



Hinckley & Bosworth
Borough Council

HINCKLEY NATIONAL RAIL FREIGHT INTERCHANGE

*Technical Review of the Preliminary
Environmental Impact Report and other
supporting Reports that form the basis
of statutory consultation by Tritax
Symmetry (Hinckley) Limited.*

May 31, 2022



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Borough Council

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CONTEXT & OVERVIEW

Tritax Symmetry (Hinckley) Limited (“TSH”) is expecting to submit a Development Consent Order (“DCO”) for the development of Hinckley National Rail Freight Interchange (“HNRFI”) at Junction 2 of the M69. The scheme is a Nationally Significant Infrastructure Project (NSIP) and therefore subject to the provisions of National Policy and terms within the Planning Act 2008. Throughout this report, TSL will be referred to as “the Promoter”.

This report constitutes the Technical Review of Hinckley and Bosworth Borough Council (“HBBC”). As the proposed project and its Associated Developments are predominantly hosted within the administrative boundary of HBBC, this technical review reflects the technical opinions of the Borough as a principal authority. HBBC is the local planning authority, it has Environmental Health responsibilities and has a key role in Economic Development and Strategic Housing both within Hinckley and the wider sub-region. The council also works closely with Blaby District Council and Leicestershire County Council (LCC) in helping to provide services and discharge its statutory responsibilities including in relation to local highways and transport, flood management, landscape and ecological, waste planning, and public health.

Beyond the administrative boundaries of HBBC, there is a recognition of the regional significance of the Project. Consequently, Hinckley and Bosworth Borough Council as the main host authority will support and provide leadership to a Joint Program Board in which the each of the authorities¹ will provide a co-ordinated response to TSH during subsequent phases of the submission of the DCO application. However, given the short timescales for the current statutory consultation of 12 weeks from Wednesday 12th January until Friday 8th April it has been necessary to submit responses separately by Authority.

The Authorities have undertaken proactive technical reviews through dedicated Technical Working Groups

Terms of Reference

The current consultation is at pre-application stage of a DCO. This stage represents the first formal opportunity for Tritax Symmetry (Hinckley) Limited (“the Promoter”) to present details of the proposed development with an extensive suite of consultation material including site plans, detailed descriptions of development proposals, technical assessments including baseline modelling and an outline of environmental information in the form of a Preliminary Environmental Impact Report (“PEIR”). The consultation material will form the basis of a Draft Order which following consultation with stakeholders (including HBBC as a “Relevant Authority” under section 42 of the Planning Act 2008) is expected to reflect and respond to the views and

¹ Joint Programme Board – A detailed governance structure will be proposed in which senior offices with each of the key authorities form part of a strategic advisory board. The Terms of Reference and detailed Structure of the Board – including means of reporting and program – will be designed to help support the technical responses of all the relevant authorities with an interest in the project and its development.



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opinions of all stakeholders impacted by the development of a Strategic Rail Freight Interchange (“SRFI”) located in the Hinckley and Bosworth Borough Council area.

The council has been asked to prepare a Technical Review of the consultation material including the assessments contained within a detailed Preliminary Environmental Impact Report. HBBC in partnership with Blaby District Council and Leicestershire County Council as supporting Relevant Authorities engaged with the Promoter in reviewing all the material with in reviewing the material through a series of Technical Working Groups (“TWG”). The expectation is that engagement with the TWG’s will continue throughout the process of the completion and submission of the Order. Following close of statutory consultation period, HBBC will start evaluating the local impacts of the proposal during the pre-application phase. This HBBC Technical Review therefore draws on the PINS Advice Note 1 in setting out the technical review format which is broadly in line with the statutory requirements of the Planning Act '08.

Purpose and Structure of the Technical Review

The definition of an LIR on which this Technical Review is based, is described in s60(3) of the Act and this report has purposefully sought wherever possible to focus on an understanding of likely impacts of the proposed development as it applies to the territorial area of Hinckley borough.

The topics which have been highlighted in the HBBC Technical Review and on which resources were available to undertake an assessment of scope and competencies include the following sections of the PEIR:

- Site Description and Surroundings
- Details Of the Proposal
- Site Selection and Project Evaluation
- National Policy and Drivers of Need
- Land Use and Socio Economics
- Transport and Traffic
- Noise & Vibration
- Landscape And Visual Effects
- Cultural Heritage
- Energy and Climate Change
- Major Accidents and Disasters
- Cumulative Effects Assessment
- Health And Wellbeing

Conclusion

HBBC have considerable concerns on the range of adverse individual and cumulative impacts which have not yet been identified by the Promoter. The principal concern of the Council is that without careful consideration of the Zone of Influence that any Cumulate Environmental Assessment will sewer the overall assessment of impacts. Notwithstanding concerns highlighted with the adequacy of the Promoter’s PEIR, HBBC will in this assessment identify constructively where further information and proposals are needed, to ensure that the adverse local impacts of the proposed Project are adequately mitigated. HBBC will propose ways in which adverse local impacts from proposed Project can be better mitigated by various mechanisms, such as amended project proposals, planning obligations and requirements (including written approval of detailed mitigation measures). The council also identifies areas where the greater benefits from the Project can be achieved to support the local economy and local community.



REVIEW BY TOPIC

Introduction	
Background	<p>The section presents a brief and concise description of the project and is expected to enable the relevant authorities to develop an informed view of the likely significant environmental effects of the proposed development.</p> <p>As a Preliminary Environmental Information Report (PEIR), the Promoter sets out how it intends to consult and address consultation feedback when finalising its proposal prior to the submission of the DCO application.</p> <p>Importantly TSH, in line with the requirements of the Planning Act 08 (“the Act”) explains its commitment to active forms of consultation and assurances on providing an ongoing opportunity for amendments to both the design of the proposed development and the finalised Environmental Impact Assessment (“EIA”) to consider comments received through consultation, prior to final submission.</p>
Project Overview	<p>The Proposed Development is seeking to closely align itself with National Policy on Transport as a Strategic Rail Freight Interchange by describing the project as the Hinckley National Rail Freight Interchange (HNRFI or ‘the Project’). A simple point of semantics however is that as a Nationally Significant Infrastructure Project it should be sufficient to describe the Proposed Development as a Strategic Rail Freight Interchange at Hinckley (as opposed to National) designed to fulfil a requirement of national policy. The reliance of “national” status implies in this context a singular facility rather than potentially part of a strategic network.</p> <p>Status of the project is plainly important where the Promoter has described the general purpose of the Proposed Development that it is reflective of paragraph 2.44 of the Department for Transport’s National Policy Statement for National Networks (NPS, December 2014, page 20):</p> <p><i>‘The aim of a strategic rail freight interchange (SRFI) is to optimise the use of rail in the freight journey by maximising rail trunk haul and minimising some elements of the secondary distribution leg by road, through co-location of other distribution and freight activities. SRFIs are a key element in reducing the cost to users of moving freight by rail and are important in facilitating the transfer of freight from road to rail, thereby reducing trip mileage of freight movements on both the national and local road networks’.</i></p> <p>However, it is important at the outset to highlight the distinction between the content and purpose of policy and how the Proposed Development is expected to demonstrate its compliance with it. Where compliance with National Policy in the context of the support of a DCO will be essential, the role of the Promoter will be to “make its case” rather than implying simply that the working</p>



Introduction	
	of the national policy is the wholly part of the project description and components of a SRFI development
Criteria for qualification as an NSIP	Correctly the section underlines that any proposal for a SRFI must satisfy the criteria of the Planning Act set out at paragraph 1.20. As above it is incumbent on the Promoter to be clear about the specific content of the project and its intention to demonstrate how the project fulfils the criteria of an NSIP.
Parameters of Development	The significance of the flexibility in the design should be more prominent within this section of the PEIR. The relevance of flexibility as it is applied to the Rochdale Principles of EIA and project description is a significant factor in defining the content of the assessment. While it is correct to highlight how and why this principle will be important in presenting the Proposed Development it is equally relevant to stakeholders precisely where and how the design of the project is expected to change. There are expected to be significant pressures being placed on some key parameters not least baseline modelling on traffic as an example that may well lead to material amendments to the project. This will obviously reflect a risk to development and should be highlighted early in the Report.

Site description and surroundings	
Definitions	The Order Limits correctly are shown in draft where there is an expectation that because of consultation feedback and other considerations, the Promoter might amend the boundaries before submitting the DCO application. Given the likelihood of such changes because of changes and amendments to the design of the project it would be helpful if reference is at least made to how this will be addressed.
Land Inside the Main Order Limits & the Surrounding Area	Subsequent sections of this technical review provide more specific comments upon the nature of the treatment of land use within the main order limits. As with the previous points made on the expected amendments of the design, reference should be made to the process of engagement in the subsequent stages of the DCO with specific areas of potential changes expected. There should also include some weighting given to how the treatment of any amendments are material to the project its assessment of impacts and likely mitigation measure required to address these impacts.



Details of the proposal	
Introduction	<p>This section of the report sets out a project description on which other chapters of the PEIR rely. Correctly the description of development should be read in conjunction with the Illustrative Master Plan described and illustrated in Figure 3.1 of the Report. It should similarly reflect the DCO parameters plan shown in Figure 3.2 and the off-site highways and junction improvement plans presented in Figures 3.3.</p> <p>Assurances will always be needed that in undertaking assessment – even in preliminary form – that the key parameters relevant in the illustrative masterplan, parameters plan and off-site highways and junction improvement plans are aligned. We would want to understand more closely where and how these are aligned and if there are any variations – however minor – that they are flagger or highlighted to aid understanding of the project.</p>
	<p>The Planning Act 2008 provides that development consent may be granted for both a NSIP, referred to as the ‘Principal Development’ in this document, and for ‘Associated Development’, which is development associated with the Principal Development. This distinction is made in the description of the authorised development in the draft DCO that accompanies this PEIR for consultation purposes. However, the distinction is not included in an assessment of the Proposed Development’s environmental effects. While this distinction in the assessment is more readily understandable, there is a balance to be struck on the qualitative form of assessment of impacts. Aside from the need to apply best practice on the methodology of assessment, there is a strong argument to be made to at least include a distinction between impacts of principal and associated development both in their individual terms and in cumulative terms.</p>
Development Parameters	<p>The DCO application for the Proposed Development is seeking a DCO for development parameters set out as a maximum outer envelope for specified types of physical development within which detailed proposals come forward for subsequent approval. To that end a completed Environmental Statement will assess the likely significant environmental effects of these ‘Rochdale Envelope’ parameters.</p>
	<p>It is critical in this context that the six main development zones proposed within the parameters plan are more clearly identified in plan form and descriptions. The concern raised at this stage is reflective of the likely extend of the material changes that might conceivably take place because of detailed consultation with the Relevant Authority. None more so that the expected phasing plan where for example the quantum of impact during construction and operation are under assessed. The interactions between the Development Zones A-F in Figure 3.2 are arguably unclear where there a dependency between phases and with that the likely impacts / risks on program where phases A to F are so interlinked and dependent.</p>



Details of the proposal	
3. 5	Please clarify which of the buildings (and their function/scale) will be 'rail connected' or 'rail accessible' from the outset, or if in future when, and how this access has been defined.
3.7 (o)	We understand that the M69 junction 2 requires signalisation – can you clarify if this aspect of the scheme was included as part of the model results used in the PEIR?
Development programme and phasing	<p>The Report highlights the pace of development will broadly reflect occupier demand and for this reason the programme and phasing as indicative. The principal reasoning is that the project is subject to the demands of the property market and the detailed design stage being finalised will influence the pace of completion spread over a total period of ten years. We would want to understand more fully where the assessment of development period is drawn and how this will impact the development zones highlighted as part of the parameter plans.</p> <p>In the Report, there is an explicit reference on the requirement for the southern slip roads at Junction 2 M69 driving the need to carry out further infrastructure such as the site access and the completion of the A47 link road including the new bridge over the railway early in the process prior to the first occupation of the warehousing units. More information is considered necessary to articulate the potential risks to the program and how these might validly be mitigated in terms of an indicative construction programme shown in Table 3.9.</p>
	Concern has been expressed on the lack of clarity or specifics as to precisely how triggers - floorspace thresholds or triggers - are to be applied on the phasing plan where a finalised DCO might specifically require describing commitments and assurances – either through legal instrument or statutory commitment – of the proposed development in phases with specific reference to the completion of off-site highways works and elements of the Railport.
Implementation plans	<p>The Council welcome a recognition of the potential environmental effects of construction work are assessed in the technical chapters of this PEIR. They similarly support the assessment of environmental effects as a tool by which the measures proposed to protect the environment and local amenity during construction, are managed. We would strongly support active working group inputs on:</p> <ul style="list-style-type: none"> • Construction Method Statement • Construction Environmental Management Plan • Construction Transport Management Plan • Site Waste Management Plan • Community Engagement Plan • Landscape and Ecology Management Plan



Details of the proposal	
The Rail Freight Interchange in Operation	Up to 16 train visits a day are provided for in the plan. Cross referencing to how this number of visits is defined and moreover whether this represents a minimum or maximum volume of train visits.
Site management - operation	<p>During the operation of the HNRFI there would be ongoing management of the site to ensure compliance with environmental standards and commitments made as part of the DCO. There is a specific commitment that once completed, the site will be managed by a management company. This organisation will be responsible for ensuring the planned management and maintenance of the site, including shared areas of public realm and unadopted areas.</p> <p>We would expect to understand in clear terms how this management company will normally operate and how close and effective consultation – with the relevant enforcement standards that will be committed to as part of the DCO. We would expect a closely focused set of mechanisms of enforcement either through procurement and or contractual terms where a management company is identified.</p>

Site Selection and Project Evaluation	
Introduction	<p>The concerns raised across several technical reviews is the lack of substantive detail on the assessment of impacts. While we appreciate that the PEIR is only able to provide an outline of the expected impacts given the extend of information and baseline data available, considerable concerns have been raised on whether the assessments will be capable of extending the understanding of impacts. There is concern that in several reports - Draft Rail Report and Planning Statement as examples – that despite the commitment to understanding the regional context as a means of taking forward a masterplan of the site, the outlines of the options considered in terms of alternative locations are lacking detail. The site selection and project evaluation should be closely guided by consultation feedback and the EIA process before concluding that the design, size, and scale of the development is able to align itself with National Policy.</p>
	<p>One of the principal concerns on the outcome of the technical review is the lack of information and technical argument on needs case as it might conceivably impact project evaluation of the site. On two levels concerns are raised on the lack of information and assessment on alternative sites – even despite the masterplan process – and secondly whether in cumulative terms development of similar scale across the region has been given sufficient weight in the evaluations.</p> <p>An illustration of this lack of confidence in the assessment of impact, is the absence of consideration given to expected expansion of the site given the pressures of rail freight in the UK, and the experience of the existing SRFIs indicate that it will take several years for each site to achieve a mature level of rail freight traffic. Given that</p>



Site Selection and Project Evaluation	
	<p>in the conclusions of the Draft Rail Report on capacity of the interchange facilities on site will grow in line with the traffic demand, the technical arguments around the parameter of expected growth in capacity and pressure on the network is insufficient.</p>
4.6	<p>Of the five priority Growth Areas identified by the LLEP-SEP the Promoter differentiated between the seven site options against a general principal that a SRFI on the F2N strategic rail freight route ideally within GA5, South West Leicestershire Growth Area, with good access to the M69 and M1 motorways and the A5 corridor, represents an optimal multi-modal connectivity and a nodal point for the expressed need for future growth.</p> <p>The option appraisal further sifts the preferred location against 5 key criteria of Rail, Road, Amenity and Environment, Commercial and Economic. The concern expressed in this review however is that almost all of the sifting exercise lacks much in the way of depth of analysis where most of the underlining data does not appear to have reached a point of maturity. It appears from the information in the assessment of options to depend on data that has not been robustly challenged or as in the case of the traffic modelling not in a finalised form.</p> <p>An example of the relative lack of capacity in the assessment is in reliance on high level assumptions as evidence or justification for choices. In the Draft Rail Report much is made of the Hinckley Strategic Rail Freight Interchange (“HSRFI”) representing an opportunity to expand the very small network of existing SRFI’s, to significantly enhance access to the rail network for local businesses, fully in line with the objectives of the government through the NPS and those of business in seeking additional transport options for their goods and moving towards reduced carbon emissions. However, there is limited evidence on which such statements are made. In other words, while we would not necessarily disagree with the presumption that a SRFI would improve the capacity of the network, its altogether different assumption that a site at Hinckley is an optimal choice against other sites without more robust analysis.</p>
4.106	<p>The option appraisal lacks much in the way of depth – or at least the information and data analysis on key criterial [rail, road, environmental and commercial] does not appear to be extensive. We are particularly stuck by the lack of comparative technical analysis on the other sites at: Brooksby, Syston Junction / Fosse Way, Barkby Lane, Whetstone, Littlethorpe and Croft. Consequently, we would want to undertake a more thorough and comprehensive review of the comparative benefits and advantages of each of these alternative sites.</p> <p>For example, where the Hinckley and Burbage site is considered optimal, we would want a similar comparative analysis on:</p> <ol style="list-style-type: none"> a) Extend of area of open level land. b) Comparative volumes of at-grade rail frontage for rail connections to the main line, and the ability to accommodate trains up to 775m in length. c) Comparative potential for direct road access to the strategic highway network,



Site Selection and Project Evaluation	
	<ul style="list-style-type: none"> d) Relative impacts and distances from existing residential settlements sufficient to avoid significant adverse effects on noise and visual amenity after mitigation. e) A comparatively low level of environmental constraint, with no designated features of landscape, ecological or cultural heritage interest inside the site. f) The values that are assigned to a LLEP's designated South-West Leicestershire Growth Area.
Comparative Analysis	<p>In comparative terms the preferred option at Hinckley railport places particular emphasis on its situated on the South Leicestershire main line with connection to M69 and M6. However, we would want to understand in greater depth how other sites might address connectivity across the trunk road network, over which most intermodal rail freight is currently moved through the UK. While we can understand the logic of railport users benefiting from access to a mainline route with W10 loading gauge and capable of handling 775m length freight trains, this key criterion for SRFI site might conceivably be just as effective in other sites identified in the option appraisals.</p>
	<p>We would like to understand more fully how the sites also provide a geographically distinct location relative to other existing and proposed SRFI in Merseyside and Manchester to the North, or those South of Birmingham in the West and East Midlands.</p>
	<p>We would similarly want to understand comparative benefits of on-site rail layout might be designed to facilitate turnaround of freight trains within all of the railport sites. The interchange design that is being promoted in the preferred option might conceivable present a sub-optimal arrangement when compared with design options on alternative sites. For example, in how any arrangement might bring trains and trucks directly alongside each other, with one-way flow for HGVs through a railport where the emphasis is to promote the fast and efficient transfer of freight.</p>
	<p>Comparative analysis of space for additional sidings has been flagged in the Draft Rail Port and design parameter drawings. Optimal design – as one of the important factors in compliance with the NPS should allow for greater depth of comparative analysis where several options are expected to be considered. For example, how are other sites compared against optimised criterion where for example designs might consider permitting direct rail access to warehouse units on site, as well as additional stabling and the ability to handle electrically hauled freight trains in future.</p>
	<p>We are not clear whether engineering and timetable assessment work undertaken with Network Rail through its in-house "GRIP" development programme has confirmed the ability to achieve the main line connections on which to commence operations, along with capacity within the timetable to accommodate the rail freight services associated with those operations. In comparing sites, we would want to understand the comparative advantages of the Hinckley/Burbage site in terms of its capacity to handle 16 trains per day at a mature level of operation in the first</p>



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Site Selection and Project Evaluation	
	instance and then how it compares to other sites if there is as assumption of growth being determined by end user demand within available network capacity.



National Policy and Drivers of Need	
	<p>Correctly, the PEIR places The Act as the principal instrument on which any NSIP should be defined. Also, we agree that the primary policy statement for the determination of this proposal is specifically provided by the NPS. Additionally, under the provisions of Section 104 of The Act, the correct starting point for the determination of any NSIP application is the NPS. However, it does not exclude the material value of a Development Plan.</p> <p>National Policy also makes it clear that where there are specific environmental and technical considerations for the Proposed Development, weight will be given to additional policy relevant to needs case.</p>
The drivers of need for SRFIs	<p>Drivers of need for strategic rail freight interchanges are set out in the Summary of Need in paragraphs 2.1 to 2.11 of the NPS.</p> <p>While there is recognition that existing operational SRFIs and other intermodal RFI's are situated predominantly in the Midlands and the North the objective of the policy is to ensure an optimisation of the network across several critical parameters. In considering the proposed development, and, when weighing its adverse impacts against its benefits, the Examining Authority and the Secretary of State will consider:</p> <ul style="list-style-type: none"> • its potential benefits, including the facilitation of economic development, including job creation, housing, and environmental improvement, and any long-term or wider benefits. • its potential adverse impacts, including any longer-term and cumulative adverse impacts, as well as any measures to avoid, reduce or compensate for any adverse impacts. <p>In this context, environmental, safety, social and economic benefits, and adverse impacts, should be considered at national, regional, and local levels. Given the lack of clarity in the site selection process – described earlier in the previous section - we would want to understand more fully what weighting was given to these principles against the drivers of need. The main point of concern is these needs case therefore is whether a site selection and masterplanning process is sufficient robust.</p>
	<p>The environmental advantages of rail freight have already been noted at paragraph 2.40 and 2.41 Nevertheless, for developments such as SRFIs, it is likely that there will be local impacts in terms of land use and increased road and rail movements, and it is important for the environmental impacts at these locations to be minimised.</p> <p>While National Policy recognises that development of the national road and rail networks is expected to be sustainable against its objectives of need, these are expected to be designed to minimise social and environmental impacts and improve quality of life. In delivering new schemes, the policy is explicit in instructing promoters to avoid and mitigate environmental and social impacts in line with the principles set out in the NPPF and the Government's planning guidance. It is not</p>



National Policy and Drivers of Need	
	<p>entirely clear that there is sufficient robust evidence base that considered reasonable opportunities have been completed in the site sifting exercise to deliver environmental and social benefits as part of schemes. Specifically, the PIER is dependent on the reliance of an agreed model without which arguably creates doubt that the adverse local impacts on noise, emissions, landscape/visual amenity, biodiversity, cultural heritage, and water resources are fully understood or likely to be comprehensively considered. The significance of these effects in Hinckley and Bosworth and the effectiveness of mitigation is uncertain at the strategic and non-locationally specific level. Therefore, whilst TSH have taken sufficient consideration / is in accordance with National Policy and in an environmentally sensitive way, including considering opportunities to deliver environmental benefits, some adverse local effects of development may remain.</p>
5.27	<p>The “judgement of viability” made within the market framework must be a factor in defining the needs case for the project. It is not clear whether there has been any engagement with the Government on how it expects to account any interventions. We have concerns that no consideration or examination of the likely social value of the project or indeed the mechanisms through which these interventions are included as part of the business case aligns.</p>
	<p>We are mindful in the context of needs case, that where terms and commitments are expected to be made or are impose. Given the importance of social value for all project of nationally significance, we would expect a good deal more detail to be provided as part of the requirements of development consent. The structure of such commitments will be important where with agreement of the relevant authority and interested parties, that are seen as necessary, relevant to the planning policy commitments, relevant to the development to be consented, enforceable, precise, and reasonable in all other respects.</p>
Scale and design	<p>Significantly in the review of the PEIR for the Proposed Development we are not wholly clear as to the logic or the strength of the case on “rail connected or rail accessible” facilities. The initial stages of the development must provide an operational rail network connection and areas for intermodal handling and container storage</p> <p>Where TSH have sought to use ‘rail accessible’ definition through is review of the Examining Authority’s Report of Findings and Conclusions and Recommendations to the Secretary of State for Transport on the West Midlands Rail Freight Interchange (Planning Inspectorate ref. TR050005), we are unclear as to whether the interpretation is in fact accurate. At the very least we would expect a more detailed analysis to be offered on the concept of connectivity and accessibility beyond standard Design and Access Statements.</p>



National Policy and Drivers of Need	
Conclusions	<p>Given the importance of the NPS as the primary source of national policy guidance for The Proposed Development we are not convinced that the planning provisions in the NPS are consistent with the underlying commitment to the principles of securing sustainable patterns of development in NPPF. Are the drivers of need are adequately addressed in the site selection and sifting exercises?</p>
	<p>It is correct to flag that in the policy review of the development plans for Hinckley and Bosworth that large-scale transport facilities of the form of a SRFI are not defined. That however does not preclude relevant policy about the establishment of large-scale developments at the proposed site. More specifically we would be mindful of the material relevance of local development plan policy on the status and relevant weight given to the protection and commitment to environment.</p> <p>In addition, we are not convinced that sufficient weight has been given the expressed concerns on Core Strategy Policy 5: Transport Infrastructure in the Sub-regional Centre in which the draft Plan refers to the HNRFI (paragraphs 8.38 – 8.39). We are not convinced that sufficient consideration has been given to wider implications on the borough, on “the natural environment and transport infrastructure”. Specifically, without clarity on the Zone of Influence (“Zoi”) and the detail of a Cumulative Environmental Assessment (“CEA”) it is difficult to judge whether significance of impact has been correctly defined as major or severe.</p>



Land Use and Socio Economics	
Page 21	“The baseline research shows that the unemployment rate in the study area is the same as the England average.” As at Oct 2020-Sep 2021 the Hinckley And Bosworth unemployment rates was 4% compared an England average of 4.9% - therefore what’s the data to back up the statement made as it is a different picture locally
7.35	This chapter is based on an assessment against a pre-coronavirus baseline and needs to be read in that light.”- Dated should this be updated
7.47	Because many of the on-site processes are labour-intensive, an SRFI can create many new job opportunities and contribute to the enhancement of people’s skills and use of technology. Thus, the availability of a workforce is also an important consideration.”- bold statement to make, HBBC doesn’t have an available workforce, how will they ensure local people’s skills are enhanced?
7.55	We are concerned that the SUE figures are accurate and need correction particularly on the demand for employment. SUEs were planned way before national rail freight proposal.
7.57	What are the benefits of the development to the A5
Page 29	local planning policy- no mention of HBBC planning policy or local plan
7.95	Why only able to use Blaby wage data?
7.100	May want to look at the HEDNA figures, lots of reference to only BDC figures.
7.115	Could a contribution towards improvements to the A5 be considered?
7.128	Hinckley and Bosworth's Local Plan allocates Burbage Woods as Natural and Semi-Natural Open Space.”- may need to double check that’s still correct wording in emerging local plan terms



Land Use and Socio Economics	
Potential Socio-Economic Effects	
	Construction on site: 335 full-time equivalent (FTE) workers on-site per annum.
7.141	There is also a significant labour market (58,300 jobs estimated by the Annual Population Survey, 2020) to accommodate an extra 335 on-site positions. Therefore adverse effects on alternative projects (displacement) are likely to be low."- disagree many sites struggle with getting local construction works as it is.- What measures will they put in place to attract people to the sector?
7.145-	Construction is estimated to have a low positive impact on the medium sensitivity construction employment in the relevant study area (where there is, in total, 58,000 residents in construction employment), resulting in a minor beneficial effect over the short and medium term." Disappointing to read. Employment during operation: 8,410 – 10,400 workers once fully occupied
7.157	approximately 70% of the occupiers at the HNRFI could be relocated from existing, functionally sub-optimal distribution premises in the LLEP area."
7.161	HNRFI would generate 4,400 – 5,400 additional FTE jobs for the national economy"- seems low due to displacement but what happens to those employment areas that the businesses relocate from...
7.162	Of the additional jobs, 2,500 – 3,100 would be new on-site jobs for the residents of the study area."- can it be shown where in the study area
7.163	Therefore, the effect of operational jobs from the Proposed Development is predicted to be moderate beneficial over the long term." Due to the size of the site and the impacts locally would expect to see more positive impacts on the local employment.
	GVA- Therefore the addition of between 8,400 – 10,400 on-site jobs would generate an estimated £364 - £449 million GVA per year. Business rate retention- large amount but only BDC and LCC benefit Demand for housing- The overall effect will be neutral over the short, medium and long term. Logistics sector- it is anticipated this would be a major beneficial over the long term. Community land and assets (including Access to Burbage Woods and Common)- would be neutral effect over the long term. – Not sure Councillors would agree



Land Use and Socio Economics	
<i>Proposed Mitigation</i>	
	only talks about financial gain of land owners
<i>Climate Change</i>	
	weak mention but not sure if its covered elsewhere
<i>Conclusions</i>	
7.216	<p>The land use and socio-economic effects chapter concludes that the Proposed Development will have a significant beneficial effect by generating net additional jobs and by providing addition floorspace to the businesses of the logistics sector.”</p> <p>Would overall question that the proposed development provides significant beneficial effect when impact on the local labour force was only minor for construction and moderate beneficial for occupation. A good Local Employment & Training Strategy is needed for the development to actually benefit the local workforce, see EP06 Education and Skills for a Strong Local Workforce in the draft HBBC local plan. Blaby should be well versed on this with the New Lubbesthorpe etc.</p>
<i>Public Rights of Way</i>	
	<p>Do they have a strategy on how they intend to manage and maintain the PRoW's through the various phases of their construction?</p> <p>Clarification who will manage and maintain the PRoWs after construction to the development area, management company or LCC</p> <p>It would be would be useful to see a wider view plan, showing how the changes inter-link with the existing and wider network of PRoW's, and green corridors etc</p> <p>Is there any opportunity to have a direct vehicular link / access from the end of Barwell Common Rd on the new relief road, in addition to the proposed footpath and path/cycleway</p> <p>The existing footpath through Elmesthorpe Plantation comes to a stop at the end of our boundary, so requires a link to the proposed bridleway.</p> <p>The new area of POS between Burbage Common and the new relief road, are any PRoW's effect in anyway with these proposals?</p>



Transport and Traffic	
General	<p>A general point is that HBBC are aware that LCC, as the local highway authority have several concerns regarding the model used to present information on the scheme in the PEIR and Interim Transport Assessment. These are set out in the LCC response to the public consultation, and HBBC supports LCC's view on these issues. Given that this information has not yet been agreed with LCC, and that further modelling runs/information are required, HBCC have not reviewed in detail the data and proposals arising from these that have been presented in the PEIR but have rather made general comments.</p>
	<p>It would be helpful to highlight in the final environmental analysis:</p> <ul style="list-style-type: none"> • the expected proportion of the total freight handled via the rail terminal compared to that using road. • The total additional traffic expected to be generated by the proposed development.
	<p>The emphasis on sustainable travel is supported and more detail of how this can be maximised for the adjacent urban areas of HBBC would be welcome. The draft Sustainable Travel Strategy did not appear to have been included in the material attached.</p>
8.31	<p>The Planning and Infrastructure uncertainly log had not been finally agreed with LCC at the time the PEIR was submitted, which seems to be contrary to what is implied here. It is noted that the text states '<i>A new run of the core forecast model for HNRFI is to be undertaken and results updated for the final ES submission</i>'.</p>
Table 8.2	<p>Table 8.2 lists Receptor sensitivities and type. It is not clear where this has been sourced from; it is typical to also include locations where there is existing (or potential future) traffic congestion as this can affect the impact on travellers of all types. Can the source of this table please be clarified, and consideration given to including congested locations in it?</p> <p>There are several key local areas of concern highlighted in the HBBC response to the SoCC, including the Watling Street bridge on the A5, the A47 between the A5 and Desford crossroads; A47 link to Leicester Road; the impacts on the Hinckley Burbage, Barwell and Earl Shilton core local road network; and the impacts on the A5, particularly between Longshoot to Smokington Hollow, and the traffic volumes including HGV flows in the rural areas surrounding Hinckley including Higham on the Hill, Stoke Golding and Wykin. We appreciate some of these may be included in the analysis, but the level of detail provided in the PEIR is insufficient to assess the impact and we would expect a final assessment to include these locations in more detail (see below).</p>



Transport and Traffic	
Figure 8.1	Figure 8.1 shows receptors and sensitives and identifies links with different receptor sensitivity. However, the scale of analysis is very difficult to review for those receptors in HBBC, and more detail is requested on the receptors and links in the HBBC area, including those mentioned in the point above. HBBC will seek to comment further on these matters once the higher level of detail has been provided.
Table 8.3	<p>HBBC considers that important local issues of concern should be added to Table 8.3 – these are all considered by residents/members to impact on the local environment:</p> <ul style="list-style-type: none"> • HGV movements along the local road network; in the urban areas and minor roads in the area • HGV parking. • The resilience of the local network due to increased traffic flows. • Impact on over height vehicles issue at the Watling Street bridge on the A5 including the ability of the network to cope with the resulting issues.
8.6.2	It is noted that <i>‘As with any large-scale traffic model, limitations exist in the ability to reproduce future year flows.’</i> Can the applicant explain how they use sensitivity or other testing to reduce any such uncertainties?
8.108	It is recommended that Local Transport Note 1/20 on cycling should also be considered, it is referred to in the draft TA.
8.133	The Watling Street Railway Bridge and the issues of over height vehicles causes serious disruption to HBBC and the urban area of Hinckley several times each year (2020 press reports indicated 25 times a year). There is concern that many more HGVV trips will inevitably lead to more incidents, and that the increased traffic will mean that the network will be less able to cope with these. In these circumstances HBBC’s view is that the significance of this link should be regarded as major rather than moderate.
8.147	The A47 is regarded as of minor significance but given its important role in the local network and as resilience to issues on the M69, in HBBC’s view its significance is at least moderate for these reasons.
8.178	In respect of cycling HBBC consider that an LTN1/20 analysis should be undertaken as part of the scheme assessment to show how cycling connections to the adjacent HBBC urban areas (Hinckley, Burbage, Earl Shilton and Barwell) are currently achieved and how they can be improved to ensure a high-quality network to this major new employment site. Figure 6 of appendix 8.1 shows that these areas are well within easy cycling range of the site.
8.206	ProW changes – Figure 15 of Appendix 8.1 indicates significant changes to the PRow network. HBBC consider that the impacts on ProW users is not confined to severance or capacity but will also relate to the length and nature of the



Transport and Traffic	
	journeys and the user amenity on the route, and request that these matters be considered in the full analysis.
Table 8.5	It is not clear how this table and the accompanying figures relates to the earlier consideration of magnitude and significance (Table 8.3) for each impact criteria, and it is assumed this will be analysed in full in the final analysis. -
8.221	It is requested that more detailed information on the capacity issues in the HBBC network will be supplied in the final analysis. We note that there are existing and future capacity issues expected at J3 of the M69 (J21 of the M1) and would expect this junction to also be analysed in detail.
Table 8.8	It is noted that this list may not be the only mitigation and further modelling and agreement with LCC as highway authority is needed.
8.266	HGV strategy – the principles, management, and enforcement of this is regarded as critical to HBBC given the very high numbers of additional HGV's expected It is noted that further detail will be provided in the final submission, and that LCC have in their response questioned the deliverability and enforcement of this. It is not yet clear what measures the applicant proposes to reduce the environmental impact of HGV trips for example we are aware of current trials of low emission HGV's.
8.287	HBBC consider that traffic levels are only one aspect of the non-motorised user amenity, for example users of a diverted PRoW, and request that these issues be considered in the final submission.
Appendix 8.2 Draft Travel Plan	Further information on the implementation of this and the mechanism by which the change in mode share will be achieved/enforced and the relevant mitigation should it not be, would be welcome. The 15% target for reduction in single driver trips is welcomed. a
public exhibition material, page 11	This states that ' <i>Each freight train can remove up to 76 HGVs from our roads, removing 1.6 billion HGV kilometres annually</i> ' It would be helpful to understand the assumptions behind this statement. Elsewhere in the material there is reference to each train removing up to 50 HGV movements and it would be useful to clarify which is appropriate. It would be helpful to highlight in future the expected proportion of the total freight handled via the rail terminal compared to that using road.
Appendix 8.1: Interim Transport Assessment	
Figure 13	It is noted that the A47 and associated junctions show as collision hotspots on the plan, and it is recommended that the final analysis consider these in more detail in relation to changes in traffic flows/mix.



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Transport and Traffic	
Table 6	The emphasis in 4.12 on cycling analysis/improvements to the adjacent HBBC urban areas is welcome and further details of the proposals should be provided. Figure 7 appears to indicate gaps in cycling infrastructure to these areas.
Figure 17	It appears that the new A47 link road (west of the railway line) should also be an undesirable route for HGV movement, can this be confirmed?
Table 15 and 18	It is noted that approx. 15% of all external HV movements are from the railport terminal; can it be confirmed that this is the approximate maximum proportion of freight activity that will be related to rail?
7.33	It would be useful to also be provided with the additional HGV volumes on the relevant links.



Noise & Vibration	
Noise Impact Assessment	
Table 6	“Approximately the height of two stacked containers”. Is this the height limit of stacked containers?
	Chilled wagons have not been assessed- if chilled goods are to form part of the process this will need to be revisited. This will also influence fixed plant. Where the transport figures are due to be revised and the assessment should be revised to reflect any changes to what has been reported.
Construction phase	
10.15:	The ABC Method as detailed in BS5228 has been used to set criteria for construction works. Section E5 of BS5228 states that: “Where construction activities involve large scale and long term earth moving activities, then this is more akin to surface mineral extraction than to conventional construction activity. In this situation, the guidance contained within the Technical Guidance to the National Planning Policy Framework [15] needs to be considered when setting criteria for acceptability” and “Based upon the above, it is suggested that the limit of 55 dB LAeq, 1 hr is adopted for daytime construction noise for these types of activities but only where the works are likely to occur for a period more than six months. Precedent for this type of approach has been set within several landmark appeal decisions associated with the construction of ports.” A site limit of 55dB LAeq,1hr- subject to the relaxations provided in section 31 of the Technical Guidance to the National Planning Policy Framework document should be considered for the construction works bearing in mind the timescale of development (very brief details are provided in section 10.95 which gives an estimated 10 years for development).
10.20:	Where will the initial site access be?
10.22:	Construction Phase traffic assessments will need to be phased to cater for the access from the north once the A47 link is operational.
10.92	Hinckley and Bosworth Borough Council (HBBC) recommended hours of operation for construction works are : Monday – Friday 07:30 – 18:00, Saturday 08:00 – 13:00, No working on Sundays and Bank Holidays. This is addressed in paragraph
10.20 8	which provides acceptable proposed hours of operation.
10.87/Table 10.23	Limited details of the A47 link were known when NSR’s were established. The dwelling to the South West of the junction to the link on Leicester Road should be included- this is around the same distance as NSR 21 to the North East of that junction. Do the calculations in Table 10.23 include the construction of the A47 link road?
Construction vibration	
	It is unlikely that a significant impact would result at HBBC NSR’s due to the distances involved however plant should be sensitively selected (i.e. rotary bored in preference to driven piles) and monitoring provided for.



Noise & Vibration	
Completed development	
	Noise from HGV movements, loading/unloading operations and service yard areas, including SRFI opera No consideration is given to the lorry park/ driver welfare area- from experience these areas can create significant noise unless carefully managed.
10.109 -	is set at 48km/hr. do similar sites have speed restrictions lower than this- is there a proposed speed limit for the site? Appendix 10.3 states that "The speed used for all vehicles is 20 km/h".
Table 10.33:	the use of electric onsite vehicles and plant should be explored as discussed- this may help reduce noise levels- particularly low frequency noise that will be harder to control through pathway
10.112	Do the number of HGV passbys need revising? During the 1 st Working Group Meeting it was noted that transport figures were being revised.
10.127 Table 10.34 onward	NSR's 21, 22 and 23 have not been included in the tables. These NSR's are further from the development than others however I need to assess noise levels on receptors within the HBBC area. Please include these NSR's in all tables for clarity.
Table 10.38-	How/where have the ambient noise levels been derived? Please provide results for NSR's 21,22 and 23 and justification for the ambient noise levels used.
Table 10.50 onward	- As above, all receptors should be included to demonstrate predicted noise levels at all NSR's. It is not possible to comment on the impact of noise at those receptors in the HBBC area following the proposed mitigation with the details provided.
10.242	As above the use of electric plant equipment should be explored further. This fits in well with both air quality and noise among other considerations including the statement in 10.218
Appendix 10.3	states that "It is understood that the proposed gantry cranes used at the intermodal freight terminal will be electrically powered and fitted with broadband noise movement alarms"
Noise from fixed plant, equipment, and break-out noise	
10.28	The cumulative effect of all external plant and activities needs to be considered. It is important that this is carefully assessed, and limits fixed. The potential exists for earlier development to "use up" limits leaving little room for future areas- particularly if full details are not known. It may be useful to zone limits to areas.
10.147	As discussed in the earlier sections of this review, this is acceptable.
Noise from off-site rail movements	
10.158, 10.160	Have these figures been accepted as accurate?
10.160	Have these figures been accepted?



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Noise & Vibration	
<i>Vibration from off-site rail movements</i>	
	A detailed vibration assessment is to follow.
<i>Off-site road traffic noise impacts</i>	
	Very limited information was previously available regarding the A47 link road. Dwellings are located adjacent the roundabout of the A47/Leicester Road (4668). Noise impact from the increased traffic volume and changes to the road should be assessed for these properties.
<i>A47 link road</i>	
Table 10.48	A high and medium impact from the A47 link is predicted at NSR's 21 and 22 which are in the HBBC area. 10.189 states that further work is required to understand and determine the noise impact. This should be carried out and include other nearby dwellings (dwellings South West of the junction to the link on Leicester Road).
10.248	Mitigation will need to be considered.



Landscape and Visual Effects	
Scoping Opinion	The Applicant's response to the EIA Scoping Opinion (December 2020) is provided in LVIA Tables 11.1 (response to Secretary of State comments) and 11.2 (response to Consultee comments). The latter includes comments from BDC and HBBC, as well as Natural England. The Applicant's response to these comments is discussed later in the chapter.
Consultation	In addition to consultation as part of the scoping process, the Applicant has undertaken further consultation with BDC, HBBC and Leicestershire County Council (LCC) as summarised in Table 11.4 and paragraphs 11.32-34. The summary demonstrates that the photo viewpoint locations have been agreed with key consultees.
Guidance	Full details of the methodology used to prepare the LVIA are provided in Appendix 11.1 (Annex 1.0) and a summary is provided in Chapter 11. The methodology references current guidance including the Guidelines for Landscape and Visual Impact Assessment, 3rd Edition (GLVIA3) and Landscape Institute Technical Guidance Note 06/19 Visual Representation of Development Proposals. The methodology is thorough and clearly defines the terminology used for each part of the assessment. The Applicant's use of the methodology is discussed later in this chapter.
Thresholds for Significance	A matrix based approach is used to identify significance. The threshold for significant effects as set out in the methodology in Appendix 11.1 is moderate, and thus effects that are judged to be moderate, large or very large are considered to be significant, which is appropriate and in line with GLVIA3. The significance of visual effects at the different stages of assessment (construction, Year 1 and Year 15) are identified on Figures 11.21 to 11.23.
Study area	The study area is described in Appendix 11.1. The Applicant explains that a broad study area of 5km from the site and A47 link was adopted, but that the assessment focuses on receptors within a 2km 'detailed study area' (paragraphs 1.17-19). It is noted that some viewpoints are beyond 2km as shown on Figure 11.9. The study areas have been agreed with LCC and HBBC as set out in paragraph 11.23. However, in our opinion this is a small study area for a development of this size. Furthermore, some landscape/townscape receptors within the 2km study area have not been assessed. (Considered further below).



Landscape and Visual Effects	
Landscape and visual receptors	<p>The methodology makes a clear distinction between the assessment of landscape and visual effects as recommended in GLVIA3, and this is carried through to the assessment.</p> <p>The LVIA identifies the landscape and visual receptors that have the potential to be affected by the project. These receptors include:</p> <ul style="list-style-type: none"> • Landscape receptors: • Natural England's National Character Areas (NCAs). • Landscape Character Areas (LCAs); • The landscape of the site and its immediate surroundings. • Visual receptors. • Users of PRow, Open Access Land and Country Parks. • Road users. • Residential dwellings / groups. <p>The Applicant has not considered effects on townscape receptors / settlements as discussed later in this chapter.</p>
Stages of assessment	<p>Effects are assessed during construction, at Year 1 of operation and at Year 15 of operation, incorporating proposed mitigation measures, which is appropriate.</p>
Baseline information, including sensitivity	<p>This section identifies whether the baseline information provided is sufficient and complete. The landscape and visual baseline is contained within Appendix 11.1, Sections 3 (Landscape) and 4 (Visual), with information on sensitivity contained within the main chapter.</p>
Landscape baseline 2.17	<p>As noted above, the baseline describes NCAs, LCAs and the landscape of the site and its immediate surroundings. For LCAs (see Figure 11.5), reference has been made to the relevant district level landscape character assessment. The focus of the assessment is on local LCAs rather than at NCA level, which is appropriate.</p> <p>The assessment has been undertaken at a site level and for the host landscape character areas (i.e. where direct effects will be experienced). No reference is made to townscape/urban character within the main urban settlements within 2km of the site, except for Urban Character Area (UCA) 4: Hinckley, where some modifications to the road network are proposed. The assessment has not therefore considered effects on Urban Character Areas (UCAs) in HBBC or 'Settlement Character Areas' in BDC. Burbage, Hinckley, Barwell and Earl Shilton UCAs are all within 2km of the site in the HBBC area. Aston Flamville, Blaby, Sharnford, Sapcote and Elmesthorpe are all within 2km of the site in the BDC area. The Zone of Theoretical Visibility (ZTV) map in Figure 11.8 indicates theoretical visibility from parts of all of these settlements. It is considered that the Applicant should consider the inclusion of some of</p>



Landscape and Visual Effects	
	<p>these townscape / urban character areas in the landscape assessment and provide justification for those which are scoped out of the assessment. The Applicant should consider the potential for indirect effects on the character of these areas relating to intervisibility with neighbouring LCAs within the site.</p> <p>The value of the site has been considered in relation to different attributes, as set out in Appendix 11.1, paragraphs 3.33 to 3.60. The site is identified as being of medium value for landscape quality, low value for scenic quality, low value for rarity, medium value for conservation interests, medium value for recreation, low value for perceptual aspects and low value for cultural associations.</p> <p>The sensitivity of the assessed LCAs within Blaby District are set out in Table 11.10 of Chapter 11. These are based on the sensitivity to different development types set out in the Blaby Landscape and Settlement Character Assessment (2020) but translated into the Applicant's own 5 point scale. The Applicant has only considered the sensitivity of the LCA to the component of the project located within it and does not consider the sensitivity to development in neighbouring LCAs. It is considered that this has the potential to 'underplay' the sensitivity of the receptor.</p> <p>The sensitivity of the assessed LCAs within HBBC are set out in the assessment Tables 11.11, 11.13 and 11.15 of Chapter 11. In paragraph 11.115 it is stated that "a degree of professional judgement has been taken on determining their sensitivity", however there is no explanation provided for the 'medium' sensitivity to transport infrastructure identified for the Burbage Common Rolling Farmland LCA or the 'very low' sensitivity to transport infrastructure identified for the Hinckley UCA. No reference is made to the 'key sensitivities and values' set out in the Hinckley and Bosworth Borough Landscape Character Assessment (2017). The Applicant should also consider the sensitivity of LCAs to the project to consider the potential for indirect effects on landscape character (visual character and perceptual character).</p> <p>Appendix 11.1, paragraph A1.11 states that the sensitivity of a receptor considers the "susceptibility of the receptor to the change proposed and the value attached to the receptor;", and value and susceptibility criteria for landscape receptors are set out in Tables A1.1 and A1.2. However, there are no judgements on susceptibility and value for any of the assessed LCAs. Overall, there is not enough information to understand how judgements have been reached.</p>



Landscape and Visual Effects	
Visual baseline	<p>Baseline information in relation to visual receptors is summarised in Appendix 11.1. Viewpoints have been selected with reference to the ZTV of the project (see Figure 11.8). 56 representative viewpoints have been selected (see Figure 11.10), representing a range of visual receptors including receptors on Public Rights of Way (PRoW), on roads and within residential properties. These viewpoints were agreed with LCC and HBBC as set out in Table 11.2 of Chapter 11.</p> <p>We note that the scoping response on viewpoints did not include any viewpoints from PRoW or realigned PRoW on the site itself. In our opinion, this would be helpful as the site is crossed by a network of rights of way and these are rationalised into a single corridor. An assessment of the effect on the experience of users of these rights of way should be considered.</p> <p>The assessment has considered “the visual amenity of domestic dwellings in close proximity to the proposals” and identifies in paragraph 4.28 of Appendix 11.1 which groups of dwellings have the potential to experience significant effects. The Applicant notes that “there are limited opportunities for views from dwellings on higher ground such as Barwell and Earl Shilton (representative Photo viewpoints 25 and 26) to the north” (paragraph 4.27).</p> <p>There is no map showing which groups of dwellings have been assessed so it is difficult to say if any key settlements have been missed.</p> <p>The sensitivity of visual receptors at each photo viewpoint is recorded in the assessment Tables 11.12, 11.14 and 11.16. Residents are identified as being of ‘very high’ sensitivity, which is appropriate, although the Applicant notes that there will be a “lower sensitivity from bedrooms and rooms from which there may be no expected view, for example bathrooms” (paragraph 4.29 in Appendix 11.1). Users of PRoW are identified as being of ‘high’ sensitivity, which is appropriate. The sensitivity of road users varies between ‘very low, ‘low’ and ‘medium’. These sensitivity judgements align with the Applicant’s sensitivity criteria as set out in Table A1.4 in Appendix 11.1.</p> <p>Nine of the viewpoints are representative of night-time views in addition to day-time views, as agreed with LCC and HBBC. No description of baseline night-time views is provided in the LVIA.</p> <p>Wireline photomontages have been prepared from 10 of the photoviewpoints, as agreed with LCC and HBBC. Visualisations are discussed later in this chapter.</p>



Landscape and Visual Effects	
Assessment of effects during construction, including objectivity	<p>Landscape and visual effects during construction are identified as being adverse (paragraph 11.105) which is appropriate given the nature of construction activity. Effects are also identified as being temporary and short-term, although it is noted in Chapter 3 of the PEIR that the phased construction works will take up to 10 years to implement. In our opinion 10 years is medium term.</p> <p>During construction, major or moderate / major effects are identified for the LCAs which will host the large-scale buildings (LCA 1: Aston Flamville Wooded Farmland and LCA 6: Elmesthorpe Floodplain), with 'Minor', 'Minor / Negligible' or 'Negligible' effects identified in relation to the transport infrastructure in other LCAs. As noted earlier the Applicant has not considered the potential for indirect effects on landscape character, for example the potential for the large-scale warehousing to affect the key characteristics in a neighbouring LCA.</p> <p>Construction effects on visual receptors (Table 11.12) range from 'substantial' to 'no effect' depending on the photo viewpoint location. Significant visual effects during construction are recorded in plan form on Figure 11.21.</p>
Operational effects, including objectivity	<p>At Year 1, landscape effects are identified as being 'major' and significant for LCA 1: Aston Flamville Wooded Farmland and 'major / moderate' and significant for LCA 6: Elmesthorpe Floodplain. At Year 15 effects will remain 'major' and significant for LCA 1: Aston Flamville Wooded Farmland and reduce to 'moderate' and significant for LCA 6: Elmesthorpe Floodplain. Other LCAs are not anticipated to experience significant effects at Year 1 or Year 15. Landscape effects are generally described as adverse or neutral, except for effects on the Burbage Common Rolling Farmland LCA which are identified as being beneficial at Year 15, due to the "maturation of the area south of the A47 Link Road" (paragraph 11.224).</p> <p>Significant visual effects are recorded at 23 of the 56 photo viewpoint locations at Year 1, as illustrated on Figure 11.22. This includes all of the assessed residential receptor groups with the exception of residents at Earl Shilton ('moderate – minor' and not significant). Significant visual effects are recorded at 21 of the 56 photo viewpoint locations at Year 15, as illustrated on Figure 11.23. Visual effects are generally identified as adverse except for effects on the M69, A and B roads where effects are identified as neutral. Beneficial effects are identified in relation to the A47 link road. A significant beneficial effect is also identified in relation to open access land and the new area of public open space adjacent to Burbage Common and Woods Country Park, from the western end of Burbage Common Road.</p>



Landscape and Visual Effects	
Application of the method	<p>The methodology in Appendix 11.1 states that the magnitude of change is based on the “size and scale of the change, its duration and reversibility” (paragraph A1.11) which is in accordance with GLVIA3. The Applicant has not identified the size/scale of effects or magnitude of change in the PEIR and should confirm that these judgements will be provided in the ES.</p>
Cumulative effects	<p>There is no assessment of cumulative effects in Chapter 11 of the PEIR. Potential cumulative schemes are shown on Figure 20.1 in Chapter 20: Cumulative and In-combination Effects. It is stated that a cumulative assessment will form part of the ES.</p>
Effects of lighting	<p>There is no methodology for the assessment of lighting as requested by HBBC in their response to Scoping. Reference to baseline levels of lighting is made in the methodology in Table A1.2 (Assessment of Landscape Susceptibility), in relation to experiential effects. However, no baseline descriptions of lighting are provided in relation to landscape character or views.</p> <p>The potential for lighting to contribute to significant effects on landscape character is briefly acknowledged in Section 5: Predicted Effects and Mitigation, where it is stated that “A permanent, long-term adverse impact on landscape character would occur due to physical impact on landscape within the site including introduction of new built form and associated ground remodelling within existing agricultural land, movement of vehicles and people within the site, a lighting strategy which will increase the number and intensity of light sources within the site” (emphasis added).</p> <p>No reference is made to lighting in the assessment sections of the LVIA. The Applicant states that “Narrative will be provided for in the ES with regard to potential lighting impacts, based on an outline Lighting Strategy for the Proposed Development which will be secured as a requirement of the DCO”. There is no Lighting Strategy in the PEIR, although the illustrative landscape strategy in Figure 11.5 identifies “Development of a sensitive lighting strategy which follows key parameters designed to limit light spill such as maximum heights, directional units and specific light sources”.</p> <p>The Applicant should provide a methodology for the assessment of lighting as requested by HBC and with reference to the appropriate guidance. In the assessment of landscape and visual effects the Applicant should describe baseline levels of lighting and an assessment of lighting on landscape and visual receptors, including mitigation.</p>



Landscape and Visual Effects	
Interrelationship of the LVIA with other chapters of the ES	<p>There is a brief reference to the Ecology chapter in paragraph 11.170 in relation to hedgerow losses and gains. It is stated that 12.67km of hedgerows in moderate condition would be lost and 1.32km in poor condition would be lost. 13.76km of new hedgerow would be created on site, whilst 9.19ha of woodland vegetation would be planted.</p> <p>There is also a brief reference to the Heritage chapter (paragraph 11.80) in relation to the character of the site. In Table 11.2 it is stated that there is a “close working relationship between landscape and heritage disciplines” and “Cross-referencing between chapters will be provided in the forthcoming ES”, in response to comments from Historic England.</p>
Photography and visualisation	<p>No methodology is provided to produce visualisations. They show the ‘maximum development parameters’ which we agree is the worst case scenario for the LVIA, and do not include mitigation. It is noted that separate ‘wirelines’ illustrating the scheme layout are included as part of the consultation documents, but it is not clear if these have informed the LVIA.</p> <p>Most of the baseline photography has been taken in winter, which is appropriate as it shows the ‘worst case’ visibility of the site. It is noted that some of the photography is over 4 years old and was undertaken as early as December 2017. It would be useful if direction of photograph was shown on a figure as difficult to orientate</p> <p>Baseline photography has been provided for some of the agreed night-time viewpoints but no visualisations.</p>
Mitigation measures	<p>In paragraph 1.11 it is stated that “At this stage, this assessment is preliminary only and is not exhaustive; other effects and mitigation requirements might be identified in light of on-going baseline studies and survey work, stakeholder/public consultation and evolution of the project design”</p> <p>Mitigation measures during construction will include the adoption of an approved Construction and Environment Management Plan (CEMP), Construction Method Statement (CMS), Arboricultural Method Statement (AMS) and Soil Management Plan, as detailed in paragraph 11.207. Visual mitigation measures will include visual screening (e.g. hoarding) and direction fitting for lighting. Some PRoWs will need to be closed or diverted during the construction works as set out in Appendix 11.2.</p> <p>Mitigation measures during operation of the proposed development are detailed in the following documents:</p> <ul style="list-style-type: none"> • Design and Access Statement;



Landscape and Visual Effects	
	<ul style="list-style-type: none">• Parameter Plans;• Illustrative Masterplan;• Illustrative Landscape Masterplan (Figure 11.15); and• Landscape Sections (Figure 11.17). <p>Embedded mitigation measures include consideration of the “current condition and key characteristics of the landscape” and integration “into the landscape strategy where possible”.</p> <p>The key components of the landscape strategy are as follows:</p> <ul style="list-style-type: none">• “an over-arching Illustrative Landscape Strategy (Figure 11.15) for the Main HNRFI Site;• the provision of a retained, albeit realigned and upgraded on-site PRoW network across the Main HNRFI Site (Figure 11.14), offering recreational value, and a community resource;• the creation of surface water attenuation and detention features incorporated within the areas of open space....• provision of an on-site PRoW network which maintains connectivity across the Main HNRFI Site, including the creation of a new route; and• public open space for formal and informal use, whilst also contributing to green networks and enhancing habitat connectivity through the provision of a landscaped corridor along the eastern edge of the Main HNRFI Site, the A47 Link Road (sandwiched between the road and Burbage Common) and located in the western end of the Main HNRFI Site” (paragraphs 11.215 to 11.217). <p>The north-western edge of the Main HNRFI Site will incorporate a bund, planted with woodland species to assist in softening views from the west and north. The northern edge of the Main HNRFI Site will include further areas of woodland planting whilst the areas adjacent to the M69 will feature a new Bridleway route that will be planting with a mixture of woodland, shrub and scrubby species. Further, areas between the Main HNRFI Site and Burbage Common and Woods Country Park would be laid out as additional naturalistic public access land and include the route of the link road.</p> <p>A Public Rights of Way Appraisal and Strategy is included in Appendix 11.2. It considers the condition, usage and impact upon the PRoW network as well as a strategy for improvements to the network.</p>



Summary of Clarifications

This section summarises the clarifications required from the applicant arising because of the LVIA technical review. These clarifications were agreed with the LPAs and forwarded to the Tritax team on 21.03.22.

LVIA clarifications

- Provide a justification for the 2km study area – given the potential wide visibility of the scheme
- Provide reasoning and justification why an assessment of effects on townscape receptors / settlements within 2km of the site (UCAs in HBBC and ‘Settlement Character Areas’ in BDC), has not been undertaken, as agreed.
- Provide reasoning and justification why indirect effect on LCAs within 2km of the site has not been undertaken (indirect effects on the perceptual aspects of landscape character (including views)).
- Clarify that the sensitivity of LCAs has been identified with reference to judgements on susceptibility and value as set out in the LVIA methodology in Appendix 11.1. Show how judgements on susceptibility and value have been derived for the landscape and visual receptors, and applied in practice. For landscape refer to sensitivity and values set out in the relevant LCA and provide clear links back to evidence to underpin professional judgements. Provide information to show how the judgements have been reached.
- Provide a map showing which groups of dwellings have been assessed in relation to visual amenity and explain why any have been scoped out.
- Provide a methodology for the assessment of night-time lighting effects. Include a description of existing (baseline) views at night-time from the nine representative night-time photoviewpoints, with reference to the night-time baseline photography provided in the PEIR. Include an assessment of effects of lighting in accordance with the agreed methodology, with reference to night-time visualisations from agreed viewpoints.
- Clarify that judgements for magnitude of change will be provided in the ES, with reference to the “size and scale of the change, its duration and reversibility” as set out in the methodology in Appendix 11.1, paragraph A1.11. this is not included in the current draft.
- Clarify the methodology used for the production of visualisations which accompany the ES and the separate package of ‘wirelines’ which illustrate the development proposals and are included in the consultation material. Include clarification of the heights of vegetation modelled in the Year 15 ‘wirelines’. Include map



Summary of Clarifications	
<p>This section summarises the clarifications required from the applicant arising because of the LVIA technical review. These clarifications were agreed with the LPAs and forwarded to the Tritax team on 21.03.22.</p>	
	<p>showing direction of view on the photos to help the users orientate.</p> <ul style="list-style-type: none"> • Provide justification why an additional viewpoint representing the users of rights of way that cross the site is not included in the LVIA. (It is recognised that this was not agreed with consultees at scoping). • Provide a clear reference for when effects are considered to be short term and clarify what short term means in terms of number of years. • Clarify how cumulative effects are/will be dealt with in the LVIA. • Clarify that the maximum/optimum measures have been put in place to mitigate significant adverse landscape and visual effects of the scheme.
Opinion and recommendations	<p>The proposed rail freight infrastructure is a major development (height and scale) with significant landscape and visual effects that are far reaching. This chapter provides LUC's opinion on the landscape and visual effects.</p> <p>The Zone of Theoretical Visibility (ZTV) map indicates theoretical visibility from parts of all of these settlements and surrounding landscapes. The ZTV (Figure 11.8) is reproduced in Figure 4.1. in this report.</p> <p>The extent of significant effect recorded in the LVIA at construction, year 1 and year 15 is shown in Table 4.1.</p>
Landscape effects	<p>There are potential views to the site from the following character areas Burbage Common Rolling Farmland and a small part of Stoke Golding Rolling Farmland in Hinckley and Bosworth, and Elmesthorpe Floodplain, Aston Flameville Wooded Farmland, Stoney Stanton Rolling Farmland and Soar Meadows in Blaby.</p> <p>The settlements of Burbage, Hinckley, Barwell and Earl Shilton are all within 2km of the site in the HBBC area. Aston Flamville, Blaby, Sharnford, Sapcote and Elmesthorpe are all within 2km of the site in the BDC area.</p> <p>The Landscape Character Assessments point to the importance of the agricultural landscape in providing a rural setting and sense of separation in relation to existing development/settlements. They also refer to the importance of long views possible in the context of the rolling topography surrounding the site. The development would be imposed within this rural setting. It is recognised that it is located within the</p>



Summary of Clarifications

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	<p>boundary of existing intrusions in the form of the M69 and rail corridor – however the size and scale of the development means it is far more dominant in many views from surrounding landscapes and settlements than the existing linear infrastructure.</p> <p>The LVIA records significant residual effects at year 1 and year 15 for two landscape character areas (LCA 1: Aston Flamville and LCA 6: Elmesthorpe Floodplain), indicating that mitigation proposals are not effective in reducing significant effects.</p> <p>Our review of the LVIA suggests that there is an underestimation of effects on landscape because 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.</p> <p>We would also question the overall positive beneficial effects recorded for Burbage Common Rolling Farmland.</p> <p>In addition, the LVIA does not currently consider effects on the urban and settlement character areas within the 2km study area as requested in the scoping consultation.</p>
<p>Visual effects</p>	<p>In terms of visual effects – residual significant effects are identified at year 15 for the following receptor groups:</p> <ul style="list-style-type: none"> • Residents • People using rights of way and bridleways • People on local roads • Recreational users at Burbage Common <p>The geographic extent of viewpoints with significant effects is shown Figure 4.2 (reproduced Figure 11.23 from the LVIA below).</p> <p>This shows that views will be experienced across a wide area around the site. Residual significant effects (moderate – major) remain at year 15 for 21 visual receptor groups within the 2km study area. There are only six visual receptors where the LVIA identifies those effects will reduce to 'not significant' at year 15.</p> <p>The LVIA records a significant beneficial effect in relation to open access land and the new area of public open space adjacent to Burbage Common and Woods Country Park, from the western end of Burbage</p>



<p>Summary of Clarifications</p> <p>This section summarises the clarifications required from the applicant arising because of the LVIA technical review. These clarifications were agreed with the LPAs and forwarded to the Tritax team on 21.03.22.</p>	
	<p>Common Road. This is an unlikely conclusion given the scale of changes expected here.</p>
<p>Summary of landscape and visual effects</p>	<p>As a result of the HNRFI permanent, significant residual adverse effects will be experienced for many landscape and visual receptors. The LVIA shows that for most receptors these cannot be mitigated. While the full assessment of night- time/lighting impacts is yet to be undertaken as part of the LVIA it can be assumed that these permanent adverse effects will be experienced at day and night.</p>
<p>Mitigation and enhancement</p>	<p>Mitigation measures incorporate the following:</p> <ul style="list-style-type: none"> • The north-western edge of the Main HNRFI Site will incorporate a bund, planted with woodland species intended to assist in softening views from the west and north (see Figure 4.3). • The northern edge of the Main HNRFI Site will include further areas of woodland planting; • Areas adjacent to the M69 will feature a new Bridleway route that will be planting with a mixture of woodland, shrub and scrub species; • Further, areas between the Main HNRFI Site and Burbage Common and Woods Country Park would be laid out as additional natural public access land and include the route of the link road. <p>Note: one of the clarifications on the LVIA is the growth rates assumed for tree and woodland planting in the visualisations/wirelines. These look to be quite ambitious in terms of the height and degree of screening expected to be provided at year 15</p> <p>The size and scale of this development means that despite the above mitigation measures, many significant residual landscape and visual effects are recorded over a wide area which will be experienced by people every day (not just at the recorded viewpoints). In our opinion, mitigation of the landscape and visual effects of a scheme of this scale</p>



Summary of Clarifications

This section summarises the clarifications required from the applicant arising because of the LVIA technical review. These clarifications were agreed with the LPAs and forwarded to the Tritax team on 21.03.22.

	<p>is very difficult/impossible (reference the proposed low bund and tree planting proposed along the northwest corner of the site see photo).</p> <p>There are also concerns related to the proposed mitigation including the realignment of the network of rights of way to a corridor along the M69 – resulting in a very different experience for users, and the segregation of the proposed new areas of open space ‘common land’ (Burbage Common) west by the new link road – limiting its use and appeal.</p> <p>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:</p> <ul style="list-style-type: none"> • The siting and form of buildings and use of materials and colours should be given careful consideration (noting that the Applicant intends to submit a design code for buildings to BDC 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 the Applicant 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; <p>Given the extent of residual landscape and visual effects a more ambitious landscape enhancement scheme is recommended. The scope of this scheme would need to be agreed with the LPAs including factors such as meeting local needs and long-term management arrangements.</p>
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The proposed rail freight infrastructure is a major development (height and scale) with significant landscape and visual effects that are far reaching. This chapter provides LUC's opinion on the landscape and visual effects. The Zone of Theoretical Visibility (ZTV) map indicates theoretical visibility from parts of all these settlements and surrounding landscapes. The ZTV (Figure 11.8) is reproduced in Figure 4.1. in this report.

The extent of significant effect recorded in the LVIA at construction, year 1 and year 15 is shown in the Table below.



Receptor	Sensitivity	Effect (During Construction)	Effect (Year 1)	Effect (Year 15)
Landscape receptors				
LCA 1: Aston Flamville Wooded Farmland	Very High (large scale commercial) Medium (transport infrastructure)	Major Significant Minor/Negligible Not Significant	Major Significant Minor/Negligible Not Significant	Major Significant Minor/Negligible Not Significant
LCA 6: Elmesthorpe Floodplain	Very High (large scale commercial)	Major/Moderate Significant	Major/Moderate Significant	Moderate Significant
Visual receptors				
Residents at Aston Firs Campsite	Very High	Substantial Adverse Temporary Significant	Substantial Adverse Permanent Significant	Major Adverse Permanent Significant
Residents at Averley Farm House	Very High	Major Adverse Temporary Significant	Major Adverse Permanent Significant	Major/Moderate Adverse Permanent Significant
Residents at Bridge Farm	Very High	Substantial Adverse Temporary Significant	Moderate Adverse Permanent Significant	Moderate Adverse Permanent Significant



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Receptor	Sensitivity	Effect (During Construction)	Effect (Year 1)	Effect (Year 15)
Residents at Billington Rough	Very High	Moderate Adverse Temporary Significant	Moderate Adverse Permanent Significant	Moderate/Minor Adverse Permanent Not Significant
Residents at Wood House Farm	Very High	Substantial Adverse Temporary Significant	Substantial Adverse Permanent Significant	Major Adverse Permanent Significant
Residents at Oaklands	Very High	Major/Moderate Adverse Temporary Significant	Major/Moderate Adverse Permanent Significant	Moderate Adverse Permanent Significant
Residents at Stanton Road	Very High	Major Adverse Temporary Significant	Major Adverse Permanent Significant	Major/Moderate Adverse Permanent Significant
Residents at Burbage Common Road	Very High	Substantial Adverse Temporary Significant	Substantial Adverse Permanent Significant	Major Adverse Permanent Significant
Residents at Burbage Common Road west	Very High	Substantial Adverse Temporary Significant	Substantial Adverse Permanent Significant	Major Beneficial Permanent Significant



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Receptor	Sensitivity	Effect (During Construction)	Effect (Year 1)	Effect (Year 15)
Residents at Barwell	Very High	Major Adverse Temporary Significant	Major Adverse Permanent Significant	Major/Moderate Adverse Permanent Significant
Residents at Church Lane, Dovecote way, St Mary's Close and Barwell Lane, Barwell	Very High	Major Adverse Temporary Significant	Major Adverse Permanent Significant	Major/Moderate Adverse Permanent Significant
Residents at Highgate Lodge Farm and Red Hill Farm	Very High	Moderate Adverse Temporary Significant	Moderate Adverse Permanent Significant	Moderate/Minor Adverse Permanent Not Significant
Residents at B4668 between Burbage Common Road and A47	Very High	Moderate Adverse Temporary Significant	Moderate Adverse Permanent Significant	Moderate/Minor Neutral Permanent Significant
Residents at Gypsy and traveller settlement off Smithy Lane	Very High	Substantial Adverse Temporary Significant	Substantial Adverse Permanent Significant	Major Adverse Permanent Significant
Residents at Gypsy and traveller camp off B4668	Very High	Substantial Adverse Temporary Significant	Substantial Adverse Permanent Significant	Major Adverse Permanent Significant



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Receptor	Sensitivity	Effect (During Construction)	Effect (Year 1)	Effect (Year 15)
Footpath T89 (between Wentworth Arms Pub and the A47, east Elmesthorpe)	High	Major/Moderate Adverse Temporary Significant	Moderate Adverse Permanent Significant	Moderate/Minor Adverse Permanent Not Significant
Footpath U8 (Outwoods rail crossing (modification HB4))	High	Major/Moderate Adverse Temporary Significant	Moderate Adverse Permanent Significant	Moderate/Minor Adverse Permanent Not Significant
Footpath U17 (Thorney Fields Farm rail crossing (modification B8))	High	Major/Moderate Adverse Temporary Significant	Moderate Adverse Permanent Significant	Moderate/Minor Adverse Permanent Not Significant
Footpath U50 (links Billington Rough with Aston Firs)	High	Major Adverse Temporary Significant	Major Adverse Permanent Significant	Major Adverse Permanent Significant
Footpath U52 (links Burbage Common Road bridge with Burbage Common and Woods Country Park, and south to Outwoods rail crossing (modification HB4))	High	Major/Moderate Adverse Temporary Significant	Major Adverse Permanent Significant	Major/Moderate Adverse Permanent Significant
Footpath U53 (east of Main HNRFI Site, passing Red Hill Farm, connecting to Sapcote)	High	Major Adverse Temporary Significant	Major Adverse Permanent Significant	Major/Moderate Adverse Permanent Significant



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Receptor	Sensitivity	Effect (During Construction)	Effect (Year 1)	Effect (Year 15)
Footpath V23 (travels northwest from Burbage Common Road within Main HNRFI Site to B4668)	High	Major/Moderate Adverse Temporary Significant	Major/Moderate Adverse Permanent Significant	Major/Moderate Adverse Permanent Significant
Footpath V35 (Between M69 Junction 2 and Burbage Common Road bridge)	High	Major Adverse Temporary Significant	Major Adverse Permanent Significant	Major/Moderate Adverse Permanent Significant
Bridleway U11 (Outwoods rail crossing (modification HB4) to Hinckley)	High	Major/Moderate Adverse Temporary Significant	Moderate Adverse Permanent Significant	Moderate/Minor Adverse Permanent Not Significant
Bridleway U52 (Between Elvesthorpe and Bridge Farm)	High	Major/Moderate Adverse Temporary Significant	Major/Moderate Adverse Permanent Significant	Moderate Adverse Permanent Significant
Bridleway V29 (Between Freeholt Lodge, Huncote Road north Sapcote and Aston Lane west Sharnford)	High	Major Adverse Temporary Significant to Moderate/Minor Adverse Temporary Not significant	Major Adverse Permanent Significant to Moderate/Minor Adverse Permanent Not significant	Major/Moderate Adverse Permanent Significant to Minor Adverse Permanent Not significant



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Receptor	Sensitivity	Effect (During Construction)	Effect (Year 1)	Effect (Year 15)
Burbage Common Country Park	High	Major/Moderate to Moderate Adverse Temporary Significant	Major/Moderate to Moderate Adverse Permanent Significant	Moderate Adverse Permanent Significant to Moderate/Minor Adverse Permanent Not Significant
B581	Low	Moderate Adverse Temporary Significant to Minor/Negligible Adverse Temporary Not Significant	Minor/Negligible Neutral Permanent Not Significant	Minor/Negligible Neutral Permanent Not Significant
Burbage Common Road	Medium	Major/Moderate Adverse Temporary Significant	Major/Moderate Adverse Permanent Significant	Moderate Beneficial Permanent Significant



Figure 1.1: Zone of Theoretical Visibility of Proposed Parameters

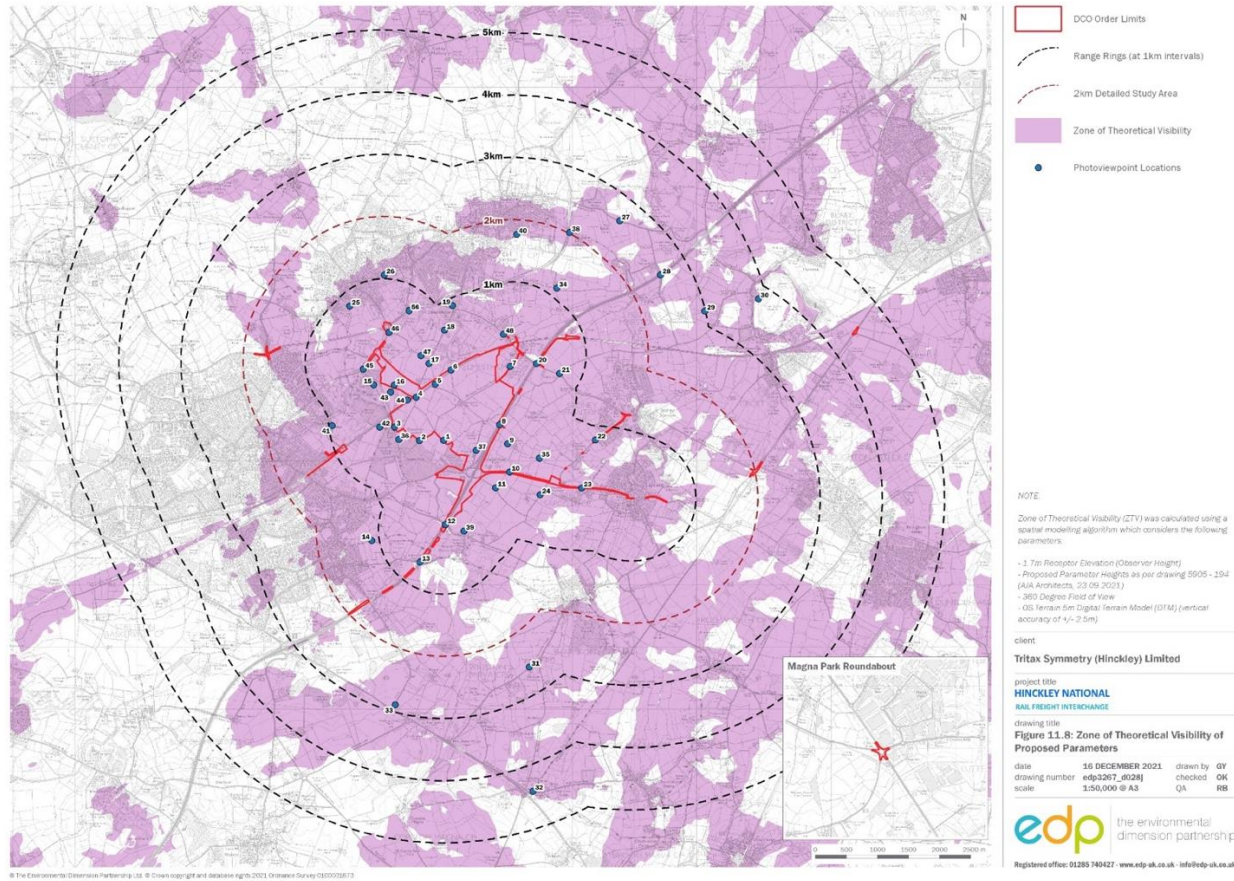
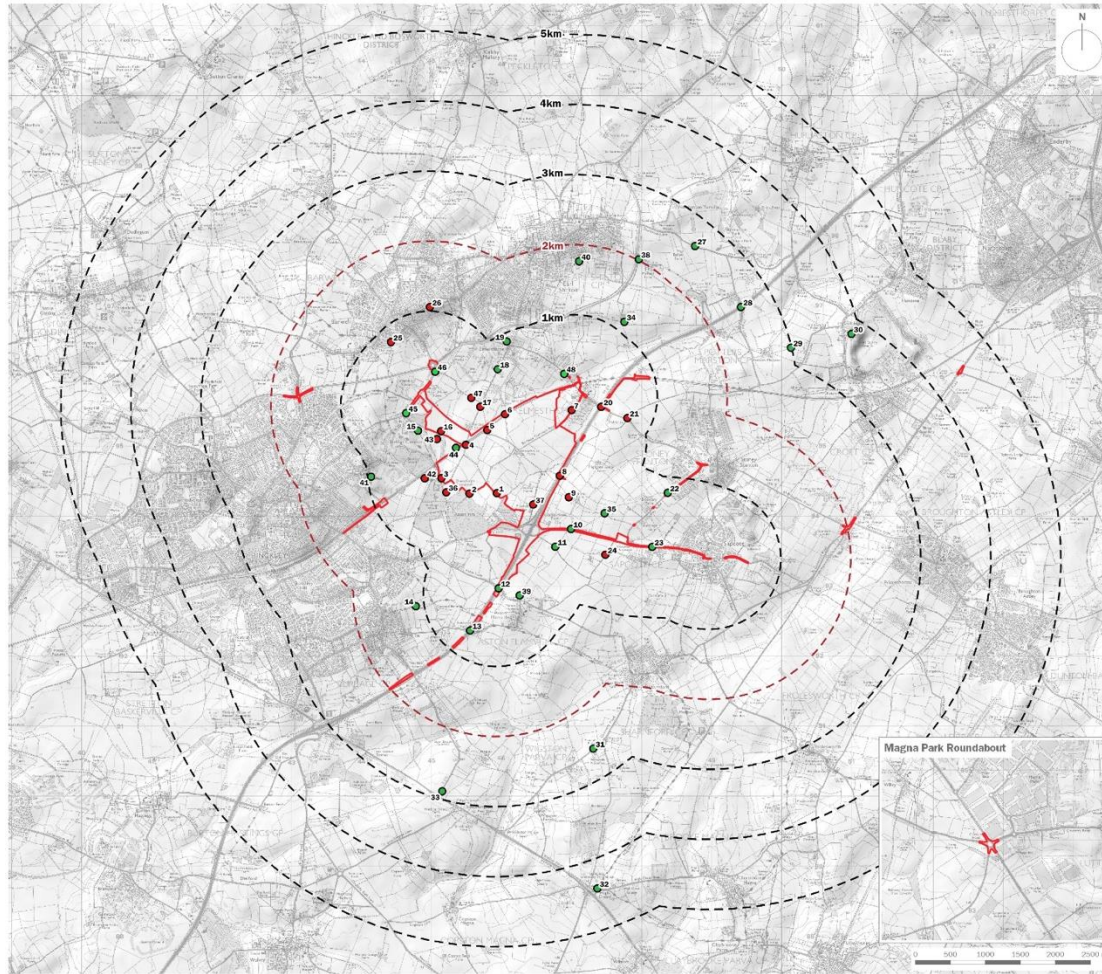




Figure 1.2: Significant visual effects at Year 15 of operation



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- DCO Order Limits
- Range Rings (at 1km intervals)
- 2km Detailed Study Area
- Photoviewpoint Locations
 - Significant Effect
 - Not Significant Effect

client
Tritax Symmetry (Hinckley) Limited

project title
HINCKLEY NATIONAL
RAIL FREIGHT INTERCHANGE

drawing title
Figure 11.23: Significant Visual Effects at Year 15 of Operation

date 16 DECEMBER 2021 drawn by OK
drawing number edp3267_d159a checked FM
scale 1:50,000 @ A3 QA RB

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Figure 1.3: Photoviewpoint EDP 17: View from PRoW U52/9 – Year 15 Post Completion



				<p>Project: EDP 17: View from PRoW U52/9 – Year 15 Post Completion</p> <p>Viewpoint: U52/9</p>				<p>File Name: EDP_17_View_from_PRoW_U52_9_Year_15_Post_Completion.jpg</p>			
<p>NO QUANTITY PROVIDED</p> <p>NO QUANTITY PROVIDED</p>	<p>Engineering Office: EDP 17</p> <p>Project: U52/9</p>	<p>44/0000_000000</p> <p>44/0000_000000</p>	<p>44/0000_000000</p> <p>44/0000_000000</p>	<p>44/0000_000000</p> <p>44/0000_000000</p>	<p>44/0000_000000</p> <p>44/0000_000000</p>	<p>44/0000_000000</p> <p>44/0000_000000</p>	<p>44/0000_000000</p> <p>44/0000_000000</p>	<p>44/0000_000000</p> <p>44/0000_000000</p>	<p>44/0000_000000</p> <p>44/0000_000000</p>	<p>44/0000_000000</p> <p>44/0000_000000</p>	
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Cultural Heritage	
13.42	the assessment set out in Technical Appendix 13.2 identifies that there are three designated heritage assets within the Hinckley and Bosworth Borough Council administrative area (the grade I listed building Church of St Mary, Barwell; the grade II* listed building Church of St Simon and St Jude, Earl Shilton; and the grade II* listed building Church of St Catherine, Burbage) which are considered to be sensitive receptors, due to the potential for development within the Main HNRFI Site to affect the appreciation of these churches from the wider landscape and erode their historical wider agricultural setting in views from the churchyard.
13.135	takes this initial assessment further and predicts that the significance of each of the three churches will be affected by the operation of the Proposed Development in the Main HNRFI Site through change within their wider setting.
	<p>In regard to the Church of St Mary and the Church of St Catherine the predicted visibility of the Proposed Development in the Main HNRFI Site will adversely affect the ability to appreciate these two churches in context with their historical agricultural setting. For all three churches the appreciation of their significance will also be affected to a negligible extent by the loss of localised views towards the church tower and/or spires from parts of the land within the Main HNRFI Site.</p> <p>The PEIR concludes that these impacts, while representing a noticeable change in the setting of the assets, are expected to result in negligible change to the significance of the listed churches, resulting in a permanent minor adverse effect on these assets of high sensitivity, which is not significant. Section 13.164 of the PEIR concludes that no mitigation measures are identified to further offset the minor adverse significance of effect to the identified heritage assets.</p> <p>Whilst I agree that there will be adverse effects resulting from the Proposed Development within the Main HNRFI Site that cannot be mitigated, and I agree with the resulting level of impact identified, care should be taken to not conflate a 'not significant' impact as concluded within the PEIR (in EIA terms) with no harm. The Proposed Development within the Main HNRFI Site will result in harm to three designated heritage assets in terms of national and local planning policy; in my opinion and based on the impacts identified within the PEIR this level of harm would be less than substantial. The following statute, national and local policies (the latter in this case is a material consideration) should therefore be applied by the decision-taker when determining this proposal.</p>
Policy Context and Review	Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on the local planning authority, or as the case may be, the Secretary of State, when determining applications for development which affects a listed building or its setting to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural and historic interest which it possesses.



Cultural Heritage

Section 16 of the National Planning Policy Framework (NPPF) provides the national policy on conserving and enhancing the historic environment.

Paragraphs 199-202 of the NPPF require great weight to be given to the conservation of designated heritage assets when considering the impact of a proposed development on its significance, for any harm to the significance of a designated heritage asset to have clear and convincing justification, and for that harm to be weighed against the public benefits of a proposal.

Paragraph 200(b) recognises that grade I and grade II* listed building are heritage assets of the highest significance.

Paragraph 202 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Policies DM11 and DM12 of the Site Allocations and Development Management Polices DPD seek to protect and enhance the historic environment and heritage assets. Policy DM11 states that the Borough Council will protect, conserve and enhance the historic environment throughout the borough. This will be done through the careful management of development that might adversely impact both designated and non-designated heritage assets. All development proposals which have the potential to affect a heritage asset or its setting will be required to demonstrate:

- a) An understanding of the significance of the heritage asset and its setting, and
- b) The impact of the proposal on the significance of the asset and its setting, including measures to minimise or avoid these impacts; and
- c) How the benefits of the proposal will outweigh any harm caused
- d) Any impact on archaeology in line with Policy DM13

Policy DM12 states that all proposals for development affecting the setting of listed buildings will only be permitted where it is demonstrated that the proposals are compatible with the significance of the building and its setting.



Energy and Climate Change	
General	<p>We are in a Climate Emergency. Following publication of the recent key 2021 IPCC report on the science of climate change, the head of the UN has described the world as on 'Code Red for humanity'.</p> <p>Scientists across the globe agree that it is human activity that is disrupting our climate and people across the world are suffering the impacts of global heating now. This summer alone there have been recording high temperatures and devastating fires in Greece, North America, Siberia and Australia, and flooding in China, Germany and even in this country. While unprecedented droughts, fires and floods are leading to broken food supplies and migration of populations in the global south.</p> <p>This is happening at a current 1.2-degree Celsius increase over pre-industrial temperatures. Current and planned activity so far will take the temperature to well over 3-4 degrees this century and condemn most of the planet to become uninhabitable.</p> <p>It is against this background, that TSH is asking us to consider the environmental impact of the SRFI on carbon and climate change.</p> <p>The Promoter acknowledges that the amended Section 1 of the Climate Change Act 2008 sets a GHG emissions reduction target for the UK of 100 per cent by 2050, compared to a 1990 baseline (the 'Net Zero' target). Similarly, the NPS outlines the Government's policy framework for rail freight expansion. With respect to climate change, UK Government's objective is to: 'ensure that the transport and rail freight make a significant and cost-effective contribution towards reducing global emissions.</p>
	<p>However, in the context of national policy, the onus on the promoter is to ensure that in policy terms, carbon and climate change impacts are fully understood. There is limited analysis as far as we can see without access to the evidence base and data submission particularly where carbon emissions in the local area are relevant to assessment of impacts. The traffic modelling while a work in progress, has not necessarily been run through or tested thoroughly leaving gaps in the understanding on the number of lorries using the local roads networks as well as major highway interchanges. Therefore, it is unknown what the emissions will be in the local area- it is likely it will increase due to the increase in vehicles (</p> <p>This means carbon/climate impacts on Hinckley have not been fully considered. There is no carbon emission breakdown. When will this be produced and supplied? There is an expectation that emissions will be stated for the development as a whole and not in isolation.</p>
18.35	HBBC climate change strategy is live on the website.
18.38	The Promoter has correctly taken a position on the adoption of a precautionary approach to the assessment with recommendations expected to be made to reduce unmitigated emissions and incorporate mitigation measures (such as



Energy and Climate Change	
	renewable energy sources and low carbon materials) into the Proposed Developments design. However, despite this assurance they are clear that a qualitative assessment is not feasible, and that further assessment is conditioned at an appropriate stage to ensure minimum target reductions are achieved.
The 2020 Scoping Opinion	In line with the detailed recommendations made during the scoping stages we would therefore want to understand the extent, scope and ambition of the qualitative design and whether practically the policy ambitions described in PEIR are achievable.
18.43	<p>We understand that GHGs will be considered as part of the Transport Assessment (TA) relating to traffic impacts, and about the benefits of enabling a shift from road to rail. However we are unclear as to the reasoning – beyond the explicit recommendations on a direct assessment of carbon emissions not to be required for non-highway Nationally Significant Infrastructure Projects (NSIPs) . We would have thought that given the significant of GHG in relation to modal shift that the relatively stage of the design information – in parameter plans and masterplanning materials – should be sufficient to at least outline the headline implications of GHG assessment.</p> <p>The Promotion will be supported by a separate ‘Energy/ Sustainability Strategy’ and Design and Access Statement which set-out mitigation in respect of energy minimisation and efficiency which are embedded in design. This of itself is a useful starting point in any assessment however it is not expected to be a definitive position on GHG rather it will tend to deal with the more strategic overview.</p>
18.53	Full carbon emissions are not known as sources have been excluded. These exclusions have the potential to be high carbon emissions and could adversely impact the GHG assessment and therefore need to be included as some point before construction/development.
18.58	We have concerns that no quantification GHG emissions from worker commuting can be undertaken at this stage as estimates of worker numbers are not yet available. HGV movements are expected to be 15% of the operational flows and are therefore not considered significant when compared with the worst-case scenario. However, we would have expected that some of the parameter plans might conceivably be used in providing some depth of understand on emissions.
18.60	The assessment is heavily reliant at this stage on an indicative programme with more detail on construction traffic movements to be included for the final submission, including details of material removal, construction traffic management and environmental management. In addition further detail on this information will be included in the Construction Environmental Management Plan (CEMP)



Energy and Climate Change	
	It therefore becomes difficult to offer any meaning insights on impacts at this stage without a better understand of the baseline on which this assessment is being made. Indeed, we are not entirely convinced either that the operational assessment assumptions are robust where they are based on the scenarios modelled with the appropriate Pan Regional Transport Model (PRTM). We would expect to see more information to offer a judgement on the outcomes of any qualitative assessment.
18.140	Given the extend of the baseline information used in understanding the paramters of any assessment, we have strong underline concerns at the lack of information on carbon footprint of construction plant at this stage where machinery and detailed construction sequences and methodologies are not known. We would assume therefore that at least more information should be available at the detailed design phases to accurately understand impacts.
18.142	All materials used should be sourced in the UK where possible to reduce the embodied carbon.
18.150	The recognition that GHG emissions from the operation of the Proposed Development are likely to have an adverse impact. However, we are confused by the assumption that despite the lack of information on the detailed of the technologies and designs, the magnitude of change in GHG emissions is still considered to result in a permanent minor adverse effect.
18.153	As with previous rail section, the GHG emissions resultant from rail operations associated with the Proposed Development are likely to have an adverse impact. However as before we are concerned that not enough justification or explanation is offered on the magnitude of change in GHG emissions is considered to result in a permanent Minor adverse effect but will result in a betterment due to the rail savings.
18.160	<p>There is no mention of timescale in terms of when the assessment will be extended to include energy use for heating, cooling, and lighting? This will have a significant impact on the total emissions. Which energy sources are being considered? Will this be from renewable sources and have all possible sources been considered? It would be nice to see a breakdown of the energy sources and the associated emissions. This is an important factor when aiming for net zero and should be considered from the start.</p> <p>Would it not be wise to consider the emissions if they are deemed to be significant? Again, these are emissions which, during operation, are expected to be reported as they contribute to the total emissions</p>
18.161	Energy monitoring system should be installed regardless and not something which “in the future could benefit” as it should benefit now. It is expected that carbon emissions will be monitored and reported, therefore, usage needs to be tracked and known from the start.



Energy and Climate Change	
18.162	Why is this not being considered now? To become net zero, this needs to be a high priority consideration and should've been included in this assessment. Everything listed will reduce GHG emissions and should be implemented to reduce the need for gas. Electric vehicle charging points has been poorly explored and there needs to be sufficient infrastructure to allow the transition from diesel to electric. Therefore, included in this, needs to be a consideration to the capacity of the grid and the future capacity. 18.165 states EV charging points could increase electricity requirements, but if this were to be renewably sourced, there is the potential for electricity demand to be produced on site.
Table 18.19	There are all the variables really considered as "not significant"? There needs to be more detail on the meaning of significance and why it has been given a rating of not significant. It could be argued that all climate/carbon variables are significant.
18.164	There are also several potential measures that may be considered in the future which would further reduce GHG emissions. While we are supportive of ambitions, we are also keen to understand how the additional measures might be included as part of the Development Consent Order. We would also want to understand how these measures are included as definitive measure / environmental commitments where the project is expected to grow in significance as well as extensions in its capacity require additional mitigation measures to tackle impacts.
18.172	This statement is weak and does not give full significance to the impact. This should be a cumulative assessment and consider the development as this is where significant emissions will be seen.
18.187	When will the end user be defined? This is an important factor when considering climate change and carbon. It is expected that the end user will report emissions annually.
18.188/18.189	Renewable heat sources such as heat pumps, biomass, solar thermal, and waste heat recovery should be implemented at design and construction stage, not down to the occupant to implement.
18.200	Offsetting should be a last resort. Carbon reduction should be the focus. This should be considered for construction and operation.
18.202/18.203	How will the vulnerabilities to climate change be mitigated?



Major Accidents and Disasters	
19.5.	Public Health England (“PHE”) advised that they “expect to see information about how the applicant would respond to accidents with potential off-site emissions (e.g., flooding or fires, spills, leaks, or releases off-site). Assessment of accidents should: identify all potential hazards in relation to construction, operation, and decommissioning; include an assessment of the risks posed; and identify risk management measures and contingency actions that will be employed in the event of an accident to mitigate off-site effects.
	We would expect to offer direct insights into the range of information available as part of the ES. Specifically, we expect to be part of an iterative design process to be able to provide direct input on measures to manage or avoid the risks identified by PHE during the construction of the SRFI at Hinckley. We note that where a Construction Environmental Management Plan (CEMP), is to be submitted in outline with the DCO application with the final version it will be subject to later approval by the relevant planning authorities in accordance with a DCO Requirement.
19.7	Where the risks identified by PHE at the operational stage, are purposefully broad and in line with the principles of a Rochdale Envelope, we agree that the level of information provided needs to be sufficient to fulfil the requirement of the EIA Regulations. We have concerns that as it currently stands there is insufficient information on the ‘expected significant adverse effects of the development on the environment deriving from the vulnerability of the development to risks of major accidents and/or disasters which are relevant to the project concerned’ (EIA Regulations 2017, Schedule 4, Paragraph 8).
19.13	We understand that during the consultation / pre-application stages, TSH have continued to consult with local police, fire, ambulance and health services and Network Rail. We are not entirely clear as to to what extend and on what basis this consultation has taken place. Moreover, we have concerns as we do with the whole process of assessment and finalisation of the design of the SRFI at Hinckley will take into account all these considerations including access for the emergency and security services.



Cumulative Effects Assessment	
Methodology	<p>Paragraph 3.2 Stage 2 Establishing a shortlist and Paragraph 3.3 Stage 3: Information Gathering of Advice Note 17 Cumulative Effects Assessments (“CEA”) relevant to NSIP’s offers a structure and insight into how a CEA is expected to be undertaking</p>
	<p>There is considerable concern raised across several technical reviews of the lack of clarity as to the how and to what extend cumulative impacts are going to be considered. The guidance from the Planning Inspectorate strongly advises applicants “to take advantage of pre-application consultation with the consultation bodies including the relevant authorities and other relevant organisations, to ensure that the shortlist of ‘other existing development and/or approved development’ identified for CEA is comprehensive and accurate.”</p> <p>While some information is provided in this section of the PEIR, concerns raised by the authorities on the lack of robustness in the structure of a CEA and moreover no engagement with the Planning Authority which assist with identifying a comprehensive suite of mitigation measures submitted with the application for development consent that might otherwise remain unresolved and require exploration during the examination. We are clear that relevant data is available from a variety of sources including directly from the HBBC own web resource, the Planning Inspectorate’s and potentially through direct liaison with other stakeholders including Blaby District and the County, other statutory bodies, and relevant applicants/developers.</p>
The current consultation	<p>We would expect to have proactive engagement with the Promoter on the parameters of the Zol as well as supporting the any assessment of in-combination and cumulative impact in accordance with Table 2 in Advice Note 17:</p> <ul style="list-style-type: none"> • projects under construction. • permitted application(s), but not yet implemented. • submitted application(s), not yet determined. • projects on the Planning Inspectorate’s Programme of Projects where a scoping report has not been submitted. • development allocations identified in the relevant Development Plan (and emerging Development Plans – with appropriate weight). • development allocations identified in other plans and programmes (as appropriate) which set the framework for future development consents/approvals, where such development is reasonably likely to come forward.



Cumulative Effects Assessment	
	<p>We therefore strongly agree that to underpin any assessment of impacts and to ensure that the shortlist of 'other existing development and/or approved development' identified for the CEA is comprehensive and accurate, a dedicated working group is convened to address the data requirements and boundaries of the Zol.</p>
Cumulative Assessment of Impacts	<p>The application for the DCO will be accompanied by an Environmental Impact Assessment presented in the form of an Environmental Statement, together with an extensive range of reports and assessments. At the Statutory Consultation stage of the pre-application process TSH has prepared a PEIR in the form of an Environmental Statement. The PEIR has been prepared based on the Parameters Plan (Figure 2) which sets out the main development parameters which have formed the basis of the environmental assessments which have been undertaken in the PEIR.</p>
	<p>It is considered that the information contained in the PEIR establishes that the benefits of HNRFI will substantially outweigh the adverse residual impacts that have been identified. As such, the <i>'presumption in favour of granting development consent for national networks NSIPs that fall within the need for infrastructure established in this NPS'</i> (NPS paragraph 4.2) applies to HNRFI. Following the statutory consultation on HNRFI it is necessary for TSH to consider all responses and set out the Applicant's position in response thereto- which may include revisions to the proposals. The Planning Balance will be re-considered for the Proposed Development as to be submitted to the Secretary of State.</p>
	<p>Effects associated with the construction phase of the HNRFI are 'direct temporary and short to medium term duration' (paragraph 14.25). The likelihood of any residual impacts following the implementation the mitigation measures set out in Chapter 14 is likely to result in negligible effects. The mitigation measure will ensure that no land beyond the Main HNRFI Site would be at an increased risk of fluvial and surface water flooding. No cumulative adverse impacts have been identified with other committed developments, as such developments would adhere to the same principles to reduce the risk of flooding.</p>
	<p>The NPS acknowledges that SRFIs will necessarily give rise to 'increased road and rail movements' (paragraph 2.51). The planning issue is whether the increase in traffic movement can be accommodated on the surrounding highway network, with the provision of improvements to the network (M69 J2; A47 Link; off-site highway works) without resulting in a 'residual cumulative impact which would be 'severe'' (Framework 111). The conclusions reached in the PEIR are that the proposals are satisfactory in the context of the provisions of the NPS (NPS 5.213).</p>



Health and Wellbeing	
Introduction	This chapter specifically covers Health and Wellbeing, however many of the detailed comments relating to health have been picked up in other chapters, particularly Air Quality and Noise.
Baseline & PEIR Review	In relation to air quality the health and wellbeing section appears to focus on the air quality standard as being a cut of point below which there are no health effects. While this was true over 20 years ago when the UK / original WHO air quality standard for nitrogen dioxide was set, today nitrogen dioxide is recognised as a no threshold pollutant i.e. there is no 'safe' level of exposure and so any increase in this will have a detrimental effect on residents' health.
	Thus, based on the WHO standard which better reflects the no threshold health impacts of nitrogen dioxide, there are some quite significant increases in nitrogen dioxide pollution, both relative to the standard and the existing pollution levels.
	<p>This would be a critical component of considering the impact across a variety of considerations – physical activity, air quality etc. included. We cannot see reference to this from the items I looked through or from a search of the files but this may help shape our feedback/support if there is one.</p> <ul style="list-style-type: none"> • There is reference to footpaths and cycleway links being developed. These are highlighted on the plan for the site but I couldn't see the detail on how these link either to existing or planned infrastructure beyond the site. This is in terms of the quality and scale of walking and cycling infrastructure between this site and the nearby population to ensure there is good quality and well-maintained infrastructure from origin to destination.
	<ul style="list-style-type: none"> • Is the above infrastructure being supported by secure cycle storage, changing/shower facilities, lockers etc. to make active travel a viable proposition?
	<ul style="list-style-type: none"> • We also note that TSH are referenced who are active on the walking and cycling agenda and have sophisticated systems for assessing what could be achieved in terms of maximising uptake. We would want to understand anything they may have been developed on this site if they're involved in that part of the development.



Health and Wellbeing

- The reference to circular routes within the site is interesting, particularly as the green element to the plan is away at the edge. It will clearly depend on the detailed design of those to ensure there's appeal and that people on the site would want (and enjoy) to use them on a regular basis to support wellbeing whilst at work – it could have a big impact on wellbeing if delivered well (and if I've understood the purpose of these correctly). Although not a street, it may be that something like the Healthy Streets Approach (principles below) might work well here to encourage engagement.





Conclusions	
Summary of work to date	<p>We agree that the process of detailed technical review of the project will be critical to the robustness of the assessment. However, we consider it critical that the Technical Working Groups overseen through a Joint Programme Board will be critical in understanding the detail of the design, cumulative assessment of impacts and option appraisals as examples of direct input required to complete Local Impact Reports and Statements of Common Ground.</p> <p>As it currently stands, we have considerable misgivings on the indicative weighting of the magnitude of the effects of the Proposed Development at this stage, given the considerable concerns raised above on the methodology of the assessments and the lack of information and detail in the documentation.</p>
21.3 / Table 21.1	<p>The draft DCO as presented is obviously a work in progress however we want to be closely involved in proposals for enforcement and monitoring of the proposed mitigation measures. We expect to be able to review and sign off a Register of Environmental Actions and Commitments (“REAC”).</p> <p>Based upon the work undertaken to date an emerging REAC is not a schedule that the joint working groups have had an opportunity to digest in detail given the outline nature of the PEIR. There are concerns on some of the principal justifications and securing mechanisms where we believe gaps exist in the data, incomplete design and baseline data resulting in the commitments provided in table 21.1.</p> <p>We would therefore support direct intervention and assessment of the content of the application for the DCO. We would agree therefore that to find common ground and assurances on the level of commitment necessary for the Proposed Development to demonstrate its compliance with National Policy, the REAC will be updated to reflect the outcomes of the assessment. An updated REAC as integral part of the DCO and presented in the final Environmental Statement that accompanies the DCO application.</p>
Planning Statement [Draft]	<p>We believe that the conclusions of the draft Planning Statement are presumptive give the early stage of the programme.</p> <p>We do not believe at this stage that the information contained in the PEIR establishes that the benefits of SRFI at the Hinckley site will substantially outweigh the adverse residual impacts that have been identified. As such, the ‘presumption in favour of granting development consent for national networks NSIPs that fall within the need for infrastructure established in this NPS’ (NPS paragraph 4.2) cannot be assumed to apply to a SRFI at the proposed site.</p> <p>We strongly agree that the statutory consultation on SRFI at Hinckley will be the first step in establishing the case for the Proposed Development and that TSH will expect to consider all responses if it is to establish the presumption. We expect that there will require to be revisions to the proposals in line with the consideration of the council and that a Planning Balance be re-</p>



Hinckley & Bosworth
Borough Council

Conclusions	
	considered for the Proposed Development as to be submitted to the Secretary of State.