	Hinckley NRFI Design and Access Statement
9.1C	Hinckley NRFI DCO Obligation S106 Agreement
9.2A	Hinckley NRFI Unilateral Undertaking
9.3	Hinckley NRFI S106 Update Rule 17 Letter
13.1C	Hinckley NRFI Design Code
17.4E	Hinckley NRFI HGV Route Management Plan and Strategy
17.4E	Hinckley NRFI HGV Route Management Plan and Strategy (Appendices)
17.6C	Hinckley NRFI Construction Traffic Management Plan
22.2	Hinckley NRFI Transport Technical Note Cross-in-Hands & Gibbett Roundabouts
22.3	Hinckley NRFI Noise Note Response to ExA Rule 17 letter

## 5. Response to Deadline 6 information

18.20	Applicant's response to Deadline 6 Submissions [part 1 - BDC]
18.20	Applicant's response to Deadline 6 Submissions [part 2 - HBBC]
18.20	Applicant's response to Deadline 6 Submissions [part 3 - LCC]
18.20	Applicant's response to Deadline 6 Submissions [part 4 - WCC]
18.20	Applicant's response to Deadline 6 Submissions [part 5 - Statutory Bodies]
18.20	Applicant's response to Deadline 6 Submissions [part 6 - Non-Statutory Bodies]
18.20	Applicant's response to Deadline 6 Submissions [part 7 - Parish Councils]
18.20	Applicant's response to Deadline 6 Submissions [part 8 - Residents Businesses]

## 6. Statements of Common Ground

19.1C	SoCG between the Applicant and Blaby District Council
19.1C	BDC SoCG Appendices (Noise and Vibration Scott Schedule and Fosse Villages Plan)
19.2C	SoCG between the Applicant and Hinckley and Bosworth Borough Council
19.2C	HBBC SoCG Appendix A – Hinckley NRFI Noise and Vibration Scott Schedule
19.3C	SoCG between the Applicant and Leicestershire County Council
19.4A	SoCG between the Applicant and Rugby Borough Council
19.6B	SoCG between the Applicant and Warwickshire County Council
19.7A	SoCG between the Applicant and National Highways
19.12C	Hinckley NRFI Statement of Commonality on Statements of Common Ground



We trust that this addresses the Applicant's responsibilities for deadline 7, if any further assistance is required please do not hesitate to contact myself using the contacts at the start of this letter.

Yours sincerely



Erin Banks  
Associate Director

cc. Sinead Turnbull - Tritax Symmetry (Hinckley) Ltd.  
Laura-Beth Hutton - Eversheds Sutherland