

*Blaby District Council (IP ref.
20040018) Appendix 1 – Blaby
District Council S42 Consultation
Response (April 2022) (ref.
TR05007).*

Deadline 8 – March 08, 2024

BLABY DISTRICT COUNCIL



**National Infrastructure Project Section 42 Planning Act 2008 Response
by Blaby District Council**

For:

Hinckley National Rail Freight Interchange

At:

Junction 2 of the M69, Leicestershire

April 2022

Introduction

1. This document (hereafter referred to as ‘S42 Response’) provides comments from Blaby District Council (“the Council”) on the HINCKLEY NATIONAL RAIL FREIGHT INTERCHANGE (“HNRFI”) Preliminary Environmental Information Report (“PEIR”), published by Tritax Symmetry (Hinckley) Limited (“TS(H) Ltd”) in January 2022 as part of their public (S47) and statutory (S42) consultation exercises. Our comments have been prepared with input from technical consultees at both the District Council, Hinckley and Bosworth Borough Council and Leicestershire County Council where possible.
2. The remit of the S42 Response is the review of the content of the PEIR and in particular the scope of the design, its interfaces from the construction and operation of the Rail Freight Interchange and associated infrastructure.
3. The following table provides comments for each PEIR chapter, maps figures and supporting appendices relevant to the S42 Response, with specific paragraph/table/figure references where applicable.

Approach to Response

4. The response has been prepared to respond on a chapter by chapter basis, with references to paragraphs, tables and figures provided where possible to offer clarity. Each section has been graded in terms of the level of impact in a positive and negative manner in accordance with the five-point scale system set out in the PINS Advice Note 1 where views need to be provided. This is outlined below:

Five Point Scale

Strongly Negative	Negative	Neutral	Positive	Strongly Positive
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5. These comments seek to collate and coordinate the range of technical internal consultation responses that the Council has received and identify the most substantial elements of those technical responses. However, the S42 Response must be read alongside those comments which are included at Appendix 1: Internal Consultation Responses, which form part of our formal S42 consultation response, and should also be carefully considered by TS(H) Ltd.

Overall Summary

6. Blaby District Council have a number of negative and strongly negative concerns in respect of the proposal as currently proposed.

Operation of the development

7. There are significant concerns over the operation of development. The layout does not appear to provide the ability for the majority of the units to be rail-connected, or provide the potential to be rail-connected in the future. Paragraph 4.88 of the National Policy Statement for National Networks (NPS) (2014) states that a significant number of the buildings proposed should be rail connected from the outset. Connectivity to 4 of the 9 units (units 4, 7 – 9) as shown on the illustrative masterplan (Figure 3.1) indicates that the scheme as currently proposed does not meet this baseline criteria to accord with the designation as a freight interchange in accordance with Nationally Significant Infrastructure Project requirements (Section 26 of the Planning Act 2008). The parameters plan (Figure 3.2) would not offer the flexibility to address this issue, and thus the principle is questioned for the proposal unless a fundamental redesign of the scheme/parameters plan is undertaken.

Quantum of development

8. It is questioned whether the quantum of development as proposed can be appropriately accommodated on the site as defined. Unnecessary operational issues/traversing of the A47 link road appears to be a resolvable solution with a different layout design, whilst there may be issues over delivery of the surface water drainage solution, a significant shortfall in biodiversity value, landscape harm, mitigation and poor consideration towards the desirability of the rerouted public highways (footpaths, cycles and bridleways) currently exists within the proposals.

Incomplete information

9. For the proposed layout/scheme, the technical evidence is not yet concluded on some fundamental elements, which could massively influence how the proposal needs to be delivered. This includes transport modelling, which could have knock-on effects to numerous other technical reports such as noise and air quality. Other absent/incomplete information includes:
 - Incomplete highways modelling and mitigation proposals with significant potential knock-on effects mitigation measures and other technical areas such as air quality and noise;
 - Lack of holistic assessments of impacts of Narborough level crossing barrier down time including air quality, health, connectivity, Narborough Conservation area and so on;
 - Ongoing trial trenching for archaeological evaluation;
 - Further background assessment of highway noise;
 - Unconfirmed details for gantry crane to, be included in noise assessment (and mitigation implications);
 - No details for technical assessment of Combined Heat and Power (CHP) proposed;

- Need for further ground water monitoring;
- Inadequate Assessment of Tranquillity; needs expanding to cover whole area and incorporation of visual element;
- No light assessment;
- Unquantified construction phase impacts;
- Suggested need for a Health Impact Assessment.

Inaccurate information

10. Augmenting the need for further consideration of the proposal, there are a number of discrepancies/inaccuracies between the various reports. A fundamental baseline position is the expected number of employees; dependent upon the approach taken, this is noted to be either 8,410 or 10,400, with the latter referenced in terms of benefits resulting from the scheme (PEIR paragraph 7.153). Where the impact of a proposal is being considered, it needs to be a worse-case scenario that is assessed. If the number of employees at a site is potentially miscalculated by 2,010 (or roughly 20%) this can have a major impact upon the technical reports. For example, from a transport movements perspective (where 8,400 employees has been used), it may have a fundamental impact upon air quality and noise, and thus the quantum of mitigation required. This then impacts the landscape and visual setting of the scheme, which affects the experience of anyone using the area. An incorrect baseline appears to have been used for many of the reports in terms of expected maximum employee numbers. Consistency between all the technical reports needs to be provided. Finally, there are inaccuracies in some of the claimed benefits of the scheme, for example the amount of business rates the Council would receive.

Conclusion

11. In light of the above significant concerns, further detailed below, Blaby District Council cannot currently support the proposal. Given the quantum of additional information required, and the potential changes needed to the proposals, the Council expects that further public and statutory consultation is undertaken prior to submitting the application to the Planning Inspectorate.
12. The technical response on a chapter by chapter basis in terms of the proposals' impact is summarised below against the five point scale:

Chapter	Topic Area	Development Impact
1	Introduction	N/A
2	Site Description	N/A
3	Project Description	Negative
4	Selection and Evolution	Negative
5	Policy and Need	Negative
6	EIA Methodology	Neutral

7	Land Use and Social-Economic	Strongly Negative
8	Transport	Strongly Negative
9	Air Quality	Strongly Negative
10	Noise and Vibration	Strongly Negative
11	Landscape and Visual Effects	Strongly Negative
12	Ecology	Strongly Negative
13	Cultural Heritage	Negative
14	Surface Water and Flood Risk	Negative
15	Hydrogeology	Neutral
16	Geology, Soils and Contamination	Neutral
17	Materials and Waste	Neutral
18	Energy and Climate Change	Strongly Negative
19	Accidents and Disasters	Neutral
20	Cumulative and In-Combination Effects	Neutral
21	Conclusions	Negative

Detailed response

Ref.	S42 Response Comment
Chapter 1 Introduction	
Para 1.36 – 1.37	Supportive of the parameters approach to the development to provide flexibility to market demands. However, please note separately the concerns in respect of the current layout for the parameters plan – see Chapters 7 (Land Use and Socio Economic), 8 (Transport), 11 (Landscape and Visual Effects) and 14 (Surface Water and Flood Risk).

Ref.	S42 Response Comment
Chapter 2 Site Description	
Para 2.34	Reference is made to the 2008 Blaby District Character Assessment. This has been superseded by the 2020 Blaby District Landscape and Settlement Character Assessment.
Para 2.35	Wording inaccurate. Burbage Wood and Aston Firs adjoin the south-western boundary.

Ref.	S42 Response Comment
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Chapter 3 Project Description NEGATIVE	
Overall	Conceptually, no issue as it is describing the proposal; however this needs to be accurate.
Para 3.7 (d)	If certainty can be provided that the energy generation capacity of the roof-mounted solar panels is 'up to 38 MW' then the evidence elsewhere within the information needs to confirm how this is deliverable.
Para 3.7 (e)	Given the timeframe to deliver this scheme and future policy aims of Government to deliver energy from renewable sources and given the recent issues of gas cost and supply, it is disappointing to see a gas-fired combined heat and power plant within the proposal. This is explored further within comments in Chapter 18.
Para 3.17	<p>The main function of the rail terminal is repeatedly described as being to transfer freight from Felixstowe Port to the Midlands. It is intended that 32 train movements per day would be undertaken (16 in-bound and 16 out-bound). Many of these movements would need to be both in-bound and out-bound to the west, opposed to from Felixstowe which is to the east (see Section 4 of the Draft Rail Report). It is therefore unclear where the rail cargo serving this facility would actually come from.</p> <p>Additionally, there are capacity issues during the daytime, limiting the number of movements possible. Most trains would need to arrive during the night-time period. This may limit the number of trains that can be serviced on the site on the lines/sidings proposed. It also has direct influences upon a number of technical reports, which indicate that trains will arrive at roughly hourly intervals. A night-time skew towards train arrival and departures is particularly relevant to the noise assessment. Information needs to be amended to reflect the actual timetabling of trains, or clarification needs to be provided to confirm that the intended operation is deliverable.</p>
Para 3.36	The East Midlands region was found to have the greatest number of HGV vehicles parking in less suitable off-site locations and the highest freight crime rate in the National survey of lorry parking (2018). It is critical that the site meets its own needs in terms of facilities and overnight parking. Additionally, the Council strongly encourages the use of this lorry park to contribute towards the regional need for additional HGV services including overnight parking. If it is available for use by non-HNRFI vehicles, then this would need to be factored into the transport movements and adequately controlled to avoid overloading of the facility (causing highway safety issues). An inability to contribute to the regional need of facilities must be clearly justified. If the facilities will

	be for HNRFI vehicles only, it will be necessary to impose requirements limiting the use of the lorry park and welfare facilities to those vehicles operating out of the HNRFI.
Table 3.9	<p>Unclear why lorry park is within Years 5 – 6 for phasing. This is after the warehousing is complete for Zone A so nowhere initially for lorries to go. This has potential issues for the drivers in terms of their tachograph driving hour restrictions and potentially for the displacement off-site of vehicles in the early years. The lorry park must be delivered prior to the first occupation of the first warehouse or the first operation of the rail freight terminal, whichever is sooner. It must remain available for use in perpetuity thereafter.</p> <p>Timings for Phases 4 and 5 do not match. Both need to refer to extending to 15 years time given flexibility of demand to deliver them.</p>
Para 3.85	<p>Significant concern over lorry-hauling containers for collection and off-site delivery.</p> <p>(1) If off-site delivery is to be offered, clarity as to the likely proportion of containers arriving at the site for this purpose needs to be provided, and most likely a cap on the proportion that can be accepted into the facility by way of a requirement/legal agreement.</p> <p>(2) The suggestion stated in the HNRFI is that onward movements from the facility would generally be up to 80km. This is a significant distance which is not recognising the intention to minimise road haulage/CO2 reductions. This radius would include Stoke-on-Trent to the north-west, Telford to the west, Oxford to the south (just over 80km), Peterborough to the east and Chesterfield to the north. There are a number of alternative rail freight interchanges that are closer to these facilities. Given the intention that this interchange will serve a more localised/regional need, the potential for inclusion of a requirement/legal agreement on a lower maximum onward journey distance for any off-site collection should be included.</p>

Ref.	S42 Response Comment
Chapter 4 Selection and Evolution NEGATIVE	
Para 4.15	Agree with criteria and principles used in assessing location options.
Paras 4.17 – 4.63; Map 4.2	Question the relevance of site options 1 – 3 (Brooksby, Syston Fosse Way Junction and Syston Barkby Lane) as these are all located to the north-east of Leicester. Whilst located on the same freight line, they do

	<p>not accord locationally with the <i>Leicester and Leicestershire Enterprise Partnership's Strategic Economic Plan 2014-20</i> (March 2014) growth area option of 'South West Leicestershire' (Option 5) to which this proposal has been grounded within paragraph 4.6 of the HEIR. These options also do not correlate with the more recent Leicester and Leicestershire Authorities Warehousing and Logistics in Leicester and Leicestershire: Managing growth and change (April 2021) with Area of Opportunity 1 identified as between Leicester and Hinckley (paragraph 11.8 and figure 15). If 3 of the 7 sites assessed do not fall within the perceived area for growth then these cannot realistically be considered feasible alternatives.</p>
<p>Paras 4.32 – 4.41; Map 4.4</p>	<p>Notwithstanding the above comment, the Syston Fosse Way Junction site was discounted largely as it was within the floodplain. Although the exact site search area is not shown, it appears to clearly relate to land between the A46, Railway line and the Fosse Way. However land theoretically also appears accessible to the north of the A607 junction with the A46, and to the west of the A46. Neither option appears to have been considered.</p>
<p>Map 4.2</p>	<p>Question whether all alternative sites have been explored. There is potential on the extensive tracks of land to the north of Stoney Stanton; and scope to position between Hinckley and Nuneaton to the south of the A5. It is questioned whether the current alternative assessment options accords with the requirements of the NPS paragraphs 4.26 – 4.27.</p>
<p>Para 4.130 (i)</p>	<p>The ability to increase the number of rail-connected units through provision of a central railport is not considered to have been fully considered:</p> <p>The site is repeatedly referenced as being level, so to suggest here that its gradient does not permit a central railport is contrary to the position set out elsewhere in the PEIR. Whilst the current aim is to provide two plateaus of land, this could be provided as a single level area.</p> <p>It is possible to design the site so that buildings are positioned either side of the railport, with highway access on the opposite sides. The quantum of building footprint may however be lower, but functionality and the ability to appropriately mitigate it should take precedence over the quantum of development. This is the approach that has been taken forward at East Midlands Gateway. If such a solution cannot be delivered here, then perhaps the site is either overly constrained and/or not suitable for the development proposed.</p>

	Notwithstanding the above, rail chords, or future potential rail chords, fail to connect to a significant portion of the site.
Paras 4.136 – 4.143	<p>These paragraphs consider the potential Bypass Options A and B to the eastern villages. The transport impacts are addressed fully in Chapter 8, but there appears to be errors in the assumed impact severity to Stoney Stanton and Sapcote, underplaying the impact upon these villages. For Sapcote in particular, traffic increases are very high, and it is considered that further consideration of a bypass should be re-evaluated once the highway modelling has been refined. As part of the current proposals, the scheme creates a preferred link road as far as the M69, but then does not extend this route any further, leaving the extra traffic to travel through the villages with little upgrades proposed, causing notable permanent harm to these settlements.</p> <p>In reference to the bypass and joint impact of developments, numerous references have been made in the PEIR to the Leicester and Leicestershire 2050: Our Vision for Growth (2018). This includes the provision of an A46 Distributor Road that is envisaged to connect between the M69 around the south and east of Leicester to the A46. The westernmost phase is shown to connect into a point around the location of Junction 2 on the M69. The proposals should clearly explain the status of the Leicester and Leicestershire 2050: Our Vision for Growth (2018) and how it relates to the proposals.</p> <p>To some extent, the joined-up strategy should also include consideration of the potential relationship of the rail freight to residential development proposals being promoted through the emerging Blaby District Local Plan to the east and west of the main HNRFI site. No comment has been provided on these potential large housing allocations. Since one such development is being promoted by TS(H) Ltd , it would appear in the applicant's interest to undertake such an assessment.</p>

Ref.	S42 Response Comment
Chapter 5 Policy and Need NEGATIVE	
Overall comment	Inconsistent approach to content in chapter: some sections provide a partial explanation of how the policy has been applied/complied with; others simply set out the policy. Consistency is required. Given the various following chapters, all relevant policies should be explained in respect of the various technical elements and then brought back together within the conclusions and the Planning Statement. Outlining

	<p>the context of relevant policy and then which chapters cover consideration of said policy should be sufficient for this section.</p> <p>With a large number of rail freight interchanges in the surrounding area, the proposal needs to clearly demonstrate how it relates to those other interchanges and does not oversaturate the market.</p>
-	NPS paragraph references not completed in a number of places – e.g. 5.83, 5.91
Para 5.73	Reference in respect of land use and the assessments undertaken makes reference to Burbage Common, but not the connecting of footpaths, cycleways and bridleways beyond the SSSI. Assessment of the impact upon these routes does not appear to have been thoroughly undertaken, but is necessary. The PEIR needs to include this and as a result expansion of the text within the paragraph. See Chapter 7 for further comment.
Para 5.79	The statement is provided in this paragraph that noise from the construction and operational phase upon ecological receptors does not need to be considered. This leads from the conclusions supposedly provided in Chapters 10 and 12 (Noise and Ecology) but is factually inaccurate. Some assessment has been undertaken, and there is a 1.8 metre high acoustic fence section included on the A47 to protect Burbage Common. Concern over the impact upon ecological areas is raised by the Council, with comment provided in Chapters 10 and 12 accordingly.
Para 5.100	NPPF section 8: Promoting Healthy and Safe Communities is considered relevant but excluded from the list and following paragraph summaries.

Ref.	S42 RA Comment
Chapter 6 EIA Methodology NEUTRAL	
-	No comment – approach appears to accord with legislation

Ref.	S42 Response Comment
Chapter 7 Land use and Socio-Economic Effects STRONGLY NEGATIVE	
Para 7.24	Does the temporal scope consider the cumulative effects of the short, medium and long term effects? Some effects can fall into both construction and operational phases. Analysis provided through the various chapters uses this same (or similar) break-down but it is not always clear whether the cumulative impacts are addressed.
Table 7.3	<p>Reference is made to Aston Firs being a community asset. This land is not publicly accessible so cannot be considered as a community asset.</p> <p>Agriculture within the development site ('Development Land') and 'Businesses in the study area' should be disaggregated. The impact upon these two uses are fundamentally different and should not be conjoined. When subdivided, the farm shop within the development site should be considered separate to the agricultural holding as it will offer a range of products not produced on the holding itself (i.e. it represents more than just a subsidiary element of the agricultural holding).</p> <p>Disagree with the 'Medium' categorisation for the impact upon walkers, cyclists and horse-riders. Many routes across the site are being removed, with just one redirection route proposed along the edge of the M69. This reduces the opportunities available, particularly when crossing closures over the railway line are considered, and the fact that there is only one route option from the stables to the north of the site southwards towards Burbage Common. Alternative routes are not always available and thus a high receptor sensitivity is considered more appropriate.</p>
Para 7.35	Chapter constructed on a basis of pre-coronavirus baseline. Activity patterns and work life has changed since this time and this dated baseline information needs to be updated. Important as more home working has increased leisure time available to many people, and thus affected use of community facilities and public footpaths etc.
Para 7.47	NPS paragraph 2.52 references the need to ensure that there is an available workforce. Unemployment in the area is lower than the national average and no confirmation has been provided to ensure that the workforce will be available, or any commitments made towards supporting additional training to grow the workforce in either the construction or logistic industries. The development must ensure the provision and implementation of a work and skills programme during

	the construction and operational phases of the development which shall be secured in the Section 106 Agreement.
Para 7.67	Error in information provided. The Fosse Villages Neighbourhood Plan has been through referendum in line with the legislation. Following 84% support from resident responses, it was formally adopted in June 2021. Moreover, the plan is undergoing a formal consultation on updates. The amendments relate to the proposed designation of 17 open spaces as Local Green Spaces.
Para 7.115	When referencing the Leicester and Leicestershire 2050: Our Vision for Growth, and the connectivity to the surrounding infrastructure networks, no reference is made to the proposed distributor road. Co-ordinated strategies for growth should be delivered as part of any large-scale development. This link road is also important in terms of how it affects access to the site/area and thus potential draw of employees/companies and the benefits/harms to the surrounding area. The proposals should clearly explain the status of the Leicester and Leicestershire 2050: Our Vision for Growth (2018) and how it relates to the proposals.
Para 7.127	Reference is made to the surrounding study area, but no clarification is provided as to the area this encompasses. A plan should be included.
Para 7.133	Notes that health determinants are noise and air quality and simply refers to respective chapters. Disappointing that the health impact is not considered in any way within this chapter as it forms a fundamental aspect of social benefits/harm. Failure to address this skews the outcomes as not all factors have been appropriately considered.
Para 7.135	The average turnover per construction employee in the East Midlands is calculated over a very short period (2018 – 2020). A longer period should be used. This approach fails to reflect the fact that construction workers are likely to come from a wider geographic area than the East Midlands, given the content of paragraph 7.5 and figures 7.2 and 7.3 of the PEIR. This would include a substantial number of employees predicted to come from Coventry and Nuneaton/Bedworth which are within the West Midlands. Reconsideration of this baseline information needs to be provided to reflect a longer time period and wider area that matches the employee area of influence.

Para 7.141	Same issue as noted for paragraph 7.35. Post pandemic statistics need to be incorporated in terms of employment levels within the construction sector.
Para 7.153	Two density levels for employees are given, providing figures of 8,410 and 10,400 workers expected to be employed on-site. The higher figure is used as support for employment, but baseline figure for impacts via transport (for example) use the 8,410 figure. This inconsistency renders many of the other reports potentially inaccurate by roughly 20%, and thus the traffic impacts, noise and air quality and any associated mitigation measures may all be under-estimated. This is potentially a fundamental discrepancy that needs to be rectified and technical reports updated accordingly.
Paras 7.168 – 7.171; Table 7.12	The Business Rate information stated is incorrect. The County Council receive 9% of rates, with the other 1% for the Fire Authority. The current Business Rates Retention Scheme does allow districts to retain 40% of any additional rates generated, but we then have to pay a 50% levy on these rates over and above our baseline funding, so this information is misleading around what we actually will receive. In addition, the Levelling Up White Paper ends the potential for a 75% retention as it conflicts with the concept of levelling up. The Business Rates information needs to be updated to reflect the true situation for Blaby, as it is currently over-emphasised as a benefit. While it is difficult to exactly calculate the final business rate figures that would be generated, our current estimates are that it will be at least half the annual £9.86 million figure stated in table 7.12 and quite possibly even less than that.
Table 7.13	Provides a summary of technical documents. Conclusions of many of these reports are questioned. See Chapters 8 (Highways), 9 (Air Quality) and 10 (Noise and Vibration). No detailed lighting scheme has been undertaken so how a summary of it can be provided is intriguing.
Para 7.183 – 7.184	It is noted that the development has the ‘potential’ to increase the connectivity of the Public Rights of Way (PRoW). However, the scheme does not show this at present. A number of traversing PRoWs and crossing points to the railway are being removed, and only a single new route provided. This reduces the connectivity, whilst the new route proposed is very much marginalised to the edge of the complex, offering an unattractive and indirect route for users. It is squeezed in adjacent to the M69, which has potential health issues from noise and air quality and make the routes less attractive to use which do not appear to have been considered. The acceptability of this route to horse riders also

	<p>appears to have been ignored, it must be clearly demonstrated that this route would be safe for these users. An array of noises and lights from the service yards, or the flicking of vehicle movements through the trees from the M69 are likely to startle horses rendering the route unusable and thus the stables to the north are segregated from Burbage Common to the south.</p> <p>The route proposed along the southern part of the site is also not ideal. It is squeezed on the edge of the site, close to the new highway and associated lorry park, with views principally towards large sets of banking. The route is not direct or particularly attractive for users. It also offers no circular route to encourage interaction with the open spaces by employees of the site.</p> <p>The PRoWs need further consideration to provide a truly functional and attractive route that is not marginalised. As currently proposed, it is considered to notably truncate accessibility for all, with additional issues created for horse riders. The long-term effects are considered to be significant, opposed to neutral.</p>
<p>Paras 7.188 – 7.190</p>	<p>Impact upon the noise and air quality of the new PRoW does not appear to have been considered and thus how the conclusion that only a minor adverse impact has been reached is unjustified. Provision of a footpath adjacent to the M69 and the new link road will generate high levels of NOx and noise that may well be above acceptable limits. Even if it is not, it is likely to provide a less than inviting route to users. A significant adverse impact is considered to be most likely appropriate.</p>
<p>Para 7.191</p>	<p>Health outcomes only considered noise and air quality. It provides no assessment of the quality of the environment and the impact visual setting makes to health. Reference at paragraph 10.53 to a Tranquillity Assessment highlights that the visual component of this has not yet been undertaken but will be included within the Environmental Statement. This is a major short-coming of any conclusions in respect of impact upon the area for health and well-being.</p> <p>Access to high quality, inviting routes encourage people to enjoy the open spaces and countryside around them and engage in physical activities, which has been shown to have important impacts to the mental and physical health. Replacing a PRoW across a field with one penned in between the M69 (noise and air quality implications that have not been assessed for the relocated Right of Way) and warehouse units/car parking and railway lines will significantly alter the enjoyment of anyone using these routes. The proposed new route is also not considered appropriate for horse riders. A full Health Impact</p>

	<p>Assessment is required that also considers other areas of impact, for example that of increased Narborough level crossing barrier down time</p> <p>These issues are expanded upon within Section 10, but the suggested minor adverse effect on the health of local residents is considered to significantly under-estimate the impact.</p>
Para 7.216	<p>The conclusion of having a significant beneficial effect by generating net additional jobs. This is an inaccurate conclusion, with paragraph 7.163 concluding that job creation would be a <u>moderate benefit</u> over the long term.</p> <p>In terms of the job creation, it is questioned whether a factoring needs to be attributed to the creation of these additional jobs, as generally the logistics section offers lower paid positions. Using the information provided within this chapter as evidence, the wages paid are below the average for Blaby District and would not generally enable employees to apply for mortgages within the local area. Travel from more affordable urban areas, and thus longer commuting distances would therefore need to occur, as illustrated by the expected high number of employees from Leicester, Coventry and Nuneaton/Bedworth. The quality of job creation as well as quantity should also be factored into any assessment.</p>

Ref.	S42 Response Comment
Chapter 8 Transport STRONGLY NEGATIVE	
Overall comment	It is very disappointing that the PEIR consultation has been undertaken prior to the completion of discussions/modelling of the highway work with Leicestershire County Council. This has the potential to substantially alter the content of this chapter, as well as many others such as noise and air quality.
Pins ID para 4.2.4; Para 8.5; Table 8.1	<p>The Planning Inspectorate (PINS) identified a need to consider the impact of freight trains on the Narborough level crossing. The response from the developer was that there is only one slot available for an additional train through Narborough in the AM and PM periods. This does not however appear to answer the question stated.</p> <p>Narborough level crossing will have the barriers down for a longer period when additional (and longer) trains are passing through for freight purposes associated with the HNRFI and other freight interchanges. No meaningful comment is provided within the transport assessment at any point to outline the situation in respect of this</p>

	<p>transport node. There is extensive queuing at the level crossing in the peak periods so to provide no meaningful commentary on this highway matter is a notable oversight.</p> <p>There are a wider series of impacts of increased barrier down time that must be given significant attention including, but not limited to, air quality, noise pollution, health, connectivity and character and appearance of the Narborough Conservation Area.</p>
Table 8.5	<p>Errors in calculating the sensitivity of locations as facilities have been missed – for example:</p> <p>The inclusion of a primary school footpath connecting onto Stanton Lane/Hinckley Road, Stoney Stanton; and the presence of an open space/equipped playground with direct access, children’s nursery and substandard footpath widths on B4669 Hinckley Road, Sapcote (between Stanton Lane and Sharnford Road).</p> <p>This has under-valued the traffic flow sensitive receptors and thus the apparent harm to these road sections/the community. All affected areas assessed need to be considered thoroughly and accurately to ensure any mitigation reflects the harm that would be generated.</p> <p>Given the level of additional transport movements and the elevated level of sensitivity to these neighbouring settlements (Stoney Stanton and Sapcote), thorough re-consideration of a bypass should be given. Currently a transport solution is provided to connect Hinckley with the M69, but with no additional solution provided to the east of the M69/HNRFI. This will inevitably lead to additional through traffic being funnelled through these settlements; a bypass could resolve this cumulative issue.</p>
Paras 8.58 – 8.59 and 8.241 – 8.244	<p>It is stated that 40% of construction traffic until completion of the south facing slip roads would be from the B4669 to the west and east of the sites ‘split equally’. It is acknowledged that traffic will be above the 30% level on some highways but simply concluded as having no significant effects as its only short-term in nature. Whilst it is noted that further assessment will be included within the Environmental Statement and management measures included in the Construction Environmental Management Plan (CEMP), the lack of any information at this stage constrains the provision of this information with the local community and consultees such as Blaby District Council for this consultation. It also means as a knock-on effect, no accurate assessment is provided for noise or air quality.</p>

	<p>Failure to include this information in a transparent manner at this stage is considered to harm all consultee respondents and considered a notable short-coming of the PEIR.</p>
Para 8.60	<p>Post-construction of the slip roads is noted in the PEIR as resulting in construction traffic being ‘focused’ on the strategic road network. This assertion will need to be adequately managed to ensure construction traffic does not affect the local community for 10 – 15 years. Careful consideration of the CEMP contents and potentially a legal clause will have to be investigated.</p>
Para 8.61	<p>It is questioned whether the accuracy of the baseline data for trip generation in the operational phase is accurate. There is a discrepancy as to the number of supposed employees on the site, potentially elevating this figure by circa 20%.</p> <p>Assessment works on the basis of it being a reliant car dependent scheme. The Council fully endorses this approach, as it effectively offers a worst-case scenario. This needs to be planned within the layout of the scheme. Displacement of vehicles onto the surrounding public highway could cause significant highway safety implications. Notwithstanding this, Blaby District Council would like to see alternative transport options and initiatives prioritised and incorporated into proposals/Travel Plans etc.</p>
Para 8.63	<p>It is believed that the highways information does not take account of the recent approval to extend the life of Croft quarry (2019/CM/0125/LCC) relating to the excavation of 6.3 million tonnes of aggregate over a 12 – 22 year period. This is important to include within the current road and rail traffic modelling.</p>
Para 8.79	<p>The NPPF makes reference to the provision of electric car charging facilities (para 112d). It is noted that there is an intention to ensure that the site is future proofed for both car and lorry charging points within the report in terms of its provision and energy requirement management. This needs to be appropriately delivered/secured through legal means/requirements.</p>
Paras 8.206 – 8.209	<p>The re-routing of footpaths, cycleways and bridleways (although this heading does not reference bridleways) seeks to reduce the number of routes available across the site and to marginalise them such that they become unattractive PRowS. Provision of a central, direct PRow across the site should be designed into the scheme, with appropriate landscaping and crossing points provided and any container movements kept away from any public users.</p>

<p>Paras 8.222 – 8.223</p>	<p>These paragraphs accept that the M69 Junction 1 and 2 will experience the largest flow changes and need further micro-simulation modelling. Again, it would have been helpful to all if this had been complete before the consultation was undertaken.</p> <p>Additionally, it is important to assess the impact on the highway network at both ends of the M69. These experience significant delays at peak hours and thus could impact upon selected travel routes if no mitigation is proposed. No assessment appears to have been included within the submitted information.</p>
<p>Paras 8.263 – 8.265; Table 8.8</p>	<p>This section covers off-site highway mitigation proposed. However, it is not a complete list. Consideration of the M69 needs to be undertaken in order to deliver a site that functions correctly and will allow any constraints on lorry movements to the strategic highway network to be delivered (i.e. in accordance with the strategy set out in paragraph 8.268).</p>
<p>Paras 8.287 - 8.288</p>	<p>Disagree with a long-term negligible to minor adverse impact upon non-motorised users' amenity. The pleasantness of the journey will be significantly eroded, creating an urban appearance in place of a rural setting. A much greater negative impact would occur, as discussed in greater detail in Chapter 7.</p>
<p>Para 8.290</p>	<p>The site is seen as a rural location; the description here as being 'edge of town' is considered inaccurate. The provision of a footpath / cycleway / bridleway that runs adjacent to a motorway, classified link road (with crossing necessary), plus an open watercourse will have a direct impact upon the ability for everyone to feel safe for it to be used as a route. Greater harm than the negligible to minor adverse significance is considered to occur.</p>
<p>Para 8.296; Table 7.7</p>	<p>Presumably supposed to be Table 8.7. This states that the development will save a total of 83 million HGV miles per annum. This figure is significantly different to the 1.6 billion km (circa 994 million miles) stated within the main documentation and presentation material. The latter figure appears to be a clear overstatement, but no information to justify the assertion of even the 83 million miles figure is presented. This figure is also questionable without any evidence.</p>
<p>Appendix 8.2: Travel Plan</p>	<p>Section 3 considers bus service opportunities. Table 4 considers the ability to link existing services to the site and via the railway stations. Provision of bus routes to the site is important, but it should seek to serve the main population areas where employees are expected to be drawn from. In this respect, connection with Hinckley Railway Station</p>

	<p>and creation of an intermodal system needs thorough consideration. This could be through train and bus connectivity and/or inclusion of a free bicycle hire scheme at Hinckley Railway Station to allow onward journeys. Private bus transfers could also be offered if appropriate. Discounted train fares should also be considered.</p> <p>Given the rail-side location of the site, consideration should be given to the provision of an additional passenger station to serve the development, existing surrounding settlements and proposed future developments in the broad area. The quantum of existing and future residential and employment land increases the viability of this option. Difficulties around its deliverability are acknowledged, but the passenger station must be explored. The station could form the basis of a series of preferential options that are discounted if certain deliverability milestones are not met.</p> <p>Any solution proposed using public transport needs to be carefully considered given the 24/7 nature and shift pattern working of staff to make it a realistic prospect for employees.</p> <p>Section 6 sets out the measures and incentives to encourage non-car borne journeys. These are all very generic and do not attempt to maximise the opportunity to avoid use of the car.</p>
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Ref.	S42 Response Comment
Chapter 9 Air Quality STRONGLY NEGATIVE	
Overall summary	<p>The baseline transport movement figures need to be finalised, so all assessments within this report need to be updated once this has occurred. Current assessment work is also undertaken on an incorrect assumption that train arrivals/departures are spread out across the whole day. Timetabling slots will result in clustering of trains which may affect the air quality outcomes.</p> <p>Also, additional assessment is needed to provide a robust Air Quality position, including consideration of the construction phase, energy plant centre and impact upon the re-routed PRowWs.</p>
Absence from chapter	<p>Within the assessment undertaken, no consideration of the air quality on the HNRFI appears to have been undertaken. Given that there will be thousands of people working in the site, air quality here is of importance and needs to be assessed. In part there may be scope of on site movements by electric site-based vehicles, reducing additional vehicle emissions.</p>

Para 9.15 and 9.143	Appears a significant short fall of the assessment that construction phase traffic emissions have not yet been undertaken. This must be completed and should be available for public review.
Para 9.32	Energy plant emissions not yet undertaken. Again, this is a shortfall of the assessment information provided and leads to the conclusion that the consultation was premature. This assessment must be undertaken.
Para 9.78 – 9.80	Air Quality Management Area 6: Mill Hill, Enderby appears to have been omitted from the consideration list. This has frequently exceeded acceptable limits so must be considered as part of this proposal.
Para 9.120; Table 9.30	Identified significant increases expected to levels of NO _x to Martinshaw Wood AW, Aston Firs SSSI and Narborough Bog SSSI. Whilst it notes that it has been referred to the ecologist team (Chapter 12), it provides no resolution here. This should be dealt with within this chapter.
Paras 9.126 – 9.128 and 9.148; Table 9.26	<p>There are incorrect assumptions here. The trains cannot be provided at a movement rate of one per hour given existing capacity availability on the railway line (see Rail Report paragraphs 4.3.4 and 4.5.2). Clustering of trains within certain time periods will need to occur. This changes the baseline assumptions and thus may need to be relooked at. The PEIR does not consider that there could be incidents where particulates could be elevated due to a concentration of train movements within a set time. This could include the need to hold trains in Nuneaton, and/or have freight trains crossing at Hinckley Station.</p> <p>Table 9.26 confirms the number of existing movements along the rail section adjacent to the HNRFI as 131 in total over a 24 hour period. The HNRFI is proposing an additional 32 movements, which is an uplift of 24.4%. this is not a ‘small’ uplift as concluded in paragraph 9.128, and thus the negligible assumption of its impact is incorrect. This needs to be properly assessed.</p> <p>Additionally, there are locations where residential receptors are located within 30 metres of the railway line; most notably this is in Narborough and Hinckley adjacent/close to the railway stations. It is considered that some assessment and meaningful discussion needs to be provided as part of any proposal to confirm an acceptable relationship is maintained to all residential receptors in respect of the rail movements. This also needs to consider the additional ‘barrier down’ time at Narborough and thus the implications of idling vehicles.</p>
Table 9.28	Reference is made to ‘avoiding’ bonfires and burning of waste materials under the ‘Waste Management’ heading of mitigation. This is

	<p>ambiguous in its meaning and it should be rephrased to be 'no burning of waste materials'.</p> <p>There is a long list of mitigation requirements; to ensure these are complied with, monitoring costs should be further discussed and ultimately secured via a legal agreement.</p>
Paras 9.142 and 9.144	Both paragraphs conclude a 'not significant' conclusion to air quality for the construction and operational phases of the main HNRFI site. However, it will be important to ensure that air quality is delivered at the levels expected; consequently a financial contribution towards air quality monitoring equipment should be provided for the surrounding communities/sensitive locations.
Additional comment	Virtually no consideration of odour appears to have been undertaken. This needs to be incorporated within the air quality assessment.

Ref.	S42 Response Comment
Chapter 10 Noise and Vibration STRONGLY NEGATIVE	
Overall summary	<p>The acoustic screening proposed fails to adequately protect the residential properties close to the site, such that their amenity would not accord with national requirements for noise. The layout and design of the site may be able to be redesigned to better address these sensitive noise receptors.</p> <p>Significant concern is also raised in respect of the relationship of the proposed road to the Aston Firs traveller site (NSR15) and the appropriateness of providing a 6.0 metre high acoustic fence on the boundary to this sensitive receptor.</p> <p>Baseline assumptions are also based on incorrect information on train timetabling and potential vehicular movements. Crossing and waiting of trains is much more likely to occur, elevating noise and vibration as a result. There are also assumptions built into the modelling on aspects that are currently unknown – such as the on-site energy centre. This may affect the modelling and results; this should be subject to further scrutiny prior to it being submitted to PINS.</p>
Paras 10.47 – 10.54	Recognition is made that for a Tranquillity Assessment there is a need to consider both noise levels and visual appearance. Only consideration of the noise levels has been undertaken to date. The visual impact needs to be considered as this has a fundamental impact upon the experience of any user of an area.

<p>Table 10.14</p>	<p>Existing noise sensitive receptors are listed within this table. However, no consideration appears to have been given to the noise levels of the new noise sensitive receptors being created through the rerouted PRoW. There appears to be an assumption that this is acceptable without being tested. Given part of this is adjacent to the M69, it will almost certainly be in excess of 55 dB, whilst Figure 10.3 shows sections of the PRoW adjacent to the A47 link road also exceed this level. It does not therefore create an attractive and inviting environment to potential users.</p> <p>In terms of all the NSR, these are all selected in relation to the main HNRFI. No consideration appears to have been given to other locations relating to the rail line. For instance, in Narborough and Hinckley, the additional trains (particularly at night) may increase noise level incidents above acceptable levels on a more frequent basis to the housing that back onto the line. Consideration of the stationary traffic at the level crossing also needs to be considered at Narborough, with more barrier downtime affecting noise levels within localised areas.</p>
<p>Paras 1085 – 10.97; Tables 10.22 – 10.23</p>	<p>The assessment only refers to generic equipment. Given the construction phase has the potential to increase noise levels by more than 3 dB, further information in respect of the specific plant to be used would assist.</p> <p>Additionally, the modelling and assessment does not account for the proposed earthworks. Further information is required in the noise mitigation strategy to reflect this from an acoustic perspective.</p>
<p>Para 10.137</p>	<p>Typographical error – refers to a figure of 3.5 dB when it should be 3.7 dB.</p>
<p>Paras 10.121 – 10.146; Tables 10.35 – 10.41</p>	<p>These identify a number of exceedances of noise levels to the sensitive receptors due primarily from container placement. Potentially these could be avoided if the site was arranged differently, using the proposed buildings as sound barriers to such activity.</p> <p>Excesses at night-time are likely to represent more important considerations given the time tabling for when trains will be able to access and leave the railport.</p>
<p>Paras 10.170 – 10.181</p>	<p>Unacceptable impact upon NSR14 identified, with high noise levels and a change in excess of 5 dB as a result of traffic noise. The text suggests that as the dwelling is not on the roundabout the impact will be less and therefore is acceptable. It would appear however that in order to reach this conclusion, more modelling/noise level collection is required.</p>

	<p>Assumptions cannot simply be made when the change in noise levels are so high.</p>
<p>Paras 10.185 – 10.189; Table 10.48</p>	<p>This table identifies noise level exceedances at NSR 1, 15, 19, 20, 21 and 22 from the A47 link road. These would all have permanent moderate to major adverse impacts from this highway without mitigation. It then concludes unhelpfully that further road traffic noise monitoring is required. Given the number of receptors that it affects, further consultation needs to be undertaken on this matter once the evidence has been completed.</p>
<p>Paras 10.190 – 10.205; Table 10.49</p>	<p>There is a fundamental flaw within the Tranquillity Assessment as it only covers the daytime (paragraph 10.198). However, footpaths are frequently used in the early morning and evening for running/sport activity and dog walking in particular. The assessment period therefore needs to be reconsidered. It also needs to be related back to good design concepts on layout and its impact – something akin to the Healthy Streets Approach would be sensible to adopt.</p> <p>It is unclear how the conclusion of noise levels to Burbage Common, Freeholt Wood and Aston Firs has been calculated. Presumably it is to a mid-point in both, given the comment in paragraph 10.203 in respect of Burbage Common that it may be higher close to the link road. When considering such areas, the closest receptor position must surely be used. If you have circular routes within these areas, for example, then the user will always be exposed to these higher noise levels. Moreover, if the noise levels are too high for even part of these spaces, it has the potential to also impact upon fauna using the area which will again change the appearance and sensation to anyone using the area.</p> <p>Reflecting the above assumption that it is not the edge of Burbage Common and Aston Firs that has been assessed, it is considered that the levels stated are an under representation. For Aston Firs, it is cited in Table 10.49 as being 10 dB lower than the very close-by NSR15 figures (51 compared to 61 dB), despite the wood actually projecting closer to the A47 link road. This suggests that Aston Firs would then exceed the 55 dB recommended limit and thus generate an unacceptable relationship.</p> <p>In respect of Burbage Common/Freeholt Wood, the fact that a section of acoustic barrier on the railway bridge has been noted as necessary to protect this area highlights that there is a relationship issue. The elevated nature of much of the road section between the railway line and the B4668 to the west where it crosses the floodplain raises</p>

	concern as to whether this acoustic fence needs to be significantly extended in order to provide an acceptable relationship.
Para 10.216	<p>Agree that it is important to recognise that development is not only acceptable if completely screened; it would not be appropriate to completely screen the gantry cranes within the current layout configuration, but in a different arrangement they could be largely concealed from most views by the warehouse buildings.</p> <p>Any matters to reduce noise is beneficial where it causes no harm. Agree that it is commonplace that acoustic screens above 6 metres have little additional benefit; they do however have significant visual impacts. Consideration of even 6 metre high screens needs to be given careful consideration from a visual impact perspective.</p>
Paras 10.219 – 10.239; Tables 10.50 – 10.55; Figure 10.4	<p>These refer to the proposed noise levels and mitigation to protect against noise from the development. Tables 10.50 – 10.53 show that there are exceedances at a number of NSR, especially at night-time. The overall impact is reduced when the existing higher than acceptable background noise levels are considered. However, it is very questionable whether making an unacceptable situation worse should be allowable. Moreover, some of the noise levels even with mitigation are not met – notably for NRS24. It is also questionable how acceptable the mitigation proposed is in some instances; a 6 metre high fence adjacent to a caravan park at NSR15 for example.</p> <p>It is suggested that additional consideration of the operational arrangement and the associated mitigation proposed needs to be undertaken.</p>
Paras 10.225 – 10.239; Tables 10.50 – 10.55	<p>In terms of operational noise, there should be a desire to seek the use of all electric vehicles on the site opposed to fossil fuel based engines. This would have multiple benefits to the development, including potential reduction in operational noise levels. If possible this should be considered within the operational section if it is a realistic prospect.</p>
Paras 10.240 – 10.242	<p>Reference is made to a number of elements that can be installed to reduce the operating noise of the gantry cranes. However, no proof of this has been provided. It all appears hypothetical.</p>
Paras 10.243 – 10.244;	<p>Operational maximum noise levels are noted as being exceeded for 6 of the 26 NSR locations, or 23% of the receptor locations. The suggestion that this is a worst case scenario and would not happen all the time. However, it is expected that the fact it 'would not happen all the time' would be of little comfort to any surrounding noise sensitive</p>

Table 10.56	receptors if they are repeatedly disturbed by this 24 hour operation. Maximums are in place for a reason and presumably should not be exceeded. The mitigation as currently proposed does not therefore appropriately offset harm as a result of noise.
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Ref.	S42 Response Comment
Chapter 11 Landscape and Visual Effects STRONGLY NEGATIVE	
Overall comments	<p>The scale of the development is likely to always result in significant harm and change to the character of the area and associated views and vistas. However, it would appear that there are means to improve upon the current arrangement and mitigation proposed to reduce the overall harm which generally is noted as significant even at Year 15.</p> <p>There are no cumulative impacts provided within this Chapter. This should be provided here, as well as summarised within Chapter 20.</p> <p>No NSR locations are provided for the existing or proposed PRowS within the site. This shortfall was set out in the Scoping Report and has not been rectified. Given the impact upon these PRowS they need to be adequately considered, particularly when the replacement route is marginalised and provided in a less than desirable location adjacent to the M69 and A47 Link Road.</p> <p>Work on lighting impacts needs to be undertaken to establish any impacts to the wider landscape. No scheme has been provided to date.</p>
Figure 11.7	This plan illustrates the zone of influence, denoting the ability to be seen from a greater distance due to the topography to the south-east. The ability to screen the development from this direction in particular is therefore highlighted. Additional screening by natural means to the north, south and west, and to a lesser extent the east, would also be beneficial.
Para 11.105	The construction period is referred to being 'temporary' within the PEIR. At 10+ years, it is considered that the construction phase and any associated impacts need to be considered medium term from a temporal perspective.
Paras 11.118 – 11.119;	The LVIA records significant residual effects at Years 1 and 15 for two Landscape Character Areas (LCA) LCA1: Aston Flamville and LCA6: Elmeathorpe Floodplain). This indicates that the mitigation proposals

<p>Table 11.11</p>	<p>are not effective in reducing significant effects and need to be reconsidered/augmented.</p> <p>It is also considered by the District Council that there will be an underestimation of effects on landscape, the surrounding landscape receptors are only judged to be subject to the direct effects of actual development proposed within the Character Area. The indirect effects related to impact on views and perceptual character of the whole development are not recorded. This is important, as noted above, the LCAs frequently refer to the nature of the topography and long views to adjacent areas as part of their character and sensitivities. Not enough information is provided within the PEIR or the LVIA (Appendix 11.1) to allow clarification on how the judgements on the impact to the LCAs have been determined.</p> <p>The LVIA also does not currently take into account effects on the urban and settlement character areas within the 2 km study area as requested in the scoping consultation.</p>
<p>Table 11.2; figures 11.8 – 11.12;</p>	<p>Those viewpoints closest to the site will always be most affected. These are viewpoints 1, 4 – 9 and 37. Even at Year 15, significant visual impacts are noted to occur to these viewpoints, and in fact at 21 of the 56 viewpoints assessed. This illustrates a fundamental failure to provide adequate vegetative landscaping to assist in softening the development from the surrounding area.</p> <p>The vegetation to the east along the M69 is largely relied upon to deliver screening from this direction. The current arrangement offers little opportunity to improve this.</p> <p>To the north, little space is offered for planting between the rail siding and the site boundary, offering clear views from Elmesthorpe. Additional landscaping should be included, with a reduction in floor space proposed if necessary.</p> <p>To the west, a narrow bund with planting is proposed, but given the view across the lower land here from the B4668, there is significant scope to provide additional tree planting. This is also on land under the control of TS(H) Ltd so could be delivered.</p> <p>To the south, the impact upon the setting of the Aston Firs community and any users of Burbage Common would be massive. Landscaping is proposed to the south to protect the designated areas in particular, but is shown to be largely grassland so offers little screening.</p> <p>Whilst it is recognised that the buildings cannot be entirely screened, more comprehensive vegetative belts would notably augment the</p>

arrangement. Materials of buildings, and in particular their colour can aid the integration into the wider landscape. However, the position of the container storage needs specific mention as this incorporates a multitude of coloured boxes which appear alien in the landscape. Proposed to be stacked up to 20.3 metres high and covering a width of 40 metres (see PEIR paragraphs 3.19 – 3.20), this has the potential to be very visually imposing from the west and south-west. It is these sides in particular that are open to close views and likely to be most readily used by the public.

Although unlikely to mitigate significant effects, it is considered that the design of the current layout could be improved by considering the objectives as a minimum:

- The siting and form of buildings and use of materials and colours should be given careful consideration (noting that TS(H) Ltd intends to submit a design code for buildings to the District Council for approval, to be secured as a requirement of the DCO, see Table 11.2);
- Mitigation of the potential effects associated with lighting, in line with current lighting standards (noting that TS(H) Ltd intends to submit a Lighting Strategy as part of the DCO);
- Refer to measures in HBBC updated Green Infrastructure Strategy (May 2020) - range of interventions and opportunities for GI provision within the Southern GI Zone which could contribute towards enhancement and mitigation opportunities including enhancing the Southern Green Wedge, delivering a more resilient Burbage Common and Woods Sites of Special Scientific Interest (SSSI) and increased woodland planting;
- Refer to HBBC Hinckley/Barwell/Earl Shilton/Burbage Green Wedge Review April 2020;
- Plans for much larger areas of community woodland planting, particularly to the north-west;
- Wider corridors for PRoWs to improve experience;
- Realignment of the link road so it does not dissect the proposed public open space.

The Chapter as a whole makes no specific reference to listed buildings/heritage assets. As the site is visible from the edge of a number of settlements, there is the potential to impact upon a number of heritage assets. Although further mitigation plans are expected from a Landscape perspective, consideration in particular on visual impact to

	the setting of heritage assets needs to be undertaken (also considered within Chapter 13).
Appendix 11.4 Arboricultural Impact Assessment	<p>There is a need to ensure that the Ancient Woodlands and main wooded areas, particularly Aston Firs, Burbage Common and Freeholt Wood are maintained without harm. The physical construction works should not cause harm to these areas, provided protective fencing is erected in accordance with agreed details and maintained during appropriate construction phases.</p> <p>It will be necessary to ensure also that the trees will not be harmed by increased pollution levels. Additional work to this effect may well be required.</p>

Ref.	S42 Response Comment
Chapter 12 Ecology and Biodiversity STRONGLY NEGATIVE	
Overall comment	<p>Surveys and Assessments of habitats and species have been undertaken as necessary and the loss of the farmland is acceptable in principle, as it has no special value. The areas of value have been retained (southern boundary hedges).</p> <p>Access to additional open space is supported, but additional buffering is required to the ancient woodland (Freeholt Wood). It also appears a missed opportunity from a biodiversity perspective to have a considerable loss of 60 biodiversity units given the proximity to designated nature areas and thus the creation of additional connected habitats. There is scope to substantially add to the value in this area and connect habitats together, particularly through careful selection of off-site biodiversity net gain sites or the expansion of the application site's area to incorporate these areas.</p> <p>Work on lighting impacts needs to be undertaken to establish any impacts to ecology. Nothing has been provided to date.</p>
Para 12.128	All of the proposed key mitigation measures as shown on the mitigation plan are supported. Additional enhancement of these may well also be beneficial though, particularly in relation to the separation to the designated areas to the south-west. It is important to ensure that the long-term health of the planting within these designated areas is maintained. Any risk to them needs to be appropriately considered.
Para 12.142	Agree the loss of 258 scattered mature and early mature trees across the site is considered to be a significant negative effect at a District level.

Para 12.145	Agree the loss of 74.1% of existing hedgerow on site is considered to be a significant negative effect at a District level. Retention of all the protected hedgerow is however welcomed.
Paras 12.156 – 12.174	The loss of habitats on site for birds, bats, otters, hares and toads are all recognised to have negative impacts upon existing fauna, largely at a local level.
Para 12.175	Agree that these four items are very important elements that could have a fundamental impact upon flora and fauna habitats.
Para 12.176	Potential harm to Burbage Wood and Aston Firs SSSI and Burbage Common and Wood LNR from air pollution and hydrology changes need to be fully addressed. The scheme should be amended accordingly to ensure that these protected areas are not harmed. The NPS paragraph 5.29 states that development should not normally be granted where it has an adverse effect on an SSSI. Protection of these areas and thorough consideration is therefore pivotal to the acceptability of proposals.
Para 12.199 – 12.201	The lack of detail on the noise, vibration, light and air quality (including dust) impacts of the construction phase are of significant concern and cannot be discounted given the long build out time for this development.
Paras 12.202 – 12.205	Protection measures via an Ecological Construction Method Statement is supported and would be recommended as a requirement to any approval.
Para 12.219	Whilst supportive of the creation of additional meadow grassland and other structural, hedgerow and aquatic planting, additional woodland planting may also offer additional habitat benefits and connectivity with the existing designated woodland areas. It can also dovetail with enhancing the visual screening of the development.
Para 12.230	It is not agreed that the proposals would result in a positive effect overall at a site level. The provision of some better habitats is supported, but overall the loss of 60 biodiversity habitat units represents a significant reduction in the value on site. There is potentially scope to increase the ecological value on site through inclusion of additional landscape elements, and/or reduction in the built form. An alternative is to include additional land within the site to allow for more planting and screening. This would be particularly useful to the north-west, on the other side of the train line from the main site, where it is understood TS(H) Ltd have land options.

Para 12.233	It is expected that to meet the 10% net gain in biodiversity, offsite mitigation will be required/provided. Whilst this does not in itself contravene the legislation, given the extensive scale of the site, it is disappointing that the net loss to the site itself cannot be reduced. Consideration should be given to expanding the limits of the site to include more strategic woodland planting and biodiversity net gain land on the site's peripheries. Given the site's existing ecological relationship to Burbage Common, commitment to deliver off-site biodiversity net gain in the local area is expected.
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Ref.	S42 Response Comment
Chapter 13 Cultural Heritage NEGATIVE	
Overall Summary	<p>Overall it is considered that no substantive harm would result to any heritage assets, subject to completion of all necessary work (trial trenching; visual appraisal once finalised information produced) and subsequent assessments on the impacts of light, noise, vibration and odour to all designated and non-designated assets. However, this conclusion cannot be confused with 'no harm'. The conclusions of this chapter therefore require any decision maker to consider the balance of benefits versus harm in accordance with the NPS, NPPF and Planning and Listed Building Act.</p> <p>One Listed Building appears to have been missed off the list – Hillfoot Farmhouse, Station Lane, Croft.</p>
Para 13.8 – 13.19	Largely agree with the methodology selected to assess assets and the relative impacts.
Para 13.42; Appendix 13.2	One Listed Building appears to have been missed off the list – Hillfoot Farmhouse, Station Lane, Croft.
Paras 13.46 – 13.101	In principle no issue with the conclusions provided for the relationship to each asset. However the impacts of light, noise, vibration and odour should be considered for all designated and non-designated assets. The assessment undertaken is largely a visual relationship only.
Paras 13.124 – 13.125	The conclusions on archaeology are written in a finalised manner. Trial trenching is on-going and thus these conclusions cannot be made until this work has been completed. Once complete, comment can be provided on archaeological matters.

<p>Paras 13.156 – 13.159</p>	<p>Mitigation is proposed in the form of landscape planting. The suggested additional landscape mitigation within the comments to Chapter 11 if implemented would offer additional mitigation protection to the heritage assets (excluding archaeology on the site itself).</p> <p>However harm to the setting of three Listed Buildings would still be occurring as these are not to be mitigated. Whilst this harm is not significant it cannot be conflated with ‘no harm’. A balance of benefits versus harm will need to be undertaken by PINS to determine whether the proposal is acceptable against the NPS, NPPF and Planning (Listed Buildings and Conservation Areas) Act 1990.</p>
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Ref.	S42 Response Comment
<p>Chapter 14 Surface Water and Flood Risk NEGATIVE</p>	
<p>Overall summary</p>	<p>It is important to ensure that the baseline situation is fully established so that modelling work and the drainage solutions proposed are effective. It is currently questioned whether the background information is sufficiently robust. The finalised drainage system from a flood risk perspective and surface water storage ability is therefore questioned.</p> <p>Disappointing that more surface water storage is not incorporated at ground level and integrated to provide amenity and ecological benefits.</p> <p>It is understood that The Environment Agency is providing a two pronged response, in terms of their usual function but also on behalf of the County Council as the Lead local Flood Authority for the area. The County Council have confirmed that they have been providing the Environment Agency with information in respect of local knowledge, understanding and context that will be incorporated into the Environment Agency’s consultation response. If the Environment Agency’s consultation response does not include sufficient depth of local knowledge, the Council is prepared to engage further with TS(H) Ltd in this respect and lend our own local knowledge and expertise to aid the drainage assessment of the proposals.</p>
<p>Paras 14.85 – 14.86</p>	<p>Recognition is made by the PEIR that the Flood Map for Planning may not be accurate for the site, due to it being within a catchment area of less than 3 km for the Thurlaston Brook Tributary. Local resident evidence suggests that flooding of the site either from river flooding or surface water pooling is more expansive than the plans and information suggests. Additional work to establish fully the baseline is therefore</p>

	required. If these need to be amended, it may have significant implications upon the whole drainage design.
Para 14.99	<p>Paragraph confirms that groundwater was found between 3.1 and 3.9 metres below ground level. The FRA at para 3.38 (Appendix 014.1) notes a low risk of groundwater flooding. However, it is unclear the survey period length undertaken to establish this baseline. The exact levels may be questionable.</p> <p>The development is seeking cut and fill to create two plateaus which will lower the depth of the groundwater below the surface in places. This depth is important to the design of the surface water storage as it only provides a relatively narrow depth between the groundwater and the foundations to the buildings. If surface water capacity is not deliverable underground as anticipated, then the quantum of development would need to be reconsidered.</p>
Para 14.111	The impact upon the SSSI designations is considered to not have 'any significant effects.' However, the effects even if below the level of significant are not stated and no meaningful discussion on this matter is provided. Harm to the SSSIs is a harm to which significant harm can be attributed. The case presented needs to be sufficiently robust to stand up to scrutiny.
Para 14.122	Part of the site is within Flood Zones 2 and 3 (see Figure 2.3 of the Hydraulic Modelling Assessment included in Appendix 14.1). The potential harm to construction workers is not fully explored; clearly there is a need to take additional precautions when working within Flood Zones 2 and 3; this matter needs to be appropriately covered.
Paras 14.136 – 138	The operation of the areas of the site within Flood Zones 2 and 3 have no mention at all. It is unclear to what depth the water inundation across part of the railport and the northern rail access would be and the impact this may have upon the operation of the site, both from the ability for the trains to run during flood periods, and for any maintenance works needed during such times. These matters should be appropriately covered.

Ref.	S42 Response Comment
Chapter 15 Hydrogeology NEUTRAL	
Para 15.30	Reference is made to the need for further deeper strata borehole assessment of the main HNRFI site and the need for all work to the A47 link road land (areas 2 and 3). These assessments should be

	undertaken but it is acknowledged that they are unlikely to cause any issue in respect of the proposed development.
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Ref.	S42 Response Comment
Chapter 16 Geology, Soils and Contamination NEUTRAL	
General comment	<p>The approach to considering contamination and the proposed remediation of the site in general is accepted.</p> <p>Appropriate measures to control the proposed use can be put in place to offer greater protection against contamination and any leaching into water courses from these sources.</p>
Para 16.90	<p>There are a number of potential contamination sources on the site. The District Council has not declared any of the land under its District as contaminated land; however, the Council has a responsibility for monitoring and reviewing such land. If during development works any contamination should be encountered including migrating landfill gas which was not previously identified or is derived from a different source and/or of a different type to those considered under the contamination proposals; then the LPA shall be notified immediately and remediation proposals formulated/amended for consideration by the LPA.</p>

Ref.	S42 Response Comment
Chapter 17 Materials and Waste NEUTRAL	
Paras 17.72 – 17.76	<p>Agree with the ambitions to reuse most demolition materials from existing buildings and barns within the development. Off-site removal to landfill should be minimised, with the exception of any contaminants (e.g. asbestos). This should be included as an aim within a Site Waste Management Plan/Materials Management Plan.</p>
Paras 17.78 – 81	<p>Agree with the ambitions to use cut and fill to minimise the off-site removal of earthworks. A cap on the quantity of material that can be removed can be included within a Site Waste Management Plan/Materials Management Plan to ensure this aim is achieved.</p>
Para 17.94	<p>Within the impacts of construction, no mention is made of the location of materials. Locally sourced materials should be used where appropriate/possible in order to reduce travel miles/CO2 footprint for construction. This aim can be included within a Materials Management Plan. The also generates potential localised economic benefits.</p>

Ref.	S42 Response Comment
Chapter 18 Energy and Climate Change STRONGLY NEGATIVE	
Para 18.58	The Green House Gas (GHG) emissions from worker commuting has not yet been finalised; so the assertions provided within the document may not be accurate. This is a significant source of GHG so must be accurate and updated appropriately within the Environmental Statement.
Para 18.65	Average journey lengths are used for calculating train journeys/GHG. The location of the site and ports it will serve are known, as is the quantum of train slots for journeys in either direction so the location of ports it can serve should be largely known. A specific journey length calculation should be provided to make any analysis site specific.
Para 18.94	The climate change impacts for the construction period has not yet been assessed. Given this will occur over a 10 – 15 year period, this must be included within the finalised Environmental Assessment.
Para 18.164	<p>A number of options to reduce GHG below the figures are provided within this paragraph. One includes the possible future provision of a CHP/on-site heat network. There is an energy centre being proposed and reference to the provision of a CHP has been made. If a CHP is to be provided, then this must be included within any GHG/energy requirement calculations. It is however disappointing that reliance is being placed on fossil fuels for a main energy source to the facility. This shows a lack of ambition for this project, particularly given it will be constructed over the next 10 – 15 years and thus needs to comply with future requirements on such matters.</p> <p>Reference is also made to the option to include on-site charging for HGVs. If the site is to be future proofed, then this must be included within the plans. Additionally, an aim to have all site based vehicles as electric/ non-fossil fuel should be included.</p>
Paras 18.194 – 197	This outlines the importance of the ‘fabric first’ approach to development. This approach is supported to minimise the energy requirements of the buildings for operation. What innovative approaches are being considered and allowed for in this development? For example, could large screens of climbing plants be erected outside the buildings to reduce solar gain, insulation and / or visual softening of the buildings. It does however need to be brought forward in association with renewable energy generation as well.

	Meeting certified standards in terms of building performance is supported and can be incorporated into a requirement / legal agreement.
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Ref.	S42 RA Comment
Chapter 19 Accidents and Disasters NEUTRAL	
-	No comment

Ref.	S42 RA Comment
Chapter 19 Cumulative and In-combination Effects NEUTRAL	
Appendix 20.1	In association with site 11 – Croft Quarry, it appears the latest approval has been omitted. This is reference 2019/CM/0125/LCC.

Ref.	S42 RA Comment
Chapter 21 Conclusions NEGATIVE	
Overall comment	Specific concerns in respect of the scheme are set out within each chapter above. Some significant issues are highlighted that may amend the conclusions reached within the summary sections of Table 21.1 as a result.

Ref.	S42 RA Comment
Glossary	
Page 0-13	<p>This defines the “Main Order Limits” as: “The draft Order Limits that contain the Main HNFRI Site together with the corridor of a proposed link road to the B4668 / A47 Leicester Road (the ‘A47 Link Road’), proposed works to M69 Junction 2 and a section of the B4669 Hinckley Road towards the village of Sapcote.”, this is again confirmed at paragraph 2.4 (page 2-3).</p> <p>Concern is raised in respect of whether the 5 km distance buffer from the boundaries of the Main Order Limits are accurate (see Figure 20.1). It is not clear what the furthestmost eastern extent of the Main Order Limit is on the drawings, and therefore what the 5 km buffer should be. This could affect the integrity of the whole Preliminary</p>

	<p>Environmental Report on topics such as: nature conservation (distance to SSSIs, SACs, LWS), cultural heritage (distance to Conservation Areas and Listed Buildings), where distances have been measured to different sources from the extents of the Main Order Limits. This point needs to be clarified on the associated plans.</p>
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